

City of Gainesville

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



Meeting Minutes

Monday, April 12, 1999

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

Hillel Foundation, Rabbi Andrew Koren

Consent Agenda

With the following modifications: 1. File No. 981318 - City Commission Minutes - Make two changes to February 1, 1999 minutes on page 4 to read forty-five rather than sixty (1st motion) and add the word consultant before firm (8th motion); 2) Withdraw File No. 981353; and 3) Remove File No. 981329 from Consent to be considered on the Regular Agenda

A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, 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

981323 Annexation of property on NW 39th Avenue

RECOMMENDATION *The City Commission: 1) Authorize the City Manager to analyze the area, and commence the voluntary annexation process; 2) authorize the City Attorney to prepare a draft pre-annexation agreement and the appropriate ordinance(s) for review by the City Commission; and 3) Authorize the staff and City Plan Board to review informally a petitioner-initiated conceptual proposal for land use and zoning changes to the property.*

This Matter was Approved as Recommended on the Consent Agenda.

981324 Wireless Master Plan

RECOMMENDATION *Staff to City Commission - The City Commission wait until the County adopts their wireless master plan, staff will then analyze the County Plan, and the City should consider hiring Kreines or another consultant with the idea that the County's ordinance will be our starting draft for comments and discussion.*

This Matter was Approved as Recommended on the Consent Agenda.

981325 Recreation and Parks Beverage Service Contract Award

RECOMMENDATION *The City Commission: 1) award the contract for a beverage partnership for City Recreation and Park facilities for a three-year period to Gainesville Coca Cola Bottling Company; and 2) authorize the City Manager or his designee to negotiate and execute the contract for beverage service, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

981326 YES! Program (formerly known as CLOUT)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to execute a contract with Santa Fe Community College to provide job opportunities for unemployed youths under the YES! Program, subject to approval by the City Attorney as to form and legality; and 2) approve the issuance of a purchase order for \$35,000.00 for the period May 29, 1999 through October 1, 1999.*

This Matter was Approved as Recommended on the Consent Agenda.

981327 Program Income

RECOMMENDATION *The City Commission: 1) authorize the Housing Division to budget and use program income generated during FY 99 and succeeding years for its various housing programs; and 2) authorize the Office of Management and Budget to modify the Housing Division's existing operating budget annually for program income.*

This Matter was Approved as Recommended on the Consent Agenda.

981328 Department of Environmental Protection Grant Application (FY99)

RECOMMENDATION *The City Commission: 1) approve the grant application to the Withlacoochee Region Invasive Plant Working Group and the State of Florida, Department of Environmental Protection; 2) authorize the City Manager to execute the application and the Memorandum of Understanding required as part of the application; and 3) authorize the City Manager to execute the grant agreement and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

981330 Tower Road/S.W. 24th Avenue Charrette

RECOMMENDATION *The City Commission authorize payment of \$5,000 to the MTPO for the Tower Road/S.W. 24th Avenue Area Charrette.*

This Matter was Approved as Recommended on the Consent Agenda.

981331 Settlement of Worker's Compensation Claim - Geraldine Noble

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Geraldine Noble in the amount of \$80,731.98.*

This Matter was Approved as Recommended on the Consent Agenda.

981332 Settlement of Worker's Compensation Claim - Leroy Clay, Sr.

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation claim of Leroy Clay, Sr. in the amount of \$115,750.*

This Matter was Approved as Recommended on the Consent Agenda.

981355 Next City-County Joint meeting

RECOMMENDATION *The City Commission: 1) direct staff to schedule the next City-County meeting for September 17, 1999; and 2) Authorize Mayor to write a letter to the County Commission to confirm schedules and dates.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

981319 Contract for Janitorial Services (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute amendments to the contracts with EC's Cleaning Services, Inc. and H & L General Services for janitorial services at the Kanapaha Water Reclamation*

Facility and the Deerhaven Generating Station in amounts not to exceed \$15,000 and \$25,200, respectively.

This Matter was Approved as Recommended on the Consent Agenda.

981320 Change Order for Manhole and Conduit System, Phase IX, of the Downtown Underground System (NB)

RECOMMENDATION *The City Commission approve a contract change order for the above referenced project and for the contractor, Robert L. Dollar, d.b.a. Dollar and Son, in an amount not to exceed \$50,510.*

This Matter was Approved as Recommended on the Consent Agenda.

