

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, August 9, 2004**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Tony Domenech (District 3)  
Commissioner Warren Nielsen (At Large)  
Commissioner Rick Bryant (At Large)  
Commissioner Chuck Chestnut (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Craig Lowe (District 4)*

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

**CALL TO ORDER - 1:02 PM****ROLL CALL**

Present: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**INVOCATION**

**Reverend Kenneth Babin, First Lutheran Church of Gainesville**

**CONSENT AGENDA**

*Commissioner Nielsen moved and Commissioner Chestnut seconded to approve the Consent Agenda with the following modifications.  
(VOTE: 6-0, Commissioner Braddy - Absent)*

**MODIFICATIONS:**

- 1. File #040289 - Memorandum of Understanding with the Matheson Museum for Sweetwater Park Lighting & Irrigation Improvements - (Withdraw from the agenda).*
- 2. File #031101 Retail/Office Space in Parking Garages - (Remove from the Consent Agenda and place on the Regular Agenda for discussion).*

**CITY MANAGER, CONSENT AGENDA ITEMS****040269 First Extension to the Contract for Limerock for FY 2005 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the First Extension to the contract with Limestone Products, Inc., for limerock, extending the term of the contract from October 1, 2004 to September 30, 2005, subject to final appropriation of funds for FY 2005.*

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

**040270 Second Extension of the Light Trucks, Vans & Sport Utility Vehicles (SUVs) Contract (B)**

**RECOMMENDATION** *The City Commission: 1) approve the extension of the current contract with Wade Raulerson Pontiac-GMC for a one-year term; 2) authorize the City Manager or his designee to execute the contract extension subject to approval of the City*

*Attorney as to form and legality; and 3) authorize the City Manager to approve purchases made under this agreement consistent with the final adopted FY 2005 budget.*

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

**040271 Second Extension to the Contract for Asphalt Services for FY 2005 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the Second Extension to the contracts with V.E. Whitehurst & Sons and John C. Hipp Construction Equipment Company for Asphalt Services, extending the term of the contracts from October 1, 2004 to September 30, 2005, subject to final appropriation of funds for FY 2005.*

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

**040273 Fifth Extension for Professional Surveying and Mapping Services for FY 2005 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the Fifth Extension to the contracts with Myers-Griffis & Associates, Inc. (formerly John W. Myers and Associates, P.A. Surveyors & Mappers) and Terrence Brannan Land Surveyor, Inc., for professional surveying and mapping services, extending the term of the contracts from October 1, 2004 to September 30, 2005, subject to final appropriation of funds for FY 2005.*

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

**040274 Outsourcing of Vehicle Paint and Body Repairs to the CEI Group (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute a contract for auto accident management services with the CEI Group by piggybacking on the competitive bid process of the State of Washington for a period of one (1) year.*

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

**040275 City-County Traffic Engineering Services Agreement for FY 2005 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the Traffic Engineering Services Agreement between the City and Alachua County for the period of*

October 1, 2004 to September 30, 2005.

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

**040276 Paynes Prairie Treatment Wetland Cost-Sharing Grant Application (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the City Manager or designee to submit an application with the SJRWMD by August 13, 2004 for the Paynes Prairie Treatment Wetland project; and 2) authorize the City Manager to execute all other related documents related to the SJRWMD Cost-Sharing grant, if a grant offer is made to the City.*

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

**040278 Annexation of Properties Located at the Intersection of NW 39th Avenue and 43rd Street (B)**

**RECOMMENDATION** *The City Commission: 1) receive the petitions for annexation; 2) make findings that the petitions contain the signatures of the property owners or authorized agents; 3) direct the City Manager to analyze the area and prepare an urban services report; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.*

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

**040279 Annexation of Property Located in the vicinity of SW 34th Street and Hull Road (B)**

**RECOMMENDATION** *The City Commission: 1) receive the petition for annexation; 2) make a finding that the petition contains the signature of the property owner or authorized agent; 3) direct the City Manager to analyze the area and prepare an urban services report; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.*

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

**040280 Annexation of Portofino Development Area (B)**

**RECOMMENDATION** *The City Commission: 1) receive the petition for annexation; 2) make a finding that the petition contains the signature of the property owner or authorized agent; 3) direct the City*

*Manager to analyze the area and prepare an urban services report; and 4) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the annexation of the area.*

