



Regular City Commission Meeting Minutes January 22, 2018

Mayor Gib Coerper
Vice Mayor Shirley Green Brown
Commissioner Gary Hardacre
Commissioner Ben Boukari, Jr.
Commissioner Robert Wilford

City Manager Traci L. Gresham
City Attorney Marian Rush

The City Commission will conduct a
Regular City Commission Meeting
At 6:00 PM
to address the item(s) below.

Meeting Date: January 22, 2018

Meeting Location: James A. Lewis Commission Chambers

CITIZENS PRESENT: Marcia, Mobley, Dick Bridges, Janet Bridges, RD Bonner, Bob Costello, Dayna Miller, Dorothy Purnu, Dietra Howard, Adam Watson, Ross Woodbridge STAFF PRESENT: Chelsea Bakaitis, Rob Bonetti, Adam Boukari, Mike DaRoza, Lisa Freeman, Lynn Hayes, Tara Malone, Jesse Sandusky, Casandra Sanjurjo, Chad Scott, Donna Smith, Rodolfo Valladares, Kim Vermillion, LeAnne Williams, Cap Wilson

CITY COMMISSION MEETING

Notice given pursuant to Section 286.0105, Florida Statutes. In order to appeal any decision made at this meeting, you will need a verbatim record of the proceedings. It will be your responsibility to ensure such a record is made.

CALL TO ORDER

Led by Mayor Gib Coerper, with Vice Mayor Shirley Green Brown absent.

INVOCATION

Led by Commissioner Robert Wilford.

PLEDGE TO THE FLAG

Led by Mayor Coerper.

APPROVAL OF THE AGENDA

Commissioner Gary Hardacre moved to approve the agenda; seconded by Commissioner Ben Boukari, Jr.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed by unanimous consent.

APPROVE READING OF PROPOSED ORDINANCES AND RESOLUTIONS BY TITLE ONLY

Commissioner Wilford moved to approve the reading of proposed ordinances and resolutions by title only; seconded by Commissioner Boukari.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed by unanimous consent.

I. SPECIAL PRESENTATIONS

A. Duke Energy to Present a Donation to Rebuilding Together

Assistant Deputy City Clerk LeAnne Williams introduced the presentation.

Mayor Coerper spoke of the excellent job Rebuilding Together does in the City of Alachua.

Dorothy Purnu of Duke Energy stated that, when searching to find an organization to donate to in response to Hurricane Irma, she chose Rebuilding Together because of their commitment to helping those who couldn't get help from FEMA. She presented a check for \$2000.00 to RD Bonner of Rebuilding Together.

RD Bonner stated that Rebuilding Together has been working with many in the community to help with hurricane repairs.

Commissioner Wilford thanked RD Bonner and Rebuilding Together for the work they have done.

Mayor Coerper also thanked Rebuilding Together for all the hard work they have put into the community.

B. Fiscal Analysis Report for the Periods Ended October 31 and November 30, 2017

Finance and Administrative Services Director Rob Bonetti provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford asked for clarification regarding the final tax revenue.

Finance and Administrative Services Director Bonetti provided the clarification.

Mayor Coerper thanked Finance and Administrative Services Director Bonetti.

II. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

Mayor Coerper opened the floor for comments.

There were no comments.

(Please Limit to 3 Minutes.Any citizen who is unable to speak at this time will have an opportunity to speak at the end of the meeting

III. COMMITTEE REPORTS/COMMITTEE APPOINTMENTS/CITY ANNOUNCEMENTS

A. Rural Advisor Nomination to the MTPO

Assistant City Manager Adam Boukari introduced the item and provided the staff report. He stated that Doug Jones, who has been serving on the board, has been contacted and is willing to serve again.

Mayor Coerper asked the commissioners for questions or comments.

Mayor Coerper stated that Mr. Jones has done a good job of presenting the information from the Committee to the City.

Commissioner Wilford said Mr. Jones does a great job.

