

City of Gainesville

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



Meeting Minutes

Monday, January 13, 1997

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

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

City Manager, Consent Agenda Items

960385 **Housing Rehabilitation Insulating and Venting Grant to Carleton Thomas**

RECOMMENDATION *The City Commission authorize additional funds of 4,850.00 for a housing rehabilitation loan and grant award to Carleton Thomas (new not exceed amount of \$45,575.00).*

This Matter was Approved as Recommended on the Consent Agenda.

960723 **Appointment of the Mass Transit Representative/Alternate to the Alachua County Transportation Disadvantaged Coordinating Board**

RECOMMENDATION *The City Commission appoint Perry J. Maull, Transit Director as the Mass Transit representative on the Alachua County Transportation Disadvantaged Coordinating Board and appoint Chadwick Reese, Alternate.*

This Matter was Approved as Recommended on the Consent Agenda.

960725 **Approval to Accept Additional Funding from the U.S. Department of Justice COPS Universal Hiring Program to Supplement Existing Grant Award #95CCWX0284 and to Extend the Award End Date (B)**

RECOMMENDATION *The City Commission authorize the City Manager: 1) to accept the COPS Universal Hiring Supplemental Award, 2) to include in the next amendatory resolution the appropriation of \$33,234 from the Law Enforcement Contraband Forfeiture Trust Fund for the 1996/97 Universal Hiring grant match, 3) to execute the grant award contract, pending approval by the City Attorney as to form and legality, and 4) to execute any additional documents that may be necessary.*

This Matter was Approved as Recommended on the Consent Agenda.

960726 **Dedication of the Roadways in the Northwood Commercial Park**

RECOMMENDATION *The City Commission authorize the City Manager to accept deeds and easements from the Northwood Commercial Park*

Owners' Association, thereby creating the public rights needed to maintain the roadways and their related stormwater discharge, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

960731 Reauthorize the Historic Preservation/Building Code Subcommittee (see Legislative File # 951171)

RECOMMENDATION *The City Commission reauthorize the Historic Preservation Board Subcommittee on the Building Code to continue work for another six months.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

960739 Granting Quit Claim Deed to Alachua County to facilitate SW 35 Place extension

RECOMMENDATION *The City Commission: 1) approve the granting of a Quit Claim Deed to Alachua County for a portion of Lift Station #35 to facilitate SW 35 Place extension; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the Quit Claim Deed, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

960740 Railcar Maintenance Facility - Trackage

RECOMMENDATION *The City Commission authorize the issuance of a purchase order to R. W. Summers Railroad Contractor, Inc. in an amount not to exceed \$90,566.00 for the construction of trackage for the railcar maintenance facility at the Deerhaven Generating Station.*

This Matter was Approved as Recommended on the Consent Agenda.

960741 Tower and Ground Space Lease Agreements - Serenola Substation Site.

RECOMMENDATION *The City Commission authorize the General Manager or his designee to negotiate and execute Tower and Ground Space Lease Agreements for the placement of communications*

equipment on the GRU Serenola Substation communication tower and site, subject to the approval of the City Attorney as to form and legality.

This Matter was Approved as Recommended on the Consent Agenda.

960742 An Ordinance amending Article IV, Water and Sewerage, of the Gainesville Code of Ordinances.

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Section 27-102 of Chapter 27 of the Gainesville Code of Ordinances authorizing the General Manager to develop a policy that allows initiating developers to be refunded by subsequent developers for the portion of the cost of the force main used by subsequent developers.*

This Matter was Approved as Recommended on the Consent Agenda.

960743 Temporary Personnel Services Contract

RECOMMENDATION *The City Commission: 1) authorize the General Manager and the City Manager or their designees to execute contracts with (a) TempForce, as the primary supplier for general, labor and clerical temporary personnel services; (b) Norrell Services, as the secondary supplier for general and clerical temporary personnel services; and (c) Wal-Staff, as the secondary supplier for labor temporary personnel services, for Gainesville Regional Utilities and General Government, on an as needed basis for FY 97, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed the budgeted amounts for these services for FY 97.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

960716 James Grayson, et al v. Gainesville Regional Utilities, et al; Case No. 93-7434, Circuit Court, Hillsborough County.

RECOMMENDATION *The City Commission authorize the retention of Mr. Chris Kolos of the law firm of Burke & Kolos to represent the City in a case styled James Grayson, et al v. Gainesville Regional Utilities, et al; Case No. 93-7434, Circuit Court, Hillsborough County.*

This Matter was Approved as Recommended on the Consent Agenda.