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

**020693 Award of Bid: Renovations to the Half Moon School House (B)**

**RECOMMENDATION** *The City Commission: 1) approve award of the bid for the renovation to the Half Moon School House to Holton Construction Company, Inc.; and 2) authorize the City Manager or designee to execute all contract documents.*

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

**040289 Memorandum of Understanding with the Matheson Museum for Sweetwater Park Lighting & Irrigation Improvements (B)**

**RECOMMENDATION** *The City Commission: 1) approve the Memorandum of Understanding (MOU) to provide \$50,000 in 2002 bond proceeds to the Matheson Historic Center for reimbursable expenses for Sweetwater Park lighting and irrigation improvements; and 2) approve the addition of \$1,500 to be included with the proposed FY 05/06 budget for operating and maintenance costs associated with the Sweetwater Park improvements.*

**Withdrawn**

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**040284 Force Main and Reclaimed Water Main Crossings at the 9800 Block of SW 24th Avenue by Jack and Bore (B)**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Blevins Road Boring, Inc. for construction of 16-inch force main and 16-inch and 8-inch reclaimed water main crossings at the 9800 Block of SW 24th Avenue in an amount not to exceed \$91,160.*

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

**040285 E Source Information Services (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to execute a membership renewal agreement with E Source Research & Consulting for as-needed energy and market information services for a one-year term, renewable for up to three years based on budgeted amounts subject to the appropriation of funds for these services in each fiscal year.*

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

## **CITY ATTORNEY, CONSENT AGENDA ITEMS**

**040286**      **ROBERT B. LEWIS V. ASPLUNDH EXPERT TREE CO., CITY OF GAINESVILLE AND JAMES R. EVANS; UNITED STATES DISTRICT COURT CASE NO. 1:03CV54 MP (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City and James R. Evans in the case styled Robert B. Lewis v. Asplundh Expert Tree Co., City of Gainesville and James R. Evans; United States District Court Case No. 1:03cv54 MP.*

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

## **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**040267**      **City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of July 19, 2004 (two sets); July 20, 2004; July 22, 2004 (Special Meetings); and July 26, 2004; as circulated.*

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

**040287**      **Resignation of Peter M. Polshek from the City Plan Board (B)**

**RECOMMENDATION** *The City Commission accept the resignation of City Plan Board member Peter M. Polshek effective immediately.*

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

**040288**      **Resignation of Karl Soderholm from the City Beautification Board (B)**

**RECOMMENDATION** *The City Commission accept the resignation of City Beautification Board member Karl Soderholm effective immediately.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**PUBLIC WORKS COMMITTEE, CONSENT**

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**030327 Citizen Budget Review Committee Referral (NB)**

**RECOMMENDATION** *The City Commission approve removing this item from the Personnel & Organizational Structure Committee referral list.*

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

**PUBLIC SAFETY COMMITTEE, CONSENT**

**030125 Public Safety Involvement in Site Plan and Land Review Process (B)**

**RECOMMENDATION** *The City Commission 1) receive the Public Safety Committee's report on this referral and, 2) retain this on the Public Safety Committee's pending referral list to continue to receive updates of this work in progress project.*

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

**RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT**

**040078 Update on Westside Skate Park (B)**

**RECOMMENDATION** *The City Commission accept the report.*

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

**DISABILITY REVIEW COMMITTEE, CONSENT**

**040260            Application for Disability Retirement (B)**

**RECOMMENDATION**    *The City Commission approve the submitted application for disability retirement for employee, Wayne Williams, Utility Marketing Rep, GRU - Gas Marketing Department.*

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

**Passed The Consent Agenda**

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**



## ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Domenech moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications.  
(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

### *MODIFICATIONS:*

- 1. File #040295 - (New Item under Clerk of the Commission) - Gainesville Regional Utilities and General Government FY 2005/2006 Budget special meeting August 30, at 5:30 PM.*
- 2. File #031157 - Amend the City of Gainesville Land Development Code to allow four unrelated Persons to reside in a residential unit in the RC, Residential Conservation Zoning District (Petition 122 TCH-04 PB) - (Additional back-up submitted).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

### **040266 City Commission Referral List (B)**

*MOTION: Remove the following items from the City Manager's Referral List; 1) File #040109; 2) File #040050; 3) File #031100; 4) File #031023; and 5) File #020134.*

