

COMMISSIONERS:

DeLoris Roberts, Mayor
Eleanor Randall, Vice Mayor
John Martin
William Carlton
Terry Knowles

CITY MANAGER:

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

CITY ATTORNEY:

Patricia Carter

**MINUTES
REGULAR COMMISSION MEETING
October 3, 2005 @ 6:30 PM**

Mayor Roberts called the Regular Meeting of the Hawthorne City Commission to order. Present were Mayor Roberts, Vice Mayor Randall, Commissioners Martin, Carlton and Knowles. Also present was City Manager Shryock, City Clerk Mayes, and Legal Counsel Patricia Carter

Commissioner Martin gave the Invocation and Commissioner Knowles led the Pledge of Allegiance.

- A. Moved to approve the Minutes of 9/12/05 Workshop, 09/12/05 Regular Meeting with amendment to Item 7, by adding the amount paid (\$15,040.00) by the School Board for fines existing on a parcel of land purchased by them and 09/19/05 Special Commission Meeting..

Motion – Commissioner Martin

Second – Commissioner Carlton

Vote 5-0

- B. Financial Report

City Manager Shryock expressed that this report was for the Board's information on financial status.

- C. Moved to approve the Agenda.

Motion – Commissioner Martin

Second – Commissioner Knowles

Vote – 5-0

- D. Agenda Items

Item 1. Emergency Management Preparedness

Mr. David Donnelly, Assistant Director of Alachua County Emergency Management and Chief Will May, Director, was present to review Sheltering and Evacuation Planning in case of a disaster. Mr. Donnelly related that the largest threat in this area would be high winds and hazardous materials. He suggested that the city participate in the National Flood Insurance Program. He covered several topics relating to the type of buildings that could be used as shelters, noting that Hawthorne only had two probabilities, the Ag building at the High School and the new cafeteria, when completed, at Shell Elementary. No buildings older than 1985 meet the criteria for an emergency shelter. Mr. Donnelly encouraged getting involved with the Red Cross and have volunteers trained by them. Shelters opened by the Red Cross are staffed and

supplied by the origination; any others opened must supply food, water or whatever the needs are for those they shelter. Director Chief May inserted that the State of Florida has the best emergency program in the nation which can be compared to California's. He recommended the city form a task force of five people to be trained by the Red Cross. Mr. Donnelly pointed out that the City of Gainesville and Alachua open special needs shelters. He affirmed there were grants available, one Pre Disaster Mitigation (PDM) and Hazard Mitigation Program (HMGP) after a disaster.

Mayor Roberts thanked Mr. Donnelly and Chief May for all the information and recommended the Board have an Executive Workshop Session on this subject.

Item 2. Second Reading Ordinance 2005-05 – Martin Rezoning

Commissioner Martin excused himself from the issue seeing as he was the requester.

City Manager Shryock briefed the board on the application stating this was second reading of the ordinance changing from CG (Commercial General) to CIW (Commercial Intensive Warehousing) to allow for the self storage warehouse. He refreshed the topic by stating that the 1997 rezoning by the city contained new classifications and the property got reclassified. Mr. Martin is requesting a change in zoning to not only permit what is there, but to also permit additional units.

Moved to adopt Ordinance 2005-05 on 2nd and Final Reading by Title Only.

Motion – Commissioner Carlton

Second – Commissioner Knowles

An Ordinance of the City of Hawthorne, Florida, amending Ordinance NO.97-2, 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 an effective date.

Vote – 4-0

City Manager Shryock advised that in order to be fair to Commissioner Martin and consistent with the decision made on the Campen rezoning application, which is a duplicate situation, he recommends the Commission consider reducing the application fees to the actual cost of providing notice.

Moved to reduce application fees to the actual cost of advertising.

Motion – Commissioner Knowles

Second – Commissioner Carlton

Vote – 4-0

Item 3. First Reading Ordinance 2006-03 – Urban Service Report

City Manager Shryock informed this report adopts three separate annexations and are indicated on the maps on pages 4, 5, & 6 of the Urban Service Report. This report was prepared for the City by the RPC and is required to determine concurrency for any new annexations and to show that the annexation will not reduce the level of services or be a financial burden for the City.

Ms. Enid Erbarb of the Regional Planning Council related this report is a requirement with Alachua County and must be looked at to determine the impact on the City's supply of water and sewer. It is also a review of the services that the City can provide. The next step for this report will be to go to the County for review.