960717 Petition for Charter Amendment

RECOMMENDATION *The City Commission authorize the City Attorney to draft a resolution containing a ballot summary and putting the proposed charter amendment initiative on the 1998 regular election ballot.*

This Matter was Approved as Recommended on the Consent Agenda.

960718 Election districts

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending section 9-1.1 of the Code of Ordinances to correspond with precinct changes made by the Supervisor of Elections.*

This Matter was Approved as Recommended on the Consent Agenda.

960727 Barnett Bank, N.A., a Florida corporation, Plaintiff, vs. Tex Fox, Defendant, and Deer Haven Generating Station, Garnishee; Case No. 96-3626-CC

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Council if insurance coverage is available, to defend the City in a case styled Barnett Bank, N.A., a Florida corporation, Plaintiff, vs. Tex Fox, Defendant, and Deer Haven Generating Station, Garnishee; Case No. 96-3626-CC (Continuing Writ of Garnishment)*

This Matter was Approved as Recommended on the Consent Agenda.

Clerk of the Commission, Consent Agenda Items

960720 City Commission Minutes of December 9 and 20, 1996

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

This Matter was Approved as Recommended on the Consent Agenda.

960722 Development Review Board

RECOMMENDATION *Accept the resignation of Charles S. Chestnut IV from the*

Development Review Board effective immediately.

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency Consent Items

End of 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) Two New Items from the Personnel and Organizational Structure Committee - File No. 950593 - Travel Policy and File No. 960611 - First Amendment to Agreement between the City and the Gainesville/Alachua County Regional Airport Authority; and 2) File No. 960724 - Revised recommendation

Special Presentations

Charter Officer Updates

Clerk of the Commission

960750 Greenway Ballot Task Force

MOTION: Continue until the City Attorney returns with an opinion of the ballot language.

Chairman Jennings recognized Citizen Francine Robinson who spoke to the matter.

RECOMMENDATION *The City Commission discuss the referral and take action deemed appropriate.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, that this matter be Continued. The motion carried unanimously.

City Manager

960729 Special Presentation on the Pop Warner Football Program

RECOMMENDATION *The City Commission hear a special presentation by Cliff Crawford, Recreation and Parks Director and Clarence Mills Recreation Manager on the Pop Warner Football Program.*

This matter was Placed on File

960730 Reichert House Program

Chairman Jennings recognized Citizen Mesura Shahid who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation of the Reichert House Program.*

This matter was Placed on File

960732 Plaza Events

RECOMMENDATION *The City Commission hear a status report on Plaza event programs.*

This matter was Placed on File

960733 Hazardous Tree Removal Policy

RECOMMENDATION *The City Commission endorse the administrative procedures outlined in the Hazardous Tree Removal Policy.*

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

960734 City Commission request for a survey of cities regarding vacation of right-of-way.

RECOMMENDATION *The City Commission hear a brief presentation from Planning Staff on the survey.*

This matter was Placed on File

960748 Sale of Property at Airport Industrial Park

The Commission asked the City Manager review the request from the Gainesville/Alachua County Airport Authority regarding a Tax Increment District at the Airport and report back to the City Commission.

RECOMMENDATION *The City Commission approve the contract for sale of Airport Industrial Park property to Florida Food Service and direct the City Manager to execute the documents subject to the approval of the City Attorney as to form and legality.*

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

960190

Equal Opportunity Department/Affirmative Action Plan Ad Hoc Committee

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

Commissioner B. Delaney moved and Commissioner P. DeLaney seconded to approve the recommendation (later reconsidered)

Commissioner Hanrahan moved and Commissioner B. Delaney seconded to reconsider the motion. (Motion Carried Unanimously)

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

Commissioner P. DeLaney moved and Commissioner B. Delaney seconded to send the statement of Rodney Long to the Equal Opportunity/Affirmative Action Plan Ad Hoc Committee for consideration and return to the City Commission (Motion Carried Unanimously)

RECOMMENDATION *1) The City Commission give permission for the Mayor-Commissioner to write the Alachua County Commission requesting that the City of Gainesville be included under the County's Equal Opportunity Ordinance and for the County to handle all external complaints within the Gainesville City limits; 2)and for the Commission to consider any other items requiring their approval from the January 8, 1997, Ad Hoc Committee Meeting, including the hiring of an Affirmative Action Officer.*

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

General Manager for Utilities

City Attorney

City Auditor

Committee Reports

Public Works Committee

951202 Reduction in Travel Lanes on SE 2nd Avenue (from SE 5th Avenue to Williston Road)

RECOMMENDATION *The City Commission remove this referral from the Referral List.*

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

Personnel & Organizational Structure Committee

960600 Addition to the Occupational Index of a new position of Public Works Director, as part of the City Manager's reorganization.