*Chair Hanrahan recognized Citizen Ron Nichols who spoke to the matter.*

**RECOMMENDATION** *The City Commission review the attached referral list and take appropriate action.*

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

**Votes:** Aye: Peegen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

### **040295 Gainesville Regional Utilities and General Government FY 2005/2006 Budget (NB)**

**RECOMMENDATION** *The City Commission authorize the Clerk of the Commission to schedule a special meeting regarding the budget on August 30, 2004 at 5:30 PM.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

## CITY MANAGER

### 040281 Contract Extension for Federal Lobbying Services (B)

*City of Gainesville Assistant City Manager Barbara Lipscomb gave a presentation.*

**RECOMMENDATION** *The City Commission authorize the City Manager and the General Manager for Utilities to extend the contract for fiscal years 2005-2007 with Marilyn Berry Thompson to provide professional federal legislative lobbying and related government liaison grant services through the law firm of Jordan, Burt, Boros, Cicchetti, Berenson & Johnson at a fee of \$95,000 for FY 05, \$100,000 for FY 06, and \$105,000 for FY 07 for General Government's portion of the services and \$30,000 annually for Gainesville Regional Utility's portion of the services.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

### 001112 Cofrin Nature Park Update (B)

*City of Gainesville Nature Operations Manager Steve Phillips gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) hear a report from Staff; and 2) approve \$60,000 funding for Cofrin Park project start-up costs as shown above.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

## GENERAL MANAGER FOR UTILITIES

**CITY ATTORNEY****CITY AUDITOR****EQUAL OPPORTUNITY DIRECTOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****031101 Retail/Office Space in Parking Garages (B)**

*City of Gainesville Community Development Director Tom Saunders gave a presentation.*

**RECOMMENDATION** *The City Commission remove this item from the referral list.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**PUBLIC SAFETY COMMITTEE****040009 Fifth Avenue Arts Festival/Gainesville Police Department Concerns (B)**

*City of Gainesville Cultural Affairs Director Dr. Lemuel Moore, GPD Community Relations Director Tony Jones, Police Chief Norm Botsford, Sergeant Keith Kameg and Cultural Affairs Manager Coni Gesualdi gave presentations.*

*NOTE: Mayor Hanrahan left the meeting room at 2:18 PM and Mayor-Commissioner Pro Tem Domenech assumed the gavel.*

*AMENDMENT: Approve the recommendation with the following amendments: 1) In item 3 add the language after "applicants", "with festival components and vendors"; and 2) direct staff to develop a brochure outlining the primary laws to be followed and provide this to the applicants at the (mandatory) training.*

*NOTE: Mayor Hanrahan re-entered the meeting room at 2:27 PM and assumed the gavel. Commissioner Braddy entered the meeting room at 2:30 PM.*

*Chair Hanrahan recognized Fraternal Order of Police (FOP) President Jeff McAdams and Citizen Estelle Herget who spoke to the matter.*

**RECOMMENDATION** *The City Commission 1) receive the Public Safety Committee's report, 2) approve including language in all event applications requiring compliance with all applicable Federal, State and local laws, rules and regulations, 3) approve the mandatory training for all city co-sponsored applicants, and 4) remove this item from the Public Safety Committee referral list.*

**A motion was made by Commissioner Bryant, seconded by Commissioner Chestnut, that this matter be Approved as Recommended, as Amended or Revised. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

## COMMUNITY DEVELOPMENT COMMITTEE

### 031225 Special Area Plan for Ironwood Area (NB)

*City of Gainesville Community Development Director Tom Saunders gave a presentation.*

*MOTION: Approve the following: 1) Direct the City Manager (Planning staff) to a) meet with the neighbors to discuss the Neighborhood Planning Program; b) develop a vision for the area, short of an overlay such as a Special Area Plan; and 2) designate the Ironwood area as a participant in the Neighborhood Planning Program as of October 1, 2004.*

*Chair Hanrahan recognized Ironwood Villages resident Kevin Claney who spoke to the matter.*

**RECOMMENDATION** *Community Development Committee to the City Commission: Report to the City Commission to determine whether the Commission wants to consider a Special Area Plan; and staff meet with the neighborhoods and discuss the outlying possible areas for the Special Area Plan.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

## ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

## OUTSIDE AGENCIES

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**Commissioner Rick Bryant**

*Importance of Recreation Programs*

**Commissioner Warren Nielsen**

*Support of Recreation Programs*

**Mayor Pegeen Hanrahan**

*Fifth Avenue Art Festival Dispute - Possibly bring in a Mediator to resolve this issue.*

