

City of Gainesville

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



Meeting Minutes

Monday, August 10, 1998

3:00 PM

City Hall Auditorium

City Commission

*Mayor Paula DeLaney, Chair
Mayor-Commissioner Pro Tem Pegeen Hanrahan, Member*

Invocation

Present: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Rev. David Green, Greater Bethel AME Church

Consent Agenda

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

City Manager, Consent Agenda Items

980279 Rental Rehabilitation Grant and Loan to Sidney Parker

RECOMMENDATION *The City Commission: 1) approve the award of a \$9,500 rental rehabilitation grant, \$310.06 closing cost grant, and a \$900 insulation and venting grant to Sidney Parker; 2) authorize the award of a \$15,230 city loan for a term of 15 years and an interest rate of 3%, payments beginning three months after completion of construction; 3) authorize the Housing Division to use the standard rehabilitation program grant and loan documents to consummate the grant and loan awards, subject to approval by the City Attorney as to form and legality; and, 4) authorize the issuance of a purchase order to the contractor, R-ONE Investments, Inc., in an amount not to exceed \$25,630 (\$23,300 plus a contingency of \$2,330).*

This Matter was Approved as Recommended on the Consent Agenda.

980280 Rental Rehabilitation Grant and Loan to Joni Dowst

RECOMMENDATION *The City Commission: 1) approve the award of a \$9,500 rental rehabilitation grant, \$346.25 closing cost grant, and \$1,500 insulation and venting grant to Joni Dowst; 2) authorize the award of a \$21,890 City loan to Joni Dowst for a term of 15 years and an interest rate of 3%, payments beginning three months after completion of construction; 3) authorize the Housing Division to use the standard Rehabilitation Program grant and loan documents to consummate the grant and loan awards, subject to approval*

by the City Attorney as to form and legality; and, 4) authorize the issuance of a purchase order to the contractor, R-One Investments, Inc., in an amount not to exceed \$33,000 (\$30,000 plus a contingency of \$3,000).

This Matter was Approved as Recommended on the Consent Agenda.

980281 Legislatively mandated revisions to the City of Gainesville Code of Ordinances related to the City of Gainesville Consolidated Police Officers' and Firefighters' Pension Fund.

RECOMMENDATION *The City Commission instruct the City Attorney's Office to revise the City Code of Ordinances in order to comply with Chapter 98 -134, Laws of Florida.*

This Matter was Approved as Recommended on the Consent Agenda.

980282 Third Extension to the Agreement for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration for FY 1998-1999

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Third Extension Agreement with CH2M Hill, Inc., for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration, extending the Agreement from October 1, 1998 to September 30, 1999, subject to approval of the City Attorney as to form and legality, pending appropriation of funding.*

This Matter was Approved as Recommended on the Consent Agenda.

980283 Street Vacation Criteria

RECOMMENDATION *Staff to the City Commission: approve the criteria for vacating public right-of-way and authorize staff to initiate a petition to amend the land development code to include the criteria.*

This Matter was Approved as Recommended on the Consent Agenda.

980285 Collection of Parking Fines

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise amendments to section 26 of the Gainesville Code of Ordinances clarifying*

the processes involved in the review of contested citations and collection of parking fines.

This Matter was Approved as Recommended on the Consent Agenda.

980286 Acceptance and Release of Easements for Drainage System in the 100 block of SW 23rd Street

RECOMMENDATION *The City Commission: 1) accept the two easements for the drainage system; 2) authorize the Mayor and the Clerk of the Commission to sign the release of easement; and 3) direct the Clerk to record all documents in the Public Records of Alachua County, subject to approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980287 Disposition of City Property

RECOMMENDATION *The City Commission: 1) declare 105 S.E. 13th Lane (tax parcel #15955-007-000) surplus property; 2) approve the conveyance of 105 S.E. 13th Lane (tax parcel #15955-007-000) to Alachua Habitat for Humanity, Inc. to be used for the development of a newly constructed affordable housing unit; and 3) authorize the Mayor and Clerk of the Commission to execute a Special Warranty Deed, with an appropriate reverter clause, to effect the conveyance of this property, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

980296 Release of Easement to Woodland Partners, Inc.

RECOMMENDATION *The City Commission: 1) approve the release of an easement to Woodland Partners, Inc., located on Lots 8 and 9 of Glenwood Estates in the 800 blk. of SW 75th Street; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement document, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

980297 Partial Release of a Platted Public Utilities Easement on Lot 10 of Rosehill

RECOMMENDATION *The City Commission: 1) approve the partial release of a platted public utilities easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

