

City of Gainesville

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



Meeting Minutes

Monday, April 27, 1998

3:00 PM

City Hall Auditorium

City Commission

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

Invocation

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

Dr. Robert W. Battles, Jr., First Presbyterian Church

Consent Agenda

With the following modification: File No. 971111 - Remove From Consent Agenda and place on Regular Agenda.

A motion was made by Commissioner DeLaney, 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

960202 Release of Deed Restriction, Lot Number 1 - Porter's Court

RECOMMENDATION *The City Commission: 1) approve the release of the "low-income" deed restriction on Lot #1 in Porter's Court (tax parcel 13020-010-001); 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute an appropriate document to release said deed restriction, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager to budget the funds reimbursed by NHDC for Lot #1 in Porter's Court for other homebuyer activities.*

This Matter was Approved as Recommended on the Consent Agenda.

970211 Code Enforcement Tracking Software

RECOMMENDATION *The City Commission: 1) approve an additional \$15,000 from City Commission contingency for the purchase of the Code Enforcement tracking software and to provide for the necessary in-house programming support; 2) authorize an additional full-time equivalent position of Programmer analyst in the Computer Services Department; and 3) authorize the City Manager or his designee to execute an agreement with Sierra Computer Systems, Inc., in an amount not to exceed \$33,000, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

970977 Downtown Parking Study Approval of Contract Amount

RECOMMENDATION *The City Commission authorize: 1) a transfer from the UDAG Fund Balance in the amount of \$9,000; 2) the City Manager, or his designee, to enter into a contract for the Downtown Parking Study with Kimley-Horn and Associates, Inc. in the amount of \$58,963, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

971122 Amendment Number 1 to SHIP (State Housing Initiatives Partnership) Special Needs Housing Agreement for Pleasant Place, Inc.

RECOMMENDATION *The City Commission: 1) approve the first amendment of the three-party agreement between the City of Gainesville, Alachua County and Pleasant Place, Inc., to increase the current SHIP Special Needs Housing contract of \$24,000 by \$21,706.25 from State FY 1995-96 SHIP funds for the Pleasant Place project; and 2) authorize the City Manager or his designee to execute the amendment, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

971123 Grant Application to the State Division of Cultural Affairs for General Support

RECOMMENDATION *The City Commission: 1) authorize the application by the City's Department of Cultural Affairs, for a grant in an amount not to exceed \$60,000; and 2) authorize the City Manager or his designee to execute the grant application and subsequent agreement on behalf of the City, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

971124 Reconstruction of a portion of N.E. 49th Terrace

RECOMMENDATION *The City Commission: 1) award the bid for reconstruction of N.E. 49th Terrace to Watson Construction Company, Inc. and 2) approve the issuance of a purchase order in the amount of \$79,932.30.*

This Matter was Approved as Recommended on the Consent Agenda.

971125 Rail Trail Lighting

RECOMMENDATION *The City Commission refer Rail Trail Lighting Policy to the Public Works Committee for review and recommendation.*

This Matter was Approved as Recommended to the Public Works Committee, due back on October 27, 1998 on the Consent Agenda.

971130 Construction of N.E. 12th Avenue Extension (Cedar Grove Connector Road)

RECOMMENDATION *The City Commission: 1) award the contract for construction of the N.E. 12th Avenue Extension Road to Ellington Construction, Inc.; 2) authorize the City Manager or his designee to execute the contract, subject to approval of the City Attorney as to form and legality; and 3) approve the issuance of a purchase order in an amount not to exceed \$487,734.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items**971131 Declaration and Sale of Abandoned Water Tower Site as Surplus Property, Tax Parcel No. 6657-008-000, located in the 9200 block of Newberry Road (B)**

