

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, September 9, 1996**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

*Commissioner Sande Calkins (District 2)  
Mayor-Commissioner Pro Tem Bruce Delaney (At-Large)  
Commissioner Paula M. DeLaney (At-Large)  
Commissioner Pegeen Hanrahan (District 3)  
Mayor-Commissioner Edward L. Jennings, Sr. (District 1)*

## Consent Agenda

*With the following modifications: File No. 960324 - Florida Gas Utility v. The State of Florida - Additional back-up material submitted and remove from the Consent Agenda and place on the regular Agenda under the General Manager for Utilities category.*

## City Manager, Consent Agenda Items

### **960302      FY 1996 HOME Subrecipient Agreement with the Neighborhood Housing & Development Corporation for affordable housing programs.**

**RECOMMENDATION**    *The City Commission authorize the City Manager to execute the Agreement between the City and the Neighborhood Housing & Development Corporation (NHDC) for implementation of affordable housing programs in the total amount of \$168,764 plus \$12,000 in estimated program income, effective for the period October 1, 1996 to September 30, 1997; subject to approval of the City Attorney as to form and legality. (A copy of the Agreement is on file in the Clerk of the Commission Office. After September 9, 1996, a copy will be on file in the Block Grant Office.)*

**This Matter was Approved as Recommended on the Consent Agenda.**

### **960303      FY 1997 CDBG Subrecipient Agreement with the Neighborhood Housing & Development Corporation for housing activity delivery costs.**

**RECOMMENDATION**    *The City Commission authorize the City Manager to execute the Agreement between the City and the Neighborhood Housing & Development Corporation (NHDC) for housing activity delivery costs in the amount of \$268,393, plus \$26,000 in estimated program income, effective for the period October 1, 1996 to September 30, 1997; subject to approval by the City Attorney as to form and legality. (A copy of the Agreement will be on file in the Clerk of the Commission Office. After September 9, 1996, the Agreement will be on file in the Block Grant Office.)*

**This Matter was Approved as Recommended on the Consent Agenda.**

### **960304      Letter of Support for the Alachua County Sheriff's Grant Application to the U. S. Department of Justice for S.P.A.R.C. to Develop and Provide Domestic Violence Training to Area Law Enforcement Agencies**

**RECOMMENDATION** *The City Commission: 1) support the Alachua County Sheriff's application for grant funding to the U. S. Department of Justice's Violence Against Women Program to be submitted on behalf of all area law enforcement agencies, the State Attorney's Office, and the Eighth Judicial Circuit to develop and provide specialized training programs for police officers on domestic violence; and, 2) authorize the Mayor-Commissioner to sign a letter to the U. S. Department of Justice indicating this support.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960305 Letter of Support for the School Board of Alachua County's Grant Application to the U. S. Department of Justice's Juvenile Mentoring Program (JUMP)**

**RECOMMENDATION** *The City Commission: 1) support the School Board of Alachua County's application for grant funding to the U. S. Department of Justice's Juvenile Mentoring Program; and, 2) authorize the Mayor-Commissioner to sign a letter to the U. S. Department of Justice indicating this support.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960306 Extension to the Agreements for Professional Services for Surveying & Mapping Services for FY 1997**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute Extensions to the existing Agreements for Professional Services for Surveying & Mapping Services with John W. Myers & Associates, Inc., and Terrance Brannan, Land Surveyor, Inc., extending the term of each from October 1, 1996 through September 30, 1997, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960307 Extension to the Agreements for Professional Architectural Services for FY 1997**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute Extensions to the existing Agreements for professional architectural services with James McGinley, AIA, and Skinner & Associates, Inc., extending the term of each from October 1, 1996 through September 30, 1997, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960308            Extension to the Agreements for Professional Services for Engineering, Surveying & Mapping Services for Site Planning and Development Projects for FY 1997**

**RECOMMENDATION**    *The City Commission authorize the City Manager or designee to execute Extensions to the existing Agreements for Professional Services for Engineering, Surveying & Mapping Services for Site Planning and Development Projects with Chance & Causseaux, Inc. and Jones Edmunds & Associates, Inc., extending the term of each from October 1, 1996 through September 30, 1997, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960309            Extension to the Agreement for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration for FY 1997**

