

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, November 25, 1996**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## Consent Agenda

*With the following modifications: 1) Additional back-up material submitted to File No. 960615; 2) Back-up material submitted to File No., 960617; and 3) Add New Item - File No. 960646 - Resignation - Robert L. Woody - Gainesville Enterprise Zone Development Agency*

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

## City Manager, Consent Agenda Items

### 960608      **Donation of \$5,000 for purchasing supplies and capital equipment for the Gainesville Fire Rescue Hazardous Materials Unit.**

**RECOMMENDATION**    *The City Commission: 1) accept a \$5,000 donation; and 2) direct that \$3,500 be deposited in account 106-820-G330-5220-6000, and \$1,500 into account 106-820-G330-5220-3000, to be utilized to purchase supplies and capital equipment for the Fire Rescue Hazardous Materials unit.*

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

### 960609      **Hogtown Creek Sediment Control Structures**

**RECOMMENDATION**    *The City Commission: 1) authorize \$50,000 from the Stormwater Management Utility undesignated fund balance be placed in a capital project account for the Hogtown Creek Sediment Control Structures project; 2) approve required budget transaction and amendatory resolution; 3) authorize the City Manager or his designee to approve a purchase order to CH2M Hill, as part of their continuing services contract with the City, to provide engineering evaluation services for the Hogtown Creek Sediment Control Structures project in an amount not to exceed \$20,000; and, 4) authorize the City Manager or his designee to negotiate an agreement between the City and the Florida Department of Transportation for joint participation in the Hogtown Creek Sediment Control Structures project.*

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

## General Manager for Utilities, Consent Agenda Items

**960615 Railcar Maintenance Facility**

**RECOMMENDATION** *The City Commission authorize the issuance of a purchase order to Beeline Development, Inc. in an amount not to exceed \$136,920.00 for the construction of the railcar maintenance facility at the Deerhaven Generating Station.*

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

**960616 Consultation Agreement With KEMA-ECC, Inc.**

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to negotiate and execute an amendment to the consultation agreement with KEMA-ECC, Inc., for services associated with the technical implementation phase of the Energy Management System (EMS) /System Control and Data Acquisition (SCADA) system in an amount not-to-exceed \$55,000, subject to the approval of the City Attorney as to form and legality. (new-not-to-exceed amount \$110,000.00)*

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

**960617 Energy Management System (EMS)**

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to execute a contract with Harris Controls Division for the purchase of an Energy Management System (EMS)/Supervisory Control and Data Acquisition (SCADA) system, in the amount not to exceed \$2,000,000.00 subject to the approval of the City Attorney as to form and legality.*

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

**960618 Contract Amendment for the Installation of Overhead Electric Facilities**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager or his designee to execute an amendment to the Installation of Overhead Electric Facilities contract, subject to the approval of the City Attorney as to form and legality, which will extend the term of, and incorporate additional negotiated construction units within, the Annual Contract with Dillard Smith Construction Company for the installation of electric distribution facilities for the period beginning December 1, 1996 and ending September 30, 1997, and; 2) approve the issuance of a purchase order to Dillard Smith Construction Company in an amount not to exceed \$1,350,000.*

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

**960619 Approval of Purchase Order to Hoffman Air and Filtration System, c/o Jacobs Group, Inc. for an Aerobic Digester Blower at the Kanapaha Water Reclamation Facility**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Hoffman Air and Filtration Systems c/o Jacobs Group, Inc. for an Aerobic Digester Aeration Blower at the Kanapaha Water Reclamation Facility in an amount not to exceed \$39,250.00.*

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

**960620 Land Exchange for Sanitary Sewer Lift Station Improvements and Sale of Adjacent Surplus Property (Portion of Tax Parcel No. 6303-009-000) to Robinshore Multi-Family, Inc.**

**RECOMMENDATION** *The City Commission: 1) approve a land exchange and sale of a surplus portion of Tax Parcel No. 6303-009-000 (0.71 acre) from the City to Robinshore Multi-Family, Inc. to facilitate ingress/egress to the City's existing Sanitary Sewer Lift Station No. 21; 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the appropriate legal instruments required for said exchange and sale of property, subject to approval by the City Attorney; and 3) authorize the recording of the appropriate closing documents in the public records, subject to approval by the City Attorney.*

