

City of Gainesville

*City Hall
200 East University Avenue
Gainesville, Florida 32601*



Meeting Minutes

Monday, December 10, 2001

1:00 PM

City Hall Auditorium

City Commission

*Mayor Tom Bussing (At-Large)
Commissioner Warren Nielsen (At-Large)
Commissioner Chuck Chestnut (District 1)
Commissioner John R. Barrow (District 2)
Mayor-Commissioner Pro Tem Pegeen Hanrahan (District 3)*

CALL TO ORDER - 1:05 PM**INVOCATION****Jim Wright, Holy Trinity Episcopal Church****ROLL CALL**

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

BOARD OF TRUSTEES

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Chuck Chestnut seconded to adopt the agenda of the Board of Trustees.

(VOTE: 5-0 MOTION CARRIED)

002173 Annual Performance Report for the General Employees' Pension Fund for Fiscal Year Ended September 30, 2001 (B)

Managing Director of Summit Strategies Mr. Dan Holmes gave a presentation.

MOTION: The City Commission accept the report.

RECOMMENDATION *The Board of Trustees hear a presentation by the Summit Strategies Group and accept the report on the Performance of General Employees' Pension Fund for the fiscal year ended September 30, 2001.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Approved, as shown above. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

CONSENT AGENDA

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Barrow seconded to adopt the Consent Agenda with the following modification:

File No #002168 - License Agreement for Parking with A Special Occasion of Gainesville (Savannah Grande) - Modified back-up (new map)

(VOTE: 5-0, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS

002162 Ratification of the Agreement between the City of Gainesville and the Communications Workers of America Supervisory Bargaining Unit (B)

RECOMMENDATION *The City Commission ratify the amendments to the Agreement for the Communications Workers of America covering the period October 1, 2001, through December 31, 2003, between the City of Gainesville and the Communications Workers of America, a copy of which is on file with the Clerk of the Commission. After December 10, 2001, the Amendment to the Agreement will be on file in the Human Resources Department.*

This Matter was Approved as Recommended on the Consent Agenda.

002163 Ratification of the Agreement between the City of Gainesville and the Communications Workers of America Non-Supervisory Bargaining Unit (B)

RECOMMENDATION *The City Commission ratify the amendments to the Agreement for the Communications Workers of America covering the period October 1, 2001, through December 31, 2003, between the City of Gainesville and the Communications Workers of America, a copy of which is on file with the Clerk of the Commission. After December 10, 2001, the Amendment to the Agreement will be on file in the Human Resources Department.*

This Matter was Approved as Recommended on the Consent Agenda.

002164 Reimbursement for Southern Pine Beetle (SPB) Suppression Program (NB)

RECOMMENDATION *The City Commission authorize the City Manager or his designee to execute the contract with the Florida Department of Agriculture, Division of Forestry, to receive reimbursement for 50 percent of the approved costs for technical assistance, not to exceed a total of \$45,000 for the Southern Pine Beetle Suppression Program within the Gainesville city limits.*

This Matter was Approved as Recommended on the Consent Agenda.

002166 Employee Bus Pass Program for Downtown City, County and UF Employees (B)

RECOMMENDATION *The City Commission: 1) approve the continuation of the Employee Bus Pass Program for Downtown City employees; and 2) authorize the City Manager to execute an Interlocal Agreement with the University of Florida and Alachua County for a third year of the Program for their employees.*

This Matter was Approved as Recommended on the Consent Agenda.

002167 Annual Contract for Redi-Mix Concrete for FY2002 (B)

RECOMMENDATION *The City Commission: 1) award the contract to Florida Rock Industries; and 2) authorize the City Manager or designee to execute the contract with Florida Rock Industries.*

This Matter was Approved as Recommended on the Consent Agenda.

002168 License Agreement for Parking with A Special Occasion of Gainesville (Savannah Grande) (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute a three year License Agreement with A Special Occasion of Gainesville (Savannah Grande).*

This Matter was Approved as Recommended on the Consent Agenda.