**RECOMMENDATION**    *The City Commission authorize the City Manager or designee to execute an Extension Agreement with CH2M Hill, Inc., for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration, extending the Agreement from October 1, 1996 to September 30, 1997, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960310            Extension to Annual Materials Supply Contracts for Storm Sewer Pipe for FY 1997**

**RECOMMENDATION**    *The City Commission authorize the City Manager or designee to execute Extension Agreements for the annual supply of Storm Sewer Pipe with Southern Culvert, Florida Concrete Pipe, Advanced Drainage Systems, Inc., Hughes Supply and Contech Construction Products, Inc. as awarded for FY 1996, subject to approval of the City Attorney as to form and legality.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960311            Journal entry adjustment of interest earned on an HRS Matching Grant.**

**RECOMMENDATION**    *The City Commission authorize the City Manager to include*

*in the next amendatory budget resolution the transfer of \$4,046.49 from unappropriated General Fund balance to grant account #106-820-G349-5220-6040.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960312 Request for Residential Traffic Control Study: Suburban Heights Subdivision**

**RECOMMENDATION** *The City Commission refer the traffic study request from the residents of the Suburban Heights Subdivision to the City Manager for review and report back as to a recommended course of action.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**General Manager for Utilities, Consent Agenda Items**

**960316 Release and Replacement Easement for Ralph C. and Sandra Pratt; Located at 10815 S. W. 11th Lane**

**RECOMMENDATION** *The City Commission: 1) approve a release of an easement and accept a replacement public utilities easement located at 10815 S. W. 11th Lane to Ralph C. and Sandra Pratt; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute a Release of Easement instrument, subject to approval by the City Attorney.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960317 Approval of Purchase Orders to W.G. Johnson & Sons, Inc. for Proctor Dirt for FY 1996/97**

**RECOMMENDATION** *The City Commission approve the issuance of blanket purchase orders to W.G. Johnson & Son, Inc. for proctor dirt for FY 1996/97 in not to exceed amounts totaling \$40,000, subject to final appropriation of funds for FY 1996/97.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960318 Issuance of Purchase Order to Anglin Construction Company for J. R. Kelly Generating Station Lab Addition.**

**RECOMMENDATION** *The City Commission approve issuance of a purchase order to Anglin Construction for the construction of a laboratory addition at the J. R. Kelly Generating Station in an amount*

*not-to-exceed \$90,000.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960319 Manhole and Conduit System for Downtown Underground Phase VIII, N.W. and S.W. 3rd Street**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Robert L. Dollar, d/b/a Dollar and Son's Trenching & Plumbing & Electric, for the installation of electric manholes and conduit for Phase VIII of the Downtown Underground Project, in an amount not to exceed \$192,175.00.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960320 Approval of a Purchase Order to Storter Childs Printing Company, Inc., for the Gainesville Regional Utilities (GRU) Customer Bulletin for FY 1996/97**

**RECOMMENDATION** *The City Commission approve the issuance of a blanket purchase order for FY 1996/97 to Storter Childs Printing Company, Inc. for printing 12 issues of the GRU Customer Bulletin in an amount not-to-exceed \$52,000, subject to the final appropriation of funds for FY 96/97.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960321 Contract Amendment for the Installation of Cable and Conduit Within the Underground Electric Distribution System.**

**RECOMMENDATION** *The City Commission 1) authorize the General Manager or his designee to negotiate and execute a Contract Amendment, subject to the approval of the City Attorney, which will extend the term and conditions of the existing Annual Contract to Asplundh Tree Expert Company for the installation of cable and conduit for the period beginning October 1, 1996 and ending November 30, 1996, and 2) approve the issuance of a purchase order to Asplundh Tree Expert Company in an amount not to exceed \$200,000, subject to the final appropriation of funds for FY 1997.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960322 GRUCom Consulting Services with Ghyselinck & Associates**

**RECOMMENDATION** *The City Commission authorize the General Manager or his*

*designee to negotiate and execute a contract with Ghyselink & Associates (Ghyselink) for as-needed telecommunication consulting services for a three year term ending September 30, 1999, subject to the approval of the City Attorney as to form and legality and subject to the appropriation of funds for these services in the respective Utilities' budgets.*

