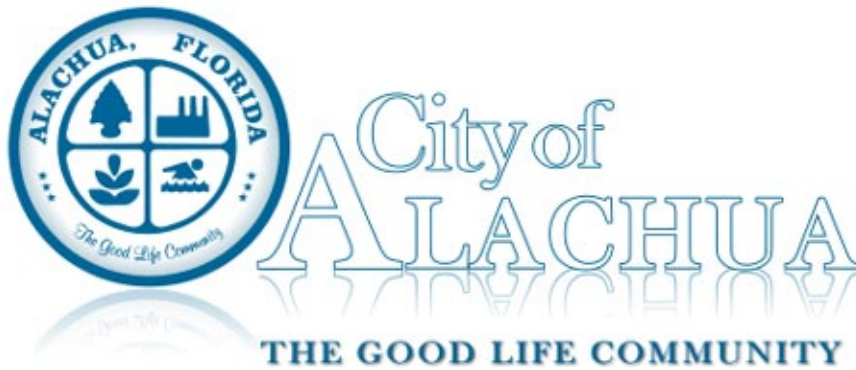




Regular City Commission Meeting Agenda October 24, 2022

Mayor Gib Coerper
Vice Mayor Jennifer Blalock
Commissioner Shirley Green Brown
Commissioner Dayna Miller
Commissioner Edward Potts

City Manager Mike DaRoza
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: October 24, 2022

Meeting Location: James A Lewis Commission Chambers
15100 NW 142 Terr.

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

INVOCATION

PLEDGE TO THE FLAG

APPROVAL OF THE AGENDA

**APPROVE READING OF PROPOSED ORDINANCES AND RESOLUTIONS BY
TITLE ONLY**

I. SPECIAL PRESENTATIONS

II. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

(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

IV. PUBLIC HEARINGS AND ORDINANCES

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

V. AGENDA ITEMS

- A. 2023 City Commission Calendar
- B. Opioid Task Force Member Discussion

VI. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

(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

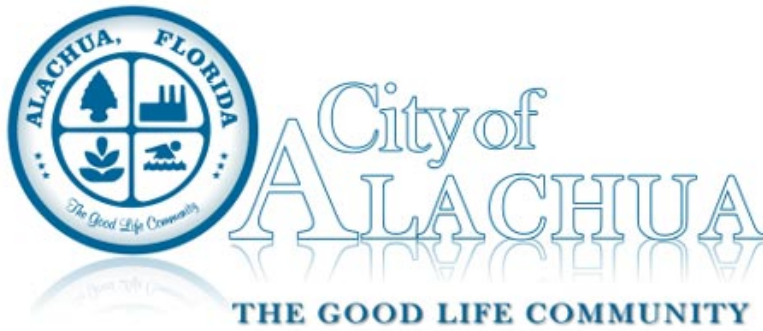
VIII.COMMISSION COMMENTS/DISCUSSION

ADJOURN

Consent Agenda

CONSENT AGENDA ITEMS

September 26, 2022 City Commission Meeting Minutes
Waiver of Code Enforcement Fines



Commission Agenda Item

MEETING DATE: 10/24/2022

SUBJECT: 2023 City Commission Calendar

PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Approve the Proposed 2023 City Commission Meeting Calendar.

Summary

The 2023 City Commission Meeting Calendar is proposed to resolve any conflicts with holidays and for the purpose of maintaining necessary timing for the proper notice and advertising of meetings and ordinances.

There are no holidays that conflict with the regular second and fourth Monday meetings.

It is recommended to continue the historical practice of having only one meeting in July and December. The proposed calendar includes the foregoing of the first meeting in July (July 10) and the second meeting in December (December 25).

The resulting 2023 City Commission Calendar as recommended would be:

January 9 & 23

February 13 & 27

March 13 & 27

April 10 & 24

May 8 & 22

June 12 & 26

July 24

August 14 & 28

September 11 & 25

October 9 & 23

November 13 & 27

December 11

ATTACHMENTS:

	Description
	2023 Calendar

2023

January						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

October						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

May						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

March						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

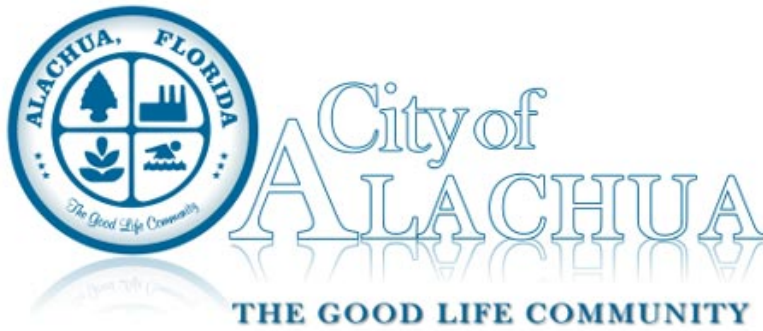
June						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