Commissioner Wilford moved to support the nomination of Doug Jones to the Metropolitan Transportation Planning Organization (MTPO); seconded by Commissioner Boukari.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

IV. PUBLIC HEARINGS AND ORDINANCES

(Presentations, other than the applicant, please limit to **3 Minutes**)

- A. Ordinance 18-05, First Reading: Land Development Regulations (LDR) Text Amendment - A request by the City of Alachua to amend the LDRs to coordinate the City's floodplain management regulations with the Florida Building Code; to amend Section 2.4.7, Variance Permits; to amend Section 2.4.15, Certificate of LDR Compliance; to repeal Section 6.9.4, Floodprone Area Standards; to adopt a new Section 6.9.4, Floodprone Area Standards, to adopt flood hazard maps and to designate a floodplain administrator; and to modify Section 10.2, Definitions, to amend, delete, and add definitions related to the regulations established in new Section 6.9.4, Floodprone Area Standards (Legislative Hearing).

City Attorney Marian Rush read Ordinance 18-05 by title only.

Principal Planner Justin Tabor introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Boukari asked why a variance might be needed.

Principal Planner Tabor stated that it may be that a property is wrongly listed in the floodplain, and the owner could present evidence to FEMA, along with a Letter of Map Revision (LOMR) or a Letter of Map Amendment (LOMA) to support the requested change.

Commissioner Boukari asked who the City's Floodplain Administrator would be.

Principal Planner Tabor stated that the City Manager would hold the title, while the duties would fall to the Building Department.

Mayor Coerper asked how often the floodplain map has changed.

Principal Planner Tabor informed the Commission that the current map was adopted in 2006.

Commissioner Wilford asked who would inform the builders of the new regulations.

Principal Planner Tabor provided clarification.

Commissioner Boukari asked for clarification regarding the LOMR and the LOMA.

Principal Planner Tabor provided clarification.

More discussion ensued regarding the floodplain.

City Attorney Rush stated that Principal Planner Tabor worked hard to make sure this ordinance made sense and was workable with the LDR's.

Commissioner Boukari moved that the City Commission find the proposed Text Amendments to the City's Land Development Regulations (LDRs) to be consistent with the City of Alachua Comprehensive Plan and in compliance with the City's LDRs and: 1. Approve Ordinance 18-05 on first reading; and, 2. Schedule second and final reading of Ordinance 18-05 for February 12, 2018; seconded by Commissioner Hardacre.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

- B. Ordinance 18-06, First Reading: Amending Subpart A, Chapter 4, Alcoholic Beverages, of the City's Code of Ordinances, to provide for the regulation of alcoholic beverages in public right-of-ways as part of a special events and at designated City-owned parks, recreation areas, and properties.

City Attorney Rush read Ordinance 18-06 by title only.

Principal Planner Tabor introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford stated that he is concerned about having people with alcoholic bottles in their hands at a family event.

Principal Planner Tabor stated that this could be a condition that is placed in the application process or within the LDR's.

Mayor Coerper suggested that a designated area for alcoholic beverages might satisfy this concern.

City Attorney Rush suggested that the permit application process might be where this is addressed.

Principal Planner Tabor stated that the LDR's, as proposed, allows the City to place conditions on specific events and that designated areas are also a potential condition.

Commissioner Hardacre moved to approve Ordinance 18-06 on first reading; and, schedule second and final reading of Ordinance 18-06 for February 12, 2018; seconded by Commissioner Boukari.

Mayor Coerper opened the floor for comments.

Richard Bridges stated his opposition to this amendment.

Mayor Coerper stated that there could be a limit on the amount of drinks consumed per person at an event.

Principal Planner Tabor stated that as part of the event permit process, if it is determined that an event will burden the Police Department, then the event sponsors will need to provide security for their event.

Mayor Coerper asked which properties would be affected by this ordinance.

Principal Planner Tabor stated that only Legacy Park Multipurpose Center, the Swick House under certain conditions, and Theater Park.

Dietra Howard asked about when a person would need to get this special event permit.