*Equal Opportunity Director Jimmie Williams made comments.*

**Commissioner Edward Braddy**

*Donna Lutz reinstatement to the Code Enforcement Board.*

*See following file #040296.*

**040296 Reinstatement of Donna Lutz to the Code Enforcement Board (NB)**

**RECOMMENDATION** *The City Commission approve the reinstatement of Donna Lutz to the Code Enforcement Board.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**RECESS - 4:06 PM**

**RECONVENE - 5:31 PM**

**CITIZEN COMMENT**

**Jack Feccia**

*Taxi-cab companies safety violations.*

*See following referral item #040297.*

**040297 Taxi Cab Companies Safety Violations (NB)**

**RECOMMENDATION** *The City Commission refer the issues raised regarding the Cab Industry to the Public Safety Committee and refer to the City Manager the immediate concerns that have been raised so that he can take more efficient action if these concerns are validated in his research.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Lowe, that this matter be Referred to the Public Safety Committee, due back on February 9, 2005. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**Gabe Kaimowitz**

- 1. EO Referral - Thanks for City Attorney's response*
- 2. Public Communications Office*

**Thomas Cunilio**

- 1. Traffic Issues - Bringing Cars to Campus*
- 2. Renewable Energy - Coal Plant - Waste Wood Energy*

**Greg Norman**

*NHDC Concerns - Non Owner-Occupied Homes*

*See following referral item #040299.*

**040299 Owner/Occupancy of Subsidized Housing (B)**

**RECOMMENDATION** *The City Commission refer to the Community Development Committee the general issue of owner/occupancy requirements in affordable housing that use public funds.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Lowe, that this matter be Referred to the Community Development Committee, due back on February 9, 2005. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**Paster Samuel Jones - Open Door Ministries**

*Duval Neighborhood Road and Ditch Conditions*

*See following referral item #040298.*

**040298 Roads and Ditches in the Duval Neighborhood (NB)**

**RECOMMENDATION** *The City Commission refer the issue of the roadways and the stormwater ditches in the Duval Neighborhood to the Public Works Committee for their review and bring back to the City Commission.*

**A motion was made by Commissioner Lowe, seconded by Commissioner Bryant, that this matter be Referred to the Public Works Committee, due back on February 6, 2005. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**Ray Scott Miller**

*Request for \$2,600 from City Commission Contingency Fund for Santa Fe Community College Students to compete for an internship with Mayor Hanrahan.*

*See following file #040300.*

**Kevin Claney**

*Ironwood Golf Course Village - Affordable Housing*

*See previous referral item #040299.*

**Jessie McDonald**

*Duval Neighborhood - Road and ditch conditions.*

*See previous referral item #040298.*

**040300 Internship Program with Mayor Pegeen Hanrahan (B)**

**RECOMMENDATION** *The City Commission allocate \$2,600 from the City Commission Contingency Fund for co-sponsorship of the Santa Fe Community College Internship Program.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**040301 Voucher Program for Housing (NB)**

**RECOMMENDATION** *The City Commission refer to the Community Development Committee the concept of a voucher program for housing.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Lowe, that this matter be Referred to the Community Development Committee, due back on February 9, 2005. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut and Edward Braddy

**COMMISSION COMMENTS**

**PLEDGE OF ALLEGIANCE (6:00pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**PUBLIC HEARINGS**

**ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

**031013 LAND DEVELOPMENT CODE AMENDMENT - CORPORATE PARK DISTRICT (B)**

**Ordinance No. 0-04-54; Petition 28TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-78 of the Land Development Code, relating to the Corporate Park district (CP); adding Standard Industrial Classification Code 8999 (Services, not elsewhere classified) as an allowable use by right; establishing a building height limit of 5 stories; eliminating FAR (floor area ratio) requirements; changing the offices/residential density range from 10-30 units per acre to 12-30 units per acre; adding outdoor cafes as an accessory use to eating places permitted by special use permit in the CP district; amending Appendix A, section 2, Exhibit B, Special Area Plan for the Triangle Area, specific regulations; limiting building height to five stories; removing redundancies and inconsistencies throughout the ordinance; providing directions to the codifier; providing a severability clause; providing a repealing**



clause; and providing an immediate effective date.