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

**City Attorney, Consent Agenda Items**

**960603 State of Florida, ex rel., Communications Workers of America, Local 3170, v. City of Gainesville; Case No. 96-4043-CA (Complaint for Enforcement of Final Order of PERC, for an Accounting, and for Declaratory and Other Relief)**

**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 State of Florida, ex rel., Communications Workers of America, Local 3170, v. City of Gainesville; Case No. 96-4043-CA (Complaint for Enforcement of Final Order of PERC, for an Accounting, and for Declaratory and Other Relief)*

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

**960604 Landlord Permit Exemption**

**RECOMMENDATION** *Authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending the landlord permit ordinance by creating an exemption for owner-occupied homes under certain circumstances.*

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

**Clerk of the Commission, Consent Agenda Items****960602 City Commission Minutes of November 12, 1996**

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

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

**960623 Bicycle/Pedestrian Advisory Board**

**RECOMMENDATION** *Appoint Colin A. Whitworth to a term on the Bicycle/Pedestrian Advisory Board effective December 31, 1996 and to expire December 31, 1999.  
Commissioner Sande Calkins - Whitworth  
Commissioner P. DeLaney - Richter  
Commissioner Pegeen Hanrahan - Whitworth  
Mayor Pro Tem. B. Delaney - Whitworth  
Mayor-Commissioner Edward Jennings, Sr - Whitworth*

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

**960625 Disabled and Elderly Citizens' Advisory Board**

**RECOMMENDATION** *Appoint Jeffrey D. Nunn to a term on the Disabled and Elderly Citizens' Advisory Board effective immediately to expire November 16, 1999.  
Commissioner Sande Calkins - Nunn  
Commissioner P. DeLaney - Nunn  
Commissioner Pegeen Hanrahan - Nunn  
Mayor Pro Tem. B. Delaney - Nunn  
Mayor-Commissioner Edward Jennings, Sr - Nunn*

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

**960626 Fair Housing Board**

**RECOMMENDATION** *Reappoint Ruben O. Ramos to a term on the Fair Housing Board effective January 1, 1997 and to expire January 1, 2000.*  
*Commissioner Sande Calkins - Ramos*  
*Commissioner P. DeLaney - Ramos*  
*Commissioner Pegeen Hanrahan - Ramos*  
*Mayor Pro Tem. B. Delaney - Ramos*  
*Mayor-Commissioner Edward Jennings, Sr - Ramos*

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

**960627 Gainesville Enterprise Zone Development Agency**

**RECOMMENDATION** *Appoint: James N. Garrett (local code enforcement entity) to a vacancy to expire March 31, 1997; Tony R. Jones (local law enforcement) to a vacancy to expire March 31, 1999; and Michael A. King (local finance or insurance entity) to a vacancy to expire March 31, 1998 on the Gainesville Enterprise Zone Development Agency effective immediately.*  
*Commissioner Sande Calkins - Garrett, Jones and King*  
*Commissioner P. DeLaney - Garrett, Jones and King*  
*Commissioner Pegeen Hanrahan - Garrett, Jones and King*  
*Mayor Pro Tem. B. Delaney - Garrett, Jones and King*  
*Mayor-Commissioner Edward Jennings, Sr - Garrett, Jones and King*

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

**960628 Public Recreation Board**

**RECOMMENDATION** *Appoint Kelly Bergdoll to a vacancy on the Public Recreation Board to expire June 1, 1999.*  
*Commissioner Sande Calkins - Bergdoll*  
*Commissioner P. DeLaney - Bergdoll*  
*Commissioner Pegeen Hanrahan - Bergdoll*  
*Mayor Pro Tem. B. Delaney - Bergdoll*  
*Mayor-Commissioner Edward Jennings, Sr - Bergdoll*

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

**960629 Tree Advisory Board**

**RECOMMENDATION** *Reappoint Jon D. Johnson, Ph.D. to a term on the Tree Advisory Board to expire January 1, 2000.*

*Commissioner Sande Calkins - Johnson  
Commissioner P. DeLaney - Johnson  
Commissioner Pegeen Hanrahan - Johnson  
Mayor Pro Tem. B. Delaney - Johnson  
Mayor-Commissioner Edward Jennings, Sr - Johnson*

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

**960630 Tree Board of Appeals**

**RECOMMENDATION** *Reappoint Jon D. Johnson, Ph.D. to a term on the Tree Board of Appeals to expire January 1, 2000.  
Commissioner Sande Calkins - Johnson  
Commissioner P. DeLaney - Johnson  
Commissioner Pegeen Hanrahan - Johnson  
Mayor Pro Tem. B. Delaney - Johnson  
Mayor-Commissioner Edward Jennings, Sr - Johnson*

