

City of Gainesville

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



Meeting Minutes

Monday, February 22, 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

Reverend Tim Keyes

Consent Agenda

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

City Manager, Consent Agenda Items

981107 Cultural Affairs' FY99-00 Guide to Grants for Support Services and Cultural Agencies

RECOMMENDATION *The City Commission approve the FY99-00 Guide to Grants for Support Services and Cultural Agencies.*

This Matter was Approved as Recommended on the Consent Agenda.

981110 Revised Building Use Regulations for Thomas Center Rentals

RECOMMENDATION *The City Commission approve the revised Building Use Regulations for rental of the Thomas Center.*

This Matter was Approved as Recommended on the Consent Agenda.

981121 Endorsement of Florida Transit Association's Position Paper on Disposition of High Speed Rail Funds

RECOMMENDATION *The City Commission: 1) endorse the Florida Transit Association's Position Paper on Disposition of High Speed Rail Funds; 2) authorize the Mayor to send a letter to the Alachua County Commission and the Metropolitan Transportation Planning Organization requesting their endorsement of the same; and 3) authorize the Mayor to write a letter to the Alachua County State Legislative Delegation urging the Delegation to support the position paper during the 1999 Legislative session.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

981131 HVAC Preventative Maintenance Contract (NB)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to negotiate and execute a contract with North Florida Trane, Inc. for preventative maintenance of the HVAC equipment for GRU facilities for the remainder of FY 99 through FY 02 in an amount not to exceed \$10,000 per month, subject to approval of the City Attorney as to form and legality and subject to the appropriation of funds for these services in each fiscal year of the contract.*

This Matter was Approved as Recommended on the Consent Agenda.

981132 Purchase of an Automatic Car and Truck Wash System (NB)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Integrated Cleaning Systems, Inc. for an automatic car and truck wash system for the 5th Avenue Garage in an amount not to exceed \$42,500.*

This Matter was Approved as Recommended on the Consent Agenda.

981133 Contract and issuance of Purchase Orders for Grounds Maintenance (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute a contract with Florida Green Keepers, Inc. for grounds maintenance for the Main Street and Kanapaha Water Reclamation Facilities, Murphree Water Plant's remote facilities and the electric substations for a twelve month period in an amount not to exceed \$60,500.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

Public Safety Committee, Consent**980062 Porters Community**

RECOMMENDATION *The Public Safety Committee recommends removal of this item from the pending referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Audit & Finance Committee, Consent**Legislative Committee, Consent****Regional Utilities Committee, Consent****Recreation & Cultural Affairs Committee, Consent****Clerk of the Commission, Consent Agenda Items****981096 City Commission Minutes of February 8, 1999**

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

This Matter was Approved as Recommended on the Consent Agenda.

981104 Bicycle/Pedestrian Advisory Board

RECOMMENDATION *The City Commission appoint Lauri Triulzi to a vacancy on the Bicycle/Pedestrian Advisory Board to expire December 31, 2001.*

Commissioner Sande Calkins - Lauri Triulzi

Commissioner Bruce Delaney - Richard Colbert

Commissioner Edward L. Jennings, Sr. - Lauri Triulzi

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Lauri Triulzi

Mayor Paula DeLaney - Lauri Triulzi

This Matter was Approved as Recommended on the Consent Agenda.

981105 Development Review Board

RECOMMENDATION *The City Commission appoint Nat Frazer to a vacancy on the Development Review Board to expire November 1, 2001.*
Commissioner Sande Calkins - Edward B. Borden
Commissioner Bruce Delaney - Nat B. Frazer
Commissioner Edward L. Jennings, Sr. - Edward B. Borden
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Nat B. Frazer
Mayor Paula DeLaney - Nat B. Frazer

This Matter was Approved as Recommended on the Consent Agenda.

981111 Disabled & Elderly Citizens' Advisory Board

RECOMMENDATION *The City Commission appoint Johnny P. Watson to a vacancy on the Disabled & Elderly Citizens' Advisory Committee to expire November 16, 2000.*
Commissioner Sande Calkins - Johnny P. Watson
Commissioner Bruce Delaney - Johnny P. Watson
Commissioner Edward L. Jennings, Sr. - Johnny P. Watson
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Johnny P. Watson
Mayor Paula DeLaney - Johnny P. Watson

This Matter was Approved as Recommended on the Consent Agenda.