*City of Gainesville Chief of Comprehensive Planning Dean Mimms and Community Development Director Tom Saunders gave presentations.*

**RECOMMENDATION** *The City Commission (1) approve Petition 28TCH-04 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut and Edward Braddy

031133

**LAND DEVELOPMENT CODE AMENDMENT - RESIDENTIAL LOW DENSITY DISTRICTS (B)**

**Ordinance No. 0-04-55; Petition 65TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, relating to residential low density districts; amending section 30-52 of the Land Development Code, Residential low density districts (RMF-5, RC and MH); eliminating FAR (floor area ratio) requirements; establishing a 3-story height limit by right and revising other dimensional requirements for the RC (12 units/acre) and RMF-5 (12 units/acre) residential low density zoning districts; permitting stoops as a condition for townhouses or rowhouses of up to 6 dwellings in the RMF-5 and RC districts; combining Tables 2 and 2-A into one Table 2; removing redundancies and inconsistencies; amending section 30-23, definitions; revising the definition of "townhouse"; creating a definition for "rowhouse;" providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chair Hanrahan recognized Chaplain Stanley Dodd who spoke to the matter.*

**RECOMMENDATION** *The City Commission (1) approve Petition 65TCH-04 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**ORDINANCES, 2ND READING- ROLL CALL REQUIRED**

040058

**REZONING - VICINITY OF 2001 NE 2ND ST (B)**

**Ordinance No. 0-04-64, Petition No. 102ZON-04PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties within the City from the zoning category of "RMF-6: 8-15 units/acre multiple-family residential district" to "RMF-5: 12 units/acre single-family/multiple-family residential district"; located at 2001 Northeast 2nd 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 Lowe, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**030916 LAND DEVELOPMENT CODE AMENDMENT - GENERAL BUSINESS DISTRICT (B)**

**Ordinance No. 0-04-46; Petition 30TCH-04 PB**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to requirements for the general business (BUS) district; amending section 30-61 by deleting an obsolete reference relating to hotels and motels; deleting the floor area ratio requirement and establishing a maximum building height limit; increasing some side and rear setbacks to 50 feet; adding a provision for placement of trash facilities and requirements for mechanical equipment; making certain other minor modifications for clarification; 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**030917 LAND DEVELOPMENT CODE AMENDMENT - AUTOMOTIVE-ORIENTED BUSINESS DISTRICT (B)**

**Ordinance No. 0-04-47; Petition 31TCH-04 PB**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to requirements for the automotive-oriented business (BA) district; amending section 30-62; deleting the floor area ratio requirement and establishing a maximum building height limit; increasing some side and rear setbacks to 50 feet; adding a provision for placement of trash facilities and requirements for mechanical equipment; making certain other minor modifications for clarification; 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 Chestnut, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**031134**

**LAND DEVELOPMENT CODE AMENDMENT - PARKING OF PUBLIC SERVICE VEHICLES (B)**

**Ordinance No. 0-04-56; Petition 66TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-102 of the Land Development Code, relating to the parking of public service vehicles; increasing the time public service vehicles can be parked in a 30-day period from 6 hours to 9 hours; removing redundancies and inconsistencies; 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 Lowe, seconded by Commissioner Bryant, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**030915**

**LAND DEVELOPMENT CODE AMENDMENT - TOURIST-ORIENTED BUSINESS DISTRICT (B)**

**Ordinance No. 0-04-45; Petition 29TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to requirements for the tourist-oriented business (BT) district; amending section 30-63; increasing some side and rear setbacks to 50 feet; establishing a height limit for the BT district; removing floor area ratios; making other clarifying amendments; 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 Bryant, seconded by Commissioner Nielsen, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**031302 URBAN SERVICES REPORT - PORTION OF BLUES CREEK (B)**

**Ordinance No. 0-04-61**

**An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area located generally south of Blues Creek subdivision and the City limits, west of NW 51st Terrace, north of the vicinity of NW 54th Drive and 52nd Terrace, and east of NW 52nd Drive; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.**

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

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**030905 REZONING - PLANNED DEVELOPMENT - "SABAL PRESERVE" (B)**

**Ordinance No. 0-04-51, Petition No. 11PDV-04PB**

**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"; located at 1609 Northwest 29th Road; adopting a development plan report and development plan maps; providing conditions and restrictions; providing for enforcement; providing a severability clause; and providing an immediate effective date.**

*City of Gainesville Senior Planner Carolyn Morgan gave a presentation.*

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

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

## RESOLUTIONS- ROLL CALL REQUIRED

### PLAN BOARD PETITIONS

**031157**      **Amend the City of Gainesville Land Development Code to allow four unrelated persons to reside in a residential unit in the RC, Residential Conservation, Zoning District (Petition 122TCH-04PB). (B)**

