

City of Gainesville

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



Meeting Minutes

Monday, May 12, 2008

1:00 PM

City Hall Auditorium

City Commission

*Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Rick Bryant (At Large)
Commissioner Jeanna Mastrodicasa (At Large)
Commissioner Scherwin Henry (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Craig Lowe (District 4)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.

CALL TO ORDER - 1:04 PM

ROLL CALL

Present: Edward Braddy, Pegeen Hanrahan, Rick Bryant, Craig Lowe, Jack Donovan, Jeanna Mastrodicasa and Scherwin Henry

INVOCATION

The City Commission observed a moment of silence.

CONSENT AGENDA

Commissioner Lowe moved and Commissioner Mastrodicasa seconded to adopt the Consent Agenda, as modified.

(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #071172 - Ratification of Agreement between the FOP Gator Lodge 67 and the City of Gainesville - (Back-up submitted).*
- 2. File #071182 - City Commission Minutes - The minutes from April 16, 2008 were removed for an amendment.*

CITY MANAGER, CONSENT AGENDA ITEMS

071160. RTS Administration Modular Building Project (B)

This item involves a request for approval to have a Modular Building for RTS Administration next to the RTS Operations building at 100 SE 10th Avenue.

RECOMMENDATION

Recommended Motion: The City Commission: 1) approve the RTS administration modular building; and 2) direct staff to continue with the planning/design efforts.

Alternative Recommendation A: The City Commission: 1) deny staff recommendation; and 2) direct staff to look for another location to accommodate RTS administration offices.

This Matter was Approved as Recommended on the Consent Agenda.

071161. Release of Easement (B)

This item involves the release of a Drainage Easement in exchange for an

additional Drainage Easement.

RECOMMENDATION *Recommended Motion: The City Commission: 1) approve the relocation of the existing Drainage Easement and 2) authorize the Mayor to execute a Release of Easement subject to approval by the City Attorney as to form and legality, upon receipt of the new Drainage Easement from HCA Health Services of Florida, Inc.*

This Matter was Approved as Recommended on the Consent Agenda.

071163. Comet Halley Sculpture and Sunburst Marker (B)

This item involves a request to accept Elizabeth Indianos' Comet Halley Sculpture and Sunburst Marker for the Gainesville Solar Walk.

RECOMMENDATION *Recommended Motion: The City Commission approve the request to accept the Art in Public Places Trust recommendation of Elizabeth Indianos' Comet Halley Sculpture and Sunburst Marker for the Gainesville Solar Walk.*

This Matter was Approved as Recommended on the Consent Agenda.

071172. Ratification of Agreement between the Fraternal Order of Police (FOP) Gator Lodge 67, Inc. Bargaining Unit and the City of Gainesville for October 1, 2007 through September 30, 2010 (B)

This item proposes the ratification of the Agreement between the City of Gainesville and the Fraternal Order of Police Gator Lodge 67 Bargaining Unit.

RECOMMENDATION *The City Commission ratify the Agreement between the City of Gainesville and the Fraternal Order of Police Gator Lodge 67 Bargaining Unit extending the Agreement through September 30, 2010.*

This Matter was Approved as Recommended on the Consent Agenda.

071174. Request to Increase Demolition Purchase Order with Florida Concrete Recycling, Inc. (NB)

This item requests City Commission approval for the increase of the demolition purchase order to pay for the demolition of five houses before September 30, 2008.

RECOMMENDATION *The City Commission authorize the City Manager or designee to increase the purchase order to cover the expenses of pending demolitions.*

Alternative Recommendation: The City Commission deny the request to increase the demolition purchase order with Florida Concrete Recycling, Inc.

This Matter was Approved as Recommended on the Consent Agenda.