RECOMMENDATION *The City Commission: 1) find and declare a .40 acre parcel located in the 9200 block of Newberry Road, owned by the City of Gainesville, to be not useful in the operations of the utility system and to be surplus property; 2) approve Purchase and Sale Agreements, as negotiated by staff, for the sale of the .40 acre parcel, a portion to be deeded to the Trustees of Fort Clarke Baptist Church and a portion to be deeded to Grace United Methodist Church; 3) authorize the Mayor-Commissioner and Clerk of the Commission to execute Quit Claim Deeds, subject to approval by the City Attorney as to form and legality; and 4) authorize the General Manager for Utilities or his designee to execute any other documents necessary for the sale of surplus property, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

971132 Florida Green Keepers, Inc.

RECOMMENDATION *The City Commission: 1) approve the issuance of a Change*

Order to the Purchase order to Florida Green Keepers, Inc. for labor and materials to complete the landscaping of the perimeter of GRU's SE 5th Avenue Complex in an amount not to exceed \$17,500; 2) approve the issuance of an additional Change Order to the purchase order to Florida Green Keepers, Inc. for improvements to the trail along SE Depot Avenue between SE 3rd Street and SE 7th Street in an amount not to exceed \$6,000 (new not-to-exceed amount \$47,391.25); 3) approve funding for the improvements adjacent to the trail from the Rails-to-Trails Construction Account; and 4) approve the continuing appropriation of maintenance funds for the area adjacent to the trail in the Parks Department's annual budget.

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

971121 Kathleen L. Nail vs. the City of Gainesville, Robert K. Euler, Buford C. Williams and Cheryl E. Williams, jointly and severally; Case No.: 98-993-CA.

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel, if insurance coverage is available, to represent the City in the case styled Kathleen L. Nail vs. the City of Gainesville, Robert K. Euler, Buford C. Williams and Cheryl E. Williams, jointly and severally; Case No.: 98-993-CA.*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Personnel & Organizational Structure Comm, Consent

Public Safety Committee, Consent

Audit & Finance Committee, Consent

Legislative Committee, Consent

Regional Utilities Committee, Consent

Gville Enterprise Zone Development Agency, Consent

971126 Appointment of Gainesville Enterprise Zone Development Agency (GEZDA) Officers

...Explanation

At the April 8, 1998 meeting, the GEZDA Board voted to recommend to the City Commission the appointment of Carol Villemaire as Chair, and Jeannie McDonald as Vice Chair. According to the state statute governing the GEZDA Board, the City Commission must appoint the positions of Chair and Vice Chair.

...Fiscal Note

None.

RECOMMENDATION *The City Commission authorize the City Attorney to draft an ordinance appointing Carol Villemaire as GEZDA Chair and Jeannie McDonald as GEZDA Vice Chair.*

This Matter was Approved as Recommended on the Consent Agenda.

Clerk of the Commission, Consent Agenda Items

971107 City Beautification Board

RECOMMENDATION *The City Commission appoint Martin Rosenzweig to a vacancy on the City Beautification Board to expire November 1, 1998.*

Commissioner Sande Calkins - Rosenzweig

Commissioner Paula DeLaney - Rosenzweig

Commissioner Edward Jennings - Rosenzweig

Mayor Pro Tem Pegeen Hanrahan - Rosenzweig

Mayor Bruce Delaney - Rosenzweig

This Matter was Approved as Recommended on the Consent Agenda.

971108 City Plan Board

RECOMMENDATION *The City Commission appoint Peter M. Polshek to a vacancy on the City Plan Board to expire November 1, 1998.*

Commissioner Sande Calkins - Robert Pearce

Commissioner Paula DeLaney - Robert H. Reller

Commissioner Edward Jennings - Polshek

Mayor Pro Tem Pegeen Hanrahan - Polshek

Mayor Bruce Delaney - Polshek

This Matter was Approved as Recommended on the Consent Agenda.

971109 Development Review Board

RECOMMENDATION *The City Commission appoint Robert J. Walpole to a vacancy on the Development Review Board to expire November 1, 1998.*
Commissioner Sande Calkins - Walpole
Commissioner Paula DeLaney - Walpole
Commissioner Edward Jennings - Walpole
Mayor Pro Tem Pegeen Hanrahan - Walpole
Mayor Bruce Delaney - Readvertise

This Matter was Approved as Recommended on the Consent Agenda.

