

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Meeting Minutes

Monday, July 9, 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**ROLL CALL**

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

INVOCATION**SELECTION OF INTERIM CHAIR PRO TEM**

*Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to nominate Commissioner John R. Barrow to act as Interim Chair Pro Tem for the July 9, 2001 City Commission Meeting. No other nominations were submitted.
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

CONSENT AGENDA

*Interim Chair Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded to adopt the Consent Agenda.
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

CITY MANAGER, CONSENT AGENDA ITEMS**001520 Application for State of Florida Section 319(h) Nonpoint Source Management Grant (NB)**

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to file a grant proposal with the State of Florida - Department of Environmental Protection Section 319(h) Nonpoint Source Management Grant; and 2) authorize the City Manager to execute all other documents related to the grant if the anticipated funding is offered.*

This Matter was Approved as Recommended on the Consent Agenda.

001522 Second Extension for Computer Network Database Application Development and Maintenance Services for FY 2002 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Second Extension to the contract with Virtual Engineering Solutions, Inc., for Computer Network Database Application Development and Maintenance Services, extending the term of the contract from October 1, 2001, to September 30, 2002, subject to final appropriation of funds for*

FY 2002.

This Matter was Approved as Recommended on the Consent Agenda.

001524 First Extension for Professional Civil Engineering Services for FY 2002 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the First Extensions to the contracts with Brown & Cullen, Inc., and Causseaux & Ellington, Inc. for Professional Civil Engineering Services, extending the term of the contracts from October 1, 2001 to September 30, 2002, subject to final appropriation of funds for FY 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

001526 Second Extension for Professional Environmental Engineering Services for FY 2002 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Second Extension to the contract with Water & Air Research, Inc., for Professional Environmental Engineering Services, extending the term of the contract from October 1, 2001 to September 30, 2002, subject to final appropriation of funds for FY 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

001543 Second Extension for Professional Surveying and Mapping Services for FY 2002 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Second Extensions to the contracts with John W. Myers and Associates, P.A. Surveyors & Mappers and Terrence Brannan Land Surveyor, Inc., for Professional Surveying and Mapping Services, extending the term of the contracts from October 1, 2001 to September 30, 2002, subject to final appropriation of funds for FY 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER, CONSENT AGENDA ITEMS

001473 Tree Mitigation and Replanting at the Woodlands (B)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Ragin Lawn Service in an amount not to exceed \$30,500, to provide and install the trees, shrubs and irrigation*

system for the Woodlands' mitigation and replanting project, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

AUDIT AND FINANCE COMMITTEE AGENDA ITEMS

001460 Review of General Government Investments (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission:*
1) Accept the City Auditor's report and the General Manager's response; and
2) Instruct the City Auditor to follow-up on recommendations made and report the results to the Audit and Finance Committee.

This Matter was Approved as Recommended on the Consent Agenda.

001461 Fiscal Year 2001 Operating Funds Quarterly Monitoring Report - Quarter Ending March 31, 2001 (B)

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended March 31, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

001463 GRU Quarterly Financial Report (B)

RECOMMENDATION *The Audit and Finance Committee reviewed and recommends that the City Commission receive the GRU quarterly financial report for the period ending March 31, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

PUBLIC SAFETY COMMITTEE, CONSENT

RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****001516 City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of June 25, 2001 as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

001541 Appointment - Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Mary L. Anderson to a vacancy on the Citizens' Advisory Committee for Community Development to expire November 1, 2003 and appoint Patricia Perkins to a vacancy to expire November 1, 2001.
Commissioner John Barrow - Mary L. Anderson and Patricia Perkins
Commissioner Chuck Chestnut - Mary L. Anderson and Patricia Perkins
Commissioner Warren Nielsen - Mary L. Anderson and Patricia Perkins
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Mary L. Anderson and Patricia Perkins
Mayor Tom Bussing - Mary L. Anderson and K. Richard Blount*

This Matter was Approved as Recommended on the Consent Agenda.

001544 Appointment - Development Review Board (NB)

RECOMMENDATION *The City Commission appoint Monica Cooper to a vacancy on the Development Review Board to expire November 1, 2001.
Commissioner John Barrow - Monica Cooper
Commissioner Chuck Chestnut - Monica Cooper
Commissioner Warren Nielsen - Monica Cooper
Mayor-Commissioner Pro Tem Pegeen Hanrahan - K. Richard Blount
Mayor Tom Bussing - Monica Cooper*

This Matter was Approved as Recommended on the Consent Agenda.