980298 Release of Temporary Easement on Lot 30 of Thornehill Subdivision, Phase II, located at 6614 NW 50th Lane to Adil Kabeer

RECOMMENDATION *The City Commission: 1) approve the release of a temporary easement located on Lot 30 of Thornehill, Phase II subdivision located at 6614 NW 50th Lane to Adil Kabeer; and 2) authorize the Mayor and Clerk of the Commission to execute a Release of Easement instrument, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

980299 Subordination of Utility Interest to the State of Florida Department of Transportation; Section 26090-2504, State Road 24, Parcel No. 817.2

RECOMMENDATION *The City Commission: 1) approve the Subordination of Utility Interests to the State of Florida Department of Transportation; and 2) authorize the Mayor and Clerk of the Commission to execute the same, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

Public Safety Committee, Consent

Audit & Finance Committee, Consent

Legislative Committee, Consent**Regional Utilities Committee, Consent****Clerk of the Commission, Consent Agenda Items****980304 The City Commission Minutes**

RECOMMENDATION *The City Commission approve the July 16, 20 (2 sets), 21, 23 and 27 minutes.*

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items**End of Consent Agenda****Adoption of the Agenda**

The Agenda was adopted with the following modifications: 1) File No. 980308 - Resolution - New Item Submitted; 2) File No. 980335 - City Attorney - New Item Submitted; and 3) File No. 980350 - Proclamation - New Item Submitted.

Citizen Comment (3:00 PM - 3:30 PM)**980351 Karl Ashley - Gainesville Symphony Orchestra**

Citizen Karl Ashley informed the City Commission of the ending of the Gainesville Symphony Orchestra at the end of September, 1998 and asked the Commission for assistance in a future vision for the orchestra.

MOTION: Authorize a Committee of Mayor P. DeLaney, Alachua County Board of County Commissioners Chair Leveda Brown and City Commissioner B. Delaney, as a liaison of the Tourist Development Committee to meet and review the situation of the Gainesville Symphony Orchestra.

Chair P. DeLaney recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation on the future of the Gainesville Symphony Orchestra.*

A motion was made by Commissioner Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved, as shown above. The motion carried unanimously.

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

980288 Agenda Update on August 20, 1998 Metropolitan Transportation Planning Organization (MTPO) Meeting

Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear an update from staff on the agenda for the August 20, 1998 MTPO meeting.*

This matter was Discussed

980289 Rental Rehab Project - "The Bottoms"

Housing Manager Gwen Dawson gave a presentation.

Chair P. DeLaney recognized Eastside Development Task Force President Ed Jennings, Jr. who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve the award of a \$66,500 rental rehabilitation grant, a \$7,185 closing cost grant, an \$8,668 insulation/venting grant and a \$127,177 loan to Lester Robinson for a term of 20 years at an interest rate of 1% with an 18-month deferment during renovation; 2) approve the award of a \$9,500 rental rehabilitation grant, a \$1,186 closing cost grant, a \$1,100 insulation/venting grant and a \$18,055 loan to Alfred "Bud" Robinson for a term of 20 years at an interest rate of 1% with an 18-month deferment during renovation; 3) authorize the award of HOME funds in the amount of \$165,000 to the Robinsons for the infrastructure improvements; 4) authorize the rollover of FY 1997-98 HOME funds to FY 1998-99 in the amount of \$165,000 for infrastructure improvements and any FY 1997-98 relocation funds remaining on October 1, 1998 to assist with the completion of this project; 5) authorize the City to subordinate its mortgages and grants to Lester*

Robinson and Alfred "Bud" Robinson's purchase money mortgage, upon sale of the property to the proposed buyers, R & H Partnership, subject to, George H. Rone, Jr. and Jerry Holder, as individuals and jointly and severally as R & H Partnership assuming and agreeing to pay the City's lien and adhere to all funding regulations for the loans and grant; and, 6) authorize the Housing Division to use the standard rehabilitation program grant and loan closing documents and other relevant documents necessary to appropriate the grant and loan awards, subject to approval by the City Attorney as to form and legality.

A motion was made by Commissioner Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

980290 Florida Wildlife Care Update

City Manager Wayne Bowers and Recreation Director Cliff Crawford gave presentations.

Chair P. DeLaney recognized Florida Wildlife Care Representative Kris Williams who spoke to the matter.