September						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Green = Commission meeting Dates

Red = Holidays



Commission Agenda Item

MEETING DATE: 10/24/2022

SUBJECT: Opioid Task Force Member Discussion

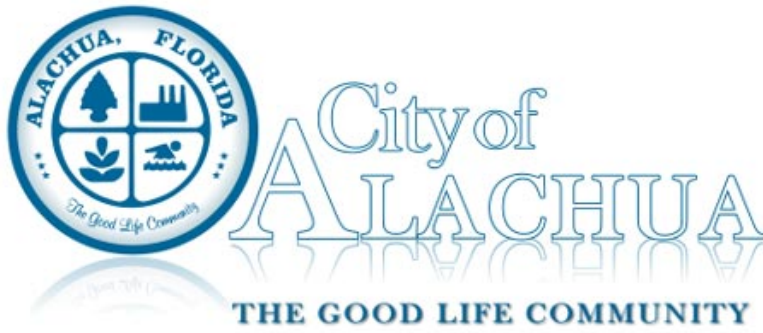
PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Select a volunteer to the Opioid Task Force.

Summary

As part of the commitment to the Opioid Task Force, one member of the City Commission is to represent the City of Alachua City Commissioners. The commissioners were asked to consider volunteering for the position. Once a volunteer for the Opioid Task Force has been selected, contact information is to be sent to the City of Newberry Clerk's Office.



Commission Agenda Item

MEETING DATE: 10/24/2022

SUBJECT: September 26, 2022 City Commission Meeting Minutes

PREPARED BY: LeAnne Williams, Deputy City Clerk

RECOMMENDED ACTION:

Approve the minutes.

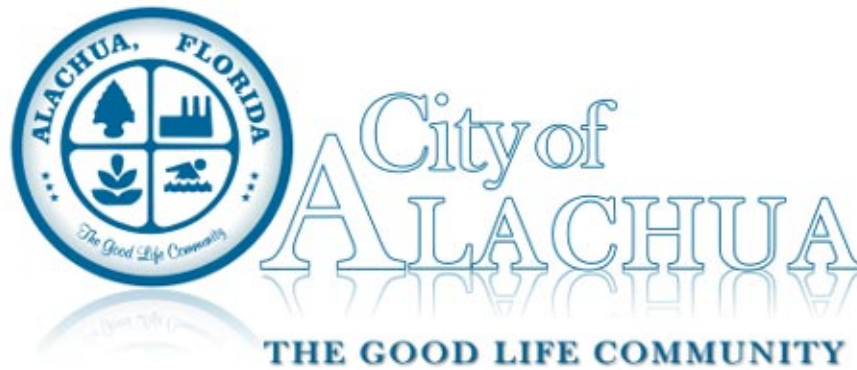
Summary

September 26, 2022 City Commission Meeting Minutes.

ATTACHMENTS:

Description

☐ Minutes



Regular City Commission Meeting Minutes September 26, 2022

Mayor Gib Coerper
Vice Mayor Jennifer Blalock
Commissioner Shirley Green Brown
Commissioner Dayna Miller
Commissioner Edward Potts

City Manager Mike DaRoza
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: September 26, 2022

Meeting Location: James A Lewis Commission Chambers

CITIZENS PRESENT: William Garst, Karen Reed, Darin Kilfoyl, Seth Wood, Brian Hontz, Terri Warrington, Tom Hubbard, Nancy Wales, Linda Paletti, Isaac Augspurg, John Augspurg, Timothy-John Grainger-Rousseau, Torey Sullivan, Wayne Werner, Debra Werner, Phyllis Strickland. STAFF ATTENDING: Diane Amendola, Robert Bonetti, Anne-Marie DiRocco, Adam Hall, Elliot Harris, Tara Malone, Jesse Sandusky, Donna Smith, LeAnne Williams, Tyler Williams, Kathy Winburn, David Wisener, Kim Vermillion.

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.

INVOCATION

Led by Pastor Tom Hope, First United Methodist Church of Alachua.

PLEDGE TO THE FLAG

Led by Mayor Coerper.

APPROVAL OF THE AGENDA

City Manager Mike DaRoza requested the agenda be amended by deferring Public Hearings and Ordinances Item B Final Plat – Briarwood Phase 2 and 3 to a Commission Meeting date certain of October 10, 2022, to switch Special Presentations Item A Teddy Bears to the Alachua Police Department with Item B 200th Anniversary of the First United Methodist Church of Alachua to accommodate the citizens' schedules, and lastly, to move FY 2023 Compensation Plan from Consent Agenda to Agenda Items.

Commissioner Dayna Miller moved to approve the amended agenda; seconded by Vice Mayor Jennifer Blalock.

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 Shirley Green Brown moved to approve the reading of proposed ordinances and resolutions by title only; seconded by Vice Mayor Blalock.

Passed by unanimous consent.