001545 Appointment - Fire Safety Board of Adjustment (NB)

RECOMMENDATION *The City Commission appoint Mark Campbell to a vacancy on the Fire Safety Board of Adjustment to expire November 1, 2003.*

Commissioner John Barrow - Mark Campbell

Commissioner Chuck Chestnut - Mark Campbell

Commissioner Warren Nielsen - Mark Campbell

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Mark Campbell

Mayor Tom Bussing - Mark Campbell

This Matter was Approved as Recommended on the Consent Agenda.

001546

Appointment - Gainesville/Alachua County Regional Airport Authority (NB)

RECOMMENDATION *The City Commission appoint Janice C. Honeyman and reappoint Robert L. Todd and Marilyn Tubb to terms on the Gainesville/Alachua County Regional Airport Authority to expire July 31, 2004 and appoint Jon D. Morris to a vacancy to expire July 31, 2003.*

Commissioner John Barrow - Honeyman, Morris, Todd and Tubb

Commissioner Chuck Chestnut - John L. Barber, Honeyman, Morris and Tubb

Commissioner Warren Nielsen - Honeyman, Morris, Todd and Tubb

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Honeyman, Morris, Todd and Tubb

Mayor Tom Bussing - Paul H. Holloway, Honeyman, Morris and Jancie Vinson

This Matter was Approved as Recommended on the Consent Agenda.

001547

Appointment - Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint K. Richard Blount to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 2001.*

Commissioner John Barrow - K. Richard Blount

Commissioner Chuck Chestnut - K. Richard Blount

Commissioner Warren Nielsen - K. Richard Blount

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Readvertise

Mayor Tom Bussing - Readvertise

This Matter was Approved as Recommended on the Consent Agenda.

001548

Appointment - Historic Preservation Board (NB)

RECOMMENDATION *The City Commission reappoint Joan S. Gowan and Apryl Howell and appoint Mary C. Honeycutt and George H. Tedford to terms on the Historic Preservation Board to expire June 1, 2004.*
Commissioner John Barrow - Gowan, Honeycutt, Howell and Tedford
Commissioner Chuck Chestnut - Gowan, Honeycutt, Howell and Tedford
Commissioner Warren Nielsen - Gowan, Honeycutt, Howell and Tedford
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Gowan, Honeycutt, Howell and Tedford
Mayor Tom Bussing - Gowan, Honeycutt, Howell and Tedford

This Matter was Approved as Recommended on the Consent Agenda.

001552

Appointment - Pension Review Committee (NB)

RECOMMENDATION *The City Commission appoint William L. Donigan and reappoint Annette Jenkins and Jonathan E. Visscher to terms on the Pension Review Committee to expire July, 2004; July, 2005 and July, 2006 respectively.*
Commissioner John Barrow - Donigan, Jenkins and Visscher
Commissioner Chuck Chestnut - Donigan, Jenkins and Visscher
Commissioner Warren Nielsen - Donigan, Jenkins and Visscher
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Donigan, Jenkins and Visscher
Mayor Tom Bussing - Donigan, Jenkins and Visscher

This Matter was Approved as Recommended on the Consent Agenda.

001555

Appointment - Public Recreation Board (NB)

RECOMMENDATION *The City Commission reappoint Joel Houston, Nkwanda Jah and Scott Underwood to terms on the Public Recreation Board to expire June 1, 2004.*
Commissioner John Barrow - Houston, Jah and Underwood
Commissioner Chuck Chestnut - Houston, Jah and Underwood
Commissioner Warren Nielsen - Houston, Jah and Underwood
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Houston, Jah and Underwood
Mayor Tom Bussing - Houston, Jah and Underwood

This Matter was Approved as Recommended on the Consent Agenda.

001556

Appointment - Regional Transit System Advisory Board (NB)

RECOMMENDATION *The City Commission appoint K. Richard Blount and reappoint Robert Karp to terms on the Regional Transit System Advisory Board to expire June 1, 2004.
Commissioner John Barrow - Blount and Karp
Commissioner Chuck Chestnut - Blount and Karp
Commissioner Warren Nielsen - Blount and Karp
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Karp and Readvertise
Mayor Tom Bussing - Karp and Readvertise*

This Matter was Approved as Recommended on the Consent Agenda.