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to negotiate a lease of a portion of the Boulware property to Florida Wildlife Care, subject to approval of the City Attorney as to form and legality; 2) authorize a survey if necessary of said property; 3) refer the item to the Nature Centers Commission for advisement; and, 4) authorize staff to initiate the necessary steps to implement the lease once it is negotiated, including any necessary zoning changes.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved as Recommended. The motion carried unanimously.

980291 Amendment to FY 1998 General Government Operating and Financial Plan - CDBG and HOME Budgets

Community Development Block Grant Coordinator James Hencin gave a presentation.

RECOMMENDATION *The City Commission: 1) approve the amendments to the FY 1998 (CDBG (Fund 102) and HOME (Fund 104) budgets; and, 2) authorize the City Manager (OMB staff) to incorporate said amendment in a subsequent amendment to the FY 1998 General Government Operating and Financial Plan Budget Ordinance.*

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved as Recommended. The motion carried unanimously.

General Manager for Utilities

City Attorney

960846 Trader Tom's

Special Counsel Michael Kahn gave a presentation.

MOTION: Direct Special Counsel Michael Kahn to pursue a settlement agreement including amortization and bring forward at the next regular City Commission meeting.

Chair P. DeLaney recognized Citizens Rev. Tim Keyes, Jorge Campos and Vincent Mallet who spoke to the matter.

The following instructions were issued by the City Commission: 1) City Attorney provide Citizen Vincent Mallet with a copy of anti-nudity ordinance; 2) Staff notify Kirkwood Neighborhood when the Agenda item is placed back on the Agenda; and 3) Citizens contact Senior Assistant City Attorney Pat Carter to provide input to Special Counsel Michael Kahn.

RECOMMENDATION *Hear a report from Michael Kahn, Special Counsel to the City.*

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Approved, as shown above. The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney and Pegeen Hanrahan
Nay: Edward L. Jennings, Sr. and Paula M. DeLaney

980335 Speed Humps - Appeal of Circuit Court Decision in Sarasota County

Senior Assistant City Attorney Pat Carter gave a presentation.

AMENDMENT: Write a letter to the Florida Department of Transportation to include speed humps in the standards.

ADDITIONAL MOTION: Commissioner B. Delaney moved and Commissioner Calkins seconded to pursue legislative consideration if FDOT fails to include speed humps in standards (Vote 5-0)

RECOMMENDATION *The City Commission authorize the City Attorney's office to file an Amicus Brief from the Circuit Court decision in Robert*

Windom, et al vs. City of Sarasota.

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved as Recommended, as Amended or Revised. The motion carried unanimously.

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Advisory Boards/Committees (Appointments/Reports)

980293 Flexible Point System for Historic Buildings

Planner Rick Smith gave a presentation.

RECOMMENDATION *The City Commission adopt the historic preservation standards for use by the building and fire officials to increase their flexibility for evaluating equivalent safety measures in historic buildings and if approved, authorize the City Attorney to draft appropriate ordinance.*

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

980301 Water Management Advisory Committee

Water Management Committee Chair Donnie Ellington gave a presentation.

MOTION: Request the Mayor to write a letter to Alachua County Board of County Commissioners supporting funding of the Alachua County Environmental Protection Department.

Chair P. DeLaney recognized Citizen Frederick Peterkin who spoke to the matter.

RECOMMENDATION *The City Commission receive a presentation from the Water Management Advisory Committee on the subject of support for continued local funding of the Alachua County Environmental Protection Department.*

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved, as shown above. The motion carried unanimously.

Outside Agencies

980292 A Resolution Supporting Economic Development and the Creation of New Employment Opportunities throughout the City and especially in the East Gainesville Community

RECOMMENDATION *The City Commission consider adopting a resolution at a future meeting supporting economic development and the creation of new employment opportunities through the City and especially in the east Gainesville community.*

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Withdrawn. The motion carried unanimously.

Members of the City Commission

980305 Elected Officials Forum

RECOMMENDATION *The City Commission discuss the date and topic for County-wide Elected Officials Forum.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, to schedule the meeting for September 29, 1998 and include the following items on the Agenda: 1) Van Pooling; 2) Walkable Communities; 3) Roadway Standards.Streetscaping; and 4) Bicycle/Pedestrian Car Standards. The motion carried unanimously.

