

City of Gainesville

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



Meeting Minutes

Monday, December 14, 1998

3:00 PM

City Hall Auditorium

City Commission

*Mayor Paula DeLaney, Chair
Mayor-Commissioner Pro Tem Pegeen Hanrahan, Member*

Invocation

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

Major Jeffery Kent, Salvation Army

Consent Agenda

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

City Manager, Consent Agenda Items

With the following modifications: 1) File No. 980911- Remove from Consent Agenda and place on Regular Agenda; 2) File No. 980868 - Remove from Consent Agenda and Place on Regular Agenda; 3) File No. 980910 - Remove from Consent Agenda and place on Regular Agenda; and 4) File No. 980911 - Remove from Consent and place on Regular Agenda.

980236 Airbase Landfill & Burn Site Compliance - Second Amendment to Addendum VIII (980236)

RECOMMENDATION *The City Commission: 1) authorize the City Manager, or his designee, to execute the Second Amendment to Addendum VIII to the Agreement for Professional Services between the City of Gainesville and QST Environmental, Inc., subject to approval of the City Attorney as to form and legality; and 2) authorize a modification to the Purchase Order in the amount of \$3,088.00 (new purchase order not to exceed amount of \$16,647.00 and new project amount of \$379,899.00).*

This Matter was Approved as Recommended on the Consent Agenda.

980898 Archery License Agreement

RECOMMENDATION *The City Commission: 1) approve the Archery License Agreement with Gainesville-Alachua County Regional Airport Authority for lease of airport and airport facilities for continued operation of an Archery Range located on airport property for a period of time not to exceed five years (December 31, 2003) upon approval of the City Attorney as to form and legality; 2) approve the payment of \$36,711.72 for the period January 1, 1996, through December 31, 1998; and*

3) approve the annual payment of \$7,438.11 by January 1 of each succeeding year effective January 1, 1999, for the next annual period thereafter until the License Agreement is terminated as herein provided.

This Matter was Approved as Recommended on the Consent Agenda.

980899 Gainesville Sports Organizing Committee Funding

RECOMMENDATION *The City Commission: 1) provide cash funding from the City Commission Contingency Fund in the amount of \$5,000; 2) authorize the City Manager to implement an agreement with the GSOC identifying funding, terms of City facility use, reporting mechanisms of City funding, and recognition of the City of Gainesville as a co-sponsor for events for fiscal year 1998/99; and 3) authorize the City Manager to waive the rental fees for the Martin Luther King Jr. Multipurpose facility not to exceed ten calendar days as part of the City co-sponsorship.*

This Matter was Approved as Recommended on the Consent Agenda.

980900 Agreement Between the School Board of Alachua County and the City of Gainesville for the School Resource Officer Program for the 1998/1999 School Year

RECOMMENDATION *The City Commission authorize the City Manager to execute the Agreement between the School Board of Alachua County, Florida and the City of Gainesville, Florida for the School Resource Officer Program, for the period of October 1, 1998 to September 30, 1999, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980901 Sale of Property at Airport Industrial Park To Ryder

RECOMMENDATION *The City Commission authorize the City Manager to execute a contract for sale of Lot 21 at the Airport Industrial Park to Ryder Truck Rental, Inc., subject to the approval of the City Attorney as to form and legality and concurrence of the Gainesville-Alachua County Regional Airport Authority.*

This Matter was Approved as Recommended on the Consent Agenda.

980902 Acquisition of Property for Economic Development Technology Incubator Site

from Richard Allen Stafford -- Tax Parcel No. 11341-000-000; Located in the 2100 Block of Hawthorne Road

RECOMMENDATION *The City Commission: 1) approve and ratify the attached Purchase and Sale Agreement for the purchase of Tax Parcel No. 11341-000-000 located in the 2100 block of Hawthorne Road, consisting of approximately 4.09 acres, from Richard Allen Stafford in the amount of \$77,250.00 plus closing costs; 2) authorize the City Manager or his designee to execute the appropriate closing documents; and 3) authorize the recording of the appropriate closing documents in public records, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980903

Donation of Property from White Electric and Battery Service, Inc. for Economic Development Technology Incubator Site -- Tax Parcel No. 11340-000-000; Located at 711 S.E. 21st Street

RECOMMENDATION *The City Commission: 1) accept the donation of Tax Parcel No. 11340-000-000 consisting of approximately 4.69 acres owned by White Electric and Battery Service, Inc., a Florida corporation, and surviving corporation of the merger of Gainesville Development Company and White Electric and Battery Service, Inc. as part of the State of Florida Community Contribution Tax Credit Program Project at a fair market valuation of \$78,000.00, subject to the City's payment of outstanding ad valorem taxes and closing costs; 2) authorize the City Manager or his designee to execute the appropriate closing documents and necessary Noncash Charitable Internal Revenue Service and State tax credit forms; and 3) authorize the recording of the appropriate closing documents in public records, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980904

Sale of City Property Located at 112 S.E. 13th Street

RECOMMENDATION *The City Commission: 1) determine that the subject property is not needed for any public purpose; and 2) authorize the City Manager to sell the subject property by public auction.*

This Matter was Approved as Recommended on the Consent Agenda.