RECOMMENDATION *The City Commission approve the addition of a new position of Public Works Director to managerial pay grade 84 (\$54,847 to \$82,479).*

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

960695 Addition to the Occupational Index of a new position in the Department of Cultural Affairs.

Chairman Jennings recognized Citizens Vincent Mallet, Deborah Greggor and Grant Thrall who spoke to the matter.

RECOMMENDATION *The City Commission approve the addition to the Occupational Index of a Plaza Events Technician, CWA pay grade 10 (\$18,778 to \$24,638).*

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

960710 Sick Leave Accumulation For Employees in a Defined Contribution Retirement Plan

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commisison authorize the Personnel and Organizational Structure Committee to research and make a recommendation on the issue of accumulative sick leave for employees not covered under a Defined Benefit Retirement Plan. Currently employees in a Defined Benefit Retirement Plan may use their accumulated sick leave toward credited service upon termination with the City. Employees in Defined Contribution Retirement Plan do not have credited service and lose any benefit of sick leave upon termination with the City.*

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on July 13, 1997. The motion carried unanimously.

960761 Leave Consolidation

RECOMMENDATION *The City Commission ask the Personnel and Organizational Structure Committee review the issue of having sick, vacation and annual leave consolidated into one personal leave and return to the Commission with any collective bargaining issues.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner DeLaney, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on July 13, 1997. The motion carried unanimously.

960593 Travel Policy

RECOMMENDATION *The City Commission amend the City Travel Policy as recommended by the Personnel and Organizational Structure Committee, as reflected in the proposed Draft Travel Policy, dated January 13, 1997.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, that this matter be Continued for January 27, 1997. The motion carried unanimously.

960611 First Amendment to Airport Agreement

RECOMMENDATION *The City Commission approve the proposed Gainesville/Alachua County Regional Airport Authority (GACRAA) First Amendment to Agreement as recommended*

by the Personnel and Organizational Structure Committee and approved by the Gainesville/Alachua County Regional Airport Authority.

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

Public Safety Committee

960594 George Comee-Gator Frost Vending

RECOMMENDATION *The City Commission 1) instruct the City Manager and City Attorney staff to review this referral for policy direction of vendor/peddler permit and its applicability to Mr. Comee's Gator Frost business in an effort to resolve staff's interpretation of mobile versus stationary requirements as an immediate solution; and 2) ask staff to review those ordinances dealing with peddler, solicitor, special events, mobile food cart, and vendor permits for consideration of consolidating the ordinances for more concise interpretation and enforcement.*

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

960612 Richard T. Jones

Chairman Jennings recognized Citizens Grant Thrall and Vincent Mallet and St. Francis House Executive Director Bob Tancig who spoke to the matter.

ADDITIONAL MOTION: Commissioner P. Delaney moved and Commissioner Hanrahan seconded to authorize Commissioner Calkins and Chairman Jennings to work with the Clerk and the City Manager to take the initiative in contacting the other groups (Motion carried unanimously)

RECOMMENDATION *The City Commission take the initiative in contacting other groups, e.g., County Commission, Chamber of Commerce, University and SFCC officials, Legislative delegates, churches, etc. for dialogue regarding the needs of the homeless, the limits with regards to the current ordinance on St. Francis House and the impact on the community in its entirety, and 2) remove this item from the PSC referral list.*

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

960712 Multi-Agency Task Force on Public Housing and Law Enforcement

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission remove from the Public Safety Committee referral list.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the Public Safety Committee, due back on July 13, 1997. The motion carried unanimously.

Audit & Finance Committee**Legislative Committee****960348 Marketing Techniques of Bars**

RECOMMENDATION *The City Commission discuss whether to recommend the State Legislature consider some type of requirement regarding the provision of food and/or snacks in "all you can drink" and other similar discount alcoholic drink promotions, and take the action deemed appropriate*

This matter was Continued for January 27, 1997

960699 Sarah Poll - Referral Request to the Legislative Committee

RECOMMENDATION *To recommend that the City Commission discuss whether or not to recommend a change in the Code of Ordinances or State Statutes to require door hooks and toilet seat covers in public restrooms, and take the action deemed appropriate.*

This matter was Continued for January 27, 1997

960636 State Legislative Priorities

The Legislative Committee will return at the January 27, 1997 with the completed Legislative Priorities.