001549

Appointment - University Ad-Hoc/Infrastructure (NB)

RECOMMENDATION *The City Commission appoint Fred Cantrell and Cynthia (Cindy) Smith to openings on the University Ad-Hoc/Infrastructure Committee.
Commissioner John Barrow - Cantrell and Smith
Commissioner Chuck Chestnut - Cantrell and Smith
Commissioner Warren Nielsen - Cantrell and Smith
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Cantrell and Smith
Mayor Tom Bussing - Cantrell and Smith*

This Matter was Approved as Recommended on the Consent Agenda.

001557

Appointment - University Ad-Hoc/Neighborhood Enrichment-Marketing (NB)

RECOMMENDATION *The City Commission appoint Jane Burman-Holtom, John S. Detweiler, Ron F. Lutz, Todd Parks and Lisette M. Staal to openings on the University Ad-Hoc/Neighborhood Enrichment- Marketing Committee.
Commissioner John Barrow - Burman-Holtom, Detweiler, Lutz, Parks and Staal
Commissioner Chuck Chestnut - Burman-Holtom, Detweiler, Lutz, Parks and Staal
Commissioner Warren Nielsen - Burman-Holtom, Chris Carmody, Parks and Staal
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Burman-Holtom, Detweiler, Lutz, Parks and Staal
Mayor Tom Bussing - Burman-Holtom, Detweiler, Lutz, Parks and Staal*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Barrow, seconded by Commissioner Chestnut, that the consent agenda be passed. The motion carried by the following vote:

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

ADOPTION OF THE REGULAR AGENDA

*Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to adopt the Regular Agenda with the following modifications:
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

MODIFICATIONS:

- 1. FILE NO: - 001569 - Electric Power Industry Tax Modernization Act - (Additional back-up submitted)*
- 2. FILE NO: - 001564 - Appointment - Safe Space Task Force - (Additional back-up submitted)*
- 3. FILE NO: - 001469 - Presentation by Southern Pine Beetle Technical Advisory Committee (Revised back-up)*
- 4. FILE NO: - 001564 - Appointment - Safe Space Task Force - (Strike from the agenda and produce standard ballot)*

CLERK OF THE COMMISSION

001563 City Commission Referral List(B)

NOTE: Mayor Tom Bussing requested that the Committees review their referral lists and return them to the Clerk of the Commission.

RECOMMENDATION *The City Commission review the referral list*

Discussed

CITY MANAGER

001535 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Transportation Analyst Linda Dixon and Public Works Director Teresa Scott gave presentations.

Chair Tom Bussing recognized Citizen Bob Simons who spoke to the matter.

MOTION: *Authorize the Mayor to write a letter to the MTPO regarding adding the*

6th Street Corridor to the Charrette & Corridor Enhancement Projects priority list.

RECOMMENDATION *The City Commission hear a report from staff regarding the July 19, 2001 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

A motion was made by Commissioner Nielsen, 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, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

001537 Green Building Program (B)

City of Gainesville Community Development Director Tom Saunders, Conservation Clinic at the UF Levin College of Law Representative David Heekin, President/CEO of Greensmart Patty Glenn, Gainesville Regional Utility Analyst Mark Spiller and Tom Ankersen gave presentations.

MOTION: The City Commission: 1) Accept in principle the report and refer the crafting of a Green Building Ordinance to the Community Development Committee that would come out of a dedicated workshop by the Community Development Committee; 2) ask staff to look for opportunities to incorporate Green Building principles into the current crafting of the Comprehensive Plan Conservation Element; 3) ask staff to look for potential budget sources from General Government and/or GRU for supporting the startup of the Green Building Program in Gainesville and Alachua County; 4) ask staff to look at how we could do a joint program with Alachua County and invite them to participate in the Community Development Committee workshop; and also 5) refer to the Regional Utilities Committee regarding incentives for the Green Building Project.

NOTE: See following item # 001584 - GRU Referral.

RECOMMENDATION *Hear a presentation from the Conservation Clinic at the Levin College of Law and take appropriate action.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Barrow, that this matter be Referred to the Community Development Committee, due back on January 9, 2002. The motion carried by the following vote:

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

001584 Green Building Program - GRU Referral (B)

This item related to File # 001537.