Commission Comments

Recess Until 6:00 PM

Pledge of Allegiance

Jeremy Marquis, Senior Patrol

Proclamations/Special Recognitions

980350 Women's Equality Week

RECOMMENDATION *Supervisor of Elections Beverly Hill accepted the Proclamation.*

This matter was Placed on File

Public Hearings

Ordinances - 1st Readings- ROLL CALL REQUIRED

980105 Ordinance No. 0-98-83; Petition No. 110TCH-98PB

An ordinance of the City of Gainesville, Florida, amending section 30-68 of the Land Development Code allowing certain enumerated new light industrial, business, services, retail and residential dwelling uses as uses by right or special permit in the warehousing and wholesaling district (W); providing special conditions for residential and compound uses in the district; correcting a scrivener's error; 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 Calkins, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980186 Ordinance No. 0-98-81

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area bounded on the North by the Gainesville City Limits, on the East by the Gainesville City Limits, on the West by Deer Run Subdivision and on the South by the Gainesville City Limits and NW 53rd Avenue; the area is proposed for

annexation by the City of Gainesville pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability 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 Delaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Ordinances - 2nd Readings- ROLL CALL REQUIRED

971159

Ordinance No. 0-98-73, Petition No. 59LUC-98PB

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property from "Residential Low Density (up to 12 units per acre)" to "Public Facilities"; located in the vicinity of 2325 S.E. 2nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

971160

Ordinance No. 0-98-74, Petition No. 60PSZ-98PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district"; permitting the administration of public health programs and associated health care, medical and social services as a use by right; providing for the requirement of a preliminary development plan; located in the vicinity of 2325 Southeast 2nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Resolutions- ROLL CALL REQUIRED

980308 Resolution authorizing the City Manager, or his designee, to file an application and to execute a joint participation agreement with the Florida Department of Transportation to fund a service demonstration for night bus service.

Regional Transit System Director Perry Maull gave a presentation.

Chair P. DeLaney recognized University of Florida Student Government Representative Pamela Sherman who spoke to the matter.

ADDITIONAL MOTION: Authorize the Mayor to write a letter to the Alachua County Board of County Commissioners to ask for reconsideration by the County of funding for transportation in the unincorporated area (Vote 5-0).

RECOMMENDATION *It is recommended that the City Commission hear a presentation by staff on this project and approve this authorizing resolution.*

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

Votes: Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

Plan Board Petitions

980213 Petition 117PDV-98PB. Rezone property from RSF-1 (3.5 units/acre, single family residential district) to PD (planned development district) for parking and three single-family dwellings with a PD layout plan. Located in the 5900 block of Northwest First Place, north side.

Planning Manager Ralph Hilliard gave a presentation.

Chair P. DeLaney left the meeting room (6:53 pm) and Chair Pro Tem Hanrahan assumed the gavel and temporarily chaired the meeting.

Chair P. DeLaney re-entered the meeting room (6:58 pm) and reassumed the gavel.

Chair P. DeLaney recognized Petitioner Attorney Ron Carpenter, and Citizens Nathaniel Ford and Moses Haile who spoke to the matter.

AMENDMENT: Condition 1 - Change concurrent to "no later than"

RECOMMENDATION

approve Petition 117PDV-98PB with conditions as modified by the Plan Board. (Plan Board vote 5-0.)

Staff to Plan Board - Approve, with conditions.

Staff to City Commission: Consider deleting the three residential lots.

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved, as Recommended, with Amended Conditions (Petition). The motion carried unanimously.

980214 Petition 121PDA-98 PB, George W. Tedder, III and Mary C. Piazza. A Planned Development amendment to ease front, rear and side setback requirements for Lot 13 of Mile Run, Phase III, Unit G-2. Located at 6542 NW 37th Drive.

Planning Manager Ralph Hilliard gave a presentation.

Chair P. DeLaney recognized Attorney Ron Carpenter who spoke to the matter.

MOTION: Approve Staff's recommendation to approve the following: 1) west rear yard setback from 15 feet to 12 feet, southern 50 feet; and 2) north side setback from 5 feet to 3.25 feet as recommended by the City Plan Board.

RECOMMENDATION *City Plan Board to City Commission - Approve an amendment to the north side setback for lot 13 to allow a 3.25-foot setback 5 feet perpendicular to each side on the northeast corner of the building (Plan Board voted 5-0), and the City Commission deny Petition 121PDA-98PB (Plan Board vote 5-0).*

Staff to Plan Board - Approve

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved, as shown above. The motion carried unanimously.

980215 Petition 133TCH-98 PB. City Plan Board. Amend the College Park Special Area Plan to allow variances, as defined in Sec. 30-354 of the City of Gainesville Land Development Code, to be granted by the Development Review Board during development plan review.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 133TCH-98PB Plan Board vote 5-0.*

Staff to Plan Board - Plan Board amend the Gainesville Land Development Code to provide the Development Review Board with the power and duty to authorize variances that are associated with a development plan before the Development

Review Board.