**This Matter was Approved as Recommended on the Consent Agenda.**

## **City Attorney, Consent Agenda Items**

## **Clerk of the Commission, Consent Agenda Items**

**960323**            **City Commission Minutes of August 13, 15, 20, 26, 27, 1996**

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

**This Matter was Approved as Recommended on the Consent Agenda.**

**960325**            **Bicycle/Pedestrian Advisory Board**

**RECOMMENDATION**    *The City Commission accept the resignation of member Dyana Drago from the Bicycle/Pedestrian Advisory Board effectively immediately.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960326**            **Nature Centers Commission**

**RECOMMENDATION**    *The City Commission accept the resignation of member Lee A. St. Onge from the Nature Centers Commission effective immediately.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960327**            **Public Recreation Board**

**RECOMMENDATION**    *The City Commission accept the resignation of member Brian Burns from the Public Recreation Board effective immediately.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960336 Hill's Record Storage Purchase Order**

**RECOMMENDATION** *The City Commission waive competitive bidding and authorize the issuance of a purchase order to Hill's Record Storage Center for \$21,000 for Fiscal Year 1996-1997.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**960337 Municipal Code Corporation Purchase Order**

**RECOMMENDATION** *The City Commission authorize the issuance of a Purchase Order to Municipal Code Corporation not to exceed \$20,000 for Fiscal Year 1996-1997.*

**This Matter was Approved as Recommended on the Consent Agenda.**

**End of the Consent Agenda**

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

**Adoption of the Agenda**

*The Agenda was adopted with the following modifications: 1) Hear Remarks from Suwannee River Water Management District Public Land Use Coordinator Delaney Faircloth; 2) Consider Budget Resolutions, File Nos. 960333, 960334 and 960335, prior to Citizen Comment and Staff Amendments to Exhibit A of the General Government Budget Resolution submitted; and 3) File No. 960345 - New Item from Mayor-Commissioner Jennings - Re: Letter from Gulf Atlantic Airways*

**Suwannee River Water Management District**

*Public Land Use Coordinator Delaney Faircloth informed and invited the City Commission to a Town Meeting in High Springs, Florida on August 19, 1996 at 7:00 pm regarding Land Acquisition and Management.*

**Special Presentations****Charter Officer Updates****Clerk of the Commission****960339 Publish Agenda Index**



*The City Commission agreed to ask the Clerk of the Commission to return to the City Commission with cost figures and a funding source to publish the Agenda Index.*

**RECOMMENDATION** *The City Commission discuss placing Agendas in the Gainesville Sun similar to the Alachua County School Board.*

**This matter was Placed on File**

## City Manager

### 960340 GatorNationals - Gainesville Raceway

*Amendments: Add the following: 1) \$25,000 per year for (5) five years; 2) appropriation of funds is for tourism promotion; 3) specifically finding that this is a valid municipal purpose and that tourism promotion specifically of GatorNationals is a municipal purpose; 4) request GatorNationals remain in Gainesville for (15) fifteen years; and 5) subject to the appropriation of lawful funds annually*

*Chairman Jennings recognized NHRA Attorney Dick Jones, and Citizens Dwight Adams and Roger Brower who spoke to the matter.*

**RECOMMENDATION** *The City Commission authorize the City Manager to sign an agreement with Alachua County to provide an amount not to exceed \$25,000 for promotion of GatorNationals at the Gainesville Raceway. These City funds when combined with County funds for this purpose would allow the NHRA to use NHRA funds to make parking improvements at the Gainesville Raceway.*

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

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

### 960341 Amendment to Comprehensive Plan

**RECOMMENDATION** *City Manager to the City Commission. The City Commission hear a presentation on the status of this ordinance from Planning Staff and authorize the City Attorney to assist the Planning department in scheduling a public hearing for the adoption of the remedial plan amendment and approval of the Compliance Agreement.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner DeLaney, accept the amended language as submitted by the City Manager (Planning Staff) for submission to the Florida Department of Community Affairs (DCA); and further, send a letter informing DCA of the action by the City Commission. The motion carried unanimously.