RECOMMENDATION *To recommend that the City Commission discuss and endorse the 1997 State Legislative Priorities.*

This matter was Discussed

Economic Development Committee

Regional Utilities Committee

951502 **Solar Photovoltaic Green-Pricing Project**

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission authorize staff to proceed with the Solar Photovoltaic Green-Pricing Program; and authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Appendix A of Chapter 27, UTILITIES, Electric Documentation, to develop the rates and charges necessary to recover the costs of the Solar Photovoltaic Green-Pricing Program from participating customers.*

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

Advisory Boards/Committees

960735 **Arts Funding for Professional Organizations Referral**

RECOMMENDATION *The City Commission hear a report from the Gainesville-Alachua County Cultural Affairs Board regarding the November 12, 1996 referral concerning arts funding for Professional Organizations.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, to receive the report from the Gainesville/Alachua County Cultural Affairs Board; and further, give final approval of the funding allocations made on November 12, 1996. The motion carried unanimously.

960736 **Change in a City Beautification Board Special Project**

RECOMMENDATION *The City Commission approve the requested change and re-allocate the \$800.00 currently in the City Beautification Board's budget for the Matheson Historical Center Oak Species Garden Brochure to a general brochure on the Sweetwater Branch Botanical Garden.*

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

960737 Request for City of Gainesville to co-sponsor the State meetings of the Florida Native Plant Society on May 15, 16, 17, and 18, 1997 in Gainesville.

RECOMMENDATION *The City Commission agree for the City of Gainesville to co-sponsor the state meetings of the Florida Native Plant Society.*

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

960738 Professional Services/Waldo Road Median Grant Application

RECOMMENDATION *The City Commission approve the expenditure of up to \$5,000 from the City Commission allocation for beautification and infrastructure projects for Professional Landscape Architectural Services to design, develop, complete, and submit a Highway Beautification Grant Application by February 1, 1998.*

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

Outside Agencies

960745 Actuarial Firm Selection Recommendation of The Board of Trustees for the Consolidated Police Officers' and Firefighters' Pension Plan.

RECOMMENDATION *The City Commission award the contract for Actuarial Services for the Consolidated Police Officers' and Firefighters' Pension Plan to Buck Consultants.*

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

Members of the City Commission/Commission Comment

960744 Charter Officer Annual Performance, Salary and Benefits Review

MOTION: Authorize a 3% raise for the General Manager for Utilities Mike Kurtz retroactive to the anniversary date.

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission review the salary and benefits of the*

General Manager and make any changes deemed appropriate.

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

960756 Charter Officer Annual Performance, Salary and Benefits Review

MOTION: Authorize a 3% raise in salary for City Attorney Marion J. Radson retroactive to the anniversary date.

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission review the salary and benefits of the City Attorney and make any changes deemed appropriate.*

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Approved, as shown above. The motion carried unanimously.

960757 Charter Officer Annual Performance, Salary and Benefits Review

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *The City Commission review the salary and benefits of the City Auditor and make any changes deemed appropriate.*

This matter was Continued for January 27, 1997

960758 Charter Officer Annual Performance, Salary and Benefits Review

RECOMMENDATION *The City Commission review the salary and benefits of the Clerk of the Commission and make any changes deemed appropriate.*

Continued

Adjourn Until 6:00 PM

Invocation and Pledge of Allegiance

Danny Austin- Assoc. Pastor, Northwest Baptist Church

Boy Scout Troop #82

Proclamations

960746 Arbor Day

RECOMMENDATION *Meg Niederhofer, City Arborist; Dr. Francis Putz, Tree Advisory Board Chair; and Arnall Downs, City Beautification Board Chair, to receive a proclamation.*

This matter was Placed on File

960747 Chandler Otis Day

RECOMMENDATION *Chandler Otis of Campus Cycle Works, Inc. to receive a proclamation.*

This matter was Placed on File

960759 Louis Pennisi Day

RECOMMENDATION *Mr. Louis Pennisi to receive a proclamation.*

This matter was Placed on File

Citizen Comment

960762 Co-sponsorship of St. Valentine's Day Benefit for St. Francis House

Chairman Jennings recognized St. Francis House Executive Director Bob Tancig who spoke to the matter.

