

CITY OF HAMPTON
Minutes, Regular Council Meeting
Tuesday, August 27th, 2024, 7:00pm
5784 Navarre Ave., Hampton, FL 32044

ANYONE WISHING TO ADDRESS THE CITY COUNCIL REGARDING ANY TOPIC ON THIS EVENING'S AGENDA IS REQUESTED TO COMPLETE A COMMENT CARD AND RETURN TO THE CITY CLERK. PLEASE TURN OFF CELL PHONES.

Meeting Facilitator: Dale Wiseman, Mayor

Invocation followed by Pledge of Allegiance

ROLL CALL – City Clerk – Councilwoman Dot Shealey, Mayor Dale Wiseman, Chair Bill Goodge, Vice Chair Douglas Williamson and Councilwoman Lillian Sams. Councilman Frank Bryant was absent. City Clerk/Administrator Mary Lou Hildreth and City Attorney Will Sexton were also present.

Public Comment - Please limit comments to 3 minutes and restrain from personal attacks, using an individual's name or making political statements.

1. Public Hearings:

2. Resolutions:

3. Proclamations:

4. Presentations:

A. Report on Water and Streets – Josh Davis, Swamp Cutters - Wayne Hilton appeared on Mr. Davis' behalf. Stated he has been cleaning up the curbs and sidewalks and other regular maintenance. He stated that the additional mowing of the vacant lot would be \$100/mow, twice per month. Mayor Wiseman stated we don't get work logs, and haven't received any since Mr. Hilton left last year. Standard water leak repairs.

B. Clerk/Admin Report

- Legislative Appropriation Funds: The engineers have finalized the Agreement Initiation Form and send it to DEP for review and comment. They have not received a response so it will be submitted it formally on Thursday as it is due 8/31.

- Scott Dudley, from FLC/FLM will present our City Catalyst Grant Award at the 9/24 council meeting. He is retiring 9/30 so she will have a small presentation/recognition for him.
- FRDAP grants – Working with the state grant manager on budget discrepancies. Awaiting contracts for both grants. We have located the old boundary surveys, but need to obtain originals from the courthouse. Also now working on new title searches/title insurance for the required commencement activities.
- CDBG grant – Engineers are awaiting the permit from SRWMD.
- Still awaiting final close out of the SEARCH grant so we can submit engineering invoices for reimbursement.
- Resilience grants: Planning grant continues to move forward, the good news is that the city finally was reimbursed for the \$15,780.00 so that has been paid back to the GF. Implementation grant is now at 100% design/engineered. Engineers now working on the bid packages so we can use those results to request additional funding for the project. Awaiting Deliverable Acceptance letter on this grant to also submit for reimbursement.
- Lead and Copper sampling has been completed. Awaiting lab results.
- Ms. Hildreth met with FDOT, DEP and the County to review the next phase of the Rails to Trails.
- Parking lot paving: The company that was paving Sunoco’s lot was unable to immediately start city hall lot as they had other projects scheduled. She had contacted them regarding the estimate provided as it was very vague – it did not list specific information as to the work to be done, had no contractual element and no warranty. It also contained a mobilization cost which ran counter to the reason they could do it for less when they were already in Hampton. They did not respond. In August she received a message we would be scheduled the following week. Then she received a call the day before they were planning to start. She contacted the owner and said that they could not until these other issues were resolved. He came into the office and she explained the issues but received no additional response. She recommends, as she did before, that we wait until a company is contracted to pave BSM Park lot and see if we can piggy back off of that project.
- Working with the vendor to schedule repairs to the paint on the slides.
- Ms. Hildreth and Ms. Hornick attended the grand opening/ribbon cutting for Thermacell. Ms. Hildreth spoke with members of upper management and discussed the various needs of Hampton and relayed that the city looks forward to working with them in and for our community. They will have someone reach out to me, in the meantime she will follow up with an e-mail.
- ARC/CRH –THE CRC is now open to the public the second and fourth Tuesday of the month from 10 – 2. The latest food distribution was held on August 3rd, however, due to lack of local volunteers this will be the final one. Reminder that the “blessing box” for non-perishable foods for the public is active Please let friends,

family, neighbors, congregations, etc. know that there is a need for donations. Their Fall Fest will be held at 10:00 a.m. on 9/28.

- Budget and Trim time – First Hearing 9/10 at 6:00 p.m., Second Hearing during the regular meeting on **9/24 at 7:00 p.m.** Please mark your calendars, especially for the **Final Hearing.**

5. CONSENT AGENDA

ALL MATTERS UNDER THE CONSENT AGENDA AER CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY. BACKUPDOCUMENTAION AND STAFF RECOMMENDATIONS HAVE BEEN PREVIOUSLY SUBMITTED TO THE CITY COUNCIL ON THESE ITEMS.

- A. Approval of Regular City Council Meeting Minutes from July 23, 2024
- B. Approval of Work Shop Minutes from August 13, 2024
- C. Financials/Account Payables for July, 2024

Motion to approve the consent agenda made by Vice Chair Williamson, seconded by Councilwoman Shealey. Passed 4 - 0

6. OLD BUSINESS:

- A. Water Rates

City Clerk/Admin

Ms. Hildreth provided copies of last year's rate studies from FRWA and Acclarian. FRWA's recommendations were significantly higher (17% last year and 7% each year after). Acclarian recommended 5% per year at the bare minimum. The costs to maintain the water system go up every year. While the city has been fortunate to get many grants, there are still many underlying operations and maintenance costs that are ongoing and increasing in cost. She pointed out that the average bill, using 3 thousand gallons, would only realize a \$1.67 increase per month.