002169 Traffic Engineering Services Agreement with Alachua County for Fiscal Year 2001-2002 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Traffic Engineering Services Agreement between the City and Alachua County for traffic engineering services for the period of October 1, 2001, through September 30, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

002170 Increase the Authorized Overfill of Police Officer Budgeted Positions by an Additional Five (5) Positions (NB)

RECOMMENDATION *The City Commission approve an additional overfill of five (5) police officer positions, for a total of ten (10) positions.*

This Matter was Approved as Recommended on the Consent Agenda.

002171 Continuation of Blue Cross/Blue Shield Administrative Services Contract (NB)

RECOMMENDATION *The City Commission: 1) authorize continuing the Administrative Services Contract between the City of Gainesville and Blue Cross and Blue Shield of Florida, Inc. for one (1) additional year; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the administrative services to Blue Cross and*

Blue Shield of Florida, Inc.; and 3) authorize the City's Director of Risk Management to negotiate and execute the contract extension.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

002184 DESIGNATING THE MAYOR AND CITY COMMISSIONERS FOR INCLUSION IN THE FLORIDA RETIREMENT SYSTEM ELECTED OFFICERS' CLASS (B)

RECOMMENDATION *Defer consideration of the Elected Class Designation until additional information is obtained and provided regarding this item.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

002172 Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Gainesville Police Department's Mounted Unit (B)

RECOMMENDATION *The City Commission approve the appropriation of \$22,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Mounted Unit.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

002155 Resignation - Citizens' Advisory Committee for Community Development (B)

RECOMMENDATION *The City Commission accept the resignation of member Peter B. Rebmann from the Citizens' Advisory Committee for Community Development effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

002180 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of November 19, 2001 and November 26, 2001, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ADOPTION OF THE REGULAR AGENDA

Commissioner Hanrahan moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications:

- 1. Waive rules and adopt ordinance order as per the December 5, 2001 memo from the Clerk of the Commission and move Resolution #002182 after Ordinance #002143.*
- 2. Resolution #002182 - Additional Back-up submitted.*
- 3. Petition 93TCH-01 PB "Individual and Family Services" was continued from the November 26, 2001 City Commission Meeting to the December 10, 2001 Meeting; this item has now been moved to the January 14, 2002 City Commission Meeting.*
- 4. Use Mayor-Commissioner Pro Tem Hanrahan's scheduling guidelines for today's meeting.
(VOTE: 4-1, Mayor Bussing - Voted No - MOTION CARRIED)*

CLERK OF THE COMMISSION

CITY MANAGER

002174 ARTSREACH Exhibits (NB)

ARTSREACH Coordinator for the Department of Cultural Affairs Donna Born Drake gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs, introducing the exhibitions of Art in City Hall, Art in the Alachua County Administration Building and Art in the Airport.*

Heard

002175 Downtown Southwest Quadrant Parking Facility (B)

City of Gainesville Transportation Manager Brian Kanely and Corradino Group Architect Rolando Llanes gave presentations.

AMENDMENT: Approve the preliminary architectural plans for the five (5) level facility; and authorize staff to initiate work on financial and bonding options for the project and come back to the City Commission with recommendations.

RECOMMENDATION *The City Commission: 1) hear a presentation by the project architect on the architectural plans for the Downtown*

Southwest Quadrant Parking Facility; and 2) approve the preliminary architectural plans for the facility.

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Approved as Amended. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002061 Housing Programs Presentation (B)

NOTE: The Clerk was asked to remove this item from the City Manager's Referral List at the May 9, 2002, Special City Commission Meeting.

City of Gainesville Community Development Director Tom Saunders, Housing Manager Jacqueline Richardson, Housing Finance Coordinator Andre Davis and Housing Rehabilitation Specialist Gail Jane gave presentations.

REFERRAL: Direct the City Manager to keep housing issues high on the list of items to discuss with the County.

RECOMMENDATION *The City Commission hear a presentation from the Housing Division staff on the City's housing programs.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on June 10, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002177 Vendors on the Plaza (NB)

City of Gainesville Community Development Director Tom Saunders, Cultural Affairs Manager Dr. Lemuel Moore and Code Enforcement Manager Lisa Koehler gave presentations.

