

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, November 21, 2013

1:00 PM

City Hall Auditorium

## City Commission

*Mayor Ed Braddy (At Large)*  
*Commissioner Lauren Poe (At Large)*  
*Commissioner Thomas Hawkins (At Large)*  
*Commissioner Yvonne Hinson-Rawls (District 1)*  
*Commissioner Todd Chase (District 2)*  
*Commissioner Susan Bottcher (District 3)*  
*Mayor-Commissioner Pro Tem Randy Wells (District 4)*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER-1:07PM**

**Present** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

**INVOCATION**

**CONSENT AGENDA**

*Pull 130478 from consent agenda*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**CITY MANAGER, CONSENT AGENDA ITEMS**

[130425.](#) **Memorandum of Understanding between the Alachua County Sheriff's Office (ACSO) and the Gainesville Police Department for the Problem Oriented Policing Grant (POP) Awarded Through the Edward Byrne Memorial Justice Assistance Grant (B)**

**This is a request for City Commission approval to accept the grant award as a sub-recipient for up to \$21,958 for overtime reimbursement.**

**RECOMMENDATION** *The City Commission: 1) Authorize the City Manager, or his designee to execute the Memorandum of Understanding between the Alachua County Sheriff's Office and the Gainesville Police Department and any other necessary documents, subject to the approval by the City Attorney as to form and legality; and 2) approve the overtime expenditures as outlined in the approved Memorandum of Understanding.*

**Approved as Recommended**

[130426.](#) **21st Century Learning Grant Contract Agreement between the Gainesville Police Department (GPD) and the School Board of Alachua County (B)**

**This is a request for the City Commission to approve the agreement with the School Board of Alachua County for the 21st Century Learning Grant.**

**RECOMMENDATION**

*The City Commission: 1) approve the agreement for \$104,324 between the City of Gainesville, the Gainesville Police Department, the Reichert House Youth Academy and the Alachua County School Board; and 2) authorize the City Manager or designee to accept and execute the grant award and any other necessary documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[130454.](#)

**Budget Calendar (NB)**

**This is a request for the City Commission to approve dates for discussion of the FY2015/2016 biennial budget.**

**RECOMMENDATION**

*The City Commission: 1) approve the dates requested by staff; 2) waive the City Commission Rules to hear the Resolutions to approve the Preliminary Fire Assessment Rate before 6:00 pm on July 16, 2014; and 3) waive the City Commission Rules to hear the Resolutions to Set the Tentative Millage and Adopt the Tentative Budgets before 6:00 pm on July 23, 2014.*

**Approved as Recommended**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

[130478.](#)

**Reimbursement for Oversizing of Wastewater Facilities at Village Point Roadway and Utility Improvements (B)**

**Reimburse NP International, LLC, developer of Village Point Roadway and Utility Improvements, for the oversizing of wastewater facilities in accordance with provisions of the City of Gainesville Code of Ordinances, Chapter 27-179 Oversized Facilities.**

*Ron Herget made a presentation.*

*Nathan Skop and Paula Stahmer made presentations.*

*This item was heard on regular portion of agenda.*

*Comm TH moved and Comm TC seconded the motion which passed 7-0.*

**RECOMMENDATION**

*The City Commission authorize the General Manager or her designee to negotiate and execute an agreement for reimbursement to NP International, LLC for the oversizing of wastewater facilities in an amount not to exceed \$99,339.00 subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended**

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

[130463.](#) City Commission Minutes (B)

**RECOMMENDATION**      *The City Commission approve the minutes of October 31 and November 4, 2013.*

**Approved as Recommended**

[130472.](#) Appointments to City Commission Advisory Boards and Committees (NB)

**RECOMMENDATION**      *The City Commission appoint:*

*Marie Small to the Gainesville Human Rights Board for a term to expire 2/22/16*  
*Michelle Ott to the Gainesville Human Rights Board for a term to expire 2/22/14.*  
*Suzanne Skadowski to the Nature Centers Commission for a term to expire 11/1/16.*