981112 Gainesville Energy Advisory Committee

RECOMMENDATION *The City Commission appoint Tom Spain to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 2001.*
Commissioner Sande Calkins - Tom Spain
Commissioner Bruce Delaney - Tom Spain
Commissioner Edward L. Jennings, Sr. - Tom Spain
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Tom Spain
Mayor Paula DeLaney - Tom Spain

This Matter was Approved as Recommended on the Consent Agenda.

981114 Gainesville Human Rights Board

RECOMMENDATION *The City Commission appoint Bill Gallagher and Abby Goldsmith to a term on the Gainesville Human Rights Board to expire February 22, 2000; appoint Robert Karp and Timothy B. Keyes to a term to expire February 22, 2001; and appoint S. Craig Lowe and Beverly Thomas to a term to*

expire February 22, 2002.

Commissioner Sande Calkins - Gallagher, Goldsmith, Karp, Keyes, Lowe and Thomas

Commissioner Bruce Delaney - Gallagher, Goldsmith, Karp, Keyes, Lowe and Thomas

Commissioner Edward L. Jennings, Sr. - Gallagher, Goldsmith, Karp, Keyes, Lowe and Thomas

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Gallagher, Goldsmith, Karp, Keyes, Lowe and Thomas

Mayor Paula DeLaney - Gallagher, Goldsmith, Karp, Keyes, Lowe and Thomas

This Matter was Approved as Recommended on the Consent Agenda.

981120

Nature Centers Commission

RECOMMENDATION

The City Commission appoint Nat B. Frazer and Charles W. Pedersen to vacancies on the Nature Centers Commission to expire November 1, 1999.

Commissioner Sande Calkins - Frazer and Readvertise

Commissioner Bruce Delaney - Frazer and Pedersen

Commissioner Edward L. Jennings, Sr. - Frazer and Pedersen

Mayor-Commissioner Pro Tem Pegeen Hanrahan - Pederson and Readvertise

Mayor Paula DeLaney - Pedersen and Readvertise

This Matter was Approved as Recommended on the Consent Agenda.

981124

Public Recreation Board

RECOMMENDATION

The City Commission appoint W. Wayne Thomas to a vacancy on the Public Recreation Board to expire June 1, 2000.

Commissioner Sande Calkins - W. Wayne Thomas

Commissioner Bruce Delaney - W. Wayne Thomas

Commissioner Edward L. Jennings, Sr. - W. Wayne Thomas

Mayor-Commissioner Pro Tem Pegeen Hanrahan - W. Wayne Thomas

Mayor Paula DeLaney - W. Wayne Thomas

This Matter was Approved as Recommended on the Consent Agenda.

981139

Public Recreation Board

RECOMMENDATION

The City Commission accept the resignation of member Tina Carter and David Whidden from the Public Recreation Board effective immediately.

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items

End of Consent Agenda

Adoption of the Agenda

The Agenda was adopted with the following modification: 1) File No. 981142 - Proclamation added - Love, Life, and Legs VII

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

981143 Thelma Carlisle - One Way Pairs

Citizen Thelma Carlisle asked the City Commission to fund up to \$1,000 to retain the firm of Walter Kulash, Consultant to review the one-way pairs issue.

MOTION: Appropriate up to \$1,000 from the City Commission Contingency Fund to retain Consultant Walter Kulash to review the issue of one-way pairs and report to the 3/18/99 MTPO meeting; and further, ask the Alachua County Commission to share in the expense.

RECOMMENDATION *The City Commission appropriate funding of up to \$1,000 to retain a person whose expertise is one-way pairs, specifically Consultant Walter Culash.*

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

Mark Goldstein - Report on Enforcement Action on Rental Housing (NB)

Citizen Mark Goldstein asked for the status of a requested report on the conversion of single family housing into rental housing.

City Manager Wayne Bowers informed the Commission that the report was completed and referred to the Public Safety Committee.

981144 Roger Brower, North Central Florida Hurricane Response Exhibition

Citizen Roger Brower gave a presentation and the requested action.

MOTION: Approved the following: 1) City to co-sponsor; 2) appropriate \$1,792 from the City Commission Contingency Fund; and 3) and waive the permit fee

RECOMMENDATION *The City Commission: 1) co-sponsor the event; 2) appropriate \$1,792 from the City Commission Contingency Fund; and 3) waive the permit fee.*

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

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

981137 Metropolitan Transportation Planning Organization (MTPO)

Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the March 4, 1999 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

This matter was Placed on File

981045 Gainesville Police Department Community Programs

Gainesville Police Department Chief Don Shinnamon gave a presentation.