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

**960646 Gainesville Enterprise Zone Development Agency**

**RECOMMENDATION** *The City Commission accept the resignation of Robert L. Woody from the Gainesville Enterprise Zone Development Agency, effective immediately.*

**This Matter was Placed on File on the Consent Agenda.**

**Community Redevelopment Agency Consent Items**

**960504 NW 16th Street Paver Selection**

**RECOMMENDATION** *The City Commission refer to staff the following sidewalk design guidelines:*

- 1) Do all corners in pavers.*
- 2) Use the dark red mixed and charcoal gray paver as the choice for the 16th Street project.*
- 3) The border to go only one direction using the gray brick and limiting the amount of outlining along sidewalks throughout the district.*
- 4) Use the herring bone pattern.*

*NOTE: Samples are in place at 16th Street near Burger King*

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

**960509**      **Boundary Expansion**

**RECOMMENDATION**    *The City Commission direct staff to conduct study necessary to evaluate the expansion of the area on Main Street going westward to Porters Quarters, but not to include Porters Quarters, eastward to GRU, but not to include GRU, and southward to Depot Ave., and to include Depot Avenue.*

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

**960510**      **Fourth Redevelopment District**

**RECOMMENDATION**    *The City Commission direct staff to conduct the study necessary to evaluate if there should be a fourth redevelopment district formed south of University Avenue for an unspecified number of blocks and to the east of the Sweetwater Branch Creek to Waldo Rd.*

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

**960597**      **Feasibility Study**

**RECOMMENDATION**    *The Community Redevelopment Agency recommends that the City Commission direct (staff) Gainesville Regional Utilities to undertake a feasibility study for the undergrounding of utilities and related sidewalk/streetscape in the area along 5th Avenue from 13th Street to 3rd Street, including past practice and logic used in different neighborhoods.*

*Note: General Government responsible for any feasibility study for sidewalk/streetscape.*

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

**960598**      **\$25,000 Loan**

**RECOMMENDATION**    *The Community Redevelopment Agency recommends that the City Commission extend the \$25,000 loan another year to the College Park/University Heights redevelopment area.*

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

**End of Consent Agenda**



A motion was made by Commissioner DeLaney, seconded by Commissioner Delaney, 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 modification: 1) Additional back-up material submitted to File No. 960588; and 2) Add the Proclamation for Mary G. DeLaney to the Agenda*

### Special Presentations

#### 960631 Campus Development Agreement

*Alachua County Board of County Commissioners Vice Chair Leveda Brown and County Staff gave a presentation.*

*MOTION: Commissioner Hanrahan moved and Commissioner B. Delaney seconded to return this issue on the December 9, 1996 regular City Commission meeting.*

*Chairman Jennings recognized Citizens Harold Stahmer and Mark Goldstein who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear the presentation from the Alachua County Commission.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Delaney, that this matter be Continued for December 9, 1996. The motion carried unanimously.**

### Charter Officer Updates

### Clerk of the Commission

### City Manager

#### 960610 Campus Development Agreement

*Interim Planning Manager Ralph Hilliard gave a presentation.*

*Chairman Jennings recognized Alachua County Board of County Commissioners Vice Chair Leveda Brown who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a report from staff regarding the University of Florida Campus Development Agreement.*

**A motion was made that this matter be Continued for December 9, 1996. The motion carried unanimously.**

**960611 First Amendment to Airport Agreement**

*Chairman Jennings recognized Communication Workers of America Local No. 3170 President Tom Bolduc and City Airport Employee Tom Sheldon who spoke to the matter.*

*ADDITIONAL MOTION: Commissioner Calkins moved and Commissioner Hanrahan seconded to allow any employees hired by the Airport Authority prior to the transition to participate in the standard City's health, life and vision benefit plan. (MOTION CARRIED)*

**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 Calkins, seconded by Commissioner Hanrahan, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on January 26, 1997. The motion carried unanimously.**

**960612 Richard T. Jones**

*St. Francis House Representative Dick Jones gave a presentation.*

*Chairman Jennings instructed the Clerk to notify Attorney Dick Jones when the Public Safety Committee will meet to consider this item.*

**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 DeLaney, that this matter be Assigned to the Public Safety Committee, due back on May 25, 1997. The motion carried unanimously.**