981321 Teller Renovations for Gainesville Regional Utilities Administration Building (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Anglin Construction Company for the ergonomic renovation of the drive-through teller kiosk and to accommodate the replacement of all banking equipment; and, 2) approve the issuance of purchase order to Anglin Construction Company in an amount not to exceed \$45,000.00.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

981354 James Plant, Plaintiff, v. Edith Taylor and The City of Gainesville; Case No. 99-1029-CA

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel, if insurance coverage is available, to represent the City of Gainesville in the case styled James Plant, Plaintiff, v. Edith Taylor and The City of Gainesville.*

This Matter was Approved as Recommended on the Consent Agenda.

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

Recreation and Cultural Affairs Committee, Consent

Clerk of the Commission, Consent Agenda Items

981318 City Commission Minutes of February 1, March 22 and March 29, 1999

RECOMMENDATION *The City Commission approve the minutes as circulated.*

This Matter was Approved as Recommended, as Amended or Revised on the Consent Agenda.

981353 Special Meetings

RECOMMENDATION *The City Commission schedule special meetings for the following topics, using the above listed call language for the above listed dates.*

This matter was Withdrawn

Community Redevelopment Agency, Consent Items

End of Consent Agenda

Adoption of the Agenda

With the following modification: 1. File No. 981149 - Airport Hazard Zoning Ordinance - Consider as the first item under the Public Hearing category

Citizen Comment (3:00 PM - 3:30 PM)

Alison Law - Recreation Facilities (NB)

Rev. Earl Young - Opposition to Fifth Avenue Arts Festival (NB)

981478 William Rohan - Skateboard Facility

RECOMMENDATION *The City Commission hear comments.*

This matter was Placed on File

Craig Lowe - City Manager's Police Committee (NB)

Citizen Craig Lowe recommended Joe Antonelli as a member of the City Manager's Police Committee.

Mark Goldstein - Clarification of Agenda Item (NB)

The Commission discussed File No. 981317.

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

981333 ARTSREACH exhibits

ARTSREACH Coordinator 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 County Administration Building and Art in the Airport.*

This matter was Placed on File

981334 Certificate of Achievement for Excellence in Popular Reporting (NB)

Finance Director Mark Benton gave a presentation.

RECOMMENDATION *The City Commission accept the certificate for achievement*

for excellence in financial reporting.

This matter was Placed on File

981335 1998 Citizen's Report

Finance Director Mark Benton gave a presentation.

RECOMMENDATION *The City Commission accept the 1998 Citizen's Report.*

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

981336 College Park Special Area Plan

Community Development Director Tom Saunders gave a presentation.

Chair P. DeLaney recognized Citizens Robert Pearce and Bruce DeLaney who spoke to the matter.

RECOMMENDATION *Hear a presentation from staff, reconfirm the City Commission's intent as to existing Comprehensive Plan and Special Area Plan language and goals and direct staff to make whatever changes are deemed necessary to further elaborate the necessary consistency with the Special Area Plan.*

This matter was Placed on File

981337 Appropriation of Lease In/Lease Out Proceeds

City Manager Wayne Bowers gave a presentation.

Chair P. DeLaney recognized Citizens Mark Goldstein, Ruth Brown, Julia Reiskind, Nature Centers Commission Member Mike Castine, Tom Jaworski and Weston Hamilton who spoke to the matter.

ADDITIONAL MOTION: Commissioner Hanrahan moved and Commissioner B. Delaney seconded to authorize the Mayor to write to the Chair of the Alachua County Commission requesting the County establish funding for the traffic light at the corner of NW 53rd Avenue and 37th Street.

RECOMMENDATION *The City Commission review the City Manager's revised recommendation and determine the specific categories and amounts to receive funding.*

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

981329 Interlocal Agreement with County for Environmental Services

AMENDMENT: Add to Page 5, line 94 at the end of sentence:the position of the city "in any final administrative action"

RECOMMENDATION *The City Commission authorize: 1) the City Manager to execute the Interlocal Agreement with Alachua County for Environmental Services, subject to approval of the City Attorney as to form and legality; and 2) payment of \$15,800.00 to Alachua County for the annual payment for environmental review of development projects.*

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.

General Manager for Utilities

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

980507 Civil Citation in Residential Area/Code Enforcement in the University Context Area

Chair P. DeLaney recognized Citizens Mark Goldstein, Sal Locascio and Carl Hackenbrack who spoke to the matter.