071183. Annexation of Parcel Number 06708-000-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel number, which is located in the vicinity of SW 20th Avenue, SW 34th Street, SW 24th Avenue and the City limits, and SW 38th Terrace.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owner or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

071184. Annexation of Parcel Numbers 06720-000-000 and 06721-000-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 20th Avenue, the vicinity of SW 34th Street, SW 24th Avenue and the City limits, and SW 38th Terrace.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owners or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

071185. Annexation of Parcel Numbers 06708-001-000, 06710-000-000, 06716-000-000,

06717-000-000, 06718-000-000, 06719-000-000, 06752-000-000, 06756-001-000,
and 06756-002-000 (B)

This is the submission of petitions for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 20th Avenue, the vicinity of SW 34th Street, SW 24th Avenue and the City limits, and SW 38th Terrace.

RECOMMENDATION

The City Commission: 1) receive the petitions for annexation; and make findings that it contains the signature of the property owners or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petitions.

This Matter was Approved as Recommended on the Consent Agenda.

071186.

Annexation of Parcel Numbers 06708-002-000 and 06709-000-000 (B)

This is the submission of petition for voluntary annexation for the above referenced parcel numbers, which are located in the vicinity of SW 20th Avenue, the vicinity of SW 34th Street, SW 24th Avenue and the City limits, and SW 38th Terrace.

RECOMMENDATION

The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owners or authorized agents; 2) direct the City Manager to analyze the area; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area, if appropriate.

Alternative Recommendation: The City Commission deny acceptance of the petition.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

CITY ATTORNEY, CONSENT AGENDA ITEMS

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

071182. City Commission Minutes (B)**RECOMMENDATION**

The City Commission approve the minutes of April 16, 2008; April 21, 2008; April 28, 2008; and May 1, 2008; as circulated.

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Pegeen Hanrahan
Absent: Edward Braddy

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****COMMUNITY DEVELOPMENT COMMITTEE, CONSENT****COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS****END OF CONSENT AGENDA****ADOPTION OF THE REGULAR AGENDA**

Commissioner Mastrodicasa moved and Commissioner Donovan seconded to adopt the Regular Agenda, as modified.

(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)

MODIFICATIONS:

- 1. File #071169 - SEGRI Special Area Plan - (Power Point Presentation Submitted).*
- 2. File #071068E - Blues Creek Unit 5 - (Replacement Power Point Submitted).*
- 3. File #070213 - Sam's Club - Planned Development Amendment - (Ordinance Withdrawn).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

NOTE: The minutes of April 16, 2008 were amended and approved as follows:

*AMENDMENT : Commissioner Henry moved and Commissioner Bryant seconded that the motion for File #070210, Hatchet Creek Development, Item 7, staff's Condition Z-5 would include the language that the age make-up of the development would consist of 80% age 55 and above and 20% younger families.
(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

CITY MANAGER

GENERAL MANAGER FOR UTILITIES

071159. Evaluation of Biomass-Fueled Generation Facility Proposals (B)

Staff submits its evaluation of the binding proposals received from the three top-ranked respondents pursuant to GRU's Request for Proposals for a Biomass-Fueled Generation Facility for City Commission review.

GRU Assistant General Manager for Strategic Planning and Finance & Analysis Compliance Manager Kevin Crawford, GRU Utility Forester Joe Wolf gave presentations.

CITIZEN COMMENT: Chair Hanrahan recognized Walter Willard, Harald Kegelmann, Frederick Peterkin, Dian Deevey, Ed Brown, Dave Bruderly, Nancy Sever, Sally Dickinson, Rob Brinkman, Joshua Dickinson and Tom Bussing who spoke to the matter.

NOTE: Commissioner Braddy entered the meeting room at 2:05 PM.

MAIN MOTION: Commissioner Braddy moved and Commissioner Mastrodicasa seconded to approve the recommendation.

AMENDMENT TO MAIN MOTION: 1) Include in the negotiations a contractual binding back door out at the site certification point; and 2) have legal staff include an enforcement mechanism for forest stewardship in the contractual process.

NOTE: Commissioner Donovan requested that staff bring back a report comparing the DSM practices of Gainesville and Tallahassee.