980905

Continuation of Blue Cross/Blue Shield Administrative Services Contract

RECOMMENDATION *The City Commission: 1) authorize continuing the Administrative Services Contract between the City of Gainesville and Blue Cross and Blue Shield of Florida, Inc. for three (3) additional years; 2) authorize issuance of a purchase order in an amount sufficient to cover applicable charges for the administrative services to Blue Cross and Blue Shield of Florida, Inc.; and 3) authorize the City's Director of Risk Management to negotiate and execute the contract extension.*

This Matter was Approved as Recommended on the Consent Agenda.

980906 First Extension to the Uniform Contract

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute an extension to the Contract with Lake's Uniforms, extending the term through April 17, 1999, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980922 City of Gainesville Group Term Life Benefit Contract

RECOMMENDATION *The City Commission: 1) approve the selection of Hartford Life as the provider for the City of Gainesville Group Life Benefit; and 2) authorize the City Manager or his designee to negotiate with and enter into an agreement for three years starting from the date of execution, with the possibility of two (2) additional one-year extensions, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

980923 Specific Stop-Loss Insurance for Employee Health and Accident Benefits

RECOMMENDATION *The City Commission: 1) approve the selection of John Alden Life Insurance as the carrier for specific Stop-Loss coverage; and 2) authorize the City Manager or his designee to negotiate with and enter into an agreement for three years starting from the date of execution, with the possibility of two (2) additional one-year extensions, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

980892 Contract and Issuance of Purchase Order for Herbicides (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute a contract to Helena Chemical for herbicides for GRU's Vegetation Management department for FY 99 in an amount not to exceed \$37,000.00.*

This Matter was Approved as Recommended on the Consent Agenda.

980893 Approval of Contract for Employee Uniforms (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute a contract with Tyndale Company, Inc. for uniforms for designated Gainesville Regional Utilities employees for FY 99 in amounts not exceeding the budgeted funds.*

This Matter was Approved as Recommended on the Consent Agenda.

980895 Release of Easement to Aspen Ridge of Gainesville, Ltd. (NB)

RECOMMENDATION *The City Commission: 1) approve the release of one entire public utilities easement and the partial release of another public utilities easement, both located at 3825 SW 34th Street to Aspen Ridge of Gainesville, Ltd.; and 2) authorize the Mayor and Clerk of the Commission to execute a Release of Easement document, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items**980890 Request for extension of vacation hours**

RECOMMENDATION *The City Commission authorize a 60 day extension of vacation hours for the City Attorney in accordance with the City of Gainesville's Personnel Policy #9.*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items**Public Works Committee, Consent**

980721 Kirkwood Neighborhood Street Repairs

RECOMMENDATION *The City Commission authorize staff to move forward with the Special Assessment process to obtain the needed survey for title work and preparation of deeds for right of way acquisition.*

This Matter was Approved as Recommended on the Consent Agenda.

980863 Traffic Calming on NW 23rd Street

RECOMMENDATION *The City Commission approve the installation of speed humps on NW 23rd Street at appropriate locations (4 or 5).*

This Matter was Approved as Recommended on the Consent Agenda.

Personnel & Organizational Structure Comm, Consent**Public Safety Committee, Consent****970259 Community Bikes Program**

RECOMMENDATION *The City Commission remove this item from the Public Safety Committee's pending referral list, as discussed at the 10/22/98 PSC meeting.*

This Matter was Approved as Recommended on the Consent Agenda.

971152 Code Enforcement Violations

RECOMMENDATION *The City Commission remove this item from the Public Safety Committee's pending referral list, as discussed at the 10/22/98 PSC meeting.*

This Matter was Approved as Recommended on the Consent Agenda.

980062 Porters Community Safety Issues

RECOMMENDATION *The City Commission remove this item from the Public Safety Committee's pending referral list, as discussed at the 10/22/98 PSC meeting.*

This Matter was Approved as Recommended on the Consent Agenda.

980571 Unsafe Building

RECOMMENDATION *The Public Safety Committee recommends removal from the referral list. This building is slated for demolition by Code Enforcement*

This Matter was Approved as Recommended on the Consent Agenda.

980715 Street Litter (NB)

RECOMMENDATION *The Public Safety Committee recommends removal from the referral list. After discussion with staff at the 12/3/98 meeting, it was agreed that there are already sufficient mechanisms in place (Florida State Statutes) and as provided in the city's contract with the trash haulers, to cite violators.*

This Matter was Approved as Recommended on the Consent Agenda.

