COMMISSIONERS:

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

CITY MANAGER:

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

CITY ATTORNEY:

Steve Lee

MINUTES REGULAR COMMISSION SEPTEMBER 11, 2006

CALL TO ORDER

Mayor Knowles called the meeting to order at 6:30 PM. Present was, Mayor Knowles, Vice Mayor Randall, Commissioners Carlton, Martin and Roberts. Staff Present was, City Manager Shryock, City Clerk Mayes, Intern Planner Dougherty and Attorney Lee.

INVOCATION AND PLEDGE

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

APPROVAL OF AGENDA

Moved to approve the agenda Motion – Commissioner Roberts Vote – 5-0

Second – Commissioner Martin

CITIZEN COMMENTS

Mr. Tim Logan expressed his appreciation to the City Manager and staff for the help in the City Park.

Mr. Von Fraser, Alachua County Tax Collector, gave out information of special interest to senior citizens and offered his services to them in any way he could be of help.

Ms. Joyce Johnson expressed her opposition to the fire assessment tax and the language on the tax notice sent out.

CONSENT AGENDA

Moved to approve the Consent Agenda with Minutes of 8/21/06, 08/29/06, Finance Report and Appointment of Michael Rutledge to the Code Enforcement Board.

Motion – Commissioner Roberts Second – Commissioner Martin Discussion – Commissioner Carlton voiced his thoughts that the Town Hall Meeting was not to have been an official meeting for minutes to be taken. Legal Counsel explained to be safe within the Sunshine Law, he advised advertising and keeping of the minutes.

Vote - 5-0

PUBLIC HEARING

Mayor Knowles opened the Public Hearing.

1. Ordinance 2006-43 - Second Reading of Fire Assessment Rates - City Manager Shryock explained the major difference for the 2006-2007 rates are the commercial being changed to more fairly distribute the costs. The rates were calculated using the enclosed areas and will generate approximately \$51,803.17. Mayor Knowles pointed out with this assessment everyone would pay their fair share, but if the City joined the MSTU only those paying the ad valorem taxes would pay. City Manager Shryock established that the County had agreed at the joint meeting to take the collected assessment since it would be equivalent to the MSTU.

Mayor Knowles closed the Public Hearing

Moved to adopt Ordinance 2006-43 on second reading setting the Fire Assessment Rates for 2006-2007

Motion – Commissioner Martin Second – Vice Mayor Randall

Vote – 4-1 Commissioner Carlton "NO" Vote

Mayor Knowles Opened the Public Hearing

- 2. Truth in Millage (TRIM) Hearing
 - a.) Ordinance 2007-01 First Reading Setting Millage Rate
 - b.) Ordinance 2007-02 First Reading Adopting Budget

City Manager Shryock advised that Ordinance 2007-01 establishes the millage rate and must be adopted first further stating the rate set within the ordinance is 6.500 mills. This rate is that the City certified within the TRIM notices, which included the 2 mil levy for the provision of police protection. Ordinance 2007-02 adopts the budget for the upcoming year, which includes projections for a 2 mil levy and additional revenue resulting from the operations of a police department. If the Commission decides against a Police Department the millage and figures will change at the final budget hearing, although taxes will still go up by having to opt into the MSTU with the County at 1.7816 mils. Mr. Shryock explained that he did budget \$14,000 for the YMCA to continue the recreation in order to recover funding the County has withdrawn. Commissioner Martin interjected the County will restate the funding if the City's will opt into the MSTU taxes. Attorney Lee advised that by law the Sheriff's Department is currently funded by ad valorem taxes; now the County is asking for more money with the MSTU, which adds another layer of taxation.

Mayor Knowles closed the Public Hearing

Moved to adopt Ordinance 2007-01 of First Reading setting the Millage Rate at 6.5 mills less the roll back rate of 3.8769 by 67.66%

Motion – Commissioner Martin Second – Vice Mayor Randall

Discussion – Dependent on issues of Police Department on vote for the second reading.

Vote – 4-1 Commissioner Carlton "NO" Vote

Moved to adopt Ordinance 2007-02 on First Reading setting the Budget for Fiscal Year 2006-2007

Motion – Commissioner Martin Second – Commissioner Roberts

Vote – 4-1 Commissioner Carlton "NO" Vote

Closed Public Hearing

3. Ordinance 2006-41 Second Reading – Urban Services Report A06-2 East Annexation Referendum Area

Mayor Knowles opened Public Hearing

There was a general discussion of the area with maps projected.