RECOMMENDATION *The City Commission refer incentives for the Green Building Project to the Regional Utilities Committee.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Barrow, that this matter be Referred to the Regional Utilities Committee, due back on January 9, 2002. The motion carried by the following vote:

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

001469 Presentation by Southern Pine Beetle Technical Advisory Committee (B)

University of Florida Entomologist and Pine Beetle Technical Advisory Committee Chair Dr. John Foltz, Division of Forestry Senior Manager Don West, GRU Vegetation Manager Tracy Maxwell, Florida Department of Agriculture Division of Planning Dr. Wayne Dixon, City Arborist Meg Niederhofer, Division of Forestry Entomologist Jim Meeker and City of Gainesville Waste Management Director Steve Hiney gave presentations.

Chair Tom Bussing recognized Citizens Melvin Fried, John Hudson, Barry Richardson and Mary Anderson who spoke to the matter.

MOTION: The City Commission: 1) Approve the recommendation; 2) include in the negotiation with the State a clause or statements with respect to agreed times of revocability and procedures for revocability; and 3) have staff come forward with recommended procedures to minimize collateral damage to hardwoods.

RECOMMENDATION *The City Commission 1.) hear a presentation from the Southern Pine Beetle Technical Advisory Committee and 2.) give authority to the SPBTAC to seek Declarations of Emergencies for properties where no action has been taken to bring infestations under control.*

A motion was made by Commissioner Nielsen, 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 and John R. Barrow
Nay: Tom Bussing
Absent: Pegeen Hanrahan

GENERAL MANAGER FOR UTILITIES

001476 Neighborhood Link Presentation(NB)

Gainesville Regional Utilities Marketing and Communications Director Kathy Viehe and City of Gainesville Community Development Sr. Planner Kathy Winburn gave presentations.

RECOMMENDATION *The City Commission hear a presentation about a Neighborhood Link, an Internet-based community network that would enable neighborhood associations in the Gainesville metropolitan area to create their own free interactive web site.*

Discussed

001569 Electric Power Industry Tax Modernization Act (NB)

Gainesville Regional Utilities Planning Director Ed Regan gave a presentation.

RECOMMENDATION *Hear a brief presentation from staff of H.R. 1459, the Electric Power Industry Tax Modernization Act, and authorize Mayor Thomas D. Bussing to sign letters to appropriate elected officials supporting H.R. 1459.*

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

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

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

Item # 991052 Pedestrian Street Lighting was discussed and continued to the 6:00 PM portion of the meeting.

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT & FINANCE COMMITTEE

RECREATION AND CULTURAL AFFAIRS COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

The remainder of the Advisory Boards/Committees (Appointments/Reports) items were moved to the 6:00 PM portion of the City Commission Meeting.

001564 Appointment - Safe Space Task Force (B)

This item was continued until the July 23, 2001 City Commission Meeting.

RECOMMENDATION *The City Commission make 11 appointments to the Safe Space Task Force.*

Continued

OUTSIDE AGENCIES

COMMISSION COMMENTS (if time available)

RECESS - 5:15 PM

RECONVENE - 5:40 PM

CITIZEN COMMENT (5:30pm)

Kali Blount

Houses North of the Old Train Station - Courthouse

Karl Hackenbrack

Changes to the Nuisance Abatement Ordinance

See item # 001581.

Heddy Vernon - Vice President of the Ridgeview Neighborhood Association

Nuisance Abatement Ordinance

Carolyn Witter - President Ridgeview Neighborhood Association

Nuisance Abatement Ordinance

Jeannie McDonald - North District Council

Nuisance Abatement Ordinance

Mark Goldstein

Nuisance Abatement Ordinance

001581 Nuisance Abatement Ordinance (NB)

NOTE: City Attorney staff to be included in the discussions.

RECOMMENDATION *The City Commission refer the issue of the Nuisance Abatement Ordinance to the Community Development Committee to review, including these five major issues: 1) Standards; 2) good faith owner involvement; 3) notification of landlords from the City when there are problems or the potential for problems; 4) require a hearing officer to present findings of fact with regards to whether or not a nuisance exists; and 5) adding shot houses, gang related activity, noise, trafficking and stolen property, and the storage and manufacture and sale of hazardous materials to the present scope of activities listed in the Nuisance Abatement Ordinance.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Referred to the Community Development Committee, due back on January 9, 2002. The motion carried by the following vote:

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

Mary Jensen

Medicine Wheel and Headquarters Library Display

Jim Konish

- 1. Glikes Property*
- 2. Environmental Overlay*
- 3. Deerhaven Emissions*

Arnall Downs

Downtown Clock Tower

Paula Stahmer

Comprehensive Plan Issues

Community Development Director Tom Saunders made comments.