I. SPECIAL PRESENTATIONS

A. Teddy Bears to the Alachua Police Department

Deputy City Clerk LeAnne Williams introduced the proclamation.

Sue Weller, President of the Kiwanis Club, presented the bears to Chief Jesse Sandusky.

Chief Sandusky thanked the Kiwanis Club for partnering with the Alachua Police Department through the years.

Commissioner Brown thanked Ms. Weller and members of the Kiwanis Club for their support.

B. 200th Anniversary Recognition of the First United Methodist Church of Alachua

Mayor Coerper introduced the presentation and read the proclamation.

Pastor Hope thanked the Commission.

Mayor Coerper commended the church for their work and commitment to the City of Alachua.

C. American Pharmacists Month Proclamation

Deputy City Clerk Williams introduced the proclamation.

Mayor Coerper read the proclamation.

Dr. William Garst, University of Florida, spoke on the importance of pharmacists and pharmaceutical technicians. He introduced Dr. Timothy-John Grainger-Rousseau, Hitchcock's Pharmacy, who spoke on reaching out into rural parts of the community during the pandemic with vaccines.

D. 2022 National Breast Cancer Awareness Month & Alachua Goes Pink! Proclamation

Human Resources Director Tara Malone introduced the presentation.

Mayor Coerper read the proclamation.

II. COMMENTS FROM CITIZENS ON SUBJECTS NOT ON THE AGENDA

Mayor Coerper opened the floor for comments.

Phillis Strickland stated the Community Wellness Festival was well organized, the music was wonderful, but attendance was poor. She reminded everyone October was Breast Cancer Screening Month for men and women.

(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. Senior Resources Advisory Board (SRAB) Appointments

Deputy City Clerk Williams presented the appointment.

Karen Reed came forward and spoke on her experience within the community.

Deputy City Clerk Williams administered the ballot process.

Deputy City Clerk Williams announced, at the end of the voting process, Jim Curington received 4 of 5 votes and Karen Reed received 3 of 5 votes and Susan Shannon-Sapp received 2 of 5 votes.

Commissioner Edward Potts moved to appoint Jim Curington and Karen Reed to the SRAB, with terms ending October 2, 2025; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

-

IV. PUBLIC HEARINGS AND ORDINANCES

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

- A. Ordinance 23-01: First Reading; Land Development Regulations Text Amendment: A request by Seth Wood, of Causseaux, Hewett & Walpole Inc., to amend the City of Alachua Land Development Regulations (LDRs) by amending Article 4, Table 4.1-1, Table of Allowed Uses, to allow self-service storage as a permitted use in the Light and Warehouse Industrial (ILW) zoning district. (Legislative).

City Attorney Marian Rush read Ordinance 23-01 by title only.

Planning & Community Development Director Kathy Winburn introduced the item and provided the staff report.

Mayor Coerper asked if the applicant had any comments.

Seth Woods, Land Use Planner CHW, made a presentation.

Mayor Coerper asked the commissioners for questions or comments.

City Attorney Rush asked Mr. Woods if the applicant was willing to agree to the five conditions.

Mr. Woods stated they were.

Commissioner Brown moved based upon the competent substantial evidence presented at this hearing, the presentation to this City Commission and Staff's recommendation, this Commission finds the proposed text amendment to the City's Land Development Regulations to be consistent with the City of Alachua Comprehensive Plan and in compliance with the City's Land Development Regulations and approves Ordinance 23-01 on first reading and schedules second and final reading for October 10, 2022; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

- B. Final Plat – Briarwood Phase 2 and 3: A request by Tivia Bryan, of Allen & Company, applicant and agent for Troon Creek, LLC, property owner, for consideration of the Final Plat for Briarwood Phase 2 and 3, which proposes to subdivide a ±45.16 acre subject property into a total of 145 lots with associated common areas and road right-of-way; consisting of Tax Parcel Number 03044-010-003(Quasi-Judicial Hearing).

Item deferred to Commission Meeting date certain of October 10, 2022.

- C. Preliminary Plat and Final PD Plan– Fletcher Trace: A request by Travis Hastay , P.E., of Causseaux, Hewett, & Walpole, Inc., applicant and agent for Waco of Alabama, Inc., property owner, for consideration of the Preliminary Plat and Final PD Plan of Fletcher Trace, which proposes the subdivision of a ±118.2 acre subject property into a total of 472 lots, with associated common areas and right-of-way, generally located east of CR 235, south of Pilot Forest, and north of NW 110th Avenue; Tax Parcel Number 03970-000-000 and a portion of Tax Parcel Number

03980-002-001 (Quasi-Judicial Hearing).

City Attorney Rush asked if any commissioner had been contacted concerning this item.

No one had been contacted.

Principal Planner Adam Hall introduced the item and provided the staff report.

Mayor Coerper asked if the applicant had any comments.

Ryan Thompson, agent for applicant CHW, stated the presentation from Staff was thorough, and he was available for questions.

Mayor Coerper asked Mr. Thompson if the applicant was willing to agree to the five conditions.