**960313 Citizen's Park Multi-Purpose Facility**

**RECOMMENDATION** *The City Commission receive an update on the Citizen's Park Multi-Purpose Facility.*

**This matter was Placed on File**

**960314 Acceptance of the U. S. Department of Justice's Certificate Recognizing the City of Gainesville as an Officially Recognized Weed and Seed Site**

**RECOMMENDATION** *The City Commission accept the certificate from the U. S. Department of Justice recognizing the City as an Officially Recognized Weed and Seed site, and hear discussion from the Police Chief.*

**This matter was Placed on File**

## **General Manager for Utilities**

**960324 Florida Gas Utility v. The State of Florida, et al, Circuit Court, Second Judicial Circuit, Leon County, Florida; Case No. 96-4936. Bond Validation Proceeding**

**RECOMMENDATION** *The City Commission: (1) authorize the City Attorney or his designee to accept service of process, file an answer and take such other actions as may be necessary in the interest of the City in connection with the referenced bond validation proceeding; and (2) consent to the plaintiff's representation in this case by the law firm of Holland and Knight.*

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

**City Attorney**

**City Auditor**

**Committee Reports**

**Public Works Committee****Personnel & Organizational Structure Committee****Public Safety Committee****Audit & Finance Committee****960291 Fiscal Year 1996 Operating Funds Quarterly Monitoring Report - Quarter Ending June 30, 1996**

**RECOMMENDATION** *The City Commission receive the quarterly budget monitoring report for the quarter ended June 30, 1996.*

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

**960294 Follow-up Review of Gainesville Police Department Revenues and Receivables**

**RECOMMENDATION** *The City Commission:  
Accept the City Auditor's report and the City Manager's response; and  
Instruct the City Auditor to conduct a follow-up review on recommendations made and report the results to the Audit and Finance Committee.*

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

**960295 Follow-up Review of General Government Purchasing**

**RECOMMENDATION** *The City Commission: 1) Accept the City Auditor's report and the City Manager's response; and 2) Instruct the City Auditor to close the audit.*

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

**Legislative Committee**

## Economic Development Committee

## Regional Utilities Committee

## Advisory Boards/Committees

### 951287 Legislative Matter No. 951287. Golf courses in residential districts by Special Use Permit

**RECOMMENDATION** *City Manager to the City Commission--The City Commission hear a report from staff and remove this item from the referral list.*

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

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

### 951370 (Referral) Legislative Matter No. 951370 Sign Ordinance

*Chairman Jennings recognized Citizen Phil Emmer who spoke to the matter.*

*Chairman Jennings asked the City Manager to notify Mr. Phil Emmer of the City Plan Board meeting.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission not change the Sign Ordinance.*

**A motion was made by Commissioner Delaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the City Plan Board, due back on March 9, 1997. The motion carried unanimously.**

### 960315 Art in Public Places Trust Recreation Center Project

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation by Deborah Howard, Chairperson of the Art in Public Places Trust; 2) review the ranking of the three most qualified artists in the order as recommended by the Trust; 3) select one of the three ranked artists for the purpose of awarding a contract for the Recreation Center project; and, 4) authorize the City Manager or his designee to execute the contract for this project in an amount not to exceed \$14,000 with the selected artist, subject to approval by the City Attorney as to form and*

*legality.*

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

## **Outside Agencies**

## **Members of the City Commission/Commission Comment**

### **960345 Mayor-Commissioner Jennings - Gulf Atlantic Airways Letter**

*Chairman Jennings asked and the City Attorney reviewed the letter and informed the City Commission of options.*

*Chairman Jennings requested the City Attorney send a response to the letter informing Gulf Atlantic Airways that no action will be taken by the Commission.*

*Commissioner P. DeLaney requested all correspondence be compiled on this issue for the City Attorney and the City Manager and inform the Commission of any further opinion.*

*No further action was taken.*

**RECOMMENDATION** *The City Commission discuss the letter.*

**This matter was Placed on File**

### **960331 Global Warming**

**RECOMMENDATION** *The City Commission hear remarks.*

**This matter was Placed on File**

### **960338 Scheduling of Events on Plaza**

*AMENDMENT: Change the recommendation/referral to: refer the feasibility and criteria associated of future scheduling of events on the Plaza to the Public Safety Committee.*

