

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## **Minutes - Draft**

**April 30, 2020**

**6:00 PM**

**Public Hearing**

**Virtual Teleconference Meeting**

## **Charter Review Commission**

*Walter Barry (Member)*  
*Richard Blount (Member)*  
*Susan Bottcher (Member)*  
*Jorge Campos (Member)*  
*Cynthia Chestnut (Member)*  
*Robert Cohen (Member)*  
*Crystal Goodison (Vice-Chair)*  
*Scherwin Henry (Member)*  
*Mary Lou Hildreth (Chair)*  
*Jeremiah Tattersall (Member)*  
*Donna Waller (Member)*

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## CALL TO ORDER - 6:02 PM

Chair Hildreth gave introductory remarks

## ROLL CALL

Alternate Gonzalez absent.

**Present** 10 - Member Henry, Member Bottcher, Member Barry, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

**Absent** 1 - Member Blount

## ADOPTION OF THE AGENDA

**A motion was made by Member Campos, seconded by Member Goodison, that this Matter be Adopted. The motion carried by the following vote:**

**Aye:** 10 - Member Henry, Member Bottcher, Member Barry, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

**Absent:** 1 - Member Blount

## APPROVAL OF MINUTES

### [191184.](#) Approval of Minutes from the April 23, 2020 Charter Review Commission Meeting (B)

**RECOMMENDATION**

*The Charter Review Commission approve the April 23, 2020 minutes.*

**A motion was made by Member Campos, seconded by Member Chestnut, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye:** 10 - Member Henry, Member Bottcher, Member Barry, Member Goodison, Member Chestnut, Member Cohen, Member Waller, Member Campos, Member Tattersall, and Member Hildreth

**Absent:** 1 - Member Blount

## BUSINESS DISCUSSION ITEMS

### [191051.](#) Proposed Charter Amendment to Retitle the Clerk of the Commission to City Clerk (B)

Chair Hildreth introduced the item. City Attorney Nicolle Shalley commented about the process - the Charter Review Commission will

vote on each item, which must pass by vote of six members. Chair Hildreth has a letter to discuss with members. Chair MHildreth said discuss at the end.

Motion to move the proposed amendment forward by Member Barry; seconded by Member Bottcher. Vote passed 10-0. Absent: Member Blount.

**RECOMMENDATION**

*The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

**Approved, as shown above**

**191055.**

**Proposed Charter Amendment to Increase Salaries for Members of the City Commission (B)**

Chair Hildreth introduced the item. Member Bottcher commented about previous discussion, public comment regarding current economic events due to COVID shutdowns. Suggested that the board implement the amendment in 2022 or later.

Vice-Chair Goodison agreed with Member Bottcher's proposal.

Chair Hildreth commented against the amendment and proposal due to municipal economic concerns.

Member Henry commented that this is not the time to increase commissioner salaries.

6:10 pm: Alternate Eastman arrived.

Member Tattersall commented in support of Member Bottcher's proposal to delay implementation.

Member Chestnut commented against the proposed amendment due to current circumstances. Noted that City Commission could raise salaries at a later date.

Member Cohen commented in support of Member Bottcher's proposal. Noted the difficulty of the Commission raising its pay.

Member Bottcher reiterated support for increasing commissioner salaries. Discussed comparisons to peer cities, reasons for supporting the increase for public servants.

Member Campos commented in support of the amendment. Noted the responsibilities of the commissioners related to running the City and the utility. Favors pushing back the implementation despite the current circumstances.

Member Barry commented against moving the amendment forward. Does not think that voters will support the measure.

Vice-Chair Goodison commented in support of the proposal in the interest of attracting skilled talent and leadership to the commission.

Member Bottcher motioned to change implementation date to October 1, 2022. Second by Member Tattersall.

Public comment: Armando Grundy-Gomez

Chair Hildreth asked a question about the ordinance language. City Attorney Shalley responded about the five-year implementation process and later CPI would go into effect. Chair Hildreth asked follow-up question about pay increases. Nicolle Shalley responded that ordinance could be revised to have pay raises take effect only if employee pay is raised.

Member Bottcher amended motion to provide that commissioners will only get raise starting in 2022 if City employees receive a raise. Member Campos commented that the ordinance will have to specify that the implementation period would be extended to bring salaries to the new threshold.