Motion made to approve the recommended 5% water rate increase, effective 10/1/24, made by Chair Goodge, seconded by Councilwoman Shealey. Passed 3 – 1, with Williamson in dissent.

- B. Swamp Cutters Contract

Mayor Wiseman

Discussion regarding the excessive expensive/use of herbicide. Ms. Hildreth provided documentation that last year (2023) almost \$3,500 had been spent on over 54 gallons of herbicide. Ms. Hildreth stated that in 2023 Mr. Davis advised he would be ordering weed killer from Helena, a company that provides bulk herbicide and he claimed it is cheaper to purchase it that way. The first bill was for \$1,772.50, in May of 2023. In November she received an additional bill for \$932.00. When she questioned Mr. Davis regarding the expense he claimed that Mr. Hilton (who was no

longer in his employ at the time of the conversation) had not diluted it properly/ wasted it. She informed him that his employee's error was not the city's responsibility. Nothing was done at the time to rectify the situation. In July she received a bill for an additional \$1,650.00 for yet another 40 gallons. Ms. Hildreth immediately notified Mayor Wiseman of this concerning pattern. She contacted Helena and spoke to the sales manager, Mr. Richard Buker, who advised her that the amount purchased in 2023 alone (not including the \$777 purchased in March of 2023 from Amazon) would have been enough to kill 40 – 50 acres or 1.7 million square feet. She was told, by another source, that Swamp Cutters uses it at other client's properties, specifically Chemours. The city purchased no herbicide from 2015 – 2019 and in 2020 only 1 2.4 gallon from Amazon for \$89.99, 2021 and 2022 showed increases in amounts purchased. She pointed out that the auditors would likely question these large purchases. Ms. Hildreth also spoke to the cities of Lawtey, Brooker and Waldo and all said they did not use herbicide. Lawtey said they were not allowed to due to their drinking water system, Brooker stated their lawn company has never requested it but if they did they would have to provide justification and have a commercial applicator license, and Waldo said they do not other than twice a year on their baseball diamond.

Discussion regarding the maintenance of the right of ways and curbs on Navarre. Mr. Hilton says he has worked hard to get them taken care of and said they had not been maintained properly in the past. Council discussion regarding the fact the maintenance of this area has been under the purview of Swamp Cutters for over 10 years therefore Mr. Hilton's claims are a direct reflection on the company. Councilwoman Shealey questioned why they spray weed killer on private fence lines which overflows onto private property and kills portions of those yards. Mayor Wiseman wanted Mr. Hilton to know that he and the council think that he does a great job and they appreciate the effort he puts into it and in no way should this issue be a reflection on him.

Mayor Wiseman and the council consensus was that it is time to go in a different direction and go out to bid as there are other options. Mayor Wiseman stated he has spoken to Mr. Davis many times about providing work logs and inventory control as outlined in his contract. He also pointed out the fact that Mr. Davis has not attended council meetings in months. Chair Goodge feels like Hampton has been neglected and there is no accountability. Council consensus followed the same lines as at the August 13th workshop, that he has been provided multiple opportunities to conform to the conditions of his contract and this latest issue of potential fraud in purchasing herbicide has created even greater concern.

Mr. Sexton outlined their options. Regarding the excessive herbicide purchases, a letter can be sent to Helena advising them he is not an authorized purchase agent and they would need to look to Swamp Cutters for payment of the latest bill and/or send a letter to Mr. Davis indicating we would not be paying the invoice and would

deduct it out of his monthly payment. Further, the contract allows for 60 days written notice by either party for intent to terminate.

Motion to send a certified letter to terminate Swamp Cutters contract made by Councilwoman Shealey, seconded by Vice Chair Williamson. Passed 4 - 0

Motion to send certified letters to Helena and to Swamp Cutters as outlined by Mr. Sexton made by Chair Goodge, seconded by Councilwoman Sams. Passed 4 - 0

7. NEW BUSINESS:

- A. Funtastic Fire Brigade Rent City Clerk/Admin

Ms. Hildreth stated that compared to the cost of renting much smaller storage units, the rent on the 2,000 sq ft former Volunteer Fire Department building is significantly undercharging on the monthly rent (\$50.00). Further information needs to be researched regarding another entity potentially subletting the back office in the building.

Table

- B. City Attorney Contract City Attorney

Mr. Sexton stated the current contract has been in place since October of 2022, at a flat rate of \$750 per month for legal services. He is asking to increase the amount to \$1,000, under the same contractual terms.

Motion made to approve the \$1,000 per month contractual fee made by Chair Goode, seconded by Councilwoman Shealey. Passed 4 - 0

8. City Attorney Report - none

9. Council general announcements/discussions - none

10. Adjourn

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS SCHEDULED PUBLIC MEETING, THEY WILL NEED TO ENSURE THAT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. OTHER MATTERS OF CONCERN NOT LISTED ON THE AGENDA MAY BE DISCUSSED AS DETERMINED BY CITY COUNCIL. EX PARTE COMMUNICATIONS (SOMETIMES REFERRED TO AS LOBBYING OR INFORMAL GATHERING) BETWEEN A COUNCIL MEMBER AND OTHERS WHERE THERE IS SUBSTANTIVE DISCUSSION REGARDING A QUASI-JUDICIAL DECISION BY THE CITY COUNCIL MUST BE DISCLOSED BY THE COUNCIL SO THE PUBLIC MAY RESPOND TO SUCH COMMENTS BEFORE A VOTE IS TAKEN. ALL COUNCIL MEETINGS ARE AUDIO TAPED.

By:

Dale Wiseman, Mayor

ATTEST:

Mary Lou Hildreth, City Clerk/Administrator