



City Manager Shryock voiced that the goal in developing this assessment was to keep it simple and fair; basing the information readily available from the Property Appraiser's Office to run the numbers.

Moved to adopt by Title Only, on Second and Final Reading, Ordinance 2005-07 Fire Assessment.

Motion – Commissioner Martin

Second – Commissioner Knowles

An Ordinance of the City Commission of the City of Hawthorne, Florida, relating to the provision of fire services and collection of special assessments therefore in the City of Hawthorne; setting forth purpose and definitions; making legislative determination of special benefit and fair apportionments; setting forth a schedule of assessment rates; adopting an assessment roll; imposing a fire service assessment; providing for collection of the fire services assessment on property tax bills; and providing an effective date.

Vote – 4-1 Commissioner Carlton voting NO

Mayor Roberts accepted names for the Committee on Funding Fire Assessment. Names declared were: Molly Lloyd – by Commissioner Knowles, Pat McCollough – by Commissioner Randall, Vivian Wagner – by Commissioner Martin, Harry Carter – by Commissioner Carlton and Ellen Vause - by Mayor Roberts. Jesse Hutchins was appointed as an alternative on the committee.

Commissioner Knowles, as chairperson of committee, will contact members for meetings and Attorney Carter will go over the legal issues at the first meeting. Each member is to turn in their phone number to the City Clerk.

Commissioner Knowles inquired if the meeting would be open and advertised to which Attorney Carter affirmed.

Mayor Roberts opened the First Public Hearing on the Budget.

Item 2. Second and Final Reading of Ordinances 2006-01 & 2006-02 on Millage Rate and Adoption of Budget.

City Manager Shryock explained that setting the roll back rate at 4.5 would be 13.11% difference. He conveyed that the budget was exactly the same as when he presented it at the workshop with two exceptions. One of the changes adds the cost of the maintenance contract on water tower #2 and the second corrects the projected interest revenue in the sewer fund. In answer to Commissioner Knowles question, Mr. Shryock communicated that salary adjustments were budgeted at 5% and this item would be on the September 19<sup>th</sup> meeting. Copies of the budget are available on the web site and at City Hall.

Moved to pass on First Reading Ordinance 2006-01 by Title Only.

Motion – Commissioner Martin

Second – Vice Mayor Randall

An Ordinance of the City of Hawthorne of Alachua County, Florida, adopting the final levying of Ad Valorem Taxes for the City of Hawthorne for fiscal year 2005/2006; providing for severability; providing for an effective date.

Vote – 5-0

City Manager Shryock informed that the next ordinance was adopting the budget document on first reading. Reminder by Commissioner Knowles of the Second Public Hearing on September 19<sup>th</sup>.

Citizen Comments – None

Moved to adopt Ordinance 2006-02 on First Reading by Title Only.

Motion – Commissioner Martin

Second – Commissioner Knowles

An Ordinance of the City of Hawthorne of Alachua County, Florida, adopting the Final Budget for the City of Hawthorne for fiscal year 2005/2006; providing for severability; providing for an effective date.

Vote – 5-0

Notification will be advertised in Thursday's paper of the Alachua Today.

Citizen Comments – None

Closed Public Hearing

E. Citizen Comments

Ms. Marge Hay of SE 216<sup>th</sup> Street reported on a crack in the street extending to across their driveway. The City has been notified and filled in the crack with dirt, but meanwhile it continues to be wet even in their grass and the driveway and yard is sinking. In conclusion she was under the impression that funds had been appropriated to fix this.

City Manager Shryock responded that he would follow up on this issue. Commissioner Carlton and Martin remembered voting on this issue a couple of years ago.

\*City Clerk's Note: It was voted to fix the road if the \$5,000 in funds were available, which during that time was not.

Ms. Heather Surrency reported for the YMCA, announcing Jay Paulson as the new Director. The dates of the 2<sup>nd</sup> Annual Hog Fest will be October 1<sup>st</sup> with a kick off party on Friday night, September 30<sup>th</sup>.

Mayor Roberts expressed her appreciation to recent Director Matt Surrency for getting the Hawthorne YMCA off to a good start.

Item 3. First Reading of Ordinance 2005-08 – Martin Rezoning

As the business owner of certain property, Commissioner Martin excused himself from the Board and presented his request for rezoning. Mr. Martin is proposing to construct additional units at this location and is seeking a change in the zoning to permit this construction. In 1995 he received a Special Exception to build the self storage warehouses but in 1997 when the CIW Zoning was created his property was not grandfathered in and consequently got changed to CG. He is requesting to just get back what he already had which would have been the CIW.