Moved to adopt Ordinance 2006-03 on First Reading by Title Only.

Motion – Commissioner Martin

Second – Commissioner Knowles

An Ordinance of the City of Hawthorne, Florida adopting an Urban Services Report pursuant to the requirements of The Alachua County Boundary Adjustment Act (Charter 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.

Vote – 5-0

Item 4. Resolution Recognizing Florida City Government Week

This Resolution encourages citizens to support activities of City Government Week, explained City Manager Shryock. Activities planned by the city include visits to the schools by the Mayor and himself and the town hall meeting scheduled for October 22nd at 1:00 PM at Shell Elementary.

Moved to adopt Resolution 2006-01 by Title Only.

Motion – Commissioner Martin

Second – Vice Mayor Randall

A Resolution to the City of Hawthorne recognizing City Government Week, October 16-22, 2005, and encouraging all citizens to support the celebration and corresponding activities.

Vote – 5-0

Item 5. Resolution Supporting the Use of Red Light Cameras

City Manager Shryock called the Board's attention to the letter from Sarasota County requesting the support of their lobbying efforts to allow "red light cameras". There is an attached resolution which was passed by them and they are asking Florida Cities to endorse the resolution and send it to local legislative delegation. This is a policy issue and no recommendation is forthcoming.

The Board decided they would be uncomfortable giving blanket surveillance and no action was taken on this item.

Item 6. Law Enforcement MSTU

City Manager Shryock addressed the letter from Cynthia Moore Chestnut requesting that the City of Hawthorne opt into the County's Law Enforcement MSTU. The County Board perceives that the residents of the unincorporated area pay a millage rate of 1.7816 to cover the cost of law enforcement services while the boundaries of a city is not subject to the mil levy. If in effect at the present time it would generate an additional \$66,000 for the county. If the City were to agree to this request, the Board would need to adopt an ordinance consenting to the County levy of the MSTU. Manager Shryock noted an interesting point in that the County is only requesting that cities without their own police departments opt into the MSTU. In short, the county is saying those cities fund the services they receive through the general property tax levy. When the City Manager requested information on the percentage of the sheriff's patrol budget that was funded through the MSTU and what percentage of the budget was funded through the countywide general property tax levy, the County indicated the information was unavailable. In essence, Manager Shryock deemed the information would be necessary to establish fair distribution of the costs. To conclude, he does not feel that the October 31 deadline for a response gives the City enough time to consider all of the options for the provision of and payment for law enforcement services. He would recommend that the Board direct staff to prepare a summary of options for the provision of and payment for these services and indicate such to the County Board of Commissioners.

Attorney Carter interjected that the Sheriff canceled all contracts because he wanted law enforcement to be paid out of General Fund and not MSTU. It has since been settled in court that it will be paid out of MSTU and that is why they are trying to figure out how to get money into the MSTU.

After discussion the Board made the decision to direct staff to contact other small cities that this issue impacts and join forces in trying to work out a solution.

Item 7. Impact Fee Discussion

City Manager Shryock indicated this item was brought back for discussion and direction to staff on which way to go in determining the way to implement the impact fees. Attorney Carter related the ordinance she did was based on meter size. She has done some research on other cities and some go with the meter size, some land use and there are some who add all the fixtures in the structure. Commissioner Martin suggested a workshop to discuss the different ways for funding the impact fees, which was in agreement with the Commission.

Item 8. Sewage Treatment Plant

City Manager Shryock recommended the City Engineer be allowed to do the preliminary feasibility study at the cost of \$25,000, noting this will not have to be paid until we have money coming in for the sewer project. This will award us with the opportunity to look for grants to fund the sewer expansion. Manager Shryock specified that the capacity of the plant will only hold in all probability, about 100 residential units more. Commissioner Martin challenged if they were going to react to what is happening or face that the City is going to grow and have the courage to plan for that growth by committing to the study. Vice Mayor Randall expressed, after hearing comments, she is prepared to do something and make some decisions to prepare for growth. Commissioner Knowles also endorsed the feasibility study mentioning again that the money would become part of the funding, stating that the City Manager was asking direction to go ahead with the study.

Commissioner Carlton referred back to the comment made by the engineer that the money must be paid for the study even if the city decided against expansion and he was not in favor of owing that money. City Manager Shryock reiterated that the money would not be due this fiscal year, just show up on the audit as due.

Moved the Commission authorize the City Manager contact the City Engineer to begin the feasibility study.