980912 State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Hippodrome Generation-eXcel Improvisational Teen Theatre

RECOMMENDATION *The City Commission approve the appropriation and expenditure of an amount not to exceed \$2,500 from the State Law Enforcement Contraband Forfeiture Trust Fund for the funding of the Hippodrome Generation-eXcel Improvisational Teen Theatre.*

This Matter was Approved as Recommended on the Consent Agenda.

Audit & Finance Committee, Consent

Legislative Committee, Consent

Regional Utilities Committee, Consent

Clerk of the Commission, Consent Agenda Items

980924 City Commission Minutes of November 23, 30, and December 7, 1998

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

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items

971008 New Eastside Redevelopment Districts - Legislative File Number 971008 (B)

RECOMMENDATION *CRA Manager to the City Commission: authorize the City Manager to advertise for a redevelopment consultant through a request for proposals process.*

This Matter was Approved as Recommended on the Consent Agenda.

End of Consent Agenda

Adoption of the Agenda

with the following modifications: 1) File No. 980524 - Revised Back-Up Submitted; and 2). File No. 980726 - Revised Page of Back-Up Submitted.

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

Rev. Tim Keyes - Comments - Death of Gov. Chiles and Comments - Hearings in Washington D.C. (NB)

980928 John Leibach - Trees Removed from property developed by Cotten Fletcher

RECOMMENDATION *The City Commission refer the issue of tree removal for new development to staff, including a review of past performance of developers.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Referred to the City Manager, due back on June 14, 1999. The motion carried unanimously.

Cindy Smith - Comments on the Tree Canopy on 13th Street (NB)

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

980897 Aircraft Rescue and Fire Fighting Services at the Gainesville-Alachua County Regional Airport

City Manager Wayne Bowers gave a presentation.

Chair P. DeLaney recognized Airport Authority Member Jon Morris who spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Manager to enter into a revised services agreement with GACRAA to provide two firefighters on an 18-hour per day staffing schedule who would provide some grass mowing services. Also, to enter into the appropriate contractual agreements with the IAFF to reflect these changes in operational procedures. Appropriate \$17,192.00 from the City Commission contingency for 1998-99.*

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

980908 State Infrastructure Bank Loan Application with FDOT for the Gainesville Transportation Center

Regional Transit System Perry Maull gave a presentation.

Chair P. DeLaney recognized Citizen Brad Guy who spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Manager to: 1) file the loan application with FDOT pending review by the City Attorney as to form and legality; and 2) execute any required documents related to acquiring the loan, subject to review by the City Attorney as to form and legality.*

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

980909 Regional Transit System Spring 1999 Service Adjustments.

Regional Transit System Director Perry Maull gave a presentation.

RECOMMENDATION *The City Commission hear a presentation by staff and approve the 1999 Spring Service Adjustments, effective Monday, January 4, 1999.*

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

General Manager for Utilities

980894 Wastewater System Pretreatment Program (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, UTILITIES, Article IV, Water and Sewerage of the Gainesville Code of Ordinances by revising the definitions, revising and replacing Sections 27-180 through 182 and 184 through 186 with a section entitled Pretreatment Program, and revising Section 27-182(b) to be a separate section entitled Graywater Disposal Facilities.*

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

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

980744 Mosquito Control Program

RECOMMENDATION *The City Commission be made aware that the Committee reviewed the existing mosquito control program and believes it to be an appropriate program with policies in place for no spraying for chemically sensitive persons.*

This matter was Placed on File

Public Works Committee

980868 NW 7th Lane

MOTION: Authorize the City Manager and the City Attorney to hire a mediator for an amount not to exceed \$1,500 to settle this issue and return to the Commission with the recommendation.

Chair P. DeLaney recognized Citizens John Cech, James Brasington, Bill Pepper, John Koogler, Jo Brasington, Carol Koogler, and Eve Cech who spoke to the matter.

RECOMMENDATION *The City Commission uphold the License Agreement as issued to John B. and Carol C. Koogler and John and Eve Cech by the Public Works Department dated October 23, 1998.*

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

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

Personnel & Organizational Structure Committee

Public Safety Committee

980911 Federal Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for the Joint Aviation Unit

RECOMMENDATION *The City Commission approve the appropriation of \$25,000 from the Federal LECFTF account and authorize the issuance of a Purchase Order to the Alachua County Sheriffs Office in this amount for costs associated to the hangar rental and mechanics salary of an amount not to exceed \$25,000.00 for the third year funding for fiscal year 1999 for the Joint Aviation Unit.*

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

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

980910 State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for the GPD Mounted Patrol Unit

Police Chief Donald Shinnaman gave a presentation.

Chair P. DeLaney recognized Citizens Robert Pearce and Michael Leath who spoke to the matter.

RECOMMENDATION *The City Commission approve the appropriation and expenditure of \$20,000 from the State LECFTF account for second year funding of the Mounted Patrol Unit.*

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

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Advisory Boards/Committees (Appointments/Reports)

980914 Application for Disability Retirement

RECOMMENDATION *The City Commission approve the submitted application for disