



Minutes
Regular Commission Meeting
April 7, 2009

A. CALL TO ORDER

Mayor Roberts called the Commission Meeting to order at 6:30PM. Board Present: Mayor Roberts, Vice Mayor Martin, Commissioners Rutledge, Randall and Bouie. Staff Present: Interim City Manager Chapman, City Clerk Mayes and Attorney Lee.

1. **Invocation** - Commissioner Bouie
2. **Pledge of Allegiance** - Commissioner Martin.

B. APPROVAL OF AGENDA

Moved to approve the agenda.

Motion- Commissioner Randall

Second - Vice Mayor Martin

Vote- 5-0

C. RECOGNITIONS, PROCLAMATIONS, AND GUESTS

Mr. Burt Wetherington, with the Alachua County Activist Group, spoke on the Yulee Diddle Day in Archer on the 6th of June. Mayor Roberts read a Proclamation for the Library proclaiming April 2009 appreciation month.

D. CONSENT AGENDA

Moved to approve the Consent Agenda as amended inserting a letter from Ellen Vause into the Minutes, correcting the name of Jim Drymon and approving the Minutes of March 17th, March 12th and March 30, 2009

Motion- Commissioner Randall

Second- Commissioner Bouie

Vote- 5-0

E. REGULAR AGENDA

1. Resolution 2009-07 – Calling Candidate Qualifying of Elections

Discussion on ordinance language for the qualifying fee of \$40.00 that in Attorney Lee's opinion is the fee due the City plus the 1% state fee the candidates should pay. City Manager of Alachua, Mr. Watson, recommended honoring the ordinance in place and the Interim Manager work to amend the ordinance for next year stating a fair administrative fee for the city plus the 1% state fee of the annual commission salary.

Moved to follow the ordinance for a \$40.00 filing fee to the City and 1% State Fee at \$48.00

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

2. Resolution 2009-09 – Declaring Certain Property Surplus

Interim City Manager Chapman explained vehicles are not usually given to City Managers to take home especially in small towns therefore, she recommended selling the vehicle the recent manager was driving. Attorney Lee informed there was no State Law that dictates how to deal with surplus property. Mr. Watson advised against just letting someone purchase it and recommended Ms. Chapman brings back a policy for disposing of surplus property. Vice Mayor Martin questioned the urgency and Ms. Chapman explained there was several different items being worked on.

Moved to approve Resolution 2009-09 declaring to be surplus property

Motion – Vice Mayor Martin

Second – Commissioner Randall

Vote – 5-0

3. City Attorney Contract

Interim City Manager Chapman communicated that the City was moving forward and feels that a new attorney is needed for this direction. Vice Mayor Martin voiced there would have to be sufficient reason for changing attorney such as not doing the job or more cost effect way. He does not see any lack of performance and there is no better attorney; he is highly respected with other cities. Mayor Roberts informed the attorney is contractual and the Charter says he may be removed on the first day of any month. Commissioner Rutledge and Randall were in agreement he has done good work for the city but what worked in the past might not work for the present. Commissioner Bouie stated in looking at the emails between Attorney Lee and Interim Manager Chapman there doesn't seem to be a good working relationship and the city is moving in a new direction of change. Mayor Roberts answered the Vice Mayor the motion was to be to terminate. Matt Surrency voiced no reasons had been given for termination and reminded the Board that Ms. Chapman worked for them not the other way around.

Moved to terminate the City Attorney according to the contract

Motion – Commissioner Bouie

Motion died for lack of a second.

F. CITIZEN COMMENTS

Vivian Wagner read the list of workers on the clean-up

Larry Tilbury asked for clarification on citizens comments on agenda items.

Billy Carlton commented that at one time there was an ordinance on surplus but believes it was rescinded. He questioned who gave the police vehicles to Waldo to which Ms. Chapman replied that the Police Chief did.

Memory Stuart of the Library, voiced they were considering starting a Sustainability Group.

G. REPORTS

- a) Attorney Lee reported now that the City had adopted the MSTU, the County must adopt an ordinance to expand their area to include Hawthorne. The discussions he has had with the County have not been amiable and they would not forgive the debt which payment was due in January.
- b) Interim City Manager Chapman reported the County did a walk thru at the Fire Station. She informed there is around \$200,000 out in Code Enforcement fines. She reported the process going for hiring a full time utility billing clerk and also looking into updating the software. The Interim Planner has done a study of the Land

Development Regulation fees and these increases will be coming before the Board shortly. The Waste Pro Complaint procedure is running smoothly. All overtime except for emergency, has been stopped. Personnel policies have been put back into place and cell phones are being replaced with radios. Employees have been reminded to curtail personal business on City time. The general public will not be allowed to enter the office any longer "to visit" with staff. Only those with business will be allowed access during office hours. We have had two breaks in the sewer lines with spillage; from now on we will be contracting for regular maintenance to prevent this happening in the future. City assets are being inventoried. We have access to a \$650,000 grant for the tower removal, replacement and well repair. We are hoping for stimulus money to help meet our match of \$250,000. A contractor with the SHIP Program had to be terminated so another will finish the job. Negotiations are continuing with the County for fire service. Attempts are being made to obtain an inventory from our Fire Chief. I have learned that most of our equipment is on loan from Micanopy per our Fire Chief who is also the Fire Chief of Micanopy although there is no paperwork to support this contention. I am considering calling back the Chief's take home vehicle that was granted by the former City Manager and not by contract. The Fire Chief lives out of town, works full time in Jacksonville and travels between there, Micanopy and Hawthorne. For liability and financial reasons the vehicle should be returned and disposed of as surplus property. Vice Mayor Martin questioned when Nite Owl could be terminated? Ms. Chapman informed he terminated us. She is waiting on a break down of the cost to the \$20,000 invoice that the City has not paid.

*Note: The lap top computer recording this meeting went down at this point with error warnings and would not come back up.

Interim Manager Chapman related for Commissioner Rutledge the Fire vehicle would remain on site, just stop the trips out of town. Chief Modican related the car only went to Jacksonville on business and he pays his own gas. The Board was appreciative of the Manager's report.

- c) Mayor Roberts reported she informed the County that there had only been negotiations between the City and the Fire personnel and that no agreement was made. A meeting is scheduled for the 14th with the County.
- d) Commissioner Rutledge reported he missed the City Clean-up Day due to getting sick when out of town. He asked that staff call him with his messages. He stated he had calls about the Fire Chief not being at the station and noted someone should find out what the recent manager had told him. Commissioner Rutledge did not approve of anyone going through the Fire Chief's office in his absence. There will be a fund raiser in Hawthorne for the St. Jude's Miracle Hospital by having a motor bike ride on May 16, 2009.
- e) Commissioner Bouie expressed her appreciation to the Advisory Panel for all their work and asked about the Come Together. Commissioner Rutledge noted it could be done with the Motor Bike Rally
- f) Vice Mayor Martin stated he supports the move to Alachua County Fire although he foresees tax payers will probably be paying more money within a couple of years but right now they hold all the cards.

H. ADJOURN

Moved to adjourn the Regular Commission Meeting of April 7, 2009 at 8:45 P.M.

Motion – Commissioner Rutledge

Second – Commissioner Randall

These minutes of the April 7, 2009 Regular Commission Meeting are submitted for approval.

Donna R. Mayes, City Clerk

DeLoris Roberts, Mayor