Chair Bussing recognized Susan Lawrence, Stefan Goodis and Joe Sharkey who spoke to the matter.

REFERRAL: Refer the issue of researching other communities' efforts dealing with street vendors to the Community Development Committee.

RECOMMENDATION *Refer the item to the Community Development Committee with the request that all current permit holders be notified of any committee meetings when this subject will be discussed; and to hear a report from staff.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Referred to the Community Development Committee, due back on June 10, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002178 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the December 13, 2001 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

001623 Advisory Boards and Committees (B)

City of Gainesville Administrative Services Director Glenda Currie gave a presentation.

RECOMMENDATION *The City Commission: 1) review and discuss the Referral Report on the Review of Advisory Boards and Committees; 2) require the utilization of a new form whenever a new advisory board or committee is to be considered for formation by the City Commission; 3) revise the previously approved general guidelines and adopt the new ones by motion resulting in an official City Commission Policy; and 4) instruct the Clerk of the Commission to prepare a new training video/CD to be available for review by all new staff liaisons and all new advisory board and committee members.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Approved as Recommended. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

COMMUNITY DEVELOPMENT COMMITTEE

001588 Nuisance Abatement Board (B)

City of Gainesville Community Development Director Tom Saunders and Assistant City Attorney Ron Combs gave presentations.

AMENDMENT: Recommendation 2) change "authorize the City Attorney" to "authorize the Clerk of the Commission to advertise the ordinance"; also, add to the recommendation that the appropriate form be attached to the ordinance at the time of first reading.

Chair Bussing recognized Citizen Karl Hackenbrack who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a report on the proposed Nuisance Abatement Board; 2) authorize the City Attorney to advertise the ordinance; and 3) remove this item from the referral list.*

A motion was made by Commissioner Barrow, seconded by Commissioner Nielsen, that this matter be Approved as Amended. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**002179 City Beautification Board Requests a Review Process for Public Space Art (NB)**

City Beautification Board Chair Erick Smith gave a presentation.

MOTION: Endorse the City Beautification Board's (CBB) letter regarding Art in Public Places and further recommend that they include consideration of using the existing Art in Public Places Trust (APPT) as part of the process that they're requesting.

RECOMMENDATION *The City Commission: 1) hear a presentation from the City Beautification Board; and 2) take appropriate action.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved, as shown above. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

OUTSIDE AGENCIES**MEMBERS OF THE CITY COMMISSION**

002190 Annual Ranking of Land Acquisition Projects by the Florida Communities Trust (FCT) (B)

Mayor-Commissioner Pro Tem Pegeen Hanrahan and Nature Operations Director Steve Phillips gave presentations.

RECOMMENDATION *The City Commission hear a report from Mayor-Commissioner Pro Tem Pegeen Hanrahan.*

Heard

002183 ANNUAL PERFORMANCE, SALARY, AND BENEFITS REVIEW - CITY ATTORNEY (NB)

This item was continued to the January 14, 2002 City Commission Meeting.

RECOMMENDATION *As required by the City Attorney's employment agreement, the City Commission conduct the annual performance, salary, and benefits review.*

Continued

COMMISSION COMMENTS

Commissioner Chuck Chestnut

Diversity Study - GRU

Mayor-Commissioner Pro Tem Pegeen Hanrahan

Jimmy Williams - New EEO Director

Cultural Diversity Awards - See following item # 002194

002194 Cultural Diversity Awards (B)

RECOMMENDATION *The City Commission refer the issue of a City Cultural Diversity Awards program to the Equal Opportunity Committee.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Equal Opportunity Committee, due back on June 10, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Commissioner John Barrow

Cracked Nut

RECESS - 4:55 PM

RECONVENE - 5:38 PM

CITIZEN COMMENT (5:30pm)

Harold Saive

1. *City Commission Quorum*
2. *13th Street Construction Project & NW 23rd Avenue - Notification Issues*

Kali Blount

1. *University Avenue Narrowing Issues*
2. *Hate Crime Incident*

Jeff Lane - International Association of Firefighters (IAFF)

Salary Survey

NOTE: Commissioner Chestnut entered the meeting room at 5:48 PM.