Moved to approve the Martin rezoning by First Reading of Ordinance 2005-08 by Title Only.

Motion – Commissioner Carlton

Second – Commissioner Knowles

An Ordinance of the City of Hawthorne, Florida amending Ordinance N0. 97-02, as amended; relating to the rezoning of less than ten 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 Commercial General, (CG) 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 and effective date.

Vote – 4-0

#### Item 4. First Reading Ordinance 2005-09 – Impact Fees

City Manager Shryock summarized the reason for these fees applicable to new users to the city's water and wastewater systems taking up the capacity that would eventually lead to expansion of the infrastructure in order to serve the new users. The impact fee is then levied so that the new user will pay for their share of the capital expenditures. The impact fee could generate up to \$3486.21 per residential unit for all new development. The Planning & Zoning Board reviewed the proposed ordinance on September 6, 2005 and found that the impact fees are consistent with the Comprehensive Plan. Their recommendation was to consider exempting homes not currently on the sewer system existing at the time of adoption of the ordinance. City Attorney Carter informed that the impact fee would be based on the size of the water meter. A lengthy discussion followed on homes already existing but not on the sewer system and the general consensus was to exempt them out.

Commissioner Martin was of the opinion that considering the inquiries the City has had for development, an effective date should be forthcoming at once.

Moved to approve on first reading by Title Only Ordinance 2005-09 amending effective date upon second and final reading.

Motion – Commissioner Martin

Second – Vice Mayor Randall

Discussion – Engineer Tim Norman proposed looking at the ERU'S projected for usage capacity, stating this might be easier than going by meter size and would still show capacity left. Attorney Carter interjected that would be a complete different way of projecting the cost and would have to change the complete ordinance. City Manager Shryock related that what staff presented was recommended by Rural Water and was administratively the easier way to go.

As a result of more questions than answers concerning this issue, Mayor Roberts advised looking more closely at developing these fees.

Commissioner Martin revealed he was satisfied with his motion to use the system the City Manager had proposed.

Vote – 1-4 Motion defeated with only one YES vote by Commissioner Martin.

Moved to instruct City Manager and City Attorney to draft another ordinance with the system proposed by Mr. Norman. Amended motion to take out existing homes prior to permits after Ordinance is in effect.

Motion – Commissioner Martin

Second – Commissioner Knowles

Vote – 5-0

It was recommended to have a workshop on both versions of the ordinance to decide the best way to establish the impact fees. Commissioner Knowles voiced if it might be conceivable to set up impact fees to relate to commercial in a different way and than that of residential.

#### Item 5. Wastewater Treatment Plant

The City's Engineer, Mr. Tim Norman elaborated on the project of expanding the City's Waste Water Treatment Plant in efforts to handle the projected growth to the city. One issue discussed was getting rid of the treated water coming out of the plant and determine if they can stretch the usage of the pert ponds. Mr. Norman stated the plant was at 80% capacity; past the point for planning expansion. He suggested using Rural Development as matching funds to buy money points enhancing the possibility of getting grants. Mr. Norman pointed out that RD has low interest loans that can tie in with the CDBG Grants. Some areas of funding can come from prepaid impact fees. In answer to questions concerning the cost to make application and prepare the preliminary engineers report he conveyed the cost to be \$25,000, which is not fronted by the

City until the project is awarded by RD. Naturally if the project is turned down, they would still need to be paid for their services. The total projected cost of the project is \$1,750,000. He further added that this project would be a two and half year process to build and ready for use. He cited that to his knowledge Reed Beds have not been permitted in Florida.

Moved to authorize staff to instruct Mittauer & Associates to prepare the preliminary report and make application to Rural Development.

Motion – Commissioner Martin

Ms. Ellen Vause stressed that if development does not come the city would still be liable for 1.7 million, for cost of expansion. She pointed out that developers can enter into on site system management and encouraged the board to look at what on site systems can do before going in debt for expansion. The home owners could bear the cost of the system or the city could charge maintenance fees.

As a result of discussion it was decided to bring this issue back at a later time.

The motion died from lack of a second.

Ms. Vause mentioned that she planned to attend a meeting on September 27<sup>th</sup> addressing maintenance entity on municipalities if any staff would like to go with her.