RECOMMENDATION *The City Commission: 1) continue the discussion on Evaluation of Biomass-Fueled Generation Facility Proposals; 2) approve the ranking of proposals received in response to the Request for Proposals for a Biomass-Fueled Generation Facility; 3) authorize the General Manager, or his designee, to negotiate and execute a contract with Nacogdoches Power, LLC for a long term purchase power agreement for a 100 MW*

net capacity, 100% biomass fueled facility to be constructed at the Deerhaven site, subject to approval of the City Attorney as to form and legality; and 4) if the General Manager or his designee is unable to negotiate an acceptable contract with the highest ranked proposer, the General Manager/Designee may then negotiate with the next highest ranked proposer in order; and 5) authorize staff to procure various services, equipment and materials in conjunction with the project within approved budget limitations, as required.

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE

PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT, FINANCE AND LEGISLATIVE COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

COMMUNITY REDEVELOPMENT AGENCY

071169. SEGRI Special Area Plan (B)

CRA Project Coordinator and Neighborhood Planner Kelly Huard; and Land

Planners with Wilson-Miller Scott Swearingen and Rachel Booth gave presentations.

Assistant City Manager Fred Murry made comments.

RECOMMENDATION *The City Commission: 1) Hear presentation from Wilson-Miller and provide input as necessary; 2) Accept the proposed SEGRI Special Area Plan; and 3) Direct staff to finalize the proposed SAP and initiate the process for the SAP's adoption into the City of Gainesville Land Development Code.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Rick Bryant and Peegen Hanrahan
Absent: Edward Braddy

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 4:59 PM

RECONVENE - 5:06 PM

PLEDGE OF ALLEGIANCE (5:30pm)

Gator Detachment of the Marine Corp League

PROCLAMATIONS/SPECIAL RECOGNITIONS

071177. City of Gainesville's Citizens' Academy 2008 Graduates (NB)

Marketing and Communications Specialist Kate Parmelee and City of Gainesville's Citizens' Academy 2008 Speaker Randy Wells gave presentations.

RECOMMENDATION *The City Commission: 1) recognize accomplishments of Gainesville 101, Spring 2008 City of Gainesville Citizens' Academy graduates; and 2) hear brief comments from the class speaker on what they have learned.*

Heard

- 071121. National Emergency Medical Services Week 2008 (B)**
- RECOMMENDATION** *Gainesville Fire Rescue Special Operations Chief Don Sessions to accept the proclamation.*
- Heard**
- 071203. National Water Safety Month - May 2008 (B)**
- RECOMMENDATION** *City of Gainesville Recreation Supervisor Jeff Moffitt, UF Synchro Coach Betsy Caza, Gainesville Gravitas Representative Andrea Cornelius, PK Yonge Coach Mike Davidson, and Makos Representative Perrin Foerster to accept the proclamation.*
- Heard**
- 071204. National Day of Prayer - May 1, 2008 (B)**
- RECOMMENDATION** *Oak Park Baptist Church Pastor Danny Austin to accept the proclamation.*
- Placed on File**
- 071205. International Internal Audit Awareness Month - May 2008 (B)**
- RECOMMENDATION** *Institute of Internal Auditors North Central Florida Chapter John Byrd, CIA and Jessica Haug, CIA to accept the proclamation.*
- Heard**
- 071206. National Foster Care Month - May 2008 (B)**
- RECOMMENDATION** *Partnership for Strong Families Representative Dana Bobb to accept the proclamation.*
- Heard**
- 071207. Code Enforcement Officer Appreciation Week - June 2-6 (B)**
- RECOMMENDATION** *City of Gainesville Code Enforcement Officer Lorie Podolsky and Diana Osborn and Field Collector Heather Watson to accept the proclamation.*
- Heard**

071208. Memorial Day - May 26, 2008 (B)

RECOMMENDATION *Gator Detachment of the Marine Corp League to accept the proclamation.*

Heard

071178. Recognition of Mr. Phil Emmer for his contribution to the Reichert House (NB)

Community Relations Coordinator Tony Jones, Phil Emmer, and Pace Center for Girls Board Members Kathy Southwick and Susan Spain gave presentations.