Mr. Thompson stated they were.

Commissioner Miller asked if Mr. Thompson attended the neighborhood meeting.

Mr. Thompson stated he attended the preliminary plat meeting. He stated he was in attendance at this Commission Meeting for a colleague.

Commissioner Potts moved based upon the competent substantial evidence presented at this hearing, the presentation before this Commission, the recommendation of the Planning and Zoning Board, and Staff's recommendation, this Commission finds the application to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulations and approves the Preliminary Plat of Fletcher Trace, subject to the five (5) conditions provided in Exhibit "A" and located on page 22 of the Staff Report; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

Isaac Augspurg stated he opposed the development as it would destroy the trees he loves and it encourages urban sprawl. He urged the protection of trees.

Janet Augspurg spoke of her son's passion for the environment. She asked for a buffer for 110th Ave. to protect the heritage live oaks.

Mayor Coerper asked how many trees would remain with the planned development.

Principal Planner Hall provided the information.

Mayor Coerper clarified that trees would remain on 110th Ave.

Principal Planner Hall said the trees would remain.

Passed 5-0 by roll call.

- D. Ordinance 22-18, Second and Final Reading: Large Scale Comprehensive Plan Amendment (LSCPA) – Peggy Road LSCPA: A request by Clay Sweger, AICP, LEED AP, of eda

consultants, inc., applicant and agent for William and Margaret Kirkland, property owners, for consideration of a LSCPA to amend the Future Land Use Map (FLUM) on a ±51.7 acre subject property from Agriculture and Rural/Agriculture (Alachua County) to Moderate Density Residential; Tax Parcel Numbers 03924-000-000, 03865-000-000, 03917-200-002 (Legislative Hearing).

City Attorney Rush asked if any commissioner had been contacted concerning this item.

No one had been contacted.

City Attorney Rush read Ordinance 22-18 by title only.

Having been sworn in, Principal Planner Hall introduced the item and provided the staff report.

Stephanie Sutton, agent for the applicant, stated the presentation from Staff was thorough, she was available for questions and the applicant accepted all of the conditions.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments

Commissioner Brown moved based upon the presentation before the Commission and Staff's recommendation, that the City Commission approve Ordinance 22-18 on second and final reading; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

- E. Ordinance 22-19, Second and Final Reading: Site-Specific Amendment to the Official Zoning Atlas - Peggy Road PD-R: a request by Clay Sweger, AICP, LEED AP, of eda consultants, inc. , applicant and agent for William and Margaret Kirkland, property owners, for the consideration of the rezoning of the subject property from Agricultural ("A") and Agricultural ("A") (Alachua County) to Planned Development – Residential ("PD-R") on a ±51.7 acre subject property. Consisting of Parcel Numbers 03924-000-000, 03865-000-000, 03917-200-002 (Quasi-Judicial Hearing).

City Attorney Rush read Ordinance 22-19 by title only.

Principal Planner Hall requested the staff report from Ordinance 22-18 be incorporated as the staff report for Ordinance 22-19.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Vice Mayor Blalock moved based upon the competent substantial evidence presented at the hearing, the presentation before the Commission and Staff's recommendation, the City Commission finds the application for a Site-Specific Amendment to the Official Zoning Atlas

for the Peggy Road PD-R to be consistent with the City of Alachua Comprehensive Plan and in compliance with the Land Development Regulations and therefore move that this Commission adopt Ordinance 22-19 on second and final reading, approve the Planned Development Agreement for the Peggy Road PD-R Project and authorize the Mayor to sign the Agreement and authorize Staff to record the Planned Development Agreement for the Peggy Road PD-R Project in the Public Records of Alachua County; seconded by Commissioner Miller.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

F. Resolution 22-30 Relating to the Levy of General City Purpose Ad Valorem Taxes for the 2022 Tax Year; Resolution 22-31 Relating to the City's Budget for the 2022-2023 Fiscal Year; and Resolution 22-32 Relating to the 2023-2027 Capital Improvement Program

Finance & Administrative Services Director Robert Bonetti introduced the item and provided the staff report.

Mayor Coerper called to order the Final Public Hearing on the City of Alachua Fiscal Year 2022-2023 Final Millage and Final Budget.

City Attorney Rush provided an overview of the Truth in Millage Legislation (TRIM).

City Manager DaRoza explained the general City final and rolled back millage rates.

Finance & Administrative Services Director Bonetti presented an overview of the final budget and adjustments for Fiscal Year 2022-2023.

Mayor Coerper opened the floor for comments.
There were no comments.

City Attorney Rush read Resolution 22-30 by title only.

