

MINUTES OF SPECIAL CITY COMMISSION MEETING
MADISON, FLORIDA
OCTOBER 26, 2018

The City Commission met in a special meeting at 5:30 p.m., in City Hall. Mayor/Commissioner Ina Thompson (District 2), Commissioner Jim Catron (District 3), Commissioner Terry Johnson (District 4) and Commissioner Judy Townsend (District 5) were present. Commissioner Rayne Cooks (District 1) was absent.

City staff present were: Jerome Wyche, City Manager and Tommy Reeves, Attorney representing the City of Madison. The City Clerk, Lee Anne Hall was on authorized leave. The minutes of the special meeting were taken by City Manager Jerome Wyche.

The Mayor called the meeting to order at 5:30 p.m.

The Mayor addressed a single item for discussion and action upon the following:

1. The most recent counter offer from the Plaintiff in *District Board of Trustees of the North Florida Community College v. City of Madison, Case No. 2016-75 CA*, In the Circuit Court, Third Judicial Court in and for Madison County, Florida, to which the City is Defendant.
2. The Mayor requested that Attorney Tommy Reeves, representing the City of Madison, discuss the latest counter offer from the Plaintiff. The following was discussed:
 - a. Attorney Reeves addressed the latest counter offer from the Plaintiff from a meeting of the North Florida Community College Board of Directors, held on September 18, 2018.
 - b. The North Florida Community College Board of Trustees directed their counsel to provide the following as the only language is deems acceptable to resolve the dispute the proposed Settlement Agreement.
 - c. Paragraph 3, as written in the original agreement is struck in its entirety and replaced with the following language:
 - (1) The City shall bear full responsibility for the cost of electrical service to the lift station.
 - (2) This language is consistent with the College being treated like any City wastewater customer where the electrical costs for the operation of sewer lift stations are an operational cost item paid through the wastewater rates charged to customers.
 - (3) The College hopes the City is willing to accept the above language to end this dispute once and for all and save all parties, the College, the City, and the County with the costs of further litigation.
3. Attorney Reeves requested input from City Manager Jerome Wyche on the cost of electricity for operation of the lift station, where the following was related:
 - a. As there was no way to determine the actual cost of electricity used for operational run-time for the lift station at North Florida Community College, the

Waste Water Superintendent conducted a comparative run-time from other lift stations.

- b. The cost for electricity to operate the lift station is approximately \$60.00 per month or \$720.00 per year.
4. Attorney Reeves informed the Commission that they could either accept the counter offer, or reject it.
5. Commissioner Johnson pursued further clarification to assure that the counter offer was the only thing preventing the settlement for being reached. Attorney Reeves concurred by restating the offer.
6. City Manager Jerome Wyche stated that there was a requirement to separate the wastewater being used from the rest of the College and to install a meter to actually measure the wastewater used though the lift station. City Manager Jerome Wyche stated that he had secured information through a bid from AOK Electric at a cost of \$11,195.00 to purchase and install the meter as well as the associated labor. The cost for the process was submitted as the absolute highest cost with an understanding the cost could be lower.
7. After hearing the information provided, City Commissioner Judy Townsend made the motion to accept the counter offer as submitted by the Plaintiff and to proceed with the actions to install a separate meter. The motion was seconded by Commissioner Jim Catron. Motion passed 4-0.
8. As there were no other items for discussion, the Mayor accepted a motion and a second to adjourn the meeting at 5:47 p.m.



Ina Thompson, Mayor/Commissioner

ATTEST:



Lee Anne Hall, City Clerk