

COMMISSIONERS:

DeLoris Roberts-Cheatham, Mayor
Eleanor "Kit" Randall, Vice-Mayor
John Martin
William Carlton
Terry Knowles

CITY MANAGER:

Chad M. Shryock
Donna R. Mayes, CMC

CITY ATTORNEY:

Patricia Carter

MINUTES
REGULAR COMMISSION MEETING
July 11, 2005 @ 6:30 PM

Mayor Martin called the meeting to order at 6:30 PM. Vice Mayor E. Martin gave the invocation and Commissioner Surrency led the Pledge of Allegiance.

Board Present: Mayor Martin, Vice Mayor E. Martin, Commissioners Surrency, Roberts and Randall.

Staff Present: City Manager Chad Shryock, Clerk Donna R. Mayes, and Attorney Patricia Carter.

A. Approval of the Minutes

Moved to approve the Minutes of June 6, 2005.

Motion – Commissioner Roberts Second – Commissioner Randall

Vote – 5-0

B. Financial Report

City Manager Shryock explained that the report was for the Board's review. He added that he was just getting started and hoped to have more at a later date.

C. Approval of Agenda

Moved approve the agenda with amendment to move item number 11 to the number 3 so Mr. David Pace could speak on the Trailhead.

Motion – Commissioner Roberts Second – Commissioner Randall

Vote – 5-0

Item 1. Certifying the Elections

Before certifying the elections of June 11, 2005, Mayor Martin commended Commissioners Eddie Martin and Betty Surrency for their years of service to the City of Hawthorne mentioning efforts and issues solved during their terms on the board.

Item 3. Trail Head Landscaping

Mr. David Pace reported that over \$8,000 in funds had been raised and the State had matched that, but they need about \$2,000 more. They are working in conjunction with the City's Lakeside Park beautification and with Tim Logan. He would like to ask the City's help in donating the water meter so

they can keep the plants and grass watered at the trailhead and maybe also put in a water fountain. Commissioner Martin felt sure the City could donate a meter and possible agreement for maintenance.

Moved to donate the cost of the water meter, \$250, toward the park effort for the FROG Organization and have City Staff inquire about a maintenance agreement with the State of Florida.

Motion – Commissioner Martin

Second – Vice Mayor Randall

Discussion – Commissioner Carlton inquired how that could work with other recreation issues. City Manager Shryock advised the City could differentiate by treating as "other parks" and not open a can of worms

Vote – 5-0

Item 4. SHIP Housing

Mr. David Hruska was not present so Mayor Roberts asked what the pleasure of the board was on the action request.

Moved to authorize the Mayor to execute the amendment to the Alachua County SFY 03-04 SHIP Agreement granting an additional 90-day extension of the term of the Agreement.

Motion – Commissioner Martin

Second – Vice Mayor Randall

Vote – 5-0

Item 5. Waste Management Request for Change of Recycling Pickup

City Manager Shryock explained that the request was to change the recycling pickup from Monday to Wednesday when the regular residential garbage was picked up. This would not affect the Commercial customers at all.

Moved to approve the request of Waste Management to move recycling from Monday to Wednesdays.

Motion – Commissioner Martin

Second – Vice Mayor Randall

Discussion – Ms. Vicki Logan asked when the contract with Waste Management was up. City Manager Shryock informed the City would begin negotiations and advertising in December.

Vote – 5-0

Item 6. Citizens Input

Mr. George Pinkney addressed the problem of drainage on his back lot at SE 62nd Avenue. City Manager Shryock advised that he was dealing with a lot of

drainage problems and he and the Public Works Supervisor will look at Mr. Pinkney's problem.

Commissioner Martin expressed his thanks to Mr. Pinkney and his committee for a successful homecoming.

Mr. Dominic Orsini, Certified Business Analyst, from the Small Business Development Center of North Central Florida encouraged anyone starting a

new business to meet with the First Step Staff and let them help with the process.

Item 7. Second Reading of Ordinance 2005-06

City Manager Shryock along with Attorney Carter explained that this Ordinance is establishing the framework for levying a fire assessment. This would apply to each property owner including those that do not pay any taxes at all. Churches would pay this assessment, non-profit and also those that have homestead exemption. The assessment would be established to where single family residents pay a certain fee and commercial possibly by the square footage. These funds may only be used to pay for fire services. If the millage rate were raised, the same people paying taxes would continue to pay; with the special assessment everyone pays. Ms. Carter advised that this is just authorizing the city to adopt the assessment; a second Ordinance will follow establishing the rates and must be passed on two readings. This assessment would be billed on the property tax notice.

Moved to approve Ordinance 2005-06 on Second and Final Reading by Title Only.