**Approved as Recommended**

[130481.](#) January 2, 2014 City Commission Meeting (NB)

**RECOMMENDATION**      *The City Commission cancel the January 2, 2014, City Commission meeting.*

**Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE, CONSENT**

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**PUBLIC SAFETY COMMITTEE, CONSENT**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE, CONSENT**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

*Pull 130479 Solar Feed In Tariff from agenda*

**A motion was made by Commissioner Bottcher, seconded by Commissioner Hinson-Rawls, that this Matter be Adopted. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**CHARTER OFFICER UPDATES**

130482. GRU Governance (NB)

*Representative Perry made a presentation. Jim Konish, Nathan Skop, Debbie Martinez, Donald Shepherd, Ernesto Martinez, Don Glendening, Mark Venske, Ray Washington, Sue Baird, Larry Nogel and Lynn Coulious made comments.*

*Note: Schedule a work-shop or meeting later*

**RECOMMENDATION** *The City Commission hear a presentation from The Honorable Keith Perry, State Representative.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Referred to the Audit, Finance and Legislative Committee, due back on 5/21/2014. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**CLERK OF THE COMMISSION**

**CITY MANAGER**

**GENERAL MANAGER FOR UTILITIES**

130479. Solar Feed-in-tariff (FIT) Update and 2014 Pricing Options (B)

**RECOMMENDATION** *The City Commission 1) receive a presentation from staff; and 2) determine capacity allocation for 2014, and direct the City Attorney to draft, and City Clerk to advertise an*

*ordinance for any rate changes necessary to implement that capacity option.*

Withdrawn

[130480.](#)

### SAP Enterprise Reporting System (B)

#### **Staff recommends amending the existing SAP Software License Agreement to implement an expanded Corporate Reporting System.**

*Herb Firsching and Michael Dybevick made presentations.  
Nathan Skop, Mark Venske, Paula Stahmer and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission: 1) authorize the Interim General Manager, or her designee, to amend the Software License Agreement with SAP for the purchase of software licenses for HANA Enterprise Edition and Business Object BI Edge, subject to approval of the City Attorney as to form and legality; and 2) issue a purchase order to SAP in an amount not to exceed \$455,000 for these additional software licenses and associated implementation services.*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Bottcher, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

## CITY ATTORNEY

[130354.](#)

### **NEW SETTLEMENT AGREEMENT FOR MOGAS INVESTMENTS, INC., NALBANDIAN PROPERTIES, LLC, AND ROPEN NALBANDIAN (B)**

*Nathan Skop, Ray Washington, Paula Stahmer and Donald Shepherd spoke to the matter.*

**RECOMMENDATION**

*The City Commission 1) consider the new Settlement Agreement 2) if acceptable to the Commission, authorize the City Manager to execute the Settlement Agreement subject to review as to form and legality by the City Attorney.*

**A motion was made by Mayor-Commissioner Pro Tem Wells, seconded by Commissioner Poe, that this Matter be Approved as Recommended. The motion carried by the following vote:**

**Aye:** 4 - Mayor Braddy, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 3 - Commissioner Bottcher, Commissioner Poe, and Commissioner Hawkins

## CITY AUDITOR

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

*Comm Chase-CIO Position*

*Com Poe-1. Russ Blackburn award*

*2. Mountaintop coal on future agenda*

*Comm Poe moved and Comm Hawkins seconded to have GRU to come back with options on mountaintop coal policy*

*Paula Stahmer, Donald Shepherd and Ray Washington spoke to the matter.*

*Motion carried 4-2 with Comm TC and Mayor EB voting no and Comm RW absent.*

*Comm Hinson-Rawls-Tour and BBQ*

**RECESS-4:58PM**

**RECONVENE**

**PLEDGE OF ALLEGIANCE (5:30pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

[130452.](#)

World AIDS Day - December 1, 2013 (B)