971110 Fair Housing Board

RECOMMENDATION *The City Commission appoint Debbie Gibson to a vacancy on the Fair Housing Board to expire January 1, 1999.*
Commissioner Sande Calkins - Gibson
Commissioner Paula DeLaney - Gibson
Commissioner Edward Jennings - Gibson
Mayor Pro Tem Pegeen Hanrahan - Gibson
Mayor Bruce Delaney - Gibson

This Matter was Approved as Recommended on the Consent Agenda.

971112 Historic Preservation Board

RECOMMENDATION *The City Commission appoint Dennis L. Egan to a vacancy on the Historic Preservation Board to expire June 1, 2000 and appoint Tim Hoskinson to a vacancy to expire June 1, 1998.*
Commissioner Sande Calkins - Egan & Hoskinson
Commissioner Paula DeLaney - Egan & Readvertise
Commissioner Edward Jennings - Egan & Peter Poulos
Mayor Pro Tem Pegeen Hanrahan - Egan & Hoskinson
Mayor Bruce Delaney - Hoskinson & Poulos

This Matter was Approved as Recommended on the Consent Agenda.

971149 Nature Centers Commission

RECOMMENDATION *The City Commission accept the resignation of member Michael R. Connolly from the Nature Centers Commission effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

971119 City Commission Minutes of April 13, 1998

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

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.

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

Appointment GACRAA - Dashwood Hicks (NB)

Citizen Dashwood Hicks made comments and presented the City Commission with additional back-up material.

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

971074 Adoption of City of Gainesville Recreation Plan for the Infrastructure Surtax.

City Manager Wayne Bowers made comments.

Commissioner P. DeLaney and Office of Management and Budget Director Rick Mills gave a presentation on the changes in the Recreation Plan.

MOTION: Adopt the Gainesville Infrastructure Surtax Recreation Plan as an amendment to the City's Capital Improvement Plan, as submitted on April 27, 1998 in draft form.

Chairman B. Delaney recognized Citizens Arnall Downs, Jeff Mahaloff who spoke to the matter.

RECOMMENDATION *The City Commission: 1) review the Gainesville Infrastructure Surtax Recreation Plan; 2) modify the proposal as deemed appropriate, and; 3) adopt the Gainesville Infrastructure Surtax Recreation Plan as an amendment to the City's Capital Improvement Plan.*

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

971128 Gainesville Chess Club Request for Funding

Citizen Robert Kaplan-Stein gave a presentation.

ADDITIONAL MOTION: Commissioner Hanrahan moved and Commissioner Calkins seconded to allocate an additional \$1,000 from the City Commission Contingency Fund to the overall Chess Program (Vote 5-0).

RECOMMENDATION *The City Commission deny this request due to the fact that the Chess Club's request does not meet the current funding guidelines of the Youth Sports Funding Policy.*

A motion was made by Commissioner Jennings, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended. The motion carried by the following vote:

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

971129 Grant Application for a U.S. Economic Development Administration (EDA) Public Works Impact Project Grant

City Manager Bowers asked Economic Development Director Conchi Ossa to give a presentation.

RECOMMENDATION *The City Commission: 1) authorize staff to develop a pre-application proposal to the U.S. Economic Development Administration for a Public Works Impact Project Grant to request that EDA evaluate the incubator project and invite the City to apply for grant funds to construct a facility; 2) ask staff to analyze potential sources of matching funds for the grant and return to the City Commission with a recommendation should the EDA invite the City to apply for grant funds for this project; and, 3) authorize the Mayor-Commissioner and the Clerk of the Commission to execute the proper documents.*

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

General Manager for Utilities

971133 Taxable Refunding of Outstanding Utilities System Revenue Bonds

General Manager for Utilities Mike Kurtz, Utility Finance Director Kim Simpson and Senior Electric Utility Environmental Engineer Yolanta Jonynas gave presentations.

