
COMMISSIONERS:

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

CITY MANAGER:

Chad M. Shryock, City Manager
Donna R. Mayes, City Clerk

CITY ATTORNEY:

Steve Lee

**MINUTES
REGULAR COMMISSION MEETING
JANUARY 6, 2009**

A. CALL TO ORDER

Mayor Roberts called the meeting to order at 6:30 p.m. Full Commission was present, Staff present was City Manager Shryock, City Clerk Mayes, City Attorney Lee and Planner Kelly Moosbrugger.

- 1. Invocation – Commissioner Randall**
- 2. Pledge – Commissioner Rutledge**

B. APPROVAL OF AGENDA

Mayor Roberts stated she had just received the rate studies and had not had time to compare between the Nite Owl and the Rural Water Study. She was reluctant to discuss Ordinance 2009-05 amending water and sewer rates and would also like to have sufficient time to notify the citizens that a rate increase is being discussed. She also said it might be better to go ahead and decide the future of the Police Department if this is a course of action they must take, before considering Ordinance 2009-08 on the Video Monitoring. City Manager informed both ordinances must have second readings; all they would be doing is adopting on first reading to set up for a Public Hearing to decide on a final decision for both issues.

Commissioner Bouie agreed on the need of a Workshop before doing a first reading. Commissioner Randall commented her understanding was that Chip George would be here to present his rate study tonight. City Manager Shryock answered Chip was running a little late but would be here and do a comparison of the studies. Commissioner Rutledge concurred with having a Workshop. Mayor Roberts advised a Workshop would be set for Monday night to discuss the rates and ask if the Board wanted to go ahead with item #4 or wait. Commissioner Randall stated they could do the first reading and have more information before the second reading and decide what to do about the Police Department by then. City Manager Shryock related they could approve the agenda with no action on F1 and take F4 off. Vice Mayor Martin voiced the two rate studies are different but both increase. He has no problem with F1, if raising the rates the sooner the better and the lower they can be. However number F4 he does not see why action cannot be taken since there is no expense to the city. If no action is taken and continue with the Police Department that puts a month behind; if do away with the Police we can always not pass on 2nd reading. Cutting from the General Fund is a different issue from the Enterprise Funds. By state law, they must be self sufficient and support themselves.

Mayor Roberts commented the water rates had not been raised since 1998.

Several questions and comments issues from the audience, of which the City Manager stated would be addressed by Chip during his presentation. Vice Mayor Martin was still in favor of keeping F4 on the agenda since there was no cost to the City but Commission Bouie was in favor of holding off.

Moved to amend the agenda with no action on F1 Ordinance 2009-05 Amending Water and Sewer Rates and F4 Ordinance 2009-08 Video Monitoring

Motion – Commissioner Rutledge

Second – Commissioner Bouie

Vote – 4-1 No Vote Vice Mayor Martin

C. RECOGNITIONS, PROCLAMATIONS AND GUESTS - None

D. CONSENT AGENDA

Moved to approve the Consent Agenda

Minutes: Special Meeting of November 17th & Regular Meeting of December 2nd, Workshop December 16th, and Ordinance 2009-06 First Reading for Annexation 2008-2 Dennis & Judith Roth

Motion – Vice Mayor Martin

Second – Commissioner Randall

Vote – 5-0

E. PUBLIC HEARINGS

Mayor Roberts opened the Public Hearing

1. Ordinance 2008-14 – Second Reading USR 08-3 Lubben

The urban service report provides notice to voluntary annexation applicants of available public services for the property in question prior to the annexation hearing. On June 17th the Commission approved the USR on first reading. The creation of an Urban Service Report is required by section 225.13 of the Alachua County Boundary Adjustment Act. A city must prepare a report identifying the plans to provide urban services to any area to be annexed and must identify the impact on services and taxes to existing residents

Public Comment = None Close Public Hearing

Move to approve Ordinance 2008-14 on Second and Final Reading – An Ordinance of the City of Hawthorne, Florida adopting an Urban Services Report pursuant to the requirements of the Alachua County Boundary Adjustment Act (Chapter 90-496, Laws of Florida) relating to voluntary annexations to the boundaries of the City of Hawthorne, Florida, which are reasonably compact, and contiguous to the city limits; providing severability; repealing all ordinances in conflict; and providing an effective date.