Closed Public Hearing

Moved to adopt revised Ordinance 2006-41 on Second and Final Reading approving the Urban Services Report A06-2 Eastern Annexation Referendum Area

Motion – Commissioner Martin

Second – Vice Mayor Randall

Vote - 5-0

4. Ordinance 2006-42 Second Reading – Urban Services Report A06-3 South Annexation Referendum Area

Mayor Knowles Opened Public Hearing

There was a general discussion on when referendum vote would be and who would vote. City Manager Shryock stated the actual vote would probably not be until spring. Attorney Lee advised those in referendum area would vote. Closed Public Hearing

Moved to adopt on Second and Final Reading revised Ordinance 2006-42 approving Urban Services Report A06-3 Southern Annexation Referendum Area Motion – Vice Mayor Randall Second – Commissioner Roberts Vote – 5-0

REGULAR AGENDA

1. Police Department Discussion

City Manager Shryock conveyed he had nothing more than what he had already presented and is open to the pleasure of the board. Commissioner Martin interjected if the citizens want more police presence it means more money no matter who covers it. Mr. Shryock specified the time frame could not extend beyond the next budget hearing which must either be approved or not, with the line item for the police department. If approved he would then advertise for a Police Chief who would then do the budget for the department and hire officers. This would probably be a six month implementation process. In view of some general skeptics' Mayor Knowles established that he and the City Manager had spoken with several Police Chiefs from other cities that had been very encouraging. City Manager Shryock continued with an overview of his experience of fifteen (15) years in local government, six (6) of those with police department budgets stating that his figures had been reviewed by other police chiefs and other city managers. His figures are based on solid research and at this time he has had two qualified people ask for applications for the Chief of Police position. Two police cars can be acquired for \$500.00 each and radio's, radar equipment, computers, uniforms and other equipment is ready to be donated to the City of Hawthorne.

Moved to put the Police Department as item #1on the next meeting agenda Motion – Commissioner Martin Second – Commissioner Carlton Vote – 5-0

2. Ordinance 2006-44 CPA 06-2 Smith

City Manager Shryock informed the Board since this was just first readings on land use amendments for ordinances 2006-44 through 2006-58, they could be done in one motion. He also advised that after tonight land use items on first readings could be put under the consent agenda. Legal Counsel brought to attention that Plum Creek was only comp plan amendments and were large scale, therefore would be sent to DCA.

Moved to adopt on first reading Ordinances 2006-44 through 2006-58 Motion – Commissioner Carlton Second – Commissioner Martin Ordinances 2006-44 CPA06-2 - Smith, Ordinance 2006-45 LDR 06-2 - Smith, Ordinance 2006-46 CPA 06-3 - Newman, 2006-47 LDR 06-3 - Newman, Ordinance 2006-48 CPA 06-4 - Newman, Ordinance 2006-49 LDR 06-4 -Newman, Ordinance 2006-50 CPA 06-5 - Plum Creek, Ordinance 2006-51 CPA 06-6 - Plum Creek, Ordinance 2006-52 CPA 06-7 - Plum Creek, Ordinance 2006-53 CPA 06-8, Ordinance 2006-54 Urban Services Report – Annexations A06-4 & A06-5 – Lussier & Plum Creek, Ordinance 2006-55 Urban Services Report – Annexation A06-6 & A06-7 – Newman & Newman, Ordinance 56 Urban Services Report – Annexation A06-9 – Ateyeh, Ordinance 2006-57 Urban Services Report – Annexations A06-10 & A06-11 - Elite Resorts & Stepp, Ordinance 2006 58 Urban Services Report – Annexations A06-12 through A06-16 – Hall, Hall, Plum Creek, Horizontal Development Vote - 5-0

3. HAPP Committee Appointments

Commissioner Roberts gave a brief update on where the project was at when last worked on and asked for approval from the Board to start up again. She requested each member appoint one person to serve on the committee. Mayor Knowles appointed Commissioner Roberts as Chairperson of the committee and directed the board to submit names.

CITIZEN COMMENTS

None

REPORTS

- a) City Attorney Lee reported on the last batch of annexations sent to the County be handled the same as before by abating for 180 days and hopefully the city and citizens will be willing to go ahead with the annexations.
- b) City Manager Shryock reported he received an invoice from DOT for moving of City utility lines for the widening of the Highway 20 Project for a large amount, which he will meet with the attorney on.

- A student from UF is going to do a landscape plan for our downtown are for free as part of his thesis.
- c) Mayor Knowles reported there is money available through emergency operations for generators required to keep the City Hall up and running and other projects for hurricane preparedness.
- d) Vice Mayor Randall had no report.
- e) Commissioner Carlton commented that the City only receives a percentage of the traffic fine revenue collected.
- f) Commissioner Martin congratulated Mr. Rutledge on appointment to the Code Board and called attention to comments made in the local paper about the County holding the City's hand as we go forward.
- g) Commissioner Roberts asked if anything was in place for those continuing to build in the Reservation, to which City Manager Shryock informed there was. She also presented her orange water, showing how badly new lines are needed.
- h) Attorney Lee informed that the Code Enforcement Board recommended foreclosure on property known as the "three sad sisters" (Vickers Property) and asked for a motion from the board since this process will cost.

Moved to accept the recommendation of the Code Enforcement Board for foreclosure on the property

Motion – Commissioner Martin Vote – 5-0 Second – Vice Mayor Randall

ADJOURN

Moved to adjourn the meeting of September 11, 2006 Motion – Commissioner Second – Commissioner Unanimous

These Minutes of the Regular Commission Meeting of September 11, 2006 are submitted for approval.

Chad M. Shryock, City Manager	Terry Knowles, Mayor
Donna R Mayes CMC/City Clerk	

^{**}Amend section g) to read: Commissioner Roberts asked if any Hold Harmless Agreements were in place for those continuing to build in the Reservation. Also amend to read: She also presented her orange water showing how badly new lines are needed, "and has been asking this for eight (8) years."