*ADDITIONAL MOTION: Commissioner P. DeLaney moved and Commissioner Hanrahan seconded to refer to the Gainesville/Alachua County Cultural Affairs Board and the City Manager (Cultural Affairs Staff) the issue of being more proactive in putting together programs which might run for some duration of time and return to the City Commission with recommendations and/or ideas.*

*Commissioner Calkins asked that Citizen Robert Hutchinson and others that received his letter be notified of the Gainesville/Alachua County Cultural Affairs Board and public Safety Committee meetings.*

**RECOMMENDATION** *The City Commission hear a report.*

**A motion was made by Commissioner Delaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the Public Safety Committee, due back on March 9, 1997. The motion carried unanimously.**

**960351                    Scheduling of Events on Plaza**

**RECOMMENDATION** *The City Commission refer to the Gainesville/Alachua County Cultural Affairs Board and the City Manager (Cultural Affairs Staff) the issue of being more proactive in putting together programs which might run for some duration of time and return to the City Commission with recommendations and/or ideas.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the Gainesville/Alachua Co Cultural Affairs Bd, due back on March 9, 1997. The motion carried unanimously.**

**960346                    Olympic Athletes Recognition**

**RECOMMENDATION** *The City Commission refer to the City Manager the coordinating of an event on the downtown plaza associated with honoring local participants, including torchbearers, in the 1996 Summer Olympics*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.**

**960347                    Legislative Priorities**

**RECOMMENDATION** *The City Commission invite the Local Legislative Delegation to the first regular meeting in October to thank the delegation for its work last year and that a new list will be generated for the next session.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.**

**Adjourn Until 6:00 PM**

## Invocation and Pledge of Allegiance

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

## Pastor James Truitt, Faith Presbyterian Church

## Proclamations

## Resolutions/Public Hearings

### 960333 Millage Rate Resolution

*Chairman Jennings recognized Gainesville Area Chamber of Commerce Representative Rick Mulligan who spoke to the matter.*

*Commissioner P. DeLaney stated for the record she supported going to the rolled back rate.*

**RECOMMENDATION** *The City Commission adopt the resolution.*

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

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

### 960334 General Government Budget Resolution

*Chairman Jennings recognized Citizen Robert Kaplan-Stein, Florida Media Arts Representative Steve Robitaille who spoke to the matter.*

**RECOMMENDATION** *The City Commission adopt the resolution*

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

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

### 960335 Regional Utilities Budget Resolution

**RECOMMENDATION** *The City Commission adopt the Resolution.*

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

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

## Citizen Comment

### 960348 Arupa Chiarini - Marketing Techniques of Bars

**RECOMMENDATION** *The City Commission refer this item to the Legislative Committee to determine interest in pursuing amendment of State Statutes that would allow local governments authority to enact regulations on alcoholic beverage promotions, and remove from the PSC referral list.*

**A motion was made by Commissioner Delaney, seconded by Commissioner DeLaney, that this matter be Assigned to the Public Safety Committee, due back on March 9, 1997. The motion carried unanimously.**

### 960349 Dr. Mark Barrow - Matheson Historical Center, Inc. 378-2280

**RECOMMENDATION** *The City Commission help provide the infrastructure of the Matheson Historical Center Sweetwater Park Project.*

**A motion was made by Commissioner Calkins, seconded by Commissioner Hanrahan, to include the request for consideration for use of City Commission Contingency Funds that have to be spent by October 1, 1996. The motion carried unanimously.**

### 960350 Flyers on Utility Poles

*Chairman Jennings recognized Citizen Tom Miller who spoke to the matter.*

**RECOMMENDATION** *The City Commission allow posting of flyers in areas where flyers are currently posted as identified by staff, and explore such suggestions as painting utility poles as an identifier for flyering, and investigate the use of kiosks in and around the downtown plaza area (Ref: File No. 960127).*

**A motion was made by Commissioner Delaney, seconded by Commissioner DeLaney, that this matter be Assigned to the Public Safety Committee, due back on March 9, 1997. The motion carried unanimously.**

## Tom Miller - Airport Runway Structures & Cement Plant Response



**Rev. Earl Young - Garbage Pick-Up Problem****Anthony Rawson - Downtown Events****Time Certain Items****960330 City of Gainesville Ombudsman**