RECOMMENDATION *The City Commission hear a report by Police Chief Donald Shinnamon on current community programs sponsored by the Gainesville Police Department.*

This matter was Placed on File

981070 City Commission Retreat Final Report

City Manager Wayne Bowers gave a presentation.

*Chair P. DeLaney left the meeting room (5:01 pm)
Chair Pro Tem Hanrahan assumed the gavel and temporarily chaired the meeting.*

MOTION: Approved to establish a standing committee to deal with issues of code

enforcement; and further, instruct the Clerk of the Commission and the City Attorney to prepare an amendment to the Rules of the City Commission (Vote 4-0, Mayor P. DeLaney absent)

Chair P. DeLaney re-entered the meeting room (5:16 pm) and reassumed the gavel.

RECOMMENDATION *The City Commission receive the report, hear a brief summary of the report from staff, and give staff further direction for establishing Commission goals.*

A motion was made by Commissioner Delaney, seconded by Commissioner Jennings, that this matter be Approved, as shown above. 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

981119 FY 2000 Federal Legislative Agenda

...Explanation

The City's federal lobbyist, Marilyn Berry-Thompson has prepared a report outlining the City's proposed FY 2000 Federal Legislative Agenda. The report was compiled based on discussions held in December with City Commissioners, City staff and the lobbyist.

...Fiscal Impact

None

...Recommendation

The City Commission discuss the report and confirm that the four items highlighted in the report reflect the City's FY 2000 initiatives to be pursued at the Federal level.

RECOMMENDATION *The City Commission discuss the report and confirm that the four items highlighted in the report reflect the City's FY 2000 initiatives to be pursued at the Federal level.*

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

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Recreation and Cultural Affairs Committee

Advisory Boards/Committees (Appointments/Reports)

981138 Appointment of County Commissioner Robert "Hutch" Hutchinson to the East Gainesville Sprout Task Force

NOTE: Alachua County Commissioner Hutchinson replaces Alachua County Commissioner Wheat.

RECOMMENDATION *The City Commission appoint Commissioner Robert "Hutch" Hutchinson and Kerry Rowell to the East Gainesville Sprout Task Force and consider other appointments as needed.*

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

Outside Agencies

Members of the City Commission

Commission Comments

Recess Until 6:00 PM

Pledge of Allegiance

Troop #808

Proclamations/Special Recognitions

981136 Black History Month

RECOMMENDATION *Ebony Appreciation Banquet Committee Member Ruthie Sharon Hale to accept the proclamation.*

This matter was Placed on File

981142 Love, Life, And Legs VII

RECOMMENDATION *Joe Antonelli to accept the proclamation.*

This matter was Placed on File

Clerk of the Commission Kurt Lannon - Mayor P. DeLaney - Presentation of Five Year Certificate (NB)

Public Hearings

981134 Kathleen L. Nail vs. City of Gainesville / Case Number 98-993-CA

City Special Counsel Dudley Birder gave a presentation.

Chair P. DeLaney opened the public hearing.

Chair P. DeLaney closed the public hearing.

RECOMMENDATION *The City Commission 1) hold a public hearing; 2) approve the terms of the settlement and 3) authorize the City Manager and the City Attorney to settle the case.*

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

Ordinances - 1st Readings- ROLL CALL REQUIRED

980761 Ordinance No. 0-99-31

An ordinance of the City of Gainesville, Florida, relating to the General Employees Pension Plan, amending Section 2-523(c)(2) of the Code of Ordinances relating to members of the plan; creating Section 2-523(i) of the Code of Ordinances providing for limited participant re-entry or transfer of vested accrued benefit; amending Section 2-526(a)(3) of the Code of Ordinances to provide an optional form of benefit; 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 Jennings, 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

980949

Ordinance No. 0-99-32

An ordinance of the City of Gainesville, Florida, amending Chapter 26, Article III, Division 4 of the Code of Ordinances relating to controlled vehicular parking, allowing areas to be designated based on future as well as current conditions, allowing areas to be designated in the central city district, allowing areas to be designated by the city commission; allowing parking in designated areas to be by decal/permit or by paying a parking meter fee, clarifying and simplifying the permit/decal process; and reorganizing the sections for readability; amending section 26-46, updating references to articles and sections; amending Appendix A of the Code of Ordinances to set fees for parking decals and permits; 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 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

Ordinances - 2nd Readings- ROLL CALL REQUIRED

980727

Ordinance No. 0-99-23, Petition No. 201LUC98PB

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property from "Residential Low Density (up to 12 units per acre)" to "Public Facilities"; located in the vicinity of 2145 Southeast 2nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