City Manager DaRoza announced the City of Alachua Commission had determined that a proposed millage rate of 5.3900 mills was necessary to fund the final general budget for the City. He said the proposed final millage rate represents an increase of 8.1% from the rolled-back rate of 4.9860 mills.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Commissioner Miller moved to adopt Resolution 22-30; seconded by Commissioner Potts.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

City Attorney Rush read Resolution 22-31 by title only.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Vice Mayor Blalock moved to adopt Resolution 22-31; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

City Attorney Rush read Resolution 22-32 by title only.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Vice Mayor Blalock moved to adopt Resolution 22-32; seconded by Commissioner Miller.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 on roll call vote.

Finance & Administrative Services Director Bonetti thanked his staff for all of the work put into the budget.

Mayor Coerper commended the finance staff for the work the finance staff does throughout the year.

V. AGENDA ITEMS

A. Ratification of 22/23 APD Collective Bargaining Agreement

Compliance and Risk Management Coordinator Anne-Marie DiRocco introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

Commissioner Miller asked for clarity on the details of the contract.

Compliance and Risk Manager Coordinator DiRocco provided the information.

Commissioner Brown moved to Ratify the FY 2022/23 - FY 2024/25 City of Alachua Police Department-FOP Collective Bargaining Agreement, previously ratified by the APD Collective Bargaining Unit, and authorize execution of two copies by the Mayor; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

Mayor Coerper commended the City and the FOP on negotiating a three-year contract and for always doing an excellent job keeping the city of Alachua safe.

City Manager DaRoza congratulated all the staff involved in the negotiation of the contract.

B. City Strategic Plan - FY 2023

Economic Development Manager David Wisener introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

Mayor Coerper thanked staff for the guidance through the strategic planning retreat.

Commissioner Brown moved to adopt the City Strategic Plan FY 2023; seconded by Vice Mayor Blalock.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

Commissioner Potts stated he would like to see the City hold the Chamber of Commerce to a higher standard as stake holders in a couple of the initiatives.

C. Resolution 22-33 Amending Schedule of Fees for Short-Term Rental of City Facilities

City Attorney Rush read Resolution 22-33 by title only.

Event Coordinator Kim Vermillion introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Vice Mayor Blalock moved to adopt Resolution 22-33, amending schedule of fees for short-

term rental of City facilities; seconded by Commissioner Potts.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by roll call.

D. FY 2023 Compensation Plan

Human Resources Director Malone introduced the item and made recommendations.

Mayor Coerper asked the commissioners for questions or comments.

There were no questions or comments.

Commissioner Potts moved to approve the FY 2023 Compensation Plan as presented; seconded by Commissioner Brown.

Mayor Coerper opened the floor for comments.

There were no comments.

Passed 5-0 by 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 DaRoza stated he attended:

- Santa Fe College Perry Center where Trane Technologies and Farrar Scientific donated 11 freezers to the college.
- The Community Wellness Festival
- Parking lot groundbreaking

He congratulated Mr. Curington and Ms. Reed's election to the SRAB. He spoke on ways the City was working on communication. He talked about Hurricane Ian and the preparations the City was taking.

City Attorney Rush congratulated the collective bargaining team for completing a three-year contract together for APD.

VIII. COMMISSION COMMENTS/DISCUSSION

Commissioner Potts congratulated the Finance Department for the completion of the budget. He stated he attended:

- Chamber of Commerce event
- UF Breakfast

- Groundbreaking at Celebration Point Experiential Living
- Builders Association Meeting

Commissioner Brown thanked Pastor Hope and congratulated his church on 200 years. She thanked the citizens who attended the meeting. She thanked Ms. Strickland for her comments regarding the Wellness Festival. She announced former Commissioner Orien Hill's funeral would be moved to Saturday, October 1, 2022, at 3:00 p.m. at Legacy Park Multipurpose Center, due to Hurricane Ian. She stated she attended:

- Voter Registration event at the Harry and Harriette Moore Museum in Titusville
- Chamber of Commerce event
- Parking Lot Groundbreaking

Vice Mayor Blalock asked everyone to be safe over the next few days as everyone prepares for Hurricane Ian. She reminded Chief Sandusky to be safe while performing his duties.

Mayor Coerper congratulated First United Methodist Church and asked everyone to be safe as we prepare for Hurricane Ian.

ADJOURN

Vice Mayor Blalock moved to adjourn; seconded by Commissioner Potts.

Passed by unanimous consent.

CONSENT AGENDA

CONSENT AGENDA ITEMS

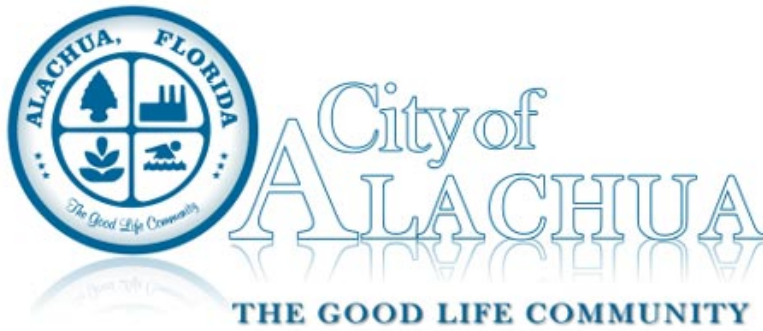
- A. Memorandum of Understanding regarding the City of Alachua's Financial commitment for Arbours at Merrillwood Phase I