RECOMMENDATION *The City Commission recognize Mr. Phil Emmer for his contribution to the Reichert House.*

Heard

CITIZEN COMMENT**Zachary Andrews**

Gainesville Housing Authority Hot Water.

Jeff McAdams

FOP Contract.

Walter Willard

Various Issues.

Tom Cunilio

Unanimous Vote on Biomass Plant.

Pat Fitzpatrick

Homeless Issues.

Robert Pearce

Cabot Koppers Issues.

Gabe Kaimowitz

Butterfly Garden.

Francesca

Airport Noise.

Kevin Claney

Airport Noise.

Harald Kegelmann

Solar Energy.

Mark Adams

Airport Noise.

Mike Mogan

North Main Street Business Owners - Alternative One-Stop Center.

Wendy Noon

Scholarships, golf carts and \$100 laptops.

WAIVER OF RULES

The rules were waived by consensus to recognize the service of Commissioner Ed Braddy and Commissioner Rick Bryant at 6:30 PM.

071201. Commissioners Ed Braddy and Rick Bryant (NB)

Chair Hanrahan recognized Mrs. Bryant and Olivia Bryant, Burt Weathers, Harald Kegelmann, Michelle Bryant-Barr, Tom Cunilio, Mark Goldstein and Jeff McAdams who spoke to the matter.

RECOMMENDATION

The City Commission hear comments from Commissioners Ed Braddy, Mayor Commissioner Pro-Tem Rick Bryant, the Mayor, City Commissioners and the public.

NOTE: It is anticipated that the Commission will waive the Rules and hear this item at 6:30 PM.

Heard

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****070904. COMPREHENSIVE PLAN AMENDMENT - URBAN MIXED-USE 1 FUTURE LAND USE CATEGORY - BUILDING HEIGHT (B)****Ordinance No. 0-08-07; Petition 105CPA-07 PB**

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan, amending the Urban Mixed-Use-1 category within Policy 4.1.1 by deleting the current allowance for an additional 2 stories of building height by Special Use Permit and deleting an unnecessary reference to the Land Development Code; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Chief of Comprehensive Planning Dean Mimms and Planning Manager Ralph Hilliard gave presentations.

Chair Hanrahan recognized Ken Davis, Mark Goldstein, and David Coffey who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition 105CPA-07 PB and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Peegen Hanrahan

071154. COMPREHENSIVE PLAN AMENDMENT – FUTURE LAND USE ELEMENT – NEW LAND USE CATEGORY, “BUSINESS INDUSTRIAL” (B)**Ordinance No. 0-06-122; Petition 116CPA-07 PB**

An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 2000-2010 Comprehensive Plan by adding a new land use category, “Business Industrial,” to policy 4.1.1, specifying conditions and limitations; providing directions to the city manager; providing a severability clause; providing a repealing clause; and providing an effective date.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 116CPA-07 PB and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Henry, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

070744. APPENDIX A - SCHEDULE OF FEES - UTILITIES (B)

Ordinance No. 0-08-16

AN ORDINANCE AMENDING CHAPTER 27, ARTICLE 1, SUBSECTION 27-15(d) OF THE CODE OF ORDINANCES OF GAINESVILLE, FLORIDA RELATING TO RECONNECTION OF UTILITY SERVICE; AMENDING APPENDIX A, UTILITIES SECTION (7), SUBSECTION b(4)(i) SERVICE CHARGES BY INCREASING THE DELINQUENT DISCONNECTION FEE AND ELIMINATING THE SAME DAY RECONNECTION FEE FOR REQUESTS MADE DURING NORMAL WORKING HOURS; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Customer Operations Director Cindy Andrade gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