Member Bottcher commented that she would defer to the City Attorney on the wording of the ordinance. Nicolle Shalley clarified that the intent is that if employees do not receive a general increase, the commission would not receive incremental increase or CPI. In that event, the implementation phase would be extended. Nicolle Shalley suggested making section (e) apply only after the five years elapsed.

Chair Hildreth commented about fairness to City employees. Noted the lack of examples of commissioner salaries in other cities' charters.

Member Tattersall commented about not wanting the amendment to be difficult to understand. Asked if Member Bottcher would support wording the ordinance in a simple way for the voters.

Member Bottcher responded that she would wait to hear from other members.

Vice-Chair Goodison commented about re-wording five years to “increments” rather than “years”. Agreed that commission should not get raises if employees do not.

Member Waller asked about the motion - to change implementation or also voting on whether to do this? Opposed to the amendment, but would want to extend the implementation.

Member Bottcher repeated the motion: To change implementation to Oct. 1, 2022, retain five-year implementation of the increases. Asked if a vote on this would imply moving the amendment forward. Nicolle Shalley responded that the body could vote in two parts before voting on the ordinance as a whole.

Vice-Chair Goodison suggested an amendment to the motion to change “years” to “increments”. Accepted by Member Bottcher and Member Tattersall.

Chestnut asked for clarification on the voting. Nicolle Shalley responded.

Vote: Motion failed 4 - 6. Member Barry, Member Campos, Member Chestnut, Member Henry, Chair Hildreth and Member Waller in dissent. Absent: Member Blount.

**RECOMMENDATION**

*The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

**Discussed**

**191115.**

**Proposed Charter Amendment to Eliminate the Restrictions on Use of Funds for Construction of Paved Surfaces in Designated Areas (B)**

Chair Hildreth introduced the item.

Member Barry requested to add language before the beginning of the ballot question:

Chair Hildreth asked for Attorney’s input. Nicolle Shalley commented that there is a 75-word limit for the ballot. Member Barry commented about the perception of the language.

Vice-Chair Goodison commented in support of the spirit of the addition.

Suggests adding language about access.

Chair Hildreth confirmed that the language must be finalized tonight. Nicolle Shalley responded yes.

Member Barry asked a question about the language. Nicolle Shalley responded about the Charter and ordinance language. Discussion about wording.

Chair Hildreth asked Nicolle Shalley about reducing the words. Nicolle Shalley responded that the wording must accurately inform the voter of what they are voting on. Chair Hildreth and Nicolle Shalley discussed the wording.

Member Bottcher suggested alternate wording.

Member Barry agreed. Nicolle Shalley responded.

Member Bottcher suggested alternative language: "Shall the City Charter be amended to allow the use of government or private funds for the construction and improvement of trails and transportation corridors to improve safety and meet ADA compliance on City-owned land designated conservation and located in the Hogtown Creek Watershed...." Commented about the inclusion of the ADA compliance.

Alternate Member Eastman commented about other potential neutral language as an alternative if needed.

Member Waller commented in support of the proposed change to the language.

Member Barry agreed with Member Bottcher's proposed wording.

Vice-Chair Goodison asked if a phrase at the beginning could be added if the proposed language does not meet legal requirements.

Chair Hildreth commented that the City Attorney and Dan Nee would discuss off-line.

Member Bottcher motioned to adopt the proposed language; seconded by Member Barry.

Member Cohen commented in support of the proposed language

change.

Vice-Chair Goodison suggested moving on to the next item while attorneys discussed.

(Discussion and Vote Continued during Member Comment below.)

(Returned to item 191115) Nicolle Shalley presented revised proposed ballot language for item. Chair Hildreth asked about the term “paved”. Nicolle Shalley responded.

Member Barry suggested alternate language in place of “safety and meet ADA compliance”. Nicolle Shalley responded. Suggested including the motivation in educational campaigns on the charter amendments.

Chair Hildreth commented about the language. Member Barry responded. Chair Hildreth asked about the process of the City Commission reviewing proposed ordinances and changing language. Nicolle Shalley responded that the Commission may veto and may revise the ordinance language.

Alternate Member Eastman commented about the language.

Nicolle Shalley commented about the statutory requirements for the language.