Motion – Commissioner Martin

Second – Vice Mayor Randall

An Ordinance of the City of Hawthorne, Florida, relating to a fire services special assessment; creating and adding Article 1 of a new Chapter 22 to the Code of Ordinances; providing definitions; making findings concerning the authority of the City to adopt a special assessment and the benefit to property of fire services; granting authority to the City Commission to impose an annual special assessment for fire services; providing for interim assessments for property improved or altered during the fiscal year; providing for collection of the assessment on the property tax bill; providing that alternative procedures may be used for collection of the assessment; providing the method to be used for collection of the assessment on government properties; providing that the assessment will be imposed throughout the city; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Further Discussion – The question of impact fees was brought forward with City Manager Shryock explaining that these fees are for infrastructure and cannot be used for on-going projects. He added that an option for the City was to reduce the Advalorem Tax and make up the difference with the people that are not paying these taxes.

A roll call vote was taken – Commissioner Randall – yes, Commissioner Knowles – no, Commissioner Martin – yes, Commissioner Carlton – no, and Mayor Roberts – yes.

Passed – 3-2 vote

Item 8. Reservation First Addition Investigation

City Manager Shryock informed that this report was received from the County and he included it for the Board to review for the next meeting. He believes the County Commission will ask for money at some point.

Move to have City Staff gather all financial cost expense that the City of Hawthorne incurred with the Reservation First Addition.

Motion – Commissioner Martin

Second – Vice Mayor Randall

Vote – 5-0

Item 9. Retirement Benefits for Elected Officials

City Manager Shryock referred to the State Statutes that provide retirement benefits of one-half pay to any City Commission that retires after 20 years of service. Commissioner Eddie Lee Martin is leaving the Commission after 32 years of service. Mr. Shryock pointed out as indicated in the attached memo from the City Attorney, there is no definitive case law governing whether the loss of an election constitutes “retirement” under this statute. However the Attorney General’s opinion, suggest that this situation would qualify as a retirement under the statute. The current benefit would be \$150.00 per month for each eligible Commissioner and he would encourage the approval from the Board.

Moved to pay retiring Commissioner Eddie L. Martin ½ amount of his salary as a Commissioner.

Motion – Commissioner Martin

Second – Commissioner Knowles

Discussion – Mayor Roberts recommended if the City goes forward with this action, it would be good to put in the City Charter for future reference.

Yes Votes - Commissioner’s Randall, Martin, Knowles and Mayor Roberts

No Vote – Commissioner Carlton

Item 10. Capacity Fee Analysis Report

City Manager Shryock briefed the Board on this report from the City’s Engineers, Mittauer and Associates. This report is for the purpose of identifying potential revenue sources that can be used to expand the City’s water and sewer capacity. Mr. Shryock explained that the impact fee will shift the cost

of expansion onto the new developments that come into the City, adding that the citizens already here should not incur the cost of building a larger plant. Giving the uncertainty of receiving grant money, he also urged the Board to not assume there would be any grant funding for this project when determining the amount charged for the fees.

Moved to authorize the City Staff to establish and bring back an Ordinance to the Commission on Impact Fees.

Motion – Commissioner Martin

Second – Commissioner Knowles

Vote – 5-1 with Commissioner Carlton voting no.

Item 11. Approve Budget Calendar and Set Budget Workshop

City Manager Shryock communicated to the Board that the budget process should be expedited since it usually begins in June. A Budget Workshop was set for July 21st at 6:00 PM. New Board Member Terry Knowles days of availability for meetings was established as Tuesday's off and Thursday's off early.

Item 12. Reports

1. City Attorney – No report
2. City Manager Shryock briefed the Board on drainage issues, the budget and the Boundary Adjustment Act, adding that the County did move the City boundaries back to Grove Park. The City is also working on a number of annexations and looking at the YMCA agreement with the attorney.
3. Commissioner Randall inquired who would take up the "Citizen of the Year", Tim Logan, campaign. It was noted that it would be looked into. Also the YMCA is in need of more barrels for trash.
4. Commissioner Knowles commented that he may have a source for the barrels. No other report was given
5. Commissioner Martin reported that he had been temporarily appointed to represent the Local League of Cities in the place of Mr. Eddie Martin. He also related that he served on the MPTO committee as a rural advisor. He expressed he was honored to have been Mayor and to continue to serve as a Commissioner. He noted that he will be supportive of the new board members.
6. Commissioner Carlton complemented the City Manager on the summary reports in the packets. He would also like to have the bank balances at the end of each month.
7. Mayor Roberts requested a follow up on the City Park bathrooms. She suggested having a people's forum to hear from the citizens on what they want from the city. She

announced the Chamber Luncheon for Wednesday, August 17th at 11:30 in the Baptist Hall. Mayor Roberts concluded with the thought of whom the City will appoint as their representative on the Regional Planning Council Board just vacated by Mr. Eddie Martin.

Moved to adjourn at 9:00 PM.
Motion – Commissioner Martin
Unanimous

Second – Vice Mayor Randall

These Minutes of the Regular Commission Meeting of July 11, 2005 are submitted for approval.

Chad M. Shryock, City Manager

DeLoris Roberts, Mayor

Donna R. Mayes, CMC