071180. ORDINANCE SETTING 2009 CITY ELECTION DATES (B)

Ordinance No. 0-08-20

An ordinance of the City of Gainesville, Florida, setting March 24 as the date for the 2009 regular city election and April 14 as the date for the 2009 run-off election, if necessary; providing a severability clause; providing a repealing clause; and providing an immediate effective date. (B)

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Pegeen Hanrahan

070623. FIRE SPECIAL ASSESSMENT (B)**Ordinance No. 0-08-13**

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA; RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES, AND PROGRAMS THROUGHOUT THE INCORPORATED AREAS OF GAINESVILLE, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE SERVICES ASSESSMENTS AGAINST PROPERTY; PROVIDING CERTAIN DEFINITIONS INCLUDING A DEFINITION FOR THE TERM "FIRE SERVICES ASSESSMENT"; ESTABLISHING A PROCEDURE FOR IMPOSING FIRE SERVICES ASSESSMENTS; PROVIDING THAT FIRE SERVICES ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR A FIRE SERVICES ASSESSMENT COLLECTED PURSUANT TO LAW SHALL, UPON PERFECTION, ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE IMPOSITION OF INTERIM ASSESSMENTS; PROVIDING A PROCEDURE FOR THE COLLECTION OF FIRE SERVICES ASSESSMENTS; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTIONS TO THE CODIFIER AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Assistant City Manager Paul Folkers, Fire Chief Bill Northcutt and Administrative Services Director Becky Rountree gave presentations.

Chair Hanrahan recognized Richard Williams who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe and Pegeen Hanrahan
Nay: Edward Braddy and Rick Bryant

WAIVER OF RULES

The rules were waived by consensus to hear File #071197 at 8:30 PM.

071197. Project on Streamlining Gainesville Government (B)

This item will be to discuss opportunities to streamline Gainesville government.

Former GRU Assistant General Manager for Utilities Karen Johnson gave a presentation.

Chair Hanrahan recognized Rob Brinkman, Paula Stahmer, Dian Deevey and Jimmy Harnsberger who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a report from staff regarding a project on streamlining Gainesville Government; and 2) establish a timetable and responsible parties to implement those recommendations that are approved.*

Discussed

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

070213. PLANNED DEVELOPMENT - SAM'S CLUB (B)

Ordinance No. 0-07-96, Petition No. 4PDA-07PB
An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 3558 as amended by Ordinance No. 971051, that adopted the Planned Development commonly known as "Sam's Club", located in the vicinity of 2801 Northwest 13th Street; providing for certain additions to the existing Sam's Club and permitting a gasoline fueling station under certain conditions; adopting revised development plan maps and a revised planned development report; amending and adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

Withdrawn

RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

071162. Street Vacation for Regional Transit System (B)

Petition 40SVA-08PB. City of Gainesville/Public Works Department, agent for Regional Transit System. Vacate, abandon and close that portion of Veitch Street bounded by the north right-of-way line of Southeast 10th Avenue to a point 230.89 feet west of Southeast 4th Street.

City Planner Bedez Massey gave a presentation.

Chair Hanrahan recognized Richard Williams who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission*

*approve Petition 40SVA-08PB, subject to the condition that the Gainesville Regional Utilities (GRU) easement (150' powerline easement) be maintained over existing facilities.
Vote 7-0.*

Staff to City Plan Board - Approve Petition 40SVA-08PB, subject to the condition that the Gainesville Regional Utilities (GRU) easement (150' powerline easement) be maintained over existing facilities.

Alternate Recommendations

The City Commission approve Petition 40SVA-08PB as submitted.

The City Commission deny Petition 40SVA-08PB.

A motion was made by Commissioner Braddy, seconded by Commissioner Henry, that this matter be Approved (Petition) with Conditions. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Peegen Hanrahan

DEVELOPMENT REVIEW BOARD PETITIONS

071068. Blues Creek Subdivision, Unit 5, Phases 2 and 3 (B)

Petition 76SUB-07DB. Legislative Matter No. 000000. Eng, Denman & Associates, Inc., agent for Blues Creek Development. Design plat approval of Unit 5, Phases 2 and 3 of Blues Creek Subdivision, for 44 lots on 36.7 acres MOL, having a density of 1.19 dwelling units per acre. Located at the 7900 Block of NW 78th Road.