#### Item 6. Request for Reduction in Fines

Mr. Al Davis, Code Enforcement Officer, addressed this issue of parcel #19766-000-000, Code Case #:07-13-143 explaining that it was first sited on July 13, 2000 and when it was not corrected a lien was placed against the property on March 13, 2002. The property being in compliance at this time has a total fine amount of \$7,830.00. As governing body the owner has requested these fines be reduced and the lien revoked. Mr. Davis advised no reduction below \$1,000 to account for the expense the City incurred in processing this case.

Moved to reduce the fines to \$1,000.00 on Case #07-13-143 giving ninety (90) days to pay or fines revert back to original amount of \$7,830.00 and upon payment release the lien.

Motion – Commissioner Carlton

Second – Commissioner Martin

Vote – 5-0

#### Item 7. Release of Lien and Donation of Property

City Clerk Mayes recounted the background on this Case #05-09-131, Parcel #19713-001-000 which was cited for a code violation in May 2000. Liens exist on this and all properties owned in Alachua County by Mr. D.L. Chisholm. The School Board contacted the City in reference to purchasing another piece of property owned by Mr. Chisholm in Hawthorne. They have paid the City the accumulated fines and are requesting the Board to release the lien on the parcel #19782 they are purchasing in order to have a clear title. Also Mr. Chisholm would like to donate the parcel with the violation to the City of Hawthorne.

Attorney Carter advised getting a title search before accepting the property from Mr. Chisholm.

Moved to release lien on parcel #19782-000-000 that the School Board purchased and take no action on the remaining parcel.

Motion – Commissioner Knowles

Second – Commissioner Martin

Vote – 5-0

#### Item 8. Tax Collector's Agreement for Fire Assessment

Attorney Carter informed that the Tax Collector's finance director, Jon Costabile, would like to change paragraph 4 of the contract to say the city will pay the tax collector 2% of the revenue collected. She assured that this is standard procedure and less expensive if they have to figure out the cost of all expense.

Moved to accept staff recommendation to change paragraph 4 in the Tax Collector's Agreement to read 2% of revenue collected.

Motion – Commissioner Martin

Second – Commissioner Carlton

Vote – 5-0

Item 9. Request for Funding for Alachua County Day

Moved to donate \$150.00 for Alachua County Day.

Motion – Commissioner Carlton

Second – Commissioner Knowles

Vote – 5-0

Item 10. Approval of Proposed Boundary Adjustment Act Map

City Manager Shryock referred to the map colors identifying the city limits, reserve area and extra territorial. He stated he had met with County and City Officials discussing this issue and added that the city must show they have the ability and willingness to extend their infrastructure within 5-7 years. His recommendation was to authorize staff to send a letter to the County excepting the Boundary Adjustment.

Moved to authorize staff to send the letter to Alachua County accepting the Proposed Boundary Adjustment Act Map.

Motion – Commissioner Knowles

Second – Commissioner Martin

Vote – 5-0

Item 11. Reports

- a) Attorney Carter reported she had met with Ben Campen's Attorney concerning his six lots that appear to have been copied over to a map showing them zoned as residential when in fact they had been commercial. The clean way to fix this would be for the city to do the land use and zoning change. The owner has agreed to pay the cost of advertising and mail out.

Moved to accept the compromise given by Mr. Campen's Attorney in rezoning the lots.

Motion – Commissioner Martin

Second – Commissioner Carlton

Vote – 5-0

City Manager Shryock observed that the City should do the same for Commissioner Martin seeing that this happened to his property at the same time.

- b) Vice-Mayor Randall reported that the Red Cross in Gainesville could use volunteers if anyone has free time.
- c) Commissioner Knowles had no report
- d) Commissioner Martin stressed that HE HAD NO REPORT
- e) Commissioner Carlton commented that in the future the more important issues needed to put at the first of the agenda so the people scheduled would not have so long to wait.
- f) Mayor Roberts reported she was working on the town meeting for Saturday, October 22<sup>nd</sup> at 1:00 PM. She added she needed the list of priorities from the Board.

Item 12. Adjourn

Moved to adjourn  
Motion – Commissioner Martin  
Vote – Unanimous

Second – Vice Mayor Randall

D. Adjourn

These Minutes of the August 1, 2005 Regular Commission Meeting are submitted for approval.

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Chad M. Shryock, City Manager

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DeLoris Roberts-Cheatham, Mayor

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Donna R. Mayes, CMC  
City Clerk