RECOMMENDATION *The City Commission authorize: 1) staff to proceed with the issuance of taxable bonds in an amount of approximately \$300 million, interest at rates not to exceed the maximum rate permitted by law at the time of issuance, to refund all or a portion of the outstanding Utilities System Revenue Bonds Series 1979, 1980A and 1980B (the Refunded Bonds) and Utilities System Revenue Bonds, Series 1983 (1983 Refunded Bonds); 2) staff, in conjunction with the refunding effected under 1 above, to prepare and the General Manager to execute such documents as may be necessary to call and, as necessary, to establish an Escrow Account for the Refunded Bonds and 1983 Refunded Bonds; 3) the General Manager, in conjunction with its Utilities' Financial Advisor, to determine the method of the bond sale, and if necessary, to select the underwriting team; 4) the City Attorney and/or outside counsel under the supervision of the City Attorney to initiate a bond validation proceeding pursuant to law to validate the taxable bonds for the purpose described; and, 5) the General Manager or his designee to select firms necessary to provide other professional services as may be necessary to accomplish this refunding.*

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

971139 Agreement with the State of Florida Department of Environmental Protection

RECOMMENDATION *The City Commission authorize the Mayor-Commissioner and Clerk of the Commission to execute the agreement between the City of Gainesville and the State of Florida Department of Environmental Protection for air monitoring services, substantially in the form attached subject to the approval of the City Attorney as to form and legality.*

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

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

Advisory Boards/Committees (Appointments/Reports)

Recessed - 4:44pm to reconvened Board of Trustees - Reconvened - 4:52pm

971113 Pension Review Committee

NOTE: Considered at the reconvened Board of Trustees of the Employees' Pension Plan meeting.

Pension Review Committee Chair Joe Belgrade made comments and asked the members to introduce themselves.

RECOMMENDATION *The City Commission hear a presentation from the Pension Review Committee and take appropriate action.*

This matter was Placed on File

97016 Welcome Sign Update (B)

RECOMMENDATION *The City Commission approve the expenditure of \$1,260 and designate a funding source.*

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

971127 Applications for Disability Retirement

RECOMMENDATION *The City Commission approve the submitted applications for disability retirement for the below listed employees:*

- 1. Simon P. Harris, Mail Services Clerk, Finance Department*
- 2. Mary Smith, Transit Operator, Regional Transit*
- 3. Belinda Byars, Staff Assistant II, GRU - Information Systems*

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

Outside Agencies

971116 Downtown Movie Theater

Community Redevelopment Agency Executive Director Corey O'Gorman and Community Development Director Tom Saunders gave presentations.

Chairman B. Delaney recognized Citizen Tom Fox who spoke to the matter.

RECOMMENDATION *The Community Redevelopment Agency recommends to the City Commission to approve items 2, 3, 4, 6 and 8 as listed on the memorandum from CRA Executive Director Corey O'Gorman to Community Development Director Tom Saunders dated April 14, 1998; and further, staff take a further look and report back on items 9, 10 and 11 with the understanding that the approval is for this project only and does not commit the City at this time to closing any portion of SW 1st Avenue.*

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

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

Members of the City Commission

971151 Request to Negotiate an Option to Purchase or Rental Agreement for the Historic Train Depot

Commissioner Hanrahan gave a presentation.

Chairman B. Delaney recognized Citizens Tom Fox, Elizabeth Papapetrou and Kevin Aplin who spoke to the matter.

Commissioner P. DeLaney asked staff to return with the following information on the building: ownership, square footage and environmental considerations.

RECOMMENDATION *Direct staff to negotiate an appropriate rental agreement or option to purchase the historic train depot and return to the city commission for contract approval as soon as possible.*

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.