RECOMMENDATION

*Gainesville Area AIDS Project President Ty Harrison, Positives Empowering Positives President Marvene Edwards, Let's Talk About It Peer Advocate Crystal Coleman, Positive Attitudes Support Group Health Educator Mark Tatro to accept the proclamation.*

Heard

[130453.](#)

**DECA Week - November 18-22, 2013 (B)**

RECOMMENDATION

*Buchholz DECA Chapter President Olivia Sanchez, Chapter Vice President Maria Vargas, Chapter Advisor Donna Martin and Chapter Secretary Jaydin Leslie to accept the proclamation.*

Heard

[130410.](#)

**City of Gainesville's Citizens' Academy Fall 2013 Graduates (NB)**

**This is a request for the City Commission recognize the Gainesville 101 Fall 2013 Citizen Academy graduates.**

RECOMMENDATION

*The City Commission: 1) recognize accomplishments of Gainesville 101 Fall 2013 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

Heard

**CITIZEN COMMENT (6:00pm)**

- Jim Konish-GRU*
- Debbie Martinez-GRU*
- Mark Venske-City Issues*
- John Davies-City Issues*
- Pat Fitzpatrick-Hunger Issues*
- Don Shepherd-City Issues*

**PUBLIC HEARINGS**

**RESOLUTIONS- ROLL CALL REQUIRED**

[130441.](#)

**A RESOLUTION AMENDING AND RESTATING THE CITY COMMISSION RULES TO ALLOW A COUNTY COMMISSIONER TO SERVE AS A MEMBER OF THE REGIONAL UTILITIES COMMITTEE (B)**

**RESOLUTION NO. 130441  
A RESOLUTION AMENDING AND RESTATING IN ITS ENTIRETY THE CITY COMMISSION RULES OF THE CITY OF GAINESVILLE, FLORIDA, IN ORDER TO ALLOW A COUNTY COMMISSIONER TO**



**SERVE AS A MEMBER OF THE REGIONAL UTILITIES COMMITTEE; PROVIDING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

*Mark Venske, Ernesto Martinez, Debbie Martinez, Donald Shepherd and John Davies spoke to the matter.*

RECOMMENDATION                      *The City Commission adopt the proposed Resolution.*

**A motion was made by Commissioner Poe, seconded by Commissioner Hawkins, that this Matter be Adopted (Resolution). The motion carried by the following vote:**

**Aye:** 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

**Absent:** 2 - Mayor Braddy, and Commissioner Hinson-Rawls

**ADOPTION READING - ROLL CALL REQUIRED**

[121107.](#)

**COMPREHENSIVE PLAN AMENDMENT - BUTLER DEVELOPMENT (B)**

**Ordinance No. 121107; Petition No. PB-12-148 CPA**

**An ordinance of the City of Gainesville, Florida, amending Policy 4.3.6 of the Future Land Use Element of the City of Gainesville Comprehensive Plan relating to the Butler Development Planned Use District (PUD) that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue; amending the Future Land Use Map Series in the Future Land Use Element of the Comprehensive Plan by deleting and replacing two maps depicting the Butler Development PUD and the underlying land use categories for the properties within the Butler Development PUD; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Donald Shepherd spoke to the matter.*

RECOMMENDATION                      *The City Commission: (1) receive letters of "no comment" from Florida Department of Economic Opportunity, North Central Florida Regional Planning Council, St. Johns Water Management District, Florida Department of Environmental Protection, and Florida Department of Education; and (2) adopt the proposed ordinance.*

**A motion was made by Commissioner Bottcher, seconded by Commissioner Poe, that this Matter be Adopted on Adoption Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Hawkins

**Absent:** 1 - Mayor Braddy

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****130411.****CONSOLIDATED POLICE OFFICERS AND FIREFIGHTERS  
RETIREMENT PLAN AMENDMENTS FOR FIREFIGHTERS (B)****Ordinance No. 130411**

**An ordinance of the City of Gainesville, Florida, amending Chapter 2, Article VII, Division 8 (Consolidated Police Officers and Firefighters Retirement Plan) of the Code of Ordinances of the City of Gainesville; amending Section 2-596, Definitions; amending the definition of accrued benefit relating to the multiplier for firefighters; amending the definition of earnings related to overtime pay and termination vacation pay for firefighters; adding a definition of firefighter; amending the definition of service credit rules related to service credit for sick leave earned by firefighters; amending Section 2-599 related to contributions of firefighters; amending Section 2-600, Retirement dates and benefits, related to years of service and age required for normal retirement of firefighters and sick leave credit for firefighters entering DROP; 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 Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 6 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Absent:** 1 - Mayor Braddy

**130278.****TEXT CHANGE - AMEND LIST OF PERMITTED USES BY RIGHT  
FOR THE BA ZONING DISTRICT (B)****Ordinance No. 130278; Petition PB-13-72 TCH**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code by adding public administration uses to the list of permitted uses by right in Section 30-62 - Automotive-oriented business district (BA); 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 Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Absent:** 2 - Mayor Braddy, and Commissioner Chase

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

[121108.](#)

**REZONING - BUTLER DEVELOPMENT PLANNED DEVELOPMENT (B)**

**Ordinance No. 121108; Petition No. PB-12-150 PDV**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas by rezoning certain property known as the Butler Development that is generally located north of Archer Road, west of SW 34th Street, east of I-75, and south of SW 24th Avenue as more specifically described in this ordinance, from Planned Development District (PD), Business Industrial District (BI) and General Business District (BUS) to Planned Development District (PD); adopting a PD report; providing for enforcement; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Scott Wright made a presentation.*

**RECOMMENDATION**

*The City Commission: 1) adopt the proposed ordinance; and 2) authorize the City Manager or designee to execute the Traffic Enforcement Agreements, Transit Transfer Station and park-and-Ride Lot Agreement, Second Addendum to TCEA Zone M Agreement, subject to review as to form and legality by the City Attorney; 3) direct staff to initiate a petition to the Plan Board to conditionally vacate a portion of Southwest 42nd Street between the northern and southern boundary of the Butler Development PD.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance) and Approved the Recommendation. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Nay:** 1 - Commissioner Hawkins

**Absent:** 1 - Mayor Braddy

[130180.](#)

**TEXT CHANGE - REGULATING CHICKEN-KEEPING AS AN ALLOWABLE ACCESSORY USE BY RIGHT IN SINGLE-FAMILY RESIDENTIAL DISTRICTS AND RC DISTRICT (B)**

**Ordinance 130180; Petition No. PB-13-64 TCH**

**An ordinance of the City of Gainesville, Florida, relating to chicken-keeping in residential zoning districts; amending the Code of Ordinances by amending the definition of Fowl in Section 5-1. Definitions; amending the Land**

Development Code by creating Section 30-124. Chicken-keeping to allow by right and provide applicable regulations regarding the keeping of chickens as an accessory use to any single-family dwelling in the residential zoning districts of RSF-1, RSF-2, RSF-3, RSF-4, and RC; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Phil Lake, Rebecca Hyde, Mark Venske and Charlotte Lake spoke to the matter.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bottcher, Commissioner Poe, Commissioner Hawkins, and Mayor-Commissioner Pro Tem Wells

**Nay:** 2 - Commissioner Chase, and Commissioner Hinson-Rawls

**Absent:** 1 - Mayor Braddy

[130397.](#)

**AMENDMENTS TO ELECTIONS CODE RELATING TO EARLY VOTING SITES (B)**

Ordinance No. 130397

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances relating to elections; amending Section 9-6.5 as it relates to early voting sites; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Donald Shepherd and Mark Venske spoke to the matter.*

**RECOMMENDATION**            *The City Commission adopt the proposed ordinance.*

**A motion was made by Commissioner Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 6 - Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**Absent:** 1 - Mayor Braddy

**PLAN BOARD PETITIONS**

[130319.](#)

**Special Event Permit for Food truck sales within the CCD (Central City District) zoning district (B)**

**Petition PB-13-73 TCH. City of Gainesville. Amend the Land**

**Development Code to extend the time frame for the operation of food truck sales within the CCD (Central City District) zoning designation.**

**\*ESTIMATED STAFF PRESENTATION 20 MINUTES\***

*Mayor Braddy arrived at 7:39PM. Lawrence Calderon made a presentation. Pat Avery, Diago Vadez, Moe Rodriquez, Danny Hughes and Shawn Sheppard spoke to the matter.*

*Modification: 1x a month*

**RECOMMENDATION**

*City Plan Board to City Commission -Approve Petition PB-13-73 TCH as modified to: 1) Allow two permits per month per location; 2) Allow the operating hours for food truck vendors from 5:00 p.m. until 12:00 midnight, with a setup time of 4:00p.m.; and 3) Allow "Food Truck Vending" on vacant or unimproved property.*

*Alternative Recommendation - Approve Petition PB-13-73TCH without the Plan Board recommended modification.*

*Staff to City Plan Board - Approve Petition PB-13-73 TCH .*

**A motion was made by Commissioner Hawkins, seconded by Commissioner Chase, that this Matter be Approved (Petition) as Modified. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

[130432.](#)

**Airport Hazard Zoning Restrictions (B)**

**Petition PB-13-65 TCH. Rod Smith, Esquire. agent for East Gainesville Development Partners, LLC. Amend the Land Development Code Appendix F, Airport Hazard Zoning Restrictions, Table 1. Land Use Regulation Chart to eliminate the noise restrictions for residential development within the 65- 60dB DNL subzone.**

**\*ESTIMATED STAFF PRESENTATION 15 MINUTES\***

*Comm Poe moved and Comm Wells seconded to accept a late Powerpoint presentation. Motion carried 4-0 with Comm TC, Comm TH and Comm SB absent. Ralph Hilliard, Ted Baldwin, Rod Smith, Linda Shelley, Peter Kirsch, Robert Boyd, Rodney Long and Alan Penske made presentations.*

*First motion: Approve petition with Amendment: 1. Abigation Easement is permanent and perpetual 2. Disclosure notice on deed to all owners 3. 25 decibel building sound insulation standards applied less than standard. Motion failed 3-4 with Comm RW, Comm YHR and Mayor Braddy voting yes.*

*Comm LP moved and Comm RW seconded to continue meeting to 11:30PM. Motion carried 7-0.*

*Comm LP moved and Comm RW seconded to continue meeting to 11:45PM. Motion carried 7-0.*

*Lillie McGee, Cynthia Chestnut, Theresa Bright, Bill Porkony, Harry Garner, Evelyn Foxx, Kevin Thorpe, MacArthur Shelton, Alex King, Kevin Claney, Donald Shepherd and Paula Stahmer spoke to the matter.*

**RECOMMENDATION**      *City Plan Board to City Commission -Deny Petition PB-13-65TCH  
Staff to City Commission- Approve the City Plan Board's recommendation.  
Staff to City Plan Board - Deny Petition PB-13-65TCH*

*Alternative Recommendation  
Staff to City Commission - Continue Petition PB-13-65TCH, and ask the applicant to develop a plan to limit the number of homes that would be placed directly under the flight path.*

**A motion was made by Commissioner Bottcher, seconded by Mayor-Commissioner Pro Tem Wells,that this Matter be Continued (Petition). The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

[130600.](#)      Enhanced UF Student Participation

**RECOMMENDATION**      *Refer to Committee*

**A motion was made by Commissioner Poe, seconded by Commissioner Hinson-Rawls,that this Matter be Referred to the Audit, Finance and Legislative Committee, due back on 5/21/2014. The motion carried by the following vote:**

**Aye:** 7 - Mayor Braddy, Commissioner Bottcher, Commissioner Poe, Commissioner Chase, Commissioner Hawkins, Mayor-Commissioner Pro Tem Wells, and Commissioner Hinson-Rawls

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT-11:45PM**