Motion – Commissioner Knowles

Second – Vice Mayor Randall

Vote – 4-1 Commissioner Carlton voting the NO Vote

Item 9. Interlocal Agreement – Boundary Adjustment Act

City Manager Shryock called attention to the letter from Mark Hill, Assistant County Manager and the proposed interlocal agreement for the Boundary Adjustment Act. He voiced the County is requesting feedback from the parties on the agreement. He ascertained the issues addressed, revolves around the purpose of Extra Territorial Areas (ETA) under the Boundary Adjustment Act. (BAA). The City of Gainesville has objected to the validity of ETA's because they are not specifically mentioned in the BAA. However, the County and the other municipalities agree that ETA's are permitted under the BAS as "other matters related to the reserve area designation on which there is agreement". Manager Shryock has reviewed the proposed agreement and accepted as written. Attorney Carter voiced that the County is not asking for adoption at this point just stressing that the BAA does not permit a municipality to annex areas outside of their Reserve Area or within the Reserve Areas and/or Extra-Territorial Area of another community. Such annexations must meet the annexation criteria contained in the BAA.

Moved to direct the Mayor/City Manager answer Mr. Hill's letter agreeing with the general principal of the draft.

Motion – Commissioner Martin

Second – Commissioner Knowles

Vote – 5-0

E. Citizen Input

Al Green complained that calls to City Hall should be answered if someone gets the message. He suggested that City Staff should be recognized for their efforts especially Alton (Banner) Rutledge, he is always visible and a hard worker. He addressed the City Park bathrooms and the length of the meetings being so long.

City Manager Shryock advised letting him know if phone calls were not answered. He agreed that Banner is a very good employee and if someone wants to do a write up about him, it will be put in his personnel file. Staff is working on options for the bathrooms and will be on the next regular meeting agenda. Mayor Roberts inserted that the planned workshop sessions should eliminate the long meetings.

Commissioner Carlton advocated that if the City commits to \$25,000 shouldn't there be an ordinance.

Attorney Carter answered, no, she had never heard of this.

F. Reports

- a) Attorney Carter reported that the City's adopted sign code needed to be changed; it was modeled around 20 years ago as was a lot of city's and this code has been found to be unconstitutional. She recommended a rewording of this code.
- b) City Manager Shryock reported the City Newsletter had gone out and responses on the survey were coming in. He also reported on his ICMA Conference to Minnesota, stating the motivational speakers were awesome. He also reported other City Managers that attended including Alachua County Manager Randall Reid.
- c) Mayor Roberts conveyed that flyers be given out on the Town Meeting for Oct. 22nd. She reported that in December a committee would be appointed for the Charter Committee which is looked at every five years. She instructed the City Manager to find out about the old house next to the Martin property on Highway 20 and see if the County would get the property cleaned up.
- d) Commissioner Carlton voiced his opinion that the Board should have voted on whether to send the City Manager to Minnesota for the ICMA Conference and should always be informed when he is out. He reported he does not like the telephone answering machine at the office. He asked that a tree be picked up on 67th. Another item, Mr. Carlton wanted an update on the drainage ditch from Town Lake. Manager Shryock informed it was on the list. He also questioned the building permits given to contractor in Reservation. Staff informed one of the homes would be on septic tank and another on sewer, although at this time no building could be done until the City was presented with a Hold Harmless Agreement. Commissioner Carlton requested that the drainage be looked at on either side of Ralph Hutchinson.
- e) Commissioner Martin reported a tree down on County Road 2082 near Lockloosa Bridge and asked if staff could get the county to look at it. He suggested the City do a plaque for Matt Surrency in recognition for what he has done for recreation in the city. Over the course of the year, he would like to see a Comprehensive Plan developed for the streets.
- f) Commissioner Knowles asked about the street lighting in the Reservation, which the City Manager voiced was being looked into.

- g) Vice Mayor Randall commended the City Manager and Staff on the Newsletter; adding that she had a great time at the Hog Fest this year. Permits at the City Park was also brought to attention because of the mess that is being left.

G. Adjourn

Moved to adjourn

Motion – Commissioner Knowles

Second – Vice Mayor Randall

Vote – Unanimous

These Minutes of the October 3, 2005 Regular Commission Meeting are submitted for approval.

Chad M. Shryock, City Manager

DeLoris Roberts-Cheatham, Mayor

Donna R. Mayes, CMC
City Clerk