**General Manager for Utilities**

**City Attorney**

## City Auditor

## Committee Reports

### Public Works Committee

#### 951288      **Speeding - NW 40th Street & NW 34 Place**

**RECOMMENDATION**    *The Public Works Committee recommended the City Commission to approve the following: 1) instruct staff to install two or three mini-traffic circles with four-way stops along NW 34 Place between NW 38 Street and NW 34 Street with the exact locations to be determined by Traffic Engineering, 2) leave the speed limit at 30 mph, and 3) authorize staff to prepare a mail-out and invite the neighborhood to a public hearing at the regular City Commission meeting on December 9, 1996.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, to authorize staff to prepare a mail-out and invite the neighborhood to a public hearing at the regular City Commission meeting on December 9, 1996 to discuss: 1) installation of two or three mini-traffic circles with four-way stops along NW 34 Place between NW 38 Street and NW 34 Street with the exact locations to be determined by Traffic Engineering; and 2) leaving the speed limit at 30 mph. The motion carried unanimously.**

#### 951463      **Don Langland (Mile Run)**

**RECOMMENDATION**    *The Public Works Committee recommended the City Commission: 1) note that the project is complete, and 2) remove this referral from the referral list.*

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

### Personnel & Organizational Structure Committee

### Public Safety Committee

### Audit & Finance Committee

### Legislative Committee

## Economic Development Committee

## Regional Utilities Committee

## Advisory Boards/Committees

### 960002 Traffic Calming Strategies and Bicycle Safety Operational Improvements for the College Park/University Heights Special District

*Bicycle/Pedestrian Advisory Board Chair Jim Leary gave a presentation.*

**RECOMMENDATION** *The City Commission acknowledge receipt of the recommendations from the Bicycle/Pedestrian Advisory Board and take action as deemed appropriate.*

**A motion was made by Commissioner Delaney, seconded by Commissioner Hanrahan, that this matter be Referred to the City Manager, due back on May 25, 1997. The motion carried unanimously.**

### 960622 City Beautification Board

**RECOMMENDATION** *The City Commission consider attendance waiver for City Beautification Board member Dr. Anita Spring.*

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

## Outside Agencies - Community Redevelopment Agency

### 960506 Donation of City Property to SFCC Endowment Corporation

**RECOMMENDATION** *The City Commission: 1) donate to the SFCC Endowment Corporation real estate parcels 11490, 14474, 14492, and 14493; and 2) carry over final action until a written report is submitted.*

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

## Members of the City Commission/Commission Comment

**960588 Library Mini-Grant Application**

**RECOMMENDATION** *The City Commission consider the request.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner DeLaney, to appropriate \$1,500 from the City Commission Contingency Fund to the Matheson Historical Center for the Library Mini-Grant Application. The motion carried unanimously.**

**Adjourn Until 6:00 PM**

**Invocation and Pledge of Allegiance**

**Rev. David W. Green, Greater Bethel AME Church**

**Boy Scout Troop #841**

**Proclamations**

**960605 Centenarian(s) Da**

**RECOMMENDATION** *Centenarians in the City of Gainesville and Alachua County to receive a proclamation.*

**This matter was Placed on File**

**960606 Civil Air Patrol Da**

**RECOMMENDATION** *Civil Air Patrol, Commander of the Gainesville Composite Squadron, David Reiser, First Lieutenant, to receive a proclamation.*

**This matter was Placed on File**

**960607 World AIDS Da**

**RECOMMENDATION** *North Central Florida AIDS Network Prevention Education Supervisor, Michelle Bollar, to receive a proclamation.*

**This matter was Placed on File**

## Citizen Comment

### Hogtown Greenway Referendum Request

*The following Citizens discussed the issue: Citizen Harold Stahmer, Greenspace Preservation Association Representative Sal Locascio, Florida League of Conservation Voters President Francine Robinson, Citizens Chandler Otis, Frederik Peterkin, and Fran Tanner.*

#### 960649 SR 26 & SR 26A Project

**RECOMMENDATION** *The City Commission refer the undergrounding of utilities relating to the SR 26 & 26A Project to the Regional Utilities Committee.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner DeLaney, that this matter be Assigned to the Regional Utilities Committee, due back on May 25, 1997. The motion carried unanimously.**

### Florida Wildlife Care

*Florida Wildlife Care Representative Chris Williams submitted a request for a property and facilities donation.*