Commission Comments**Recess Until 6:00 PM****Pledge of Allegiance****Brownie Troop #99****Proclamations/Special Recognitions****971141 National Volunteer Week - April 21-28**

RECOMMENDATION *Executive Director, John Thompson to accept the proclamation.*

This matter was Placed on File

971142 Malcom Randall Day - April 27, 1998

RECOMMENDATION *Retiring Director of Veterans Administration Medical Center Malcom Randall to accept the proclamation.*

This matter was Placed on File

971143 Israel Jubilee Day - May 3, 1998

RECOMMENDATION *Accept the proclamation.*

This matter was Placed on File

971144 Public Employee Recognition Week

RECOMMENDATION *Together Everyone Achieves More (TEAM) Chair, Bernie Daquilla to accept the proclamation.*

This matter was Placed on File

971145 Kids Day America - May 9, 1998

RECOMMENDATION *Dr. John J. Johnston to accept the proclamation.*

This matter was Placed on File

971146 Nurse Week 1998 - May 6-12, 1998

RECOMMENDATION *Tacachale Nurses Carolyn Lightner, Cynthia Barr, Patricia King to accept the proclamation.*

This matter was Placed on File

971148 NeighborWorks Week - May 4-8, 1998

RECOMMENDATION *Neighborhood Housing and Development Corporation Board President Michael Lucas and Officer Andrew Wise to accept the proclamation.*

This matter was Placed on File

971147 1998 City Beautification Awards

RECOMMENDATION *The recipients of the 1998 City Beautification Awards accept their proclamations.*

This matter was Placed on File

971150 Mayor-Commissioner Bruce Delaney

Chairman B. Delaney made comments.

Comments and a presentation were made by Citizen Robert Hutchinson.

Citizen Arnall Downs made comments.

RECOMMENDATION *The City Commission hear remarks from Mayor-Commissioner Bruce Delaney.*

This matter was Placed on File

Public Hearings

971137 Proposed Settlement of Lawsuit Styled The Estate of William Purcell, et. al. vs. Florida Department of Transportation, and City of Gainesville, Case No. 96-262-CA.

Chairman B. Delaney opened the public hearing.

Chairman B. Delaney recognized Citizen Frederick Peterkin who spoke to the matter.

Chairman B. 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 or designee and City's counsel to settle the case through the execution of the appropriate documents.*

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

Ordinances - 1st Readings- ROLL CALL REQUIRED

970449 Ordinance No. 0-98-57; Petition No. 181TCH-97PB

An ordinance of the City of Gainesville, Florida, adding the definition of "farmers' market" to section 30-23 of the Land Development Code; amending section 30-66(c) of the Land Development Code relating to the central city (CCD) district by permitting farmers' markets as a use by right; amending subsection 30-67(g)(1) clarifying that the subsection does not apply to farmers' markets; creating and adding section 30-115 to the Land Development Code providing regulations for farmers' markets as a specially regulated use; 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 Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner DeLaney, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

970740 Ordinance No. 0-98-39, Petition No. 233PDA-97PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Hunter's Crossing"; amending the planned development by adopting revised development plan maps and a revised development plan report with specific reference to Phase V, to be commonly known as Magnolia Park Apartments; providing for concurrency requirements; located in the vicinity of the southwest corner of Northwest 53rd Avenue and Northwest 43rd Street; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chairman B. Delaney recognized Petitioner Agent Jay Brown who spoke to the matter.

AMENDMENT: Page 5, Line 1, add "City Manager or designee"

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, as revised (Ordinance). The motion carried by the following vote:

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

971050 Ordinance No. 0-98-52

An ordinance of the City of Gainesville, Florida, amending Section 16-26 of the Code of Ordinances relating to dangerous buildings and hazardous lands; providing for alternative methods of service of notice of a violation of Chapter 16 of the Code of Ordinances; providing directions to the codifier; providing a severability clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Ordinances - 2nd Readings- ROLL CALL REQUIRED