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved as Recommended (Petition). The motion carried unanimously.

- 980216** **Legislative Matter No. 980216. Petition 134TCH-98 PB, City Plan Board. Amend Sec. 30-43(1)a. of the City of Gainesville Land Development Code, to change the location of zoning boundaries from the centerline of streets to the edge of the public right-of-way.**

Planning Manager Ralph Hilliard gave a presentation.

Chair P. DeLaney recognized Greenspace Preservation Association Representative Paula Stahmer who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 134TCH-98PB. Plan Board vote 3-2.*

Staff to Plan Board - Approve

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved (Petition - Design Plat). The motion carried unanimously.

- 980361** **Hogtown Greenway Issues**

INSTRUCTIONS TO STAFF: Contact the Greenspace Association of any Public Works Committee meetings.

Chair P. DeLaney recognized Citizen Sal Locascio who spoke to the matter.

RECOMMENDATION *The City Commission continue the referral to the Public Works Committee.*

A motion was made by Commissioner Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on February 10, 1999. The motion carried unanimously.

Development Review Board Petitions

- 980294** **Petition 119SUB-98 DB. Eng, Denman and Associates, Inc., agent for Daisy B. Jones. Design Plat approval of Breckenridge Cluster Subdivision, 30 lots on approximately 9.43 acres. Located in the vicinity of NW 36th Terrace and NW 39th Avenue, north side of street. Zoned: RSF-1.**

Planning Manager Ralph Hilliard gave a presentation.

Petitioner Agent Ralph Eng gave a presentation.

Chair P. DeLaney recognized Attorney Ron Carpenter who spoke to the matter.

AMENDMENT: Add to the end of Condition 8 as follows: Require Petitioner to provide or allow a five (5) foot pedestrian access easement in the public utility easement, the use be conditioned upon a reciprocal agreement with Capri Subdivision; however, if Capri Subdivision disagrees, the requirement remains.

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition 119SUB-98DB with amended staff conditions (see below). DRB vote 6-0.*

The Development Review Board's conditions were those of staff with the following changes: Change of Condition 2 to allow a 25-foot rear building setback instead of the staff-recommended 29 feet on Lots 28, 29 and 30; change Condition 7 to require a sidewalk along one side of the private street; and clarify that Condition 8 is a recommendation only.

Staff to Development Review Board - The Design Plat is approvable with conditions.

A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, that this matter be Approved, as Recommended, with Amended Conditions (Petition). The motion carried unanimously.

Scheduled Evening Agenda Items

980243 Review of Recreation Sales Tax Projects

Chair P. DeLaney and Office of Management and Budget Director Rick Mills gave presentations.

Commissioner Jennings asked the City Manager and the City Attorney to look into requesting a change in the deed restrictions on Lynch Park.

RECOMMENDATION *The City Commission hear a presentation from staff.*

This matter was Discussed

Unfinished Business

Commission Comment

980375

Chair P. DeLaney - Banner Issue Update

Community Development Director Tom Saunders gave an update.

MOTION: Place a moratorium on enforcement of banners on fraternities and sororities for sixty (60) days; however, banners must comply with University of Florida regulations and be limited to up to 10 X 10.

RECOMMENDATION *The City Commission hear an update on the banner issue.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Approved, as shown above. The motion carried unanimously.

C/B. Delaney - Temporary Employees (NB)

Commissioner B. Delaney asked the Charter Officers for the number of temporary employees used by the City.

980385

C/B. Delaney - PCR Release

NOTE TO STAFF: The Gainesville Fire/Rescue Department Hazardous Materials Team and the Alachua County Environmental Protection Department be asked to give presentations to the Public Works Committee.

RECOMMENDATION *The City Commission refer to the Public Works Committee the issues of airborne releases and hazardous materials and develop a policy statement to take to the Alachua County Board of County Commissioners considering cost recovery methods.*

A motion was made by Commissioner Delaney, seconded by Mayor- Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on February 10, 1998. The motion carried unanimously.

Citizen Comment**Rev. Tim Keyes - Opposition to Trader Tom's Motion**

Rev. Tim Keyes expressed his opposition to the decision regarding Trader Tom's. He further asked to be placed on the e-mail list and the mailing list for the Agenda. He also made comments regarding the City's Web Site.

Adjournment - 11:02pm

Kurt M. Lannon, Clerk of the Commission