Andre Parkington

GPD Issues - 911 Call

Doris Bardon

Positive Actions by the City Staff and the City Commission - (Grant Success)

Andrew Lovett

North Lincoln Heights Neighborhood

Jenore Dennis

GPD Issues

Camili Sefu Haki

GPD Issues - Follow-up

Maxine Jones

GPD Issues

Jim Konish

Utility Rates Bill

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Cub Scout #416

PROCLAMATIONS/SPECIAL RECOGNITIONS

002147 GRU Academy (NB)

RECOMMENDATION *The City Commission 1) Hear a presentation from staff regarding the first class of the GRU Academy completed October 7, 2001 and 2) acknowledge and recognize the GRU Academy candidates that successfully completed the attendance and academic requirements of the program.*

Heard

002187 World Aids Day - December 1, 2001 (B)

RECOMMENDATION *Alachua County Health Department Area 3 and 13 HIV/AIDS Program coordinator to receive the Proclamation.*

Heard

PUBLIC HEARINGS

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

002071 REPEALING OBSOLETE SECTIONS RELATING TO DISABLED AND ELDERLY CITIZENS' ADVISORY BOARD (B)

ORDINANCE NO. 0-01-70

An ordinance of the City of Gainesville, Florida, repealing obsolete Sections 2-430.1 thru 2-430.5 inclusive, relating to the Disabled and Elderly Citizens' Advisory Board; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Nielsen, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002185 TECHNICAL AMENDMENTS TO THE GENERAL EMPLOYEES PENSION PLAN (B)

ORDINANCE NO. 0-01-72

An ordinance of the City of Gainesville, Florida, amending Division 5 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to the General Employees Pension Plan; amending section 2-526(n) related to eligible retirement plans to which certain distributions can be made; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Barrow, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002186 TECHNICAL AMENDMENTS TO THE CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS RETIREMENT PLAN (B)

ORDINANCE NO. 0-01-73

An ordinance of the City of Gainesville, Florida, amending Division 5 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to the Consolidated Police Officers and Firefighters Retirement Plan; amending section 2-600(n) related to eligible retirement plans to which certain distributions can be made; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing a retroactive effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002127 FOURTH BUDGET AMENDMENT - FY 2000-2001

ORDINANCE NO. 0-01-66 (B)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO ITS GENERAL GOVERNMENT BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2000 AND ENDING SEPTEMBER 30, 2001; AMENDING ORDINANCE NO. 000366 AS AMENDED BY ORDINANCE NOS. 001018, 001462, AND 001750 BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ORDINANCES 2ND READING- ROLL CALL REQUIRED

002124 NORTH FLORIDA REGIONAL ANNEXATION - LOT 3 (B)

ORDINANCE NO. 0-01-59

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended, by Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area located on Lot 3, North Florida Regional Doctors Office Park Subdivision, located at 1201 NW 64th Terrace; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

Chair Bussing recognized Jeff Lane who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Barrow, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002125 AD VALOREM TAX EXEMPTION FOR HISTORIC PROPERTIES - 220 SE 7TH STREET (B)

ORDINANCE NO. 0-01-61

An ordinance of the City of Gainesville, Florida, finding that property located in the vicinity of 220 SE 7th Street, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2002, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission (1) approve the "Part 2-Request for Review of Completed Work" application; (2) adopt the proposed ordinance; and (3) authorize the Mayor and Clerk of the Commission to sign a the Historic Preservation Property Tax Exemption Covenant, subject to approval by the City Attorney as to form and legality.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002126 AD VALOREM TAX EXEMPTION FOR HISTORIC PROPERTIES - 633 NE 10TH AVENUE (B)

ORDINANCE NO. 0-01-62

An ordinance of the City of Gainesville, Florida, finding that property located in the vicinity of 633 NE 10th Avenue, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2002, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission (1) approve the "Part 2-Request for Review of Completed Work" application; (2) adopt the proposed ordinance; and (3) authorize the Mayor and Clerk*

of the Commission to sign a the Historic Preservation Property Tax Exemption Covenant, subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Nielsen, seconded by Commissioner Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002142 DOWNTOWN EXPANSION DISTRICT BOUNDARIES AND TRUST FUND (B)