Motion – Vice Mayor Martin

Second – Commissioner Randall

Vote – 5-0

Open Public Hearing

2. Ordinance 2008-07 – Second Reading LDR 08-3 L&S Trailer

Planner Kelly Moosbrugger explained this was thought to have passed on 2nd reading back in the summer but was only first reading, so just cleaning up this issue and recommends approval.

This will change the zoning from Agriculture to Commercial Intensive Warehousing. Staff recommends approval.

Public Comment – None Closed Public Hearing

Moved to adopt Ordinance 2008-07 on Second Reading - An Ordinance of the City of Hawthorne, Florida, relating to the rezoning of less than ten contiguous acres of land, pursuant to an application by the property owner of said acreage; amending the official zoning atlas of the City of Hawthorne land development regulations, providing for rezoning from county Agricultural (A) to Commercial Intensive and Warehousing (CIW) of certain lands within the corporate limits of the City of Hawthorne, Florida; providing severability; repealing all ordinances in conflict; and providing an effective date

Motion – Commissioner Randall
Vote – 5-0

Second – Vice Mayor Martin

Open Public Hearing

3. Ordinance 2009-04 – Second Reading PUD 08-1 Elite Resorts

Staff report by Planner Kelly Moosbrugger recommending approval with conditions that the developer provide all applicable water management district permits and/or U.S. Army Corps of Engineers permits before final approval, and that the developer enter into a development agreement before final approval based on the findings and conclusions presented in this report. They have completed the required traffic study and changed the wetland buffers to reflect the minimum of 35 ft. found in city codes. Per Ed Mayer, owner of Elite Resorts, this is basically a week-end facility, not a sub-division, and the city and the developer will negotiate on the water and sewer extensions to make sure they are available to the resort.

Close Public Hearing

Moved to approve Ordinance 2009-04 on Second Reading with the amendments adding the PUD conditions – An Ordinance of the City of Hawthorne, Florida; relating to the rezoning of ten or more contiguous acres of land; amending the official zoning atlas of the City of Hawthorne Land Development Regulations, pursuant to an application by the property owner of said acreage, providing for rezoning from residential single family/mobile home-2 (RSF?MH-2) to Planned Unit Development (PUD) of certain Lands within the corporate limits of the City of Hawthorne, Florida; providing severability; repealing all ordinances in conflict; and providing an effective date

Motion – Commissioner Bouie
Vote – 5-0

Second – Commissioner Randall

F. REGULAR AGENDA

1. Ordinance 2009-05 (First Reading-Board Voted to take no action) Water & Sewer Rates

Chip George of Nite Owl Software communicated that the Rural Water Rate Study was very professional but done with the assumption that the budget adopted was correct, which it was not. He has an advantage working with his own software system in seeing the exact figures. Mr. George presented his power point of the current and revised figures of the budget showing the inaccuracies, stating the expenses were more than projected and the revenues less than had been projected. In answer to Vice Mayor Martin, Chip advised the need to do something now was imperative; each month delay is looking at a \$25,000 loss. Attorney Lee advised in looking at a time frame they must consider the rate ordinance must have two reading and notices must be sent out to all citizens informing them of the rate increase. Commissioner Rutledge inquired why Rural Water got a budget with inconsistencies. Chip informed they had the budget the Commission approved where the revenues were over estimated, principal and depreciation was not shown along with the bond payment being overlooked. He added that most cities have another person that also looks over the budget; another pair of eyes is always better. In replying to the Board, City Manager Shryock admitted he could have used some help but they had directed staff to cut back and so Chip's services were not being fully utilized. Commissioner Bouie questioned wasn't there other ways to cut back other than raising rates. City Manager Shryock pointed out that the Enterprise Funds, which include water, sewer and garbage were the focus now and there was nothing to cut there; in the General Fund maybe. Mayor Roberts read from the Charter where it is the duty of the City Manager to keep the Board of Commission informed. Chip related that \$90,000 had been lost in the enterprise funds last year; there are requirements to cover these funds. The GF you have options, just two different issues. Vice