Member Cohen asked about the ballot language. Nicolle Shalley responded. Member Cohen suggested eliminating “or transportation corridors” from the language if a motion is made.

Member Bottcher commented about the language. Discussed the wording; suggested the phrase “in order to provide equitable access”.

City Attorney Dan Nee spoke about the intention of the proposed amendment, cautioned against adding new requirements with the language.

Chair Hildreth commented, referenced Alternate Member Eastman’s suggested language. Dan Nee responded.

Vice-Chair Goodison suggested voting on the proposed amendment as revised by the City Attorney. Motion by Vice-Chair Goodison to move

forward language; seconded by Member Cohen.

Nicolle Shalley edited the language. Vice-Chair Goodison amended motion to accept the change; seconded by Member Cohen.

Member Bottcher spoke in favor of the motion.

Alternate Member Eastman commented about concern with presenting the amendment to voters. Suggested additional revision to reduce the language, ending the question after "City-owned land". Member Barry commented. Chair Hildreth agreed.

Member Campos asked the City Attorney about a reference in the language. Nicolle Shalley responded.

Member Barry asked a question about the revised version of the ballot language.

Vice-Chair Goodison asked to restate the motion. Accepted amendment to original motion, moved to adopt current version.

Member Chestnut asked about motion to call the question. Member Campos commented about the voting process.

Member Bottcher withdrew original motion. Moved to adopt the language as revised by the City Attorney; seconded by Member Cohen. Revised ballot language: "Shall the City Charter be amended to eliminate the restriction in 5.06 on the use of public and private funds for the construction or improvement of paved surfaces on city-owned land, as proposed by ordinance no. \_\_\_\_\_?"

Vote: Passed 9 - 0. Absent: Members Blount and Henry.

**RECOMMENDATION**

*The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

**Approved, as shown above**

[191120.](#)

**Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Facilities (B)**

Chair Hildreth introduced the item. Noted the addition of the term "treat" related to wastewater.



Motion to approve by Member Campos; seconded by Vice-Chair Goodison. Vote passed 10 - 0. Member Blount absent.

**RECOMMENDATION**

*The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

**Approved, as shown above**

**191121.**

**Proposed Charter Amendment to Create a Charter Preamble (B)**

Chair Hildreth introduced the item. Noted the wording change at the previous meeting.

Member Barry motioned to approve; seconded by Member Henry. Vote passed 10 - 0. Member Blount absent.

7:05 pm: Member Henry departed. Thanked the members for serving.

**RECOMMENDATION**

*The City Charter Review Commission discuss the draft charter amendment ordinance and receive public comment*

**Approved, as shown above**

**MEMBER COMMENT**

Chair Hildreth discussed draft letter to submit to the City Commission with reasoning on each of the proposed charter amendments. Requested that members edit and contribute content on each amendment. Discussed the memo outlining recommendations of proposals that were discussed by the CCRC but not moved forward for consideration by the City Commission.

Member Barry commented. Chair Hildreth responded.

Member Bottcher offered to write a paragraph on the disposal of utilities item. Asked for a deadline.

Chair Hildreth asked about the deadline for submitting. Clerk responded that the letter to the Mayor should be submitted as soon as possible. Member Bottcher will draft her piece by the end of the day Friday. Offered to work with Member Barry on the paved surfaces item. Mentioned other items to put forth as recommendations to the Commission to provide in the agenda back-up for the May 11 Special Meeting.

Member Tattersall offered to write about items to suggest to the City

Commission, send as an individual.

Vice-Chair Goodison asked about the process of communicating and sending recommendations on items that did not move forward. Chair Hildreth commented that the Attorney will need to clarify if the members can communicate after the votes on the amendments.

Member Waller expressed interest in working with Member Tattersall to write to the Commission about citizen ordinance initiatives

Member Campos expressed caution about expressing opinions as a body vs. personal recommendations. Chair Hildreth responded that individuals may write about their specific items of interest to move forward in order to avoid Sunshine violations.

Member Barry agreed with Member Campos about not writing on behalf of the body.

Member Bottcher agreed with focusing on the items moving forward; members may raise other issues as individuals later.

#### **ADJOURNMENT 7:45**

Chair Hildreth thanked the Members.

Motion to adjourn by Member Chestnut; seconded by Member Barry.