MOTION: Authorize the Mayor to write to all appropriate organizations and individuals to encourage them to establish whatever subcommittee would be necessary to improve the condition of rental homes in single family neighborhoods; and further, the City Commission would be eager to work with the committee in their

peer review capacity.

RECOMMENDATION *The City Commission 1) discuss the Public Safety Committee's recommendation to establish an ad hoc or subcommittee comprised of homeowners, landlords, renters, realtors, students and other interested citizens to work with city staff in trying to resolve neighborhood concerns as addressed in this referral, through a "community method", and 2) discuss how the committee would be formed and whether or not the newly created Code Enforcement Committee would take on this issue, and 3) taken action as deemed appropriate.*

Additional Staff Recommendation to PSC:

Discuss the status of this referral in light of 4/12/99 CC discussions, and consider discussions on the issuance of landlord permits and the stepped increase fee to landlord permits for violations.

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

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Recreation & Cultural Affairs Committee

981339 Recreation Tax - Cultural Facilities -- #970866 (B)

MOTION: Authorize the City Manager to continue to negotiate with the Trinity Methodist Church and their representatives and to work with other interested community individuals and groups such as the Children's Museum that might be interested in taking part and participating in making this a cultural arts center for the community.

Chair P. DeLaney recognized Citizens Tom McKnew and Doris Bardon who spoke to the matter.

RECOMMENDATION *The Recreation and Cultural Affairs Committee recommended the City Commission: 1) hear a report from staff; 2) if the City Commission deems appropriate, authorize staff to continue negotiations to purchase the Trinity United Methodist Church building; and 3) if the City Commission deems appropriate,*

authorize the City Manager to prioritize the top six capital projects submitted last year in the Recreation Initiative proposal, review proposed budget forecast for the next budget cycle as it relates to the prospective purchase, determine an acceptable price for a cost-effective purchase, and return to the committee with a recommendation.

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.

Advisory Boards/Committees (Appointments/Reports)

970806 Nature Centers Commission Update - #970806

Nature Centers Commission Member Mike Castine gave a presentation.

MOTION: Approved the following: 1) place item on 4/26/99 City Commission Agenda; and 2) schedule a Land Conservation Committee meeting prior to the 4/26/99 meeting in order to develop a recommendation from that Committee for consideration by the full City Commission and the full County Commission with regard to the FCT grant applications that should go in; and further, go forward with the Depot Avenue/Stormwater Park grant applications.

Chair P. DeLaney recognized Citizen Beverly Hill who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a report from the Nature Centers Commission; 2) approve the recommendations on potential grant applications for the Florida Communities Trust grant to include resubmitting the Depot Avenue Stormwater Park grant application; 3) approve the grant applications to the Florida Communities Trust; 4) authorize the City Manager to execute the applications; and 5) authorize the City Manager or his designee to execute the grant agreements and other grant related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

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

Outside Agencies

Members of the City Commission

981340 Blue Ribbon Committee

FIRST MOTION: Authorize the establishing of a Blue Ribbon panel composed of: 1) 5 appointees, one each appointed by one individual Commissioner; and 2) advertise and take applications for six additional positions; asking numerous organizations to make one recommendation for membership on the Committee to represent their interests.

Chair P. DeLaney recognized National Association for the Advancement of Colored People (NAACP) President Ruth Brown, Martin Luther King, Jr. Commission, Inc. President Rodney Long who spoke to the matter.

SECOND MOTION: Request a report from the Blue Ribbon Committee within six months after appointment of members; and further, direct each Charter Officer to provide whatever information is necessary for this Committee to complete its charge; and further, Charter Officers to return to the City Commission with a recommendation with regard to appropriate staffing of the Committee.