960936 Ordinance No. 0-97-93, Petition No. 37LUC-98PB

An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by overlaying the Planned Use District Category over certain property with the future land use categories of "Residential Low Density (up to 12 units per acre)" and "Conservation"; located in the vicinity of the 900 block of N.E. 39th Avenue, south side; providing additional conditions and directions; 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 Jennings, seconded by Commissioner DeLaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

970049 Ordinance No. 0-97-51, Petition No. 97ZON-97PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-3: 5.8 units/acre single-family residential district" to "RMF-5: 12 units/acre single-family/multiple-family residential district"; located in the vicinity of 432 S.E. 13th 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 Jennings, seconded by Commissioner DeLaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

970818 Ordinance No. 0-98-53, Petition No. 17LUC-98PB

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 "Mixed Use Low Intensity (10-30 units per acre)" and "Residential Low Density (up to 12 units per acre)" to "Public Facilities"; located in the vicinity of 1108, 1114, 1120, 1122 and 1127 S.E. 1st 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 Jennings, seconded by Commissioner DeLaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

970819 Ordinance No. 0-98-54, Petition No. 18ZON-97PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "MU-1: 10-30 units/acre mixed use low intensity" and "RMF-5: 12 units/acre single-family/multiple-family residential district" to "PS: Public services and operations district" to allow for the use as a cemetery without the approval of a preliminary development plan; located in the vicinity of 1108, 1114, 1120, 1122 and 1127 S.E. 1st 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 Jennings, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

970820 Ordinance No. 0-98-50; Petition No. 13LUC-98PB

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 "Agriculture" to "Single-Family (up to 8 units per acre)" located in the vicinity of 3714 N.W. 39th 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 Calkins, seconded by Commissioner DeLaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

970831 Ordinance No. 0-98-51; Petition No. 14ZON-98PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "AGR" (Agriculture District) to "RSF-1" (3.5 units/acre single-family residential district); located in

the vicinity of 3714 N.W. 39th 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 Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

Resolutions- ROLL CALL REQUIRED

970553 **Petition 136SUB-97DB, Public Works Department, agent for the City of Gainesville. Final plat approval of Airport Industrial Park, Unit III. Four lots on 45.80 acres. Located in the vicinity of Northeast 49th Avenue and Northeast 49th Terrace.**

RECOMMENDATION *Planning staff to City Commission - The City Commission adopt "A Resolution approving the final plat of Airport Industrial Park: Unit III, located in the vicinity of Northeast 49th Avenue and Northeast 49th Terrace; and providing an immediate effective date, Petition 136SUB-97DB.*

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

971120 **A Resolution of the City Commission of the City of Gainesville, Florida; adding and subjecting the Airport Industrial Park: Unit III to the Amended Declaration of Protective Covenants and Restrictions for the Airport Industrial Park: Unit I and Unit II, located at the Airport Industrial Park in the City of Gainesville, Florida; providing directions to the Clerk; and providing an immediate effective date.**

RECOMMENDATION *The City Commission adopt the Resolution.*

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

971134 **Adopt a resolution approving the Federal Transit Administration required drug**

and alcohol testing policy for all safety sensitive employees of the Regional Transit System.

RECOMMENDATION *The City Commission adopt the resolution approving the Federal Transit Administration required drug and alcohol testing policy for all safety sensitive employees of the Regional Transit System.*

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

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

Plan Board Petitions

971136 **Workshop on the Evaluation and Appraisal Report (EAR) for the Capital Improvements and Recreation Elements of the 1991-2001 Comprehensive Plan**

Planner Jason Simmons gave a presentation.

Chairman B. Delaney recognized Citizens Frederick Peterkin and Elaine Scott Thompson who spoke to the matter.

Senior Planner Onelia Lazzari gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from staff on the Capital Improvements and Recreation Elements.*

This matter was Discussed

Development Review Board Petitions

971135 **Petition 2SUB-98DB, James Meehan, agent for George E. and Gloria Fletcher. Design Plat approval of Palm Grove II Subdivision, 61 lots on 12.6 acres more or less. Located in the vicinity of N.W. 25 Terrace, between N.W. 31st Avenue and N.W. 39th Avenue. Zoned RSF-4.**

Planning Manager Ralph Hilliard gave a presentation.