*Chairman Jennings recognized University of Florida Ombudsman Dr. Keener and Citizen Stefano Longinotti who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear an update from the Members of the Personnel and Organizational Structure Committee.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on March 9, 1997. The motion carried by the following vote:**

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

**Ordinances - 1st Readings- ROLL CALL REQUIRED****951277 Ordinance No. 0-96-63; Petition No. 17TCH-96PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-338(5) of the Land Development Code; changing the required standard minimum distances between buildings; 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 DeLaney, seconded by Commissioner Delaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**951410 Ordinance No. 0-96-39, Petition No. 24SVA-96PB**

**An ordinance of the City of Gainesville, Florida; to vacate, abandon and close a portion of S.W. 8th Place located between S.W. 8th Street and S.W. 9th Street;**

providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**960059 Ordinance No. 0-96-61, Petition No. 107ZON-96PB**

**An ordinance of the City of Gainesville, Florida, amending the zoning map atlas and rezoning certain lands within the City from "RC: (12 units/acre residential conservation district)" to "OF: General office district", located in the vicinity of 625 N.W. 6th Street; providing a severability clause; and providing an effective date.**

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

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

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

**960267 Ordinance No. O-96-66**

**AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (5)a. THROUGH (5)h., NATURAL GAS, OF THE GAINESVILLE CODE OF ORDINANCES BY REVISING RATES AND CHARGES FOR NATURAL GAS; REPEALING SUBSECTION (5)i. AND RELOCATING ITS PROVISIONS TO APPENDIX A, UTILITIES SUBSECTION (6)b.; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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, Paula M. DeLaney, Pegeen Hanrahan and Edward L. Jennings, Sr.

**960268 Ordinance No. O-96-68**

**AN ORDINANCE AMENDING APPENDIX A, OF THE GAINESVILLE CODE OF ORDINANCES BY REPEALING SUBSECTION UTILITIES (3)f., METER TESTING CHARGES AND RELOCATING ITS PROVISIONS TO APPENDIX A , UTILITIES SUBSECTION (6)b.; AMENDING SUBSECTION UTILITIES 3(g) BY REVISING RATES AND CHARGES FOR RETAIL WATER SERVICE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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, Paula M. DeLaney, Pegeen Hanrahan and Edward L. Jennings, Sr.

**960269 Ordinance No. O-96-69**

**AN ORDINANCE AMENDING APPENDIX A, OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING SUBSECTION UTILITIES (6)b. REVISING GENERAL UTILITY SERVICE CHARGES TO INCLUDE DELINQUENT PAYMENT CHARGES, INCREASED SPECIAL VISIT CHARGES, INCREASED ELECTRIC METER TESTING CHARGES, AND WATER AND GAS METER TESTING CHARGES; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

**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, Paula M. DeLaney and Pegeen Hanrahan  
Nay: Edward L. Jennings, Sr.

**960270 Ordinance No. O-96-67**

**AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-21, OF THE GAINESVILLE CODE OF ORDINANCES BY PROVIDING FOR DEFINITIONS OF CURTAILABLE ELECTRIC SERVICE AND INTERRUPTIBLE ELECTRIC SERVICE; PROVIDING THE RATES, TERMS AND CONDITIONS FOR CURTAILABLE ELECTRIC SERVICE AND INTERRUPTIBLE ELECTRIC SERVICE; AND AMENDING**

**APPENDIX A, SECTION UTILITIES (1)a. THROUGH (1)n., ELECTRICITY, REVISING RATES AND CHARGES FOR RETAIL ELECTRIC SERVICE; RELOCATING THE PROVISIONS OF THE PRE-EXISTING SUBSECTION (1)n., METER TESTING, OF APPENDIX A TO APPENDIX A, UTILITIES, SUBSECTION (6)b.; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

*Chairman Jennings recognized Citizen Dwight Adams 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, Paula M. DeLaney, Pegeen Hanrahan and Edward L. Jennings, Sr.