RECOMMENDATION *The City Commission discuss a Blue Ribbon Committee on Equal Opportunity/Affirmative Action and take appropriate action.*

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

Commission Comments**Recess Until 6:00 PM****Pledge of Allegiance****Troop #540****Proclamations/Special Recognitions****981344 Easter Seals Florida, Inc. at Altrusa House of Gainesville Day - April 19, 1999**

RECOMMENDATION *Easter Seals at Altrusa House of Gainesville Director Sharon Battles and Advisory Council for Easter Seals for Altrusa House Chair Linda Henderson to accept the proclamation.*

This matter was Placed on File

981345 Days of Remembrance and Yom Hashoah - April 11-18, 1999

RECOMMENDATION *On behalf of the Jewish Community in Gainesville, N. Albert Bacharach, Jr., Esq. and Family and Paul S. Rothstein, Esq. and Family to accept the proclamation.*

This matter was Placed on File

981346 Great Florida Cleanup - April 17, 1999

RECOMMENDATION *Keep Alachua County Beautiful Executive Director Jeanne Rockford and Great Florida Cleanup Chair Bob Gache to accept the proclamation.*

This matter was Placed on File

981347 National Volunteer Week - April 18-24, 1999

RECOMMENDATION *The Volunteer Center of Alachua County Executive Director John Thompson and President Kathy Daughtry to accept the proclamation.*

This matter was Placed on File

981348 Kick Butts Day - April 14, 1999

RECOMMENDATION *Statewide "Students Working Against Tobacco (SWAT)" Representative Nicki Hopson and Alachua County Tobacco-Free Partnership Tobacco Prevention Coordinator Stephen Langer to accept the proclamation.*

This matter was Placed on File

981349 National Telecommunications Week - April 11-17,1999

RECOMMENDATION *Fire Dispatcher Rod Dormire representing Professional Public Safety Dispatchers to accept the proclamation.*

This matter was Placed on File

981350 Earth Day '99 - April 22, 1999

RECOMMENDATION *Gainesville Barter Network's Gainesville HOURS Founder/Director Shanti Vani and Vegetarian Events Founder/Director Chas Chiodo to accept the proclamation.*

This matter was Placed on File

Public Hearings

Plan Board Petitions

981149 **Legislative Matter No. 981149. Petition 34TCH-99 PB, Amend the City of Gainesville Land Development Code to establish an airport ordinance consistent with Chapters 163 and 333, Florida Statutes, to provide airspace protection and land use compatibility with airport operations of the Gainesville Regional Airport.**

Planner Cathy Winburn and Assistant City Attorney Patricia Carter gave presentations.

Chair P. DeLaney recognized Citizen W.E. McEachern who spoke to the matter.

MOTION: Approve staff's recommendations to the City Commission.

Chair P. DeLaney recognized Airport Manager of Operations Tate Fisher who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 34TCH-99 PB. Plan Board vote 6-1.*

Staff to Plan Board - Approve

Staff to City Commission: 1) Approve the petition and 2) direct staff to negotiate an interlocal agreement with Alachua County pursuant to section 333.03(2)(b)1., Florida Statutes.

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.

Ordinances - 1st Readings- ROLL CALL REQUIRED

980584 **Ordinance No. 0-99-18; Petition No. 196TCH-98PB**

An ordinance of the City of Gainesville, Florida; amending the Land Development Code relating to motorcycle parking spaces; amending section 30-331 to provide standards for motorcycle parking spaces; amending section 30-332 to provide computation of the number of required motorcycle parking spaces; 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 Calkins, 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: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

981162 Ordinance No. 0-99-39

An ordinance of the City of Gainesville, Florida, amending subsection 4-4(a) of the Code of Ordinances relating to consumption and sale of alcoholic beverages, providing that when alcoholic beverages are sold by nonprofit organizations at the Downtown Plaza for consumption on the premises the organizations must pay for all extra expenses related to the event; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair P. DeLaney recognized Citizens Tim Keyes and Julian Smyzer who spoke to the matter.

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 First Reading (Ordinance). The motion carried by the following vote:

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

981194 Ordinance No. 0-99-40

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, 1998 and Ending September 30, 1999; Amending Ordinance No. 980398, Adopted September 28, 1998, by Making Certain Adjustments to the General Operating and Financial Plan Budget; and Providing an Immediate 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 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

Mayor P. DeLaney left the meeting room (8:04pm) and Chair Pro Tem Hanrahan assumed the gavel

981317 Ordinance No. 0-99-43

An ordinance of the City of Gainesville, Florida; creating section 26-54 of the Code of Ordinances to provide an enforcement method for off-street parking in violation of section 30-56(c)(4) of the Code of Ordinance on certain property within the University of Florida Comprehensive Master Plan 1994-2004 Context Area; authorizing certified code enforcement officers to issue noncriminal infractions after warning; providing for exceptions; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

Community Development Director Tom Saunders and Code Enforcement Manager Lisa Koehler gave presentations.