*City Manager Wayne Bowers stated that he would report back to the City Commission on the request at the December 9, 1996 regular City Commission meeting.*

#### 960650 Police Presence at Hempfest

*Citizen Mike Podolsky requested less police presence at the Hempfest and was disturbed by the photograph in the newspaper of police in riot gear, preparing for the Hempfest.*

*Chairman Jennings recognized Citizens Michael Bailey, Vincent Mallet, Tom Miller and Anthony Rosen who spoke to the matter.*

**RECOMMENDATION** *The City Commission refer the issue to Commissioners B. Delaney and Hanrahan to meet with the City Manager and the Police Department.*

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

### Solid Waste Management

*Sierra Club Representative Dwight Adams discussed the options under consideration*

*by Alachua County, e.g., shipping solid waste outside the county; and further, presented proposals and recommendations to the City Commission.*

## Time Certain Items

## Public Hearings

### 960613 Request for a hardship exemption imposed by Ordinance No. 951573.

*Interim Planning Manager Ralph Hilliard gave a presentation.*

*Chairman Jennings recognized Citizens Arnall Downs, Vincent Mallet, Cindy Smith and Target Copy Representative Bob Oetter who spoke to the matter.*

*MOTION: Denied the Request.*

**RECOMMENDATION** *The City Commission review the evidence and either approve, deny, or approve in part and deny in part the request made by the applicant.*

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

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

## Ordinances - 1st Readings- ROLL CALL REQUIRED

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

**An ordinance of the City of Gainesville, Florida; to vacate, abandon and close as a street a portion of S.W. 8th Place located between S.W. 8th Street and S.W. 9th Street; reserving an easement for pedestrians and non-motorized vehicles and ancillary facilities; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chairman Jennings recognized Citizen Michael Bailey who spoke to the matter.*

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

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

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

**960431 Ordinance No. 0-96-85; Petition No. 169TCH-96PB**

An ordinance of the City of Gainesville, Florida, amending section 30-68 of the Land Development Code reformatting the permitted uses and allowing Insurance Agents, Brokers and Service as a use by right in the warehousing and wholesaling district (W); 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 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.

**960498 Ordinance No. 0-96-91**

**AN ORDINANCE AMENDING CHAPTER 27, SECTION 27-21, AND APPENDIX A SECTION UTILITIES (1) ELECTRICITY, OF THE GAINESVILLE CODE OF ORDINANCES BY PROVIDING FOR DEFINITIONS OF RETAINED, EXPANDED, OR ATTRACTED LOAD SERVICE; PROVIDING THE RATES, TERMS AND CONDITIONS FOR RETAINED, EXPANDED, OR ATTRACTED LOAD SERVICE; REDESIGNATING FORMER SUBSECTIONS k. THROUGH n. THEREOF; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

*Chairman Jennings recognized Citizens Dwight Adams, Albert White, Forest Lisle, Doris Bardon, Jack Carter and Vincent Mallet who spoke to the matter.*

*MOTION: Assigned the following to the Regional Utilities Committee: Ordinance 960498 and the consideration of additional criteria for consideration of eligibility for flex utility rates.*

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

**A motion was made by Commissioner Hanrahan, seconded by Commissioner DeLaney, that this matter be Assigned to the Regional Utilities Committee, due back on May 25, 1997. The motion carried unanimously.**

**960524 Ordinance No. 0-96-88**

**An ordinance of the City of Gainesville, Florida, finding that property at 731 NW 3rd Street, Gainesville, Florida, qualifies for an ad valorem tax exemption**



for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 1997, and continuing for 10 years; adopting the Historic Preservation Exemption Covenant between the applicant and the City by reference; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

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

### **960247            Ordinance 0-96-71, Petition No. 129PDV-96PB,**

**An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City and amending the Zoning Map Atlas from "RMF-5: (12 units/acre single-family/multiple-family residential district)" to "Planned Development District"; adopting development plan maps and a development plan report for the area to be commonly known as "Tivoli, A Planned Development Apartment Community"; located in the vicinity of 2840 S.W. 13th Street at S.W. 14th Drive; providing conditions; providing for penalties; 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 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, Pegeen Hanrahan and Edward L. Jennings, Sr.

### **960368            Ordinance No. 0-96-80**

**An ordinance of the City of Gainesville, Florida, amending section 2-262(a) of the Code of Ordinances relating to membership on the city beautification board, providing for staggered terms; 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, Pegeen Hanrahan and Edward L. Jennings, Sr.