**960332                      Ordinance No. 0-96-64**

**An ordinance of the City of Gainesville, Florida, amending Appendix A of the Code of Ordinances, Section "Utilities," relating to solid waste and recyclables, by increasing the rates for residential service; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Chairman Jennings recognized Boone Waste Representative Richard Voorhes and Citizen Dwight Adams 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, Paula M. DeLaney and Edward L. Jennings, Sr.  
Nay: Bruce L. Delaney and Pegeen Hanrahan

**Ordinances - 2nd Readings- ROLL CALL REQUIRED**

**960058                      Ordinance No. 0-96-60, Petition No. 106LUC-96PB**

**An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use category of certain property within the City of Gainesville from the land use category of "Residential Low Density (up to 12 units per acre)" to the land use category of "Office"; located in the vicinity of 625 N.W. Sixth Street; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

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

## Resolutions- ROLL CALL REQUIRED

**951532**      **Legislative Matter No. 951532. Petition 199SUB-95 PB, Rory Causseaux, agent for Charles and Rainer N. Pinkoson. Conditional final plat approval of PelhamPlace, A Planned Development with 6 lots on 14.44 acres MOL, to be accessed by a private roadway system. Zoned: PD (planned development). Located in the 3800-3900 Block of N.W. 30th Place. Related to Petition 195PDV-95 PB.**

**RECOMMENDATION** *Staff to City Commission--The City Commission approve the following resolution: A Resolution approving the conditional final plat of "Pelham Place, A Planned Development", located in the vicinity of the 3800-3900 Block of N.W. 30th Place.*

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

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

**960034**      **Legislative Matter No. 960034. Petition 212 SUB-95 DB, J.W. Brown, Inc., agent for G.W. Robinson. Final Plat approval of Mile Run East Phase Five, a Planned Unit Development approved while in the County. Thirty-one (31) lots located on 24.37 acres more-or-less. Located in the vicinity of N.W. 35th Terrace and N.W. 63rd Place.**

**RECOMMENDATION** *Planning Staff to City Commission - The City Commission adopt the resolution approving the final plat of Mile run East Phase Five, Petition 212 SUB-95 DB.*

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

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

960035

**Legislative Matter No. 960035. Petition 54 SUB-96 DB, J.W. Brown, Inc., agent for G.W. Robinson. Final Plat approval of Mile Run East Phase Six, a Planned Unit Development approved while in the County. Twenty-nine (29) lots located on 10.96 acres more-or-less. Located in the vicinity of N.W. 64th Lane and N.W. 36th Terrace.**

**RECOMMENDATION** *Planning Staff to City Commission - The City Commission adopt the resolution approving the final plat of Mile run East Phase Six, Petition 54 SUB-96 DB.*

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

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

960292

**A Resolution of the City Commission of the City of Gainesville, Florida; Relating to its General Government Budget for the Fiscal Year Beginning October 1, 1995, and Ending September 30, 1996; Amending Resolution No. 950728, Adopted September 26, 1995, 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 amendatory budget resolution.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, that this matter be Adopted (Resolution), as amended. The motion carried by the following vote:**

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

960329

**A Resolution of the City Commission for the adoption of a temporary closing of two state roads for the 1996 University of Florida Homecoming Parade and Gator Gallop on Friday, October 11, 1996.**

**RECOMMENDATION** *The City Commission adopt the proposed resolution, which requests the temporary closing of two state roads for the 1996 University of Florida Homecoming Parade and Gator Gallop, providing an immediate effective date, subject to approval by the City Attorney as to form and legality.*

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

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

**Plan Board Petitions****Development Review Board****Unfinished Business (from 3:00 PM Session)****Commission Comment****960344          Project Energy Efficient Florida**

**RECOMMENDATION**    *The City Commission remove this item from the referral list.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Delaney, that this matter be Assigned to the Regional Utilities Committee, due back on March 9, 1997. The motion carried unanimously.**

**C/P. DeLaney - Installation of Drawers at the City Commission Dias**

*Commissioner P. DeLaney asked the City Manager look into the request.*

**Chairman Jennings - Telephone Overcharging**

*Chairman Jennings stated he would be discussing with the City Manager the issue of overcharging by the telephone company.*

**Citizen Comment****Adjournment (10:00 PM; motion needed to continue)****Items Pending in Committee (for information only)**

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Kurt M. Lannon, Clerk of the Commission