STAFF PRESENTATION: City Planner Bedez Massey and Public Works Environmental Coordinator Mark Garland gave presentations.

PETITIONER PRESENTATION: Agents for the Petitioner Carl Salifrio, David Depew and Attorney Patrice Boyes gave presentations.

CITIZEN COMMENT: Chair Hanrahan recognized Michael Turco, Rob Brinkman and Sue Gruner who spoke to the matter.

FIRST MOTION: Commissioner Bryant and Commissioner Braddy seconded to approve the Alternative Recommendation that the City Commission approve Petition 76SUB-07DB, as submitted.

(VOTE: 2-5, Commissioner Braddy and Bryant - Yes; Commissioners Donovan, Henry, Lowe, Mastrodicasa, and Mayor Hanrahan - No, MOTION FAILED)

WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry

*seconded to waive the rules to extend the meeting to 11:15 PM.
(VOTE: 7-0, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:30 PM.
(VOTE: 7-0, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 11:45 PM.
(VOTE: 7-0, MOTION CARRIED)*

*WAIVER OF RULES: Commissioner Lowe moved and Commissioner Henry seconded to waive the rules to extend the meeting to 12:00 Midnight.
(VOTE: 7-0, MOTION CARRIED)*

*SECOND MOTION (MAIN MOTION): Commissioner Lowe moved and Commissioner Mastrodicasa seconded to deny the petition.
(VOTE: 5-2, Commissioners Braddy and Bryant, No, MOTION CARRIED)*

RECOMMENDATION *Development Review Board to City Commission - The City Commission deny Petition 76SUB-07DB. Vote 3-2 (Abstain: Clay Sweger).*

Staff to Development Review Board - This petition shall comply with all applicable regulations, as well as all adopted conditions and recommendations.

*Alternate Recommendations
The City Commission approve Petition 76SUB-07DB as submitted.*

The City Commission approve Petition 76SUB-07DB with staff conditions and recommendations.

A motion was made by Commissioner Lowe, seconded by Commissioner Mastrodicasa, that this matter be Denied (Petition). The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe and Pegeen Hanrahan
Nay: Edward Braddy and Rick Bryant

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

071199. Commissioner Ed Braddy - Apartment Complex Maps (B)

RECOMMENDATION *The City Commission refer the issue of Apartment Complex Maps to the Public Safety Committee for appropriate action.*

A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Bryant, that this matter be Referred to the Public Safety Committee, due back on November 12, 2008. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Peegen Hanrahan

071200. Annual Performance, Salary and Benefits Review for the Clerk of the Commission (NB)

MOTION: Approve a 3.55 % salary increase for the Clerk of the Commission retroactive to his anniversary date.

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

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Henry, that this matter be Approved as shown above (See Motion). The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Peegen Hanrahan

COMMISSION COMMENT

Commissioner Scherwin Henry

Department of Corrections Workers.

Commissioner Rick Bryant

See following file #080001.

080001. Budgetary Information - New Program Spending (NB)

RECOMMENDATION *The City Commission request that staff bring back a list of new programs and spending associated with those programs as part of the budget consideration.*

A motion was made by Mayor-Commissioner Pro Tem Bryant, seconded by Commissioner Braddy, that this matter be Referred to the City Manager, due back on June 2, 2008. The motion carried by the following vote:

Votes: Aye: Jack Donovan, Jeanna Mastrodicasa, Scherwin Henry, Craig Lowe, Edward Braddy, Rick Bryant and Peegen Hanrahan

Commissioner Jack Donovan

1. *Educational Grants - Jobs related to the forestry industry.*
2. *Commission Comment issue.*

CITIZEN COMMENT (If time available)

ADJOURNMENT - 12:01 PM

Kurt M. Lannon, Clerk of the Commission