001583

Citizen Request for Rescheduling Comprehensive Plan Workshop (B)

RECOMMENDATION *The City Commission receive a letter from Mrs. Paula H. Stahmer requesting that the July 17, 2001 Comprehensive Plan Workshop be rescheduled.*

Placed on File

Dian Deevey

Comprehensive Plan Issues

Natalie Hanan - Lobby Director - University of Florida Student Government

Archer Road Annexation in relation to Bus Route 35

(Staff to report back in two weeks)

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

PUBLIC HEARINGS

001561 Extension of Time for Wellfield Special Use Permit (B)

NOTE: City Attorney Marion Radson stated that this item was Quasi-Judicial.

City of Gainesville Community Development Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission conduct a public hearing and grant the requested 12-month extension of time for the Wellfield Special Use Permit.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow

Nay: Tom Bussing

Absent: Pegeen Hanrahan

ORDINANCES 1ST READING- ROLL CALL REQUIRED

001462 BUDGET AMENDMENT FY 2000-2001 (B)

ORDINANCE NO. 0-01-31

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 NOS. 000366 AND 001018, 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 Commissioner Chestnut, 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, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

001385 GENERAL EMPLOYEES PENSION PLAN (B)

ORDINANCE NO. 0-01-36

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; relating to final average earnings; 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 Barrow, seconded by Commissioner Nielsen, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

RESOLUTIONS- ROLL CALL REQUIRED

001540 Final Plat of Capri Subdivision, Phase V (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission adopt the Resolution approving the Final Plat of Capri Subdivision, Phase V.*

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

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

001551 Resolution Requesting an Easement from the State of Florida (B)

RECOMMENDATION *The City Commission: 1) adopt a resolution, subject to approval by the City Attorney as to form and legality, requesting the State of Florida Department of Environmental Protection obtain authority from the Trustees of the Internal Improvement Trust Fund to grant an easement to the City of Gainesville; and 2) authorize the General Manager or his designee to execute and accept the easement document on behalf of the City of Gainesville, subject to approval as to form and legality by the City Attorney.*

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

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

PLAN BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

PUBLIC WORKS COMMITTEE (continued from afternoon portion of the meeting)

991052 Pedestrian Street Lighting (B)

City of Gainesville Public Works Director Teresa Scott, Community Redevelopment Agency Manager Karen Slevin and Gainesville Regional Utilities Electrical Engineer David Kvaltine gave presentations.

Chair Tom Bussing recognized Citizen Arnall Downs who spoke to the matter.

*MOTION ONE: Commissioner Warren Nielsen moved and Commissioner John R. Barrow seconded to approve Items 1 & 2 of the recommendation.
(VOTE: 3-0, Commissioner Chuck Chestnut & Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

*MOTION TWO: Commissioner John R. Barrow moved and Commissioner Warren Nielsen seconded to approve Item 4 of the recommendation (Refer the issue regarding the type of lighting in the Central City District to the Downtown Redevelopment Advisory Board and Downtown Tenants and Owner's Association)
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

RECOMMENDATION *The Public Works Committee recommends to the City Commission: 1) approve the use of the black concrete pole as a decorative alternative structure on arterial, collector, and primary roadways; 2) approve the designation of Northeast 8th Avenue from Waldo Road to Northeast 25th Street as a "High Bicycle and Pedestrian Use Area" as provided in Section 5.0 of the "Standard Practice for Public Lighting" Policy (Lighting Policy); 3) add the following lighting fixtures/structures to the Gainesville Regional Utilities approved products list: Location 2 - Lumec Domus with 18-foot round steel pole as an alternative decorative lighting system; and Location 3 - Holophane Washington Post with black fluted Victorian pole, with top hat and direct lighting distribution, as an alternative decorative lighting system option for certain special design areas as defined in the Lighting Policy; and 4) refer the issue regarding the type of lighting (High Pressure Sodium, Metal Halide, or Mercury Vapor) in the Central City District to the Downtown Redevelopment Advisory Board and Gainesville Downtown Tenants and Owners Association for a recommendation.*

Approved, as shown above

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

These items were moved from the afternoon portion of the agenda to the evening portion.

001539

Veterans Memorial Tree Planting Request (B)

City Beautification Board Chair Erick Smith and Alachua County Veterans Memorial Committee Chairman Jim McCawley gave presentations.