Chair Pro Tem Hanrahan recognized Citizens Frank Green, Forest Lisle, Gainesville Builders Association President Fred Brennaman, Brian Leslie, Bill Gager, Parker Lawrence and Weston Bauer who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Staff to City Commission - The City Commission not adopt the ordinance.

A motion was made by Commissioner Delaney, 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 and Pegeen Hanrahan
Nay: Edward L. Jennings, Sr.
Absent: Paula M. DeLaney

Ordinances - 2nd Readings- ROLL CALL REQUIRED**980214 Ordinance No. 0-98-88, Petition No. 121PDA-98PB**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as the "Charter Point P.U.D."; amending the setbacks for Lot 13 of Mile Run Phase III, Unit G-2, as approved by Alachua County by adopting a revised development plan map to allow an expansion of the existing single-family building and to prohibit any structures in the drainage easement; located in the vicinity of 6542 N.W. 37th Drive; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Pro Tem Hanrahan recognized Petitioner George W. Tedder who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

981277 Ordinance 0-99-36

An Ordinance of the City of Gainesville, Florida, creating section 26-54 of the Code of Ordinances to provide an enforcement method for off-street parking in violation of section 30-56 (c) (4) of the Code of Ordinance on certain property within the University of Florida Comprehensive Master Plan 1994-2004 Context Area; authorizing certified code enforcement officers to issue noncriminal infractions; providing for exceptions; providing directions to the codifier; providing a severability clause; and providing an immediate effective date.

Chair Pro Tem Hanrahan recognized Citizens Weston Bauer, Eric Lowe and Jan Bauer who spoke to the matter.

Commissioner Jennings requested the following statement be entered into the record: My reason (voting nay) is not for being disrespectful to the Mayor's request. It's just that I don't think we need the ordinance anyway.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Staff to City Commission - The City Commission not adopt the ordinance.

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Continued (2nd Reading) for April 26, 1999. The motion carried by the following vote:

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

981159 Ordinance 0-99-37

An ordinance of the City of Gainesville, Florida, amending Sections 26-46(c), 26-46(e), 26-46(f), 26-47(b), 26-47.1(a), 26-47.1(c), 26-50.1(c), 26-53(b)(1), 26-53(b)(2), 26-53(c)(1), 26-53(c)(1)a, 26-79, 26-81(a), 26-81(b), 26-81(c), 26-95, and 26-118, by substituting the word "vehicle" for the phrase "motor vehicle" wherever the same appears; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair Pro Tem Hanrahan recognized Rev. Tim Keyes who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Delaney, seconded by Commissioner Jennings, 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 and Edward L. Jennings, Sr.
Absent: Paula M. DeLaney

Resolutions- ROLL CALL REQUIRED

981274 Proposed changes for low power FM radio stations

RECOMMENDATION *The City Commission adopt a resolution supporting changes to FCC rules concerning low power FM (community-based) radio stations.*

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

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

981342 Submission of New Local Housing Assistance Plan (LHAP)

Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *The City Commission: 1) approve the new City of Gainesville's State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) for State Fiscal Years 1999-2000, 2000-2001 and 2001-2002; 2) authorize the Mayor to execute all necessary documents and certifications pertinent to the LHAP, subject to the review and approval by the City Attorney as to form and legality; 3) authorize the submission of the LHAP for review and approval by the Florida Housing Finance Corporation; and 4) adopt a resolution approving the City of Gainesville's LHAP, as required by the program. (A copy of the LHAP is on file in the Clerk of the Commission's office. After April 12, 1999, a copy of the Agreement will be on file in the Community Development Department.)*

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

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

981343 Resolution adopting Board of Adjustment rules of procedures.

Community Development Director Tom Saunders gave a presentation.

RECOMMENDATION *Planning Staff to City Commission -The City Commission adopt a resolution amending the rules of procedure for the City of Gainesville Board of Adjustment and providing an immediate effective date.*

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

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

981322 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 to 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 Calkins, seconded by Commissioner Delaney, that this matter be Adopted (Resolution). The motion carried by the following vote:

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

Plan Board Petitions

Development Review Board Petitions

981351 Petition 14SUB-99DB, Southern Equities Investment, Inc. Design Plat approval of Gainesville North Technology Park Subdivision, 18 lots on 20.287 acres more or less. Located in the vicinity of the 4500 block of N.W. 6th Street, on the east side of the railroad. Zoned: 1-1.