RECOMMENDATION *The City Commission 1) hear a presentation from staff; 2) authorize City co-sponsorship of the event by providing funds for City support services; and 3) authorize a transfer from City Commission Contingency into the City's Events account #001-970-9700-5190 in an amount up to \$1,000, based on actual support service costs.*

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, that this matter be Referred to the City Manager, due back on January 27, 1997. The motion carried unanimously.

Frederick Peterkin - School Site on Eastside of Alachua County

Citizen Frederick Peterkin asked the City Commission to relay to the School Board of Alachua County support for siting a school on the eastside of Alachua County.

The Commission asked the City Manager (Planning Staff) to make a recommendation on the school siting.

Vincent Mallett - Elected Public Officials Responsibility

960674 Naming of the Multi-purpose Facility and Renaming of the Northeast Liaison Center

MOTION: To name the multi-purpose facility under construction at Citizens Park the Martin Luther King, Jr. Multi-Purpose Center and rename the Northeast Liaison Center as the Northeast Community Center. (Motion Carried Unanimously)

Chairman Jennings recognized National Association for the Advancement of Colored People (NAACP) President Ruth Brown, Martin Luther King, Jr., Commission of Florida President Rodney Long, and Citizens Vincent Mallet and Jack Carter who spoke to the matter.

RECOMMENDATION *The City Commission name the multi-purpose facility under construction at Citizens Park as the "Citizens Park Multi-purpose Center" and rename the Northeast Liaison Center as "Northeast Community Center".*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Delaney, that this matter be Approved, as shown above. The motion carried unanimously.

960719 Dr. Alfred Ring

The Commission agreed for Commissioner Hanrahan to act as liaison regarding the issues of concern.

RECOMMENDATION *The City Commission hear a presentation from Dr. Alfred Ring concerning restrooms, handicapped parking and maintenance at Ring Park.*

This matter was Placed on File

960749 Phyllis Saarinen - Clean Air Ordinance

Chairman Jennings recognized Citizens Mark Kane Goldstein, Vincent Mallet and Jack Carter who spoke to the matter.

ADDITIONAL MOTION: Commissioner P. DeLaney moved and Commissioner Hanrahan seconded to refer the issue to the City Attorney, Utilities Attorney and general government and utilities technical staff for review and recommendation. (Motion Carried Unanimously)

RECOMMENDATION *The City Commission: 1) direct staff to provide Florida Rock Industries (FRI's) with an estimate of the cost to extend natural gas services to the proposed cement plant site and solicit FRI's interest in using natural gas as a fuel for the plant; 2) direct staff to provide Florida Rock Industries with all the information they have received regarding Gyro-Therm burner technology; and 3) authorize the Mayor-Commissioner to send a letter to the Florida Department of Environmental Protection (FDEP) requesting that FDEP evaluate the need for additional ambient air monitoring stations in Alachua County and provide recommendations about how to develop ambient air quality trend data.*

A motion was made by Commissioner Delaney, seconded by Commissioner DeLaney, that this matter be Assigned to the Regional Utilities Committee, due back on July 13, 1997. The motion carried unanimously.

960724 Regional Community Policing Institute

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to the U.S. Department of Justice for up to \$1 Million in Federal funds to develop and implement a Regional Community Policing Institute; and, 2) approve in concept the required Collaboration Agreement expressing the roles of the Partners in the Institute, and authorize the City Manager to execute an agreement, pending review by the City Attorney as to form and legality.*

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

Public Hearings

960174 Proposed Use of U. S. Department of Justice Local Law Enforcement Block Grant Funds

Chairman Jennings opened the public hearing.

Chairman Jennings recognized Citizens Vincent Mallet and Jack Carter who spoke to the matter.

Chairman Jennings closed the public hearing.

RECOMMENDATION *The City Commission: 1) hear a report from staff on the City's proposed use of these funds; 2) hold a public hearing regarding the City's proposed use of funds awarded under the Local Law Enforcement Block Grants Program, established*

within the Bureau of Justice Assistance under the Fiscal Year 1996 Omnibus Appropriations Act (Public Law 104-134); and, 3) receive written and oral public input about the local government's entire budget and the relation of the grant to the entire budget.

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

Ordinances - 1st Readings- ROLL CALL REQUIRED

960627 Ordinance No. 0-96-95

An ordinance of the City of Gainesville, Florida appointing members to the Gainesville Enterprise Zone Development Agency; providing a severability 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.