**960424 Ordinance No. 0-96-81, Petition No. 149SVA-96PB**

**An ordinance of the City of Gainesville, Florida; to vacate, abandon and close a portion of S.E. 2nd Street consisting of approximately 100 feet, more or less, located south of S.E. 2nd Place; reserving a utilities easement and drainage easement; reserving title and placement of the historic street bricks; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chairman Jennings recognized Citizen Michael Bailey and 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 Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**960427 Ordinance No. 0-96-86, Petition No. 165PDA-96PB**

**An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 4072, which amended the Planned Development commonly known as "Park West 800" formerly known as "Bartram Woods"; amending the planned development by adopting a revised development plan report that revises the development schedule; providing for concurrency requirements; located in the vicinity of 4000 block of N.W. 8th Avenue; 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, Pegeen Hanrahan and Edward L. Jennings, Sr.

## **Recognition of New Homeowners**

*Chairman Jennings recognized National Association for the Advancement of Colored People (NAACP) President Ruth Brown who informed the Commission of a Recognition Program of Former Public Housing Participants who are now new homeowners.*

## Resolutions- ROLL CALL REQUIRED

**960614**      **A Resolution of the City Commission for the Adoption of Temporary Closing of Two State Roads: State Road 26 (University Avenue) and State Road 24 (Waldo Road) for the 1997 Martin Luther King, Jr. Commemorative March on Monday, January 20, 1997**

**RECOMMENDATION**    *The City Commission adopt the proposed resolution, containing the request for a temporary closing of State Road 26 (University Avenue) and State Road 24 (Waldo Road) for the 1997 Martin Luther King, Jr. Commemorative March, and providing an immediate effective date, subject to approval by the City Attorney as to form and legality.*

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

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

## Plan Board Petitions

**960425**      **Ordinance No. 0-97-11; Petition No. 163TCH-96PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-336(4)g.1. of the Land Development Code to allow back-out parking onto an alley or alleyway only, subject to conditions; 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 Hanrahan, that this matter be Assigned to the Public Works Committee, due back on May 25, 1997. The motion carried unanimously.**

## Development Review Board

### Unfinished Business (from 3:00 PM Session)

**960624**      **City Beautification Board**

**RECOMMENDATION** *Appoint Leticia M. Solaun and reappoint Neal Balanoff, Melanie Brandt, Florence Cline, Arnall Downs, Jacqueline Owens, Cynthia Smith to terms on the City Beautification Board.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Hanrahan, to designate new appointees - 3 year terms and reappointees Arnall Downs and Cindy Smith - 1 year term. 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

## Commission Comment

### Baffle Box Installation

*Commissioner B. Delaney made comments regarding the baffle box installation downtown.*

### Habitat for Humanity Comments Regarding Pleasant Street

*Commissioner Hanrahan moved and Commissioner Calkins seconded to authorize Commissioners Calkins and Hanrahan to meet with representatives from Habitat for Humanity regarding the comment not to build in the Pleasant Street area. (MOTION CARRIED)*

### Community Garden

*Commissioner P. DeLaney moved and Commissioner Calkins seconded to authorize the Mayor-Commissioner to write a letter of support for Community Gardens. (MOTION CARRIED)*

### 960651 Pedestrian Access from the Atrium & the Courtyards on N.W. 43rd Street, mid-block

*Commissioner Hanrahan relayed a request from Tom Spain regarding pedestrian access at The Atrium & the Courtyards.*

**RECOMMENDATION** *The City Commission refer the issue to the Public Works Committee.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the Public Works Committee, due back on May 25, 1997. The motion carried unanimously.**

## Citizen Comment

**Forest Lisle - Comments on File No. 960498****Vincent Mallet - Comments on file No. 960498****Hogtown Greenway Referendum Request**

*Chairman Jennings recognized Citizens Francine Robinson, Harold Stahmer, Arnall Downs, Sol Locasio, Tim Strausser, Forest Lisle, Frederick Peterkin, Carolyn Morgan, Gilbert Holloway, Cindy Smith and Attorney Samuel Mutch, who spoke to the matter.*

*Commissioner B. Delaney moved and Commissioner P. DeLaney seconded to ask staff to report back to the City Commission with a recommendation at the first meeting in January, 1997, on how to formulate a task force as a first step on how to formulate ballot language (MOTION CARRIED)*

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

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Kurt M. Lannon, Clerk of the Commission