Senior Planner Carolyn Morgan gave a presentation

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition 18SUB-98 DB with staff conditions. DRB vote 7-0.*

Staff to Development Review Board - The Design Plat is

approvable with conditions as recommended by the Technical Review Committee.

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Approved as Recommended (Petition). The motion carried by the following vote:

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

981352

Petition 18SUB-99DB, Eng, Denman and Associates, Inc., agent for Samuel W. and Ernestine Floyd Design Plat approval of Willowcroft Cluster Subdivision, 33 lots on 11.27 acres more or less. Located in the vicinity of N.W. 16th Avenue and N.W. 35th Way (north side). Zoned: RSF-1.

Chief of Comprehensive Planning Lawrence Calderon gave a presentation.

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition 18SUB-98DB with staff conditions. DRB vote 7-0.*

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

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved as Recommended (Petition). The motion carried by the following vote:

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

Scheduled Evening Agenda Items

970937

University of Florida Residential Parking Program

Traffic Engineer Brian Kanely gave a presentation.

Chair Pro Tem Hanrahan recognized Citizens Tom Smyzer and Marion Hill who spoke to the matter.

RECOMMENDATION *The City Commission: 1) approve staff's proposed modifications to the University of Florida Residential Parking (Decal) Program;*
2) authorize the City Manager to make the necessary changes in the Program; and
3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending the City Code of Ordinances to implement these changes.

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

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

Unfinished Business

Commission Comment

C/Jennings - Alcoholic Beverages at Citizens Field (NB)

Commissioner Jennings stated that Citizens Field should be included in the list where alcohol can be served.

MOTION: Staff & Attorney be instructed to study both areas to be treated the same.

NO SECOND.

C/Jennings - Charter Office Evaluation (NB)

Commissioner Jennings stated that General Manager for Utilities Mike Kurtz has not been reviewed and evaluated by the City Commission.

Chair Pro Tem Hanrahan asked the Clerk of the Commission to place an item on the next agenda regarding his evaluation.

C/Calkins - Issues & Updates (NB)

Commissioner Calkins asked for an update on the insurance/domestic partners program and a review by staff on the increased amount of trash in shopping center parking lots,

Assistant General Manager for Utilities Karen Johnson gave an update.

C/B. Delaney - Garbage Trucks (NB)

Commissioner B. Delaney stated that he has noticed more spill- over garbage left on the ground after garbage pick-up.

C/B. Delaney - Florida Court Neighborhoods (NB)

Commissioner B. Delaney discussed with the Commission the drug dealing and vandalism situation at Florida Court.

City Manager Bowers told the Commission that he would submit a report on what the Police Department are doing in the area.

981382 Traffic Control Devices

RECOMMENDATION *The City Commission refer the traffic control devices on S.E. 2nd Avenue to the Public Works Committee.*

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Assigned to the Public Works Committee, due back on October 12, 1999. The motion carried by the following vote:

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

Absent: Paula M. DeLaney

C/Hanrahan - Transportation Concurrency (NB)**C/Hanrahan - Fifth Avenue/Pleasant Street Plan (NB)**

Commissioner Hanrahan informed the Commission of the Advisory Board meetings and encouraged continued commitment by the City Commission.

C/Hanrahan - Washington, D.C. Trip Re: Depot Avenue (NB)**C/Hanrahan - GPD Accreditation Award (NB)****City Manager Bowers - Noise Complaint - Russell's Club (NB)**

City Manager Bowers informed the Commission of a Citizen complaint received by Mayor P. Delaney regarding noise and parking violations at Russell's Club.

Citizen Comment**Rev. Tim Keyes - Human Relations Advisory Board History (NB)**

Citizen Rev. Tim Keyes asked for information on the history of the previous Human Relations Advisory Board.

Equal Opportunity Director Darrell Elmore gave an update.

Rev. Earl Young - Video Tape (NB)

Rev. Earl Young made comments regarding a video tape of an incident in his business.

City Manager Bowers gave an update on the situation.

Chair Pro Tem Hanrahan stated she will review the situation of the Fifth Avenue Arts

Festival location with him.

Adjournment - 10:11pm

Kurt M. Lannon, Clerk of the Commission