City Manager Traci Gresham provided clarification.

Passed 4-0 by roll call.

- C. Ordinance 18-07, First Reading: Land Development Regulations (LDR) Text Amendment - A request by the City of Alachua to amend Section 4.6, Special Events, of the City's LDRs (Legislative Hearing).

City Attorney Marian Rush read Ordinance 18-07 by title only.

Principal Planner Tabor referred to his previous staff report.

Mayor Coerper asked the commissioners for questions or comments.

There were no comments.

Commissioner Boukari moved to approve Ordinance 18-07 on first reading; and, schedule second and final reading of Ordinance 18-07 for February 12, 2018; seconded by Commissioner Hardacre.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

V. AGENDA ITEMS

A. Assignment and Assumption Agreement - Related to MOU for Reclaimed Water

Assistant City Manager Boukari introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

There were no comments.

Commissioner Boukari moved to approve the Assignment and Assumption Agreement Related to the MOU between SRWMD, GRU, GREC and the City of Alachua for the use of Reclaimed Water; seconded by Commissioner Hardacre.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 with roll call.

B. Resolution 18-09 Amending the City of Alachua Fiscal Year 2017-2018 Budget; Recognizing Unanticipated Revenue in the Special Revenue Donation Fund in the amount of \$15,000; Increasing the Donation Fund Appropriations Within the Recreation Program by Said Amount; Providing an Effective Date.

City Attorney Rush read Resolution 18-09 by title only.

Finance and Administrative Services Director Bonetti introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

There were no comments.

Commissioner Hardacre moved to adopt Resolution 18-09; seconded by Commissioner Wilford.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

C. Florida Job Growth Grant Fund

Assistant City Manager Boukari introduced the item and provided the staff report.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Wilford expressed his admiration for the grant writing that went into applying for this grant.

Commissioner Boukari praised Governor Scott for what he has done through these grants to bring jobs to the communities of Florida.

Commissioner Boukari moved to authorize the Mayor and/or City Manager to sign all necessary documents to accept and agree to the Florida Job Growth Grant Fund award, if awarded; seconded by Commissioner Wilford.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

D. City Manager Contract Amendment

City Manager Traci Gresham introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Hardacre moved to approve the First Amendment to City Manager Employment Contract; seconded by Commissioner Wilford.

Mayor Coerper spoke of his appreciation for City Manager Gresham.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 4-0 by roll call.

City Manager Gresham suggested that, if the Commission wished, she would take guidance in assisting in the transition to the new manager. She recommended Assistant City Manager Boukari. She stated that the Commission could also search for a manager outside of the city.

Mayor Coerper stated that he felt Assistant City Manager Boukari would make a great replacement.

Commissioner Wilford stated that he would like to talk with Assistant City Manager Boukari. He rejected the idea of using a search firm, as he found it a waste of money.

Commissioner Boukari stated that if Assistant City Manager Boukari is the Commission's selection, then he would resign at the next City Commission meeting.

Commissioner Hardacre stated that he thinks it would be best for the City to have someone that is known in the city and is already committed to the betterment of the city. Commissioner Hardacre stated

that he would like to move to offer the position to Assistant City Manager Boukari.

Mayor Coerper asked City Attorney Rush what the best course of action would be.

City Attorney Rush stated that a contract could be negotiated and then presented at the next meeting, and in the mean time, Commissioner Wilford and Assistant City Manager Boukari could meet together as Commissioner Wilford requested. She recommended that a motion be made for the City Manager and the City Attorney to negotiate a contract and bring it back to the Commission, if so desired.

City Manager Gresham suggested that if the Commission wanted to pursue a contract with Assistant City Manager Boukari, then it might be beneficial for him to come forward and address the Commission and ask him if he is interested.

Assistant City Manager Boukari expressed his willingness to accept the position, if offered.

Commissioner Wilford stated that the City has had wonderful managers in the past, and that he looks forward to talking with Assistant City Manager Boukari.