ORDINANCE NO. 0-01-67

An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment, amending Section 2-410 by defining the boundaries of the Downtown Expansion District redevelopment area; amending Section 2-412 relating to the trust fund for the Downtown Expansion District redevelopment area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002143 EASTSIDE DISTRICT BOUNDARIES AND TRUST FUND (B)

ORDINANCE NO. 0-01-68

An ordinance of the City of Gainesville, Florida, amending Division 9 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to Community Redevelopment; creating the Eastside District trust fund; creating the boundaries of the Eastside District Redevelopment Area; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

RESOLUTIONS- ROLL CALL REQUIRED**002182 Resolution Adopting The VantageCare Retirement Health Savings Plan Program (B)**

City of Gainesville Administrative Services Director Glenda Currie gave a presentation.

Chair Bussing recognized Jeff Lane who spoke to the matter.

RECOMMENDATION *The City Commission: 1) Adopt the Resolution; 2) authorize a 0.5% increase to the employees not covered by a collective bargaining agreement and Charter Officers; and 3) authorize the Mayor or City Manager as appropriate to execute the necessary documents to establish the Retiree Health Savings Plan subject to final approval of the City Attorney as to form and legality.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Adopted (Resolution). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ORDINANCES, 1ST READING - (CONTINUED)**000882 COMPREHENSIVE PLAN AMENDMENT - CONSERVATION, GROUNDWATER RECHARGE AND OPEN SPACE ELEMENT (B)****ORDINANCE NO. 0-01-18; PETITION NO. 175CPA-00PB**

An ordinance of the City of Gainesville, Florida, amending the Conservation, Open Space and Groundwater Recharge Element of the City of Gainesville 1991-2001 Comprehensive Plan; revising policies on wetlands; adding provisions concerning the Alachua County Forever program; adding provisions concerning the Alachua County Murphree Wellfield Protection Code; adding provisions concerning Floridan aquifer recharge areas; providing for an Environmentally Significant Land and Resources map series within the Future Land Use Map Series; adding Tumblin Creek and Hogtown Creek to the priority list for improving water quality; removing outdated provisions; amending provisions concerning NPDES permitting; making minor amendments throughout; providing directions to the City Manager; stating intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Community Development Director Tom Saunders, Chief of Current Planning Dean Mimms and Dink Henderson gave presentations.

Chair Bussing recognized Citizens Francine Robinson, Doris Bardon, James Higman, Dian Deevey, Breck Weingart, Bonnie O'Brien, Harold Saive, Mary Helen Wheeler, Marilyn Walker, Everett Wilcox,, Florence Clements, December McSherry, Mark Goldstein, Paula Stahmer, Stuart Cullen, Carol Higman, Connie Caranasos and Karen Orr who spoke to the matter.

REVISION: Sheet submitted by Planning Manager Ralph Hilliard.

RECOMMENDATION *The City Commission (1) approve Petition 175CPA-00 PB, with modifications; and (2) adopt the proposed ordinance, as revised.*

Clerk's Note: This item was continued to this meeting date from the November 26, 2001, City Commission meeting. This item has previously been moved and seconded.

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Adopted on First Reading, as revised (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and John R. Barrow
Nay: Tom Bussing

001026

REZONING - HISTORIC OVERLAY DISTRICT UNIVERSITY HEIGHTS HISTORIC DISTRICT - NORTH(B)

ORDINANCE NO. 0-01-65, PETITION NO. 32ZON-01PB

An Ordinance of the City of Gainesville, Florida; rezoning and imposing the overlay historic preservation/conservation district category on certain properties zoned "RMF-5: 12 units/acre single-family/multiple-family residential district", "RH-1: 8-43 units/acre residential high-density district", and "MU-1: 10-30 units/acre mixed use low intensity"; consisting of approximately 28.19 acres, MOL; and generally bounded on the north by Northwest 4th Avenue, on the east by Northwest 7th Street, on the south by Northwest 1st Avenue and on the west by Northwest 12th Drive; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Community Development Director Tom Saunders and Historic Preservation Planner Dee Henrichs gave presentations.