ATTEST:

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Mike DaRoza, City Manager/Clerk

Gib Coerper, Mayor



Commission Agenda Item

MEETING DATE: 10/24/2022

SUBJECT: Waiver of Code Enforcement Fines

PREPARED BY: Linnelle Stewart, Code Enforcement Officer

RECOMMENDED ACTION:

The City Commission of the City of Alachua Waive the Code Enforcement Fines Against the Property and authorize the Mayor and City Manager/Clerk to sign the attached "Waiver of Code Enforcement Fines."

Summary

The subject real property (Property) is described as tax parcel 03986-004-044, and the location address is 12511 NW 197 Terrace, Alachua, Florida, 32615. The property was found to be in violation of the City Code and an Order Finding Code Violations was entered regarding these violations and fines have been accruing against the Property

A primary purpose of the code enforcement process in the City of Alachua is to have real property brought into compliance with City ordinances, rather than to punish a property owner. Since the Property was found to be in violation, a potential buyer became interested in it and has worked in coordination with the Code Enforcement Officer to bring the Property into compliance and was advised that due to these efforts, a request for the waiver of the Code Enforcement Fines would be submitted to the City Commission.

This person who cleaned up the Property, Asgede Selassie, has purchased the Property. A re-inspection of the Property was conducted by Code Enforcement on October 4, 2022, and the Property was found to be in compliance. An Affidavit of Compliance was filed.

Given the above facts, Staff requests that the City Commission waive Code Enforcement Fines against this Property.

COMMISSION GOALS:

Community Enhancement

ATTACHMENTS:

Description

- ☐ Waiver of fines
- ☐ Exhibit A Magistrate Orders
- ☐ Exhibit B Affidavit of Compliance
- ☐ before photos
- ☐ after photos



MIKE DAROZA
CITY MANAGER

PLANNING & COMMUNITY DEVELOPMENT
DIRECTOR KATHY WINBURN, AICP

WAIVER OF CODE ENFORCEMENT FINES

The City of Alachua (“City”) Code of Ordinances (“Ordinances”) requires real property located within the City to be maintained in accordance with the Ordinances for public purposes such as having real property kept in safe condition and maintaining the value of real property located in the City. The failure of the owner of real property located within the City to maintain real property in accordance with the Ordinances may result in citations for violations of the Ordinances, code enforcement hearing(s), the assessment of fines, and liens being filed against the real property by the City. The purpose of the enforcement of the Ordinances is not to punish the property owner, but rather to provide for the maintenance of the real property located within the City.

Property described in tax parcel number 03986-004-0444 and known locally as 12511 NW 197 Terrace, Alachua, FL (“Property”), was the subject of Code Enforcement Case Numbers 20-0005 and 22-0011 that resulted in Orders being entered which accrue fines against the Property until it is brought into compliance with the Ordinances. Copies of the Orders are attached hereto as Exhibit “A”.

City Staff has worked with the Owner of the Property at the time of the Code enforcement hearings and an interested and subsequent purchaser of the Property with the goal of the Property being brought into compliance with the Ordinances in accordance with the public purposes set forth above and the possible waiver of any fines pursuant to the attached Orders.

An inspection of the Property was conducted by City Code Enforcement on October 4, 2022, and an Affidavit of Compliance was entered, a copy of which is attached hereto as Exhibit “B”.

For the purposes stated above and in order to continue to foster real property located within the City being in compliance with the Ordinances, the City of Alachua hereby waives all fines accruing from the attached Orders in Exhibit “A”.

City of Alachua, a municipality located in Alachua County, Florida

By: _____

Gib Coerper, Mayor

Attest:

Mike DaRoza, City Manager/City Clerk

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,
Petitioner,
v.

Case No.: E20-0005

TROY LEE &
MICHELLE LYNN JACKSON,
Respondents.

**ORDER FINDING CODE VIOLATIONS
AND
SETTING TIME FOR COMPLIANCE**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi judicial hearing held on March 3, 2020. The Special Magistrate, having heard testimony given under oath and receiving other evidence presented by the Code Enforcement Officer of the City of Alachua ("City"), the Respondent and other witnesses enters the following Order:

**FINDINGS of Fact
and
CONCLUSIONS of Law:**

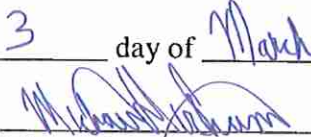
1. The legal description of the subject property (Property) is QUAIL ROOST UNIT 2 PB N-22 LOT 44 OR 4538/1252. The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-044, and the 911 address is 12511 NW 197 Terrace, Alachua, FL, 32615.
2. Respondents/Owners, Troy Lee & Michelle Lynn Jackson were properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Troy Lee & Michelle Lynn Jackson to 12511 NW 197 Terrace, Alachua, FL, 32615.
3. The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.
4. Respondent Troy Jackson was present at the hearing and testified under oath and otherwise took part in the Hearing.