960677 Ordinance No. 0-96-96

An ordinance of the City of Gainesville, Florida, designating Carol Villemaire as Chair and Jeannie McDonald as Vice Chair to the Gainesville Enterprise Zone Development Agency; and providing an immediate effective date.

Chairman Jennings recognized Citizen Vincent Mallet 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 and Edward L. Jennings, Sr.
Absent: Pegeen Hanrahan

Ordinances - 2nd Readings- ROLL CALL REQUIRED

960440 Ordinance No. 0-96-94

An ordinance of the City of Gainesville, Florida, relating to the Gainesville-Alachua County cultural affairs board and the art in public places trust amending section 2-282 of the Code of Ordinances by removing qualifications for members appointed by the city commission and removing the requirement that the members of the cultural affairs board serve concurrently as members of the art in public places trust; amending section 5.5-2 of the code of ordinances authorizing art in public places trust committees for certain building construction or renovation projects; decreasing the number of members of each committee to seven, providing qualifications for members; amending section 5.5-3 of the Code of Ordinances authorizing the city manager to request a committee be appointed to select art for public places to be paid with retained funds; providing that the members of the cultural affairs board will no longer serve on the art in public places trust as of the effective date of this ordinance; 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 Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Resolutions- ROLL CALL REQUIRED

Plan Board Petitions

960494 Legislative Matter No. 960494. Petition 186TCH-96PB, City Plan Board. Amend the sign and landscape regulations in the Master Plan and Land Development Regulations for the College Park Neighborhood.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 186TCH-96 PB, with staff and board conditions. Plan Board vote 5-0*

Staff to Plan Board - Approve

This matter was Postponed (Petition)

960645 Legislative Matter No. 960645. Petition 206TCH-96 PB. Joseph Cirulli, Owner. Amend Special Area Plan for Triangle (Appendix A, Section 2) of the City of Gainesville Land Development Code to allow physical fitness facilities to have a secondary access off N.W. 8th Avenue, and provide proposed circulation system for the Triangle Area. Zoned: CP (Corporate Park)

RECOMMENDATION *The City Commission continue the Public Hearing on Petition*

206TCH-96 PB to March 10, 1997.

City Plan Board Action - Continue Petition 206TCH-96 PB to February 20, 1997.

A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, that this matter be Continued (Petition) for February 10, 1997. The motion carried unanimously.

960692 **Legislative Matter No. 960692. Petition 208SVA-96 PB. Alan Bumberg of Fog Development, et al. Pursuant to Section 30-192(b), Land Development Code to vacate the southerly 127.5 feet MOL of N.E. 12th Street, lying north of East University Avenue.**

Chairman Jennings recognized Petitioner Agent Ralph Eng and Citizens Vincent Mallet and Jack Carter who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 208SVA-96 PB, with staff conditions. Plan Board vote 7-0*

Staff to Plan Board - Approve, with conditions

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

960693 **Legislative Matter No. 960693. Petition 225TCH-96PB Amend Section 30-112, Historic Preservation/ Conservation Code to modify zoning requirements; enhance provisions against demolition by neglect; add tax incentives; impose time limits on Certificates of Appropriateness; and revise economic hardship provisions.**

AMENDMENT: Change time period from "next regular meeting" to wording that would represent a reasonable time period

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 225TCH-96 PB. Plan Board vote 7-0*

Staff to Plan Board - Approve

A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Approved as Amended (Petition). The motion carried unanimously.

960694 **Legislative Matter No. 960694. Petition 226 TCH-96 PB. City Plan Board. Amend Section 30-68(C)(1) of the City of Gainesville Land Development Code to allow Miscellaneous Retail (Major Group 59) as permitted use in the W (Warehousing and Wholesaling) district.**

Chairman Jennings recognized Citizen Vincent Mallet who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 226TCH-96 PB. Plan Board vote 7-0*

Staff to Plan Board - Approve

A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, that this matter be Approved as Recommended (Petition). 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

Development Review Board

Unfinished Business (from 3:00 PM Session)

Commission Comment

Commissioner P. DeLaney - Arbor Day Celebration/Planning Retreat

Commissioner P. DeLaney suggested a Commissioner attend the Arbor Day Celebration at 12 Noon on January 17, 1997.

Commissioner B. Delaney - Sunday on Saturday Event Comments

Citizen Comment

Vincent Mallet - Citizen Concerns

Adjournment (10:00 PM; motion needed to continue)

Items Pending in Committee (for information only)

Kurt M. Lannon, Clerk of the Commission