

E. REGULAR AGENDA

1. Larry Reeves – Impact Fees Request

Mr. Reeves requested of the Board to change the Code of Ordinance to allow the impact fees to be paid in installments since as he explained the fees can only used for infrastructure projects. He would like to pay the \$4200 he owes in seven monthly payments of \$600.00.

Commissioner Randall arrived at 7:10 P.M.

Discussion on payments and incentive for paying up front and if not paid how to collect payment. Also discussed was charging interest rates and to place liens on property. Vice Mayor Martin recommended Attorney Lee work on drafting an Ordinance to show encouragement to other businesses.

Moved to instruct City Staff and Attorney to draft an Impact Fee Ordinance to allow payment over time

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

2. Resolution 2009-11 Planning & Zoning Fee Schedule Amendment

City Planner Kelly Moosburgger reviewed the Fee Schedule explaining that fees for Zoning Certifications and Development Agreements had been added. Some fees were raised to be in line with other cities but a few were lowered. She tried to average the scheduled fees to be sure and cover advertisement cost.

Moved to approve Resolution 2009-11 Planning & Zoning Fee Schedule Amendment with Staffs Recommendation

A Resolution of the City of Hawthorne, Florida to amend the Schedule of Fees and charges for matters pertaining to the City's Comprehensive Plan and Land Development Regulations; reestablishing deadline dates for acceptance of applications for regular amendments to the City's Comprehensive Plan; providing severability; repealing all Resolutions in conflict and providing an effective date.

Motion – Commissioner Randall

Second – Vice Mayor Martin

Vote – 5-0

3. County Fire Services Agreement for 2009-2010

Interim City Manager Chapman reported that she and Mayor Roberts negotiated an agreement with the County but they will not be inside the City. The ambulance will be in Grove Park and the Fire Engine in Orange Heights. There was discussion on home insurance going up due to the distance of the fire engine from the City limits. Vice Mayor Martin related he had spoken with County Commissioner Pinkoson who informed they were building a new station; they were concerned the Hawthorne building might have asbestos in it. Attorney Lee advised the agreement was basically the same but need to change contact information in Section 4 and Section 6. Default and Termination does not protect the City if they default. Interim Manager Chapman instructed staff can look at the #6 and bring back. Ms. Chapman voiced the County was working on an agreement for the interim. Nick Roller, a fire fighter for the Hawthorne Department, inquired on a plan of action, stating employees may go over their hours being short staffed. He wanted to know how the chain of command would work with the Chief, Lieutenant and Captain leaving. Ms. Chapman stated there were no answers at this time; she is still working with the County. Mr. Roller asked if they would receive severance pay as the Police Department did and also if there were problems in the future with the asbestos would the City stand behind this.

Interim Manager did not believe there was any asbestos; it was just an excuse for the County to not use the building. Discussion on the fairness to the fire employees with the City closing the department resulted in talk of some kind of monetary reward for the ones who stayed.

4. County Fire Services Agreement – 2009 May through September – Pulled off agenda

5. SHIP Approval for a New Contractor

Interim Manager Chapman explained the contractor was in breach of his contract due to shoddy and unfinished work. If he does not finish the project in a satisfactory manner before the contract termination date of April 24th, the Program is requesting permission to hire another contractor to finish the project. The program is also requesting permission to take legal action against the Contractor for breach of contract, liquidated and other damages.

Moved to accept Staff recommendation to approve hiring another contractor and to take appropriate legal action against the contractor as they see fit

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Vote – 5-0

6. ADG – Software Contract

Interim Manager Chapman expressed her desire to hire a full time utility billing clerk and bring in a new software company that will better suit the needs of the city. She related Zendra would stay on as part time as she is now, as filing clerk and assisting wherever needed. ADG Software has agreed to install for cost only and wait for payment until the city is on its feet. Alachua County Manager and Consultant for the City, Clovis Watson, has reviewed the contract and approved it. Other companies were looked at but there was not a better fit for the city and its needs. It would take 60 days to load the programs and to reprogram our software.

Commissioner Rutledge encouraged getting three bids and following the policy laid out; going back to spending before enough information is gained. Vice Mayor Martin was in agreement before reacting and have regrets later, to follow the policies. Ms. Chapman stated the City's procurement policy was very loose but trying to tighten them up and will get other bids.

A Special Meeting was set for April 28th at 6:30 P.M. to discuss this issue again.

F. CITIZEN COMMENTS

The question was asked how many little convenient stores was going to be allowed in the City. Attorney Lee advised there was no legal avenue to stop them.

G. REPORTS

a) Attorney Lee reported the amendment for the BAA did not pass. The lawsuit in Hillsboro County opted out of Occupational License for Attorneys. The Antitrust Division of the Florida Attorney General's Office is planning to file a lawsuit alleging certain manufactures of aftermarket vehicle replacement filters coordinated and artificially fixed prices, specifically the types of filters at issue are oil, air and transmission filters. Need to maintain all records of filters from January of 99. If the County takes over the Fire Department the fire assessment fees can be used to pay the fire cost to the county and outstanding fire bills.

b) Interim City Manager Chapman reported on a stolen gas credit card out of the old City Manager's car. It was used in Hawthorne, Newberry and Lake City to fill up

multiple vehicles at the tune of \$2,000. The company has canceled all cards and as soon as they receive the Police Report they will credit this amount off the bill. New gas cards have been ordered and new policies in effect. Ms. Chapman reported on the ADG Software, the fee study by Planner Kelly Moosbrugger, the maintenance on the Sewer System, City Assets and also on archiving some of the city's files. Reported on also was the status of the grant for the water tower and well, SHIP, CRA funds to fix the roof, Fire Station, Code Enforcement Board and the need for members. Manager Chapman informed she was forming a Task Force to attract new business to Hawthorne and the first meeting will be April 29th in the Commission Chambers at 11:30 A.M. She has contacted Tallahassee to arrange for signage on SR 20, developing specific guidelines for Procurement Policies and met with Alachua's Recreation Director Hal Brady who has agreed to participate in the workshop on recreation. Applications for the new City Manager continue to come in. She also went over her Action Report on items that had been directed by the Board and the status of each issue. Vice Mayor Martin voiced he would donate storage space for the records and asked Interim Manager to explain about his credit card. Ms. Chapman acknowledged that Mr. Martin's card was being used by the Fire Department for gas until the new cards arrive.

c) Vice Mayor Martin reported on the MTPO and the area on State Road 24 and 16th Avenue had been tentatively approved to become part of UF Campus. This will narrow Archer Road and reduce the speed limit to 20 miles per hour. The June addition of Muscle & Fitness featured an article on our own Cornelius Ingram.

d) Commissioner Rutledge commented he felt the "Come Together" could have coincided with the St. Jude's Miracle Motorcycle Ride.

H. ADJOURN

Moved to adjourn the Regular Commission Meeting of April 21, 2009 at 10:00 P.M.

Motion – Commissioner Rutledge

Second – Vice Mayor Martin

Vote – Unanimous

These minutes of the April 21, 2009 Regular Commission Meeting are submitted for approval.

Donna R. Mayes, City Clerk

DeLoris Roberts, Mayor