Chair Bussing recognized Citizens Robert Pearce, James Higman, Mark Goldstein, Jay Reeves and Patrice Boyes who spoke to the matter.

NOTE: See following referral items # 002196 relating to this ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002196 Historic Overlay District University Heights Historic District - South - Referral (NB)

NOTE: This item was also referred to staff.

RECOMMENDATION *The Committee hear an update from staff on incorporation of the goals of the College/Park University Heights Special Area Plan (Dover-Kohl) into the Design Guidelines for the Historic District Overlay.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the Community Development Committee, due back on June 10, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001027 REZONING - HISTORIC OVERLAY DISTRICT UNIVERSITY HEIGHTS HISTORIC DISTRICT - SOUTH (B)

ORDINANCE NO. 0-01-64, PETITION NO. 33ZON-01PB

An Ordinance of the City of Gainesville, Florida; rezoning and imposing the overlay historic preservation/conservation district category on certain properties zoned "RH-1: 8-43 units/acre residential high density district", RH-2: 8-100 units/acre residential high density district", "OR: 20 units/acre office residential district", "OF: General office district", and "MD: Medical services district"; consisting of approximately 34 acres, MOL; and generally bounded on the north by an alleyway located north of Southwest 1st Avenue, on the east by Southwest 9th Street, on the south by Southwest 7th Avenue and on the west by Southwest 12th Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Barrow, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002084 SW 13TH STREET CORRIDOR TEMPORARY MORATORIUM (B)

Ordinance No. 0-01-71

An ordinance of the City of Gainesville, Florida, imposing a temporary moratorium on zoning permits, site plan approval and any other official action of the City of Gainesville permitting or having the effect of permitting development or use on all real property that is zoned "BUS: General business district", "BT: Tourist-oriented business district" and any commercial use, as more specifically defined in this ordinance, on all real property that is zoned "MU-1: 10-30 units/acre mixed use low intensity", "RMF-5: 12 units/acre single-family/multiple-family residential district", "RMF-6: 8-15 units/acre multiple-family residential district", "RMF-7: 8-21 units/acre multiple-family residential district", "RMF-8: 8-30 units/acre multiple-family residential district", "OR: 20 units/acre office residential district", "RH-1: 8-43 units/acre residential high density district", and "RH-2: 8-100 units/acre residential high density district"; located within the S.W. 13th Street Corridor, as more specifically described in this Ordinance, generally bounded on the North by SW Archer Road, and on the South by the city limits, and located generally north of Williston Road; providing a procedure for extraordinary hardship; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Community Development Director Tom Saunders and Planning Manager Ralph Hilliard gave presentations.

*Mayor Bussing passed the gavel to make the motion to strike the language "First Step Meeting" on page 6, line 18 of the ordinance.
(No Second - MOTION FAILED)*

NOTE: Mayor-Commissioner Pro Tem Hanrahan retained the gavel for the remainder of this item.

The Chair recognized Citizens Ed Thompson, Dian Deevey, James Higman, Mary Ann Barton, Susie Miller, Mark Robinson, Rick Swanson and Jane Burman-Holtom who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ORDINANCES 2ND READING - CONTINUED

001917 CHANGES TO PERMITTED USES IN I-1 AND I-2 DISTRICTS & GENERAL PERFORMANCE STANDARDS (B)

Ordinance No. 0-01-63, Petition No. 106TCH-01PB

An ordinance of the City of Gainesville, Florida, amending Section 30-69 of the Land Development Code by repealing certain uses permitted by right, and by clarifying the findings for special use permits in the "I-1: Limited industrial district"; amending Section 30-70 of the Land Development Code by repealing certain uses permitted by right, by changing certain uses to uses permitted by special use permit, and by clarifying the findings for special use permits in the "I-2: General Industrial District"; amending Section 30-345 of the Land Development Code entitled "General Performance Standards" by changing the standards of performance for all uses and activities in all zoning districts of the City; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Community Development Director Tom Saunders, Planning Manager Ralph Hilliard and Water and Air Research Representative Dr. Bill Zegel gave presentations.