Petitioner Agent Jim Meehan and Petitioner Cotten Fletcher made comments.

AMENDMENT: Addition of another lot for a stub road on the southeast with an easement to the City of Gainesville for right of way purposes subject to an automatic reversion to the developer if the easement not used for right of way purposes within ten years if no development occurs.

RECOMMENDATION *Development Review Board to City Commission - The City*

Commission approve Petition 2SUB-98DB with staff conditions contained in the Development Order. DRB vote 3-0.

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

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved, as Recommended, with Amended Conditions (Petition). The motion carried unanimously.

Scheduled Evening Agenda Items

Unfinished Business

971111 Gainesville/Alachua County Regional Airport Authority

Chairman B. Delaney recognized Citizen Dashwood Hicks who spoke to the matter.

RECOMMENDATION *The City Commission appoint Roger J. Brower to a vacancy on the Gainesville/Alachua County Regional Airport Authority to expire July 31, 2000.
Commissioner Sande Calkins - John D. Rimes, Jr.
Commissioner Paula DeLaney - Brower
Commissioner Edward Jennings - Brower
Mayor Pro Tem Pegeen Hanrahan - Brower
Mayor Bruce Delaney - Brower*

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

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

Commission Comment

City Employee Participation in Recreation Initiative - C/Jennings (NB)

Commissioner Jennings asked how City employees could participate to support the Recreation Initiative.

Commissioner P. DeLaney suggested that City employees contact the Citizens Political Action Committee in support of the initiative to participate.

971152 Code Enforcement Violations on property located across from Roper Park

RECOMMENDATION *The City Commission refer to the Public Safety Committee.*

A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Safety Committee, due back on October 27, 1998. The motion carried unanimously.

State Building Code - C/Calkins (NB)

Commissioner Calkins asked for an update on the passage of the State Building Code.

Chief of Police Don Shinnamon First Anniversary - C/Calkins (NB)

Commissioner Calkins congratulated Chief Shinnamon on his first year with the City of Gainesville.

Traditional Cities Ordinance - C/Hanrahan (NB)

Commissioner Hanrahan asked when the ordinance for Traditional Cities Standards would be coming to the City Commission.

Community Development Director Tom Saunders stated that it would be on the May 11, 1998 regular City Commission agenda.

Traffic Circles - C/Hanrahan (NB)

Commissioner Hanrahan stated that Traffic Circle directional signs were confusing and asked staff to look into the situation.

Commissioner Hanrahan further asked staff to review the need of a traffic circle at the intersection of NW 7th Avenue and 19th Street.

Janie and the Potholes - C/Hanrahan (NB)

Commissioner Hanrahan shared a letter from Janie asking the Commissioner to fix the potholes in her street so she can ride her bike.

GRU Tree Giveaway - Chairman B. Delaney (NB)

Chairman B. Delaney told the Commission of his participation in the GRU Tree Giveaway.

Airport Authority Appointments - Chairman B. Delaney (NB)

Chairman B. Delaney informed the Commission that his future voting on appointments to the Airport Authority would not include reappointments of existing members.

Depot Avenue Building Meeting - C/Hanrahan (NB)

Commissioner Hanrahan told the Commission of the following public meeting on April 28, 1998 at the Acrosstown Repertory Theater beginning at 5:30pm; and further, stated a funding source could be Florida Communities Trust Grant.

Citizen Comment**Dashwood Hicks - Airport Problems (NB)**

Citizen Dashwood Hicks told the Commission of airport safety problems and suggested a letter be written to the Federal Aviation Authority.

Chairman B. Delaney asked the City Manager to investigate the safety problems and prepare a letter for the Mayor-Commissioner to the appropriate authority.

Earl Young - Opposition to 5th Avenue Arts Festival (NB)**Adjournment - 9:15pm**

Kurt M. Lannon, Clerk of the Commission