5. A Notice of Violation was mailed to the Owners: Troy Lee & Michelle Lynn Jackson to 12511 NW 197 Terrace, Alachua, FL, 32615 via certified mail on January 28, 2020 with a compliance deadline of February 11, 2020 notifying the owners that the property was in violation of:
 - a. City of Alachua Code of Ordinances 8-30 International Property Maintenance Code 302.8, Prohibited storage of inoperable vehicles.
 - b. City of Alachua Code of Ordinances 8-30 International Property Maintenance Code 302.1, Prohibited junk and debris storage.
6. On February 11, 2020, the Code Officer re-inspected the subject property and determined the violations continued as provided under the Notice of Violation dated January 28, 2020.
7. A Request for Hearing and Affidavit of Violations was filed on February 11, 2020 by the Code Officer setting forth relevant and adequate facts to establish the two cited violations of the City Code did exist.
8. On February 13, 2020 the Respondents/Owners received Notice of this Hearing.

Based upon the record, the evidence submitted, and testimony during the Hearing and being otherwise fully advised in the premises it is determined and ordered that:

- A. The Respondents were and remain in violation of Sections 302.1 and 302.8 of the City of Alachua Code of Ordinances and continue to be in violation.
- B. The Respondents shall be in substantial compliance with the City Code of Ordinances by April 6, 2020 by demonstrating that they are diligently and actively removing items from the subject property in order to meet the May 4, 2020 compliance date as provided herein. The Code Officer may conduct an inspection of the property accordingly.
- C. The Respondents shall fully come into compliance with the City Code of Ordinances and correct the violations by May 4, 2020.
- D. NOTICE: If the Respondents are not in full compliance with the City Code of Ordinances as provided herein by May 4, 2020, a twenty-five (\$25.00) day fine may be assessed against the property as provided by law upon such finding by the Code Enforcement Magistrate where the Respondents would have an opportunity to appear at said hearing.

DONE AND ORDERED at Alachua, Florida this 3 day of March, 2020.

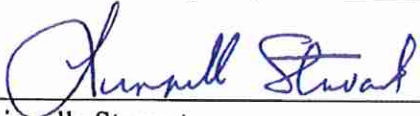


Michael D. Durham,
Special Magistrate

Please direct all inquiries concerning fines and appeals to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 NW 142 Terrace, Alachua, FL, 32615; telephone no. (386)418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order with Findings of Code Violations and Setting Time for Compliance was served on Troy Lee & Michelle Lynn Jackson by ✓ certified mail return receipt requested _____ hand delivery this 5th day of MARCH, 2020.



Linnelle Stewart
Code Enforcement Officer
City of Alachua

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ALACHUA, FLORIDA**

CITY OF ALACHUA,
Petitioner,

Case No.: E22-0011

vs

TROY & MICHELLE JACKSON,
Respondents

_____/

**ORDER FINDING REPEAT CODE VIOLATIONS
AND
SETTING TIME FOR COMPLIANCE**

This case was heard by the City of Alachua Code Enforcement Special Magistrate, at a quasi-judicial hearing held on February 24, 2022. The Special Magistrate, having heard testimony given under oath and receiving other evidence presented by the Code Enforcement Officer of the City of Alachua ("City"), Respondent and other witnesses enters the following Order:

FINDINGS:

The legal description of the subject property (Property) is QUAIL ROOST UNIT 2 PB N-22 LOT 44 OR 4538/1232.

The tax parcel ID listed in the Alachua County Property Appraiser records is 03986-004-044, and the 911 address is 12511 NW 197 Terrace, Alachua, FL, 32615.

Respondents/Owners Troy & Michelle Jackson were properly served with Notice of these proceedings by serving a Notice of Hearing and Affidavit of Violation via certified mail return receipt requested to Troy & Michelle Jackson at 12511 NW 197 Terrace, Alachua, FL, 32615.

The City provided testimony of Code Enforcement Officer Linnelle Stewart (Code Officer) and offered other evidence.

Respondent Troy Jackson was present and participated in the Hearing and acknowledged that he received the Notice from his wife as both parties currently occupy the property. Furthermore, Mr. Jackson advised that he brings items as depicted in the photographs on the property temporarily and stores them until latter disposed of and many of the items currently on the property as cited were recently brought on the property.

