
COMMISSIONERS:

DeLoris Roberts, Mayor
John Martin, Vice Mayor
Eleanor Randall
Patricia Bouie
Michael E. Rutledge, Sr.

CITY CLERK:

Donna R. Mayes, City Clerk

CITY ATTORNEY:

Steve Lee

**MINUTES
CITY OF HAWTHORNE
COMMISSION MEETING
February 17, 2009**

A. CALL TO ORDER

Mayor DeLoris Roberts called the meeting to order at 6:30pm. Present was Mayor DeLoris Roberts, Vice Mayor John Martin, Commissioners Eleanor Randall, Patricia Bouie and Michael Rutledge. City staff present were City Clerk Donna Mayes, City Planner Kelly Moosbrugger, and Attorney Steve Lee.

1. **Invocation:** Commissioner Bouie
2. **Pledge:** Kelly Moosbrugger

B. APPROVAL OF AGENDA

Moved to amend and approve the agenda, removing items F.2. and F.6. from the agenda, moving item F.1. to before the public hearings, and moving items F.4 and F.5 to public hearings.

Motion – Commissioner Martin

Second – Commissioner Bouie

Vote – 5-0

C. RECOGNITIONS, PROCLAMATIONS, AND GUESTS

None

D. CONSENT AGENDA

1. Approve Meeting Minutes
 - a. Regular meeting – January 14, 2009
 - b. Special meeting – January 26, 2009
 - c. Joint Meeting with County – February 3rd, 2009
 - d. Regular Meeting – February 3rd, 2009

Moved to approve the consent agenda.

Motion – Commissioner Martin

Second – Commissioner Randall

Vote – 5-0

AMENDMENT TO AGENDA: INTERIM MANAGER CONSULTANT – Clovis Watson, Jr.
City Manager of Alachua

Clovis Watson introduced Linda Chapman and Sue Weller, who will also be helping the City during this transition period.

Mayor Roberts asked for Mr. Watson's opinion on the Law Enforcement MSTU. He said it would be best for the City to join both MSTUs to relieve the general fund, and that we will not lose the opportunity to have our own departments in the future.

Mayor Roberts inquired how Alachua made the transition to a new city manager, and Mr. Watson answered that it is best to part ways amicably with former city managers.

Ms. Roberts asked about the stimulus package, and Mr. Watson said that Alachua asked for \$136 million. He suggested we ask the committees to meet with local large property owners and business owners to talk about needed improvements for infrastructure. He also suggested asking the community for a list of improvements. Vice Mayor Martin asked about the MTPO, which is receiving money but not planning to spend any in the smaller cities. Mr. Watson said we could still send the package to the governor's office and to Washington. Only traffic money will go through the MTPO. Commissioner Bouie asked about a deadline, and Mr. Watson said to apply for stimulus money as soon as possible.

Mr. Watson said he will be helping the Mayor review applications for interim city manager this week, then do a background check for us. Mayor Roberts said we now have 12-13 applications and that the process for a permanent manager will be more lengthy, with a committee.

Vicki Logan commented that the City is making very poor decisions.

E. PUBLIC HEARINGS

1. ORDINANCE 2009-06 – (Second Reading) Annexation 08-2 Roth

Planner Kelly Moosbrugger gave the staff report and described the property. Attorney Lee mentioned that the original hearing was scheduled for February 3rd but the commission voted to wait until this meeting. Ms. Moosbrugger recommended approval.

Motion to approve Ordinance 2009-06.

Motion – Commissioner Bouie

Second – Commissioner Rutledge

Vote – 5-0

2. ORDINANCE 2008-13 – (Second Reading) CPA 08-4

Ms. Moosbrugger gave the staff report on the Public Schools Facilities Element addition to the Comprehensive Plan. She explained it is required by the state, and will add public school concurrency requirements to developments or land use changes. She said all DCA objections and recommendations were addressed in the revision of the element.

Motion to adopt with changes the proposed amendment.

Motion – Commissioner Randall

Second – Commissioner Bouie

Vote – 5-0

3. RESOLUTION 2009-05 Amending Water/Sewer Rates

City Clerk Donna Mayes read aloud the proposed rate structure. Vice Mayor Martin explained that the water would raise by 26% and sewer by 3%, and that the City has not raised rates in over ten years, which is the reason for the large increase now.

CITIZEN COMMENTS:

William Carlton: there was a sewer increase 5 years ago of \$11

Mary Moore: you should reduce the salaries included in the budget for water

Laurie Houk: this is the worst possible time to raise rates, we are losing jobs

Joan Wright: the increase on commercial is less than the residential increase, and that is unfair

Joyce Johnson: water is filthy

Ray Daniel: you do pay for sewer on lawn watering if you don't have the irrigation meter

Sudsville Carwash: this will hurt businesses, we will have to raise our prices

Commissioner Randall asked if we could just raise it for this year, and Attorney Lee explained that once you raise them, that is what they are until you vote again to change them.