980728 Ordinance No. 0-99-24, Petition No. 202PSZ-98PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district"; by permitting a parking area and stormwater drainage system as accessory uses to the principal permitted use of the administration of public health programs and associated health care, medical and social services on adjacent property without the requirement of a preliminary development plan; located in the vicinity of 2145 Southeast 2nd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Resolutions- ROLL CALL REQUIRED

981051 Thomas Center Endowment Trust Fund Resolution

RECOMMENDATION *The City Commission adopt the proposed Resolution establishing a perpetual care trust known as the Thomas Center Endowment Trust Fund for purposes of receiving funds for the sole use and benefit of the City owned Thomas Center located in the City of Gainesville.*

A motion was made by Mayor- Commissioner Pro Tem 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, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

981123 A Resolution of the City Commission for the Temporary Closing of a State Road for the 1999 Great Gainesville Road Race on March 13, 1999.

RECOMMENDATION

requests the temporary closing of a state road for the 1999 Great Gainesville Road Race, providing an immediate effective date.

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

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

981126 A Resolution of the City Commission for the Temporary Closing of State Road 26 for City of Gainesville Elections on March 16 and March 30, 1999.

RECOMMENDATION *The City Commission adopt the proposed resolution, which requests the temporary closing of a left turn lane on a state road for two City elections in March, 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, Edward L. Jennings, Sr. and Paula M. DeLaney

981127 A resolution of the City Commission for Temporary Closing of two State Roads for the 1999 March of Dimes WalkAmerica on Saturday, March 27, 1999.

RECOMMENDATION *The City Commission adopt the proposed resolution, containing the request for a temporary closing of State Road 121 and State Road 222 for the 1999 March of Dimes WalkAmerica and providing an immediate effective date.*

A motion was made by Mayor- Commissioner Pro Tem 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, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

981129 A Resolution of the City Commission for the Temporary Closing of three State Roads for the 1999 Tri-Gator Sprint Triathlon on March 21, 1999.

RECOMMENDATION *The City Commission adopt the proposed resolution, containing the request for a temporary closing of State Road 26A (Southwest 2nd Avenue), State Road 26 (University Avenue) and State Road 25 (Southwest 13th Street) for the 1999 Tri-Gator Sprint Triathlon, and providing an immediate effective date.*

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

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

981141

A Resolution of the City of Gainesville, Florida, requesting that the Florida State Legislature and the Governor assist local governments with increased funding for unmet transportation projects and under funded child education and child welfare programs through the allocation of State budget surplus funds.

RECOMMENDATION *The City Commission adopt the Resolution subject to the approval of the City Attorney as to form and legality.*

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

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

Plan Board Petitions

Development Review Board Petitions

Scheduled Evening Agenda Items

Unfinished Business

Commission Comment

C/Hanrahan - Clean Air Summit Update (NB)

Commissioner Hanrahan gave an update to the Commission regarding the Clean Air Summit including: 1) the parking "cash out" item; and 2) the pollution prevention program

C/Hanrahan - Chamber of Commerce Trip (NB)

Commissioner Hanrahan informed the Commission that she would be able to go on the Chamber of Commerce trip to Chattanooga on behalf of the City.

C/Calkins - Noise Complaint (NB)

Commissioner Calkins relayed to the Commission a complaint received from a

Citizen about loud "boom box" music from cars in the area of N.E. 9th Street and 10th Avenue.

The City Manager will follow-up on the complaint.

C/B. Delaney - Arrest & Follow-Up (NB)

Commissioner B. Delaney told the Commission of how a GPD Officer played a constructive role during an arrest.

Chair P. DeLaney - Equal Opportunity Handbook (NB)

Chair P. DeLaney asked if the Equal Opportunity/Affirmative Action (EO/AA) handbook has been circulated to all Charters and the EO/AA Ad Hoc Committee.

The City Manager stated that the handbook had been given to the Ad Hoc Committee and Charters.

Citizen Comment

981145 Dwight Adams - Corporate Welfare

Citizen Dwight Adams gave a presentation.

MOTION: Referred to the Local Government Cooperation Committee.

RECOMMENDATION *The City Commission hear comments.*

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.

Frederick Peterkin - Comments Regarding Government in the Sunshine (NB)

Rev. Tim Keyes - Comments Relating to noise ordinance violations (NB)

Chair P. DeLaney - Clarification to Hot Line Caller (NB)

City Manager - Building Code Video (NB)

City Manager Bowers asked and the Commission agreed to view a video relating to the Building Code.

Adjournment - 7:54pm

Kurt M. Lannon, Clerk of the Commission