*City of Gainesville Neighborhood Planning Coordinator John Wachtel and Community Development Director Tom Sanders gave presentations.*

*Chair Hanrahan recognized Citizens Lois White Harrison and Robert Pearce who spoke to the matter.*

*ADDITIONAL MOTION: Commissioner Nielsen moved and Commissioner Bryant seconded to direct staff to initiate a petition to rezone properties owned by Mr. Pearce and other properties nearby from RC to RMF-5, as appropriate.  
(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION**    *The City Commission deny Petition 122TCH-04 PB.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Bryant, that this matter be Denied (Petition). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

### DEVELOPMENT REVIEW BOARD PETITIONS

**040282**      **(Quasi-Judicial) Design Plat approval of Cottage Grove Cluster Subdivision, located in the vicinity of the 5400 Block of Northwest 34th Street, west side (Petition 17SUB-04DB). (B)**

*City of Gainesville Planner Gene Francis, Attorney for the Petitioner Jefferson Braswell and Engineer for the Petitioner James Meehan, P.E., gave presentations.*

*Chair Hanrahan recognized Dr. Tom Hoctor who spoke to the matter.*

**RECOMMENDATION**    *The City Commission approve Petition 17SUB-04DB, with staff and Board conditions.*

**A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Approved (Petition) with Staff and Development Review Board Conditions. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**040283 (Quasi-Judicial) Design plat review of Ironwood North Cluster Subdivision, located in the 4200 block of Northeast 15th Street, east side. (Petition 74SUB-04 DB). (B)**

*City of Gainesville Senior Planner Carolyn Morgan, Attorney for the Petitioner Patrice Boyes and Engineer for the Petitioner Alison Fetner, P.E. gave presentations.*

*Chair Hanrahan recognized Ironwood Villages Residents Jennifer Wingo, Greg Norman, Kevin Claney, Stephanie Carmichael, Nancy Testa, Bosshardt Realty Representative Edwin Dix, East Gainesville Development Corporation Representative Odetta MacCleish White, Citizen Jessie Schlachman, Attorney with Southern Legal Council Pete Sleasman and President of the Gainesville/Alachua County Board of Realtors Jeff Quigley who spoke to the matter.*

*Mayor Pegeen Hanrahan disclosed ex parte communications.*

*Commissioner Craig Lowe disclosed ex parte communications.*

*Commissioner Chuck Chestnut disclosed ex parte communications.*

*Commissioner Tony Domenech disclosed ex parte communications.*

*Commissioner Warren Nielsen disclosed ex parte communications.*

*Commissioner Edward Braddy disclosed ex parte communications.*

*Commissioner Rick Bryant disclosed ex parte communications.*

*Chair Hanrahan recognized NHDC Executive Director David Herkalo and Attorney for the Petitioner Patrice Boyes who spoke to the matter.*

*AMENDMENT TO MAIN MOTION: Require that the petitioner change the subdivision name from Ironwood North to "something" at Ironwood.*

*WAIVER OF RULES: Commissioner Domenech moved and Commissioner Lowe seconded to waive the rules to extend the meeting until 11:15 PM.*

*(VOTE: 7-0, MOTION CARRIED)*

*ADDITIONAL MOTION: Commissioner Chestnut moved and Commissioner Lowe seconded to invite NHDC and the (Ironwood Villages) neighbors back to discuss other issues and funding in two weeks.*

*(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION** *The City Commission approve Petition 74SUB-04DB with staff conditions and Development Review Board conditions.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Approved (Petition) with Staff and Development Review Board Conditions, as amended. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

## **SCHEDULED EVENING AGENDA ITEMS**

### **UNFINISHED BUSINESS**

### **COMMISSION COMMENT**

#### **Commissioner Edward Braddy**

*Parking Meters and Parking Lot Ordinance Concerns*

#### **040302 Parking Lot and Parking Meter Ordinance #040024 (NB)**

**RECOMMENDATION** *The City Commission request that the City Attorney bring back Ordinance #040024 for discussion.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Nielsen, that this matter be Approved as Recommended and Referred to the City Attorney. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

#### **Commissioner Warren Nielsen**

*Remembering Pat Polopolous - The City Commission had a moment of silence.*

### **CITIZEN COMMENT**

#### **Estelle Herget**

*Parking Ordinance/Rates*

## **ADJOURNMENT - 11:10 PM**

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Kurt M. Lannon, Clerk of the Commission