Commissioner Rutledge said if we don't raise the rates, the state will take over and charge even more.

Motion to adopt Resolution 2009-05 raising the water and sewer rates.

Motion – Commissioner Rutledge

Second – Commissioner Martin

Commissioner Martin pointed out that there were 2 rate studies and both cited comparisons to other cities' rates. Attorney Lee said the legal basis is not what other cities charge, the rates must be enough to cover costs and be fair and equitable.

Commissioner Martin stated all of our wells meet or exceed standards and that piping is responsible for any problems with water quality. He said we are getting a new water tower within the next year. He commented that the commission owes it to the citizens to take a look at the rates again for next year's budget and figure out a better way to tier it or to promote water conservation.

Vote – 5-0

4. RESOLUTION 2009-03 Amending Garbage Rates

City Clerk Mayes read the proposed rate structure and Attorney Lee suggested the commission add the word 'monthly' to the resolution to make it clear that the rate is monthly.

Commissioner Martin explained that the rate is whatever Waste-Pro charges plus a 9% administration charge. Ray Daniel and Mary Moore commented.

Motion to adopt resolution 2009-03 with amendment to add 'monthly' into paragraph one.

Motion – Commissioner Rutledge

Second – Commissioner Randall

Vote – 5-0

F. REGULAR AGENDA

1. Mayor's Advisory Panel Recommendations – Fire MSTU

Chief Ed Bailey from Alachua County gave a short speech and said it is possible that the county could take over before October but it must be discussed at the county manager and commission level. His department would recommend to the County Commission to get started quickly in Hawthorne.

Attorney Lee explained that the motion at this stage would be to express intent to join the MSTU and designate someone to negotiate with the County.

Commissioner Rutledge wanted to make sure that the fire house is included in the negotiation and Vice Mayor Martin said our past debt should be addressed during the negotiations and mentioned that Hawthorne got the fire house with a federal grant, which might affect the possibilities for it.

Motion to advise the Mayor, consultant, and city staff to enter into negotiations with the Alachua County Department of Public Safety for the purposes of starting a contract for fire services for the rest of the year with the intent to join the MSTU for next year.

Motion – Commissioner Martin

Second – Commissioner Rutledge

Vote 5-0

2. Mayor's Advisory Panel Recommendations – Law Enforcement MSTU

Motion to express intent to join the Law Enforcement MSTU.

Motion – Commissioner Bouie

Second – Commissioner Randall

Attorney Lee said he would draft an ordinance and talk with the County if the Commission votes 'yes.' He also reminded them that they will have to make difficult financial decisions in the future because of the millage cap. Right now we are at 6 mills, the MSTUs will add 2 mills.

Vote – 5-0

3. Public School Facilities Interlocal Agreement

Motion to adopt and execute the agreement.

Motion – Commissioner Martin

Second – Commissioner Bouie

Vote – 5-0

4. Police Surplus – Vehicles and Equipment

Attorney Lee advised that a judge or jury could find Hawthorne legally liable to the City of High Springs. \$8300 is the maximum we are liable for, plus court costs. There is nothing in our code about disposing of property, so the Commission can do what they want as long as it serves a public purpose. Mayor Roberts recommended to defer to a workshop the decision on what to do with the vehicles. Mr. Watson suggested to wait until an interim manager is hired, then let that person do a full report on the inventory and best options. Vice Mayor Martin said the commission should let High Spring know that they are considering the request. The commission agreed to put the surplus items on the agenda for the next workshop.

G. CITIZEN COMMENTS

Tim Logan

Vivian Wagner

Steve Johnson

Matt Surrency – 10 lights out at school baseball fields, plus sinkholes in field

H. REPORTS

Attorney Lee said we should notify the MFA of the decision on the fire MSTU.

The commissioners then discussed making an agreement with former City Manager Shryock. Attorney Lee said the total cost to award him the original agreement he presented to them before he was terminated would be \$15,000 to \$16,000. Attorney time for a lawsuit costs \$100/hour.

Motion – To offer former City Manager three months pay, including sick leave, insurance, and vacation time, starting the day of termination.

Motion – Commissioner Martin

Second – Commissioner Bouie

Vote – 5-0

Motion to instruct the MFA Board that Hawthorne intends to join the fire MSTU.

Motion – Commissioner Randall

Second – Commissioner Bouie

Vote – 5-0

I. ADJOURN

Mayor DeLoris Roberts adjourned.

These Minutes of the Commission Meeting of February 17th, 2009 are submitted for Commission approval.

Donna R. Mayes, City Clerk

DeLoris Roberts, Mayor

Transcribed by: _____ **Signature:** _____