Chair Bussing recognized Clariant Site Director Helen Miyasaki and Clariant Technical Director Paul Kremer who spoke to the matter.

EXTENSION OF THE MEETING

Commissioner Chestnut moved and Mayor-Commissioner Pro Tem Hanrahan seconded to waive the rules to extend the meeting until 11:10 PM.

(VOTE: 5-0 - MOTION CARRIED)

Chair Bussing recognized Citizens Steve Tuchman, Patrice Boyes, Elizabeth Hodge who spoke to the matter.

Commissioner Chestnut moved and Commissioner Barrow seconded to move the previous question.

(VOTE: 3-2- Mayor Bussing and Mayor-Commissioner Hanrahan voted -No

(MOTION FAILED)

EXTENSION OF THE MEETING

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Chestnut seconded to waive the rules to extend the meeting until 11:15 PM.

(VOTE: 5-0 - MOTION CARRIED)

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner John Barrow seconded to continue the meeting until 6:00 PM, Thursday, December 13, 2001.

(VOTE: 5-0 - MOTION CARRIED)

RECESS - 11:17 PM

RECONVENE - Thursday, November 13, 2001 at 6:05 PM

City of Gainesville Community Development Director Tom Saunders and Water and Air Research Representative Dr. Bill Zegel gave presentations.

Chair Bussing recognized Citizens Ken Handley, Paul Kremer, Fred Jackson, Don Reid, George Papadi, William Keller, Mark Goldstein, Leonard Eisenberg, Rudy Stoica, Scott Holowasko, Melissa Jones, Ron Shenal, Steve Tuchman and Joe Hoover

who spoke to the matter.

*AMENDMENT # 1 - INFORMAL AMENDMENT TO MAIN MOTION:
Add SIC classification 2819 and 2869 under the uses allowed by Special Use Permit
in the I-2 zone.*

*AMENDMENT # 2 - FORMAL AMENDMENT TO MAIN MOTION: Commissioner
Nielsen moved and Commissioner Barrow seconded to Include SIC classification
2821 under the uses allowed by Special Use Permit in the I-2 Zone.
(VOTE: 5-0, MOTION CARRIED)*

NOTE: See following referral file #002212 relating to this ordinance.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by
Commissioner Nielsen, that this matter be Adopted on Final Reading, as
amended (Ordinance). The motion carried by the following vote:**

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002212

Industrial Uses Petition Referral (B)

*NOTE: The Clerk was asked to remove this item from the City Manager's Referral
List at the May 9, 2002, Special City Commission Meeting.*

RECOMMENDATION *The City Commission: 1) Request staff to initiate a petition to
amend the Special Use Permit process to add additional
standards (in addition to those set forth in Section 30-233) to
be applied for the review of such permits when considering
uses under SIC classifications 2819 and 2869 and to
categorize those uses as specially regulated uses. Additional
standards would include, but not be limited to, the best
management practices for the industry type as to health,
safety, environmental and nuisance (noise, dust and odor)
impacts, the lowest emissions feasible for the industry type,
and best available technology and safety features with regard
to reducing the risk of unintended spills, emissions or
releases; 2) request staff to initiate a petition to amend the
Special Use Permit process to add additional standards (in
addition to those set forth in Section 30-233) to be applied for
the review of such permits when considering uses under SIC
classification 2821 and to categorize those uses as specially
regulated uses. Additional standards would include, but not
be limited to, the best management practices for the industry
type as to health, safety, environmental and nuisance (noise,
dust and odor) impacts, and best available technology and
safety features with regard to reducing the risk of unintended
spills and emissions or releases; 3) request staff in the
petition to specifically add a Special Use Permit standard for*

2821 uses that the use or development will result in releases of pollutants to the air or water no more than 1% of the average release of those pollutant reported in the latest available USEPA information for that SIC Code; 4) request that the staff come back as soon as possible with further information on the vibration standard or some additional analysis including other SIC categories in that less than 1% cap; and 5) request staff come back with general information about Special Use Permits and their conditions and revocation.

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Referred to the City Manager, due back on June 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 7:00 PM, Thursday, December 13, 2001

Kurt M. Lannon, Clerk of the Commission