Commissioner Hardacre moved to offer Assistant City Manager Boukari the position of City Manager of the City of Alachua, and to authorize City Manager Gresham and City Attorney Rush to negotiate a contract with him, to be presented to the Commission at the February 12, 2018 meeting; seconded by Commissioner Wilford.

Commissioner Boukari abstained from the discussion and vote based on familial reasons.

Mayor Coerper opened the floor for comments.

Leola Ford stated that she didn't see the need for Commissioner Boukari to step down just because his brother would be the manager. She spoke of Assistant City Manager Boukari's love and commitment to all of the citizens.

Mayor Coerper stated that it would be a conflict of interest because Assistant City Manager Boukari would be taking direction from his brother.

Antoinette Hunt praised Assistant City Manager Boukari and the job he has done for the City.

Passed 3-0 with roll call.

City Manager Gresham informed the Commission of the rules for filling a vacancy on the city commission, which would be the case at the next meeting when Commissioner Boukari resigns. She made suggestions as to how a replacement could be selected.

Commissioner Wilford stated that, of the suggestions presented by City Manager Gresham, he found the suggestion of asking the Planning and Zoning Board for those interested and then presenting those names at the next meeting, to be an acceptable way to fill this vacancy.

Commissioner Boukari stated that he agreed with this suggestion.

Commissioner Hardacre asked for clarification regarding the process.

City Manager Gresham provided the clarification.

Mayor Coerper stated that he is in agreement.

Commissioner Wilford moved to have City Manager Gresham contact the members of the Planning and Zoning Board to determine interest in serving on the Commission, and then bring the names of those interested to the Commission at the next meeting; seconded by Commissioner Hardacre.

Passed 4-0 with roll call.

VI. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

Mayor Coerper opened the floor for comments.

There were no comments.

(Please Limit to 3 Minutes.Any citizen who did not speak during the Citizen Comments period at the beginning of the meeting may do so at this time.)

VII. COMMENTS FROM CITY MANAGER AND CITY ATTORNEY

City Manager Gresham informed the Commission that the County Commission had suggested May 21, 2018 as the Joint Board of Commission Meeting, and asked if there were any conflicts. There were no conflicts presented.

City Attorney Rush expressed her pleasure with the direction that the City has taken.

VIII.COMMISSION COMMENTS/DISCUSSION

Commissioner Wilford thanked City Attorney Rush for her assistance. He said that he has been pleased with the guidance from City Manger Gresham. He thanked Antoinette Hunt for her help while he has been recovering from cancer.

Commissioner Hardacre spoke of the pleasure he experienced at the City's recent Art Walk.

Commissioner Boukari spoke of his admiration for City Manager Gresham. He stated that there is garbage around the city that needs to be picked up.

Mayor Coerper stated that he had a good time at the Art Walk. He stated that he went to the Pinewood Derby for the Cub Scouts. He thanked City Manager Gresham for the difference she has made. He thanked the Police Department for their hard work.

ADJOURN

Commissioner Boukari moved to adjourn; seconded by Commissioner Wilford.

Passed by unanimous consent.

CONSENT AGENDA

CONSENT AGENDA ITEMS

- A. 2017 Ford F550 Bucket Truck w/Altec AT48M Telescopic Aerial Device
- B. November 27, 2017 City Commission Meeting Minutes

C. December 11, 2017 City Commission Meeting Minutes

ATTEST:

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Traci L. Gresham, City Manager/Clerk

Gib Coerper, Mayor

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <u>Boutari Ben H.</u>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <u>Alachua City Commission</u>
MAILING ADDRESS <u>847 Turkey Creek</u>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <u>Alachua</u> <u>Alachua</u>	NAME OF POLITICAL SUBDIVISION: <u>Seat 3</u>
DATE ON WHICH VOTE OCCURRED <u>1/22/2018</u>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Ben Boukari, hereby disclose that on January 22, 20 18:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☒ inured to the special gain or loss of Adam Boukari, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RCVD JAN 23 2018

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1/29/2018

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.