Mayor Martin voiced that the Commission should have adopted for a gradual increase over time when the second half of the sewer went in; there has not been a water increase since 1998.

Mayor Roberts suggested meeting Monday for a Workshop Session. Some discussion on infrastructure and depreciation, which Chip stated he recommends depreciation and capital replacement just can not do it this year.

Mayor Roberts set the Workshop for Monday, January, 12th at 6:30 p.m. and continued the Regular Meeting to Wednesday, January 14th at 6:30 p.m.

2. Resolution 2009-02 Alachua Country Boundary Adjustment Act Amendment

Staff report stated the resolution will demonstrate the City of Hawthorne's support for the local legislative delegation to introduce a special act to amend the Boundary Adjustment Act. The Alachua County BAA governs urban reserve areas and annexations within the county. This would just be in support of the county. Vice Mayor Martin voiced his objections to the resolution, stating they were never in favor of the Act itself. Attorney Lee informed that Micanopy adopted a resolution repealing the BAA.

Moved to adopt Resolution 2009-02 changing it to state The City of Hawthorne supports a repeal of the Boundary Adjustment Act in its entirety

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

F.3. National Flood Insurance Program

(a) Resolution 2009-03 Resolution of Intent to Participate

(b) Ordinance 2009-07 First Reading Flood Damage Prevention

City Manager Shryock related the city already has an ordinance on flood damage that contains most of the information in this ordinance, so he is waiting to hear back if they will approve with our current one. Attorney Lee informed there is no cost to join but certain requirements and time involved.

Moved to accept the City Manager's recommendation to approve Resolution 2009-03 and postpone adopting Ordinance 2009-07

Motion – vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

G. REPORTS

- a) City Manager Shryock reported the CRA Meeting with Laura Deebocker must be rescheduled; he will let them know when. January 15th is the North East Florida League of Cities Meeting in ST. Augustine and it is free, let him know who plans to attend.
- b) Mayor Roberts made correction to the panel, not the Mayor's panel, just the advisory panel for issues of the city and thanked them for their efforts. Read from the Charter on pages 2&7 on Manager issues. She announced a trip for tomorrow, to Orlando with Elder Affairs to see a Senior Citizen Center. SHIP Housing met with Mr. Webster who requested a letter stating they would be through with the homes by March 31st.
- c) Vice Mayor Martin questioned if #4 Video Monitoring of Dangerous Intersections would be on the agenda for the continued meeting. City Manager Shryock informed it would have to be put back on the agenda. Mr. Martin thanked everyone for working on the Christmas Festival.

- d) Commissioner Rutledge reported the Nomads were in town and it would be a nice gesture if the citizens would take something over for them. He commented on keeping one officer to view the red light cameras if they dissolve the Police Department. Happy New Year
- e) Commissioner Bouie reported the School Board had assured her someone would come and talk to Hawthorne about the closing of the schools before doing anything. She closed with a Happy New Year
- f) Commissioner Randall gave a “Hats Off” to the Chamber for the Christmas Festival. She expressed her regret about the Town & County closing and wished everyone a Happy New Year.

H. ADJOURN

Moved to continue this January 6, 2009 Regular Meeting of the Hawthorne City Commission to Wednesday, January 14, 2009 at 6:30 p.m.

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

These Minutes of the January 6th Regular Meeting are submitted for Commission approval.

Chad M. Shryock, City Manager

DeLoris Roberts, Mayor

Donna R. Mayes, CMC
City Clerk