AMENDMENT: Recommendation 2, to "using Live Oaks if appropriate" instead of "for the Live Oak tree canopy"

RECOMMENDATION *The City Commission: 1) hear a brief report from Erick Smith, City Beautification Board Chair, regarding the Veterans Memorial Tree Planting; and 2) appropriate \$4,800 from City Commission Contingency for the Live Oak tree canopy and signage if appropriate.*

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, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

001558

Appointment - University Ad-Hoc/Code Enforcement (NB)

MOTION: Approve the four names with the most votes and re-ballot the remaining two candidates and bring back to the City Commission.

RECOMMENDATION *The City Commission appoint Carl Hackenbrack, Marjorie H. Malagodi, Joseph A. Schmid and Glen H. Smerage to openings on the University Ad-Hoc/Code Enforcement Committee and select one additional applicant to serve.*
Commissioner John Barrow - Hackenbrack, Sal J. Locascio, Malagodi, Schmid and Smerage
Commissioner Chuck Chestnut - Hackenbrack, Sal J. Locascio, Malagodi, Schmid and Smerage
Commissioner Warren Nielsen - Hackenbrack, Malagodi, Crystal Moore, Schmid and Smerage
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Lynn DeBusk, Hackenbrack, Malagodi, Anne M. Murray and Schmid
Mayor Tom Bussing - Lynn DeBusk, James R. Grantham, Hackenbrack, Malagodi and Schmid

A motion was made by Commissioner Barrow, 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, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

001559

Appointment - University Ad-Hoc/Finance (NB)

MOTION: Approve the four names with the most votes and James Patton and Thelma Carlysle be re-submitted for ballot.

Chair Tom Bussing recognized James Patton who spoke to the matter.

RECOMMENDATION *The City Commission select five applicants to serve on the University Ad-Hoc/Finance Committee.*
Commissioner John Barrow - Sanford V. Berg, Diane M. Hurtak, James Patton, Larry W. Schnell and David S. Welch
Commissioner Chuck Chestnut - Sanford V. Berg, Thelma P. Carlysle, Diane M. Hurtak, Larry W. Schnell and David S. Welch
Commissioner Warren Nielsen - Sanford V. Berg, Thelma P. Carlysle, Diane M. Hurtak, Larry W. Schnell and David S. Welch
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Sanford V. Berg, Diane M. Hurtak, James Patton, Larry W. Schnell and David S. Welch
Mayor Tom Bussing - Sanford V. Berg, Thelma P. Carlysle, Diane M. Hurtak, James Patton and Larry W. Schnell

A motion was made by Commissioner Nielsen, 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, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

MEMBERS OF THE CITY COMMISSION

This item was moved to the 6:00 PM portion of the meeting.

001571 Acquisition of MCB Oil Property (B)

City of Gainesville Public Works Director Teresa Scott gave presentations, Real Estate Agent representing MCB Oil Company Diana Vogel, Assistant City Attorney Debra Babb, and Brownfields Coordinator Matt Dube' gave presentations.

NOTE: Chair Tom Bussing passed the gavel to Interim Chair Pro Tem John R. Barrow during this item.

MOTION: The City Commission ask staff and Mr. McBride's representatives to at least come up with their final recommendation in terms of a counter offer to the City's offer; and at that point have their recommendation placed on the agenda for the next meeting and also have the resolution placed on the next agenda as an item.

Chair Pro Tem John R. Barrow recognized Citizen Jim Konish who spoke to the matter.

NOTE: Chair Tom Bussing re-assumed the gavel at the end of this item.

RECOMMENDATION *The City Commission discuss acquisition of the MCB Oil property and give staff direction.*

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

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

COMMISSION COMMENT

Commissioner John R. Barrow

Attorney General's Office opinions - E-Mail responses and position statements

Mayor Tom Bussing

CITIZEN COMMENT

Jim Konish

*Environmental Overlay District - Timeline
Community Development Director Tom Saunders made comments.*

City Manager Wayne Bowers

- 1. July 20th, 2001 Joint City/County Meeting - Fire Merger*
- 2. Budget Meetings to continue next week - Materials available tomorrow.*
- 2. Florida Green Building Coalition Membership - Building Inspection Department will pay the \$100.00 fee for the City of Gainesville to join.*

ADJOURNMENT - 9:41 PM

Kurt M. Lannon, Clerk of the Commission