A Request for Hearing with Supporting Affidavit Violations for a Repeat Violation was mailed to the Respondents: Troy & Michelle Jackson at 12511 NW 197 Terrace, Alachua, FL, 32615 via certified mail on February 10, 2022 notifying the owner that the Property was in repeat violation of:

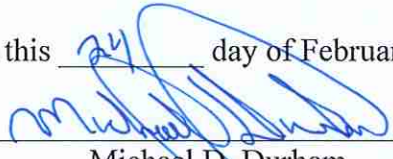
- City of Alachua Code of Ordinances Section 8-30, International Property Maintenance Code Section 302.1 Exterior property and premises not being maintained in a clean, safe, and sanitary condition.
- Section 302.8, Storage of inoperable vehicles.

ORDER:

Based upon the record, the evidence submitted, and testimony during the Hearing and being otherwise fully advised in the premises it is determined and ordered that:

- The Respondent is in repeat violation of Sections 302.1 and 302.8 of the City of Alachua Code of Ordinances.
- The Respondent shall be in full compliance with the City Code of Ordinances by March 24, 2022.
- If the Respondent is **not** in full compliance with the City Code of Ordinances as provided herein by March 24, 2022, a fifty (\$50) per day fine may be assessed against the Property as provided by law

DONE AND ORDERED at Alachua, Florida this 24 day of February, 2022.



Michael D. Durham,
Special Magistrate

Please direct all inquiries concerning fines and appeals to Linnelle Stewart, Code Enforcement Officer, City of Alachua, 15100 NW 142 Terrace, Alachua, FL, 32615; telephone no. (386)418-6127.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order with Findings of Repeat Code Violations and Setting Time for Compliance was served on Troy & Michelle Jackson by ✓ certified mail return receipt requested _____ hand delivery to this 24 day of February, 2022.



Linnelle Stewart

Code Enforcement Officer

City of Alachua

CITY OF ALACHUA
Office of Code Enforcement

CITY OF ALACHUA, FLORIDA,
Petitioner,
VS.

Case # E22-0011

TROY LEE & MICHELLE LYNN JACKSON,
Respondents.

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared Linnelle Stewart, Code Enforcement Officer for the City of Alachua, who after being duly sworn, deposes and says:

1. That the subject property (Property) is identified as tax parcel 03986-004-044, and the location address is 12511 NW 197 Terrace, Alachua, Fl, 32615.
2. That a Hearing before the Special Magistrate was held on March 3, 2020. The Respondent was present and participated in the Hearing.
3. That the Respondent was found in violation of Sections 302.1 and 302.8 of the International Property Maintenance Code, and an Order Finding Code Violations and Setting Time for Compliance was mailed to the Respondent.
4. That a Hearing for REPEAT VIOLATION before the Special Magistrate was held on February 22, 2022. The Respondent was present and participated in the Hearing.
5. That the Respondent was found in REPEAT VIOLATION of Sections 302.1 and 302.8 of the International Property Maintenance Code, and an Order Finding Repeat Code Violations and Setting Time for Compliance was mailed to the Respondent.
6. That the Respondent was provided March 24, 2022 to come in full compliance with the code.
7. That an inspection was conducted on March 29, 2022 and the Property remained in violation.
8. That an Affidavit of Non-Compliance was presented at a Hearing before the Special Magistrate on July 28, 2022.

9. That a re-inspection was conducted on October 4, 2022, and the Property was in compliance.

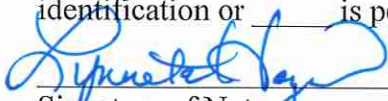
10. That the above facts are true and accurate to the best of my knowledge.

Dated this 5 day of October, 2022

STATE OF FLORIDA

COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or _____ online notarization, this _____ day of October, 2022 by LINNELLE STEWART who executed the same and has _____ produced a Florida driver's license as identification or _____ is personally known to me.



Signature of Notary

Print name: Lynnetta Hayes
Notary Public, State of Florida
My commission expires: June 5, 2024



LYNNETA HAYES
Commission # GG 955640
Expires June 5, 2024
Bonded Thru Budget Notary Services

I hereby certify that a true and correct copy of the foregoing Affidavit has been furnished to Troy & Michelle Jackson by hand delivery this 5 day of October, 2022.



Linnelle Stewart

Linnelle Stewart
Code Enforcement Officer
City of Alachua













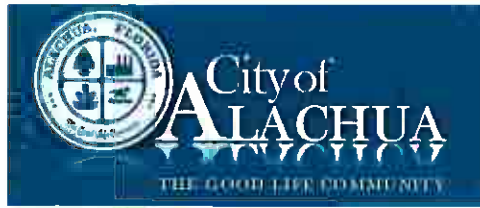












City Commission Meeting
Sign In October 24, 2022

	Name (Please Print)
(Please Print) REV. GARY HARDESTY	(Please Print)
(Please Print) Jean Calderwood	(Please Print)
(Please Print) Tom Hubbard	(Please Print)
(Please Print) David Wisener	(Please Print)
(Please Print) Darin Kilfayl NEPS	(Please Print)
(Please Print) Cap Wilson car	(Please Print)
(Please Print) Troy Jackson	(Please Print)
(Please Print)	(Please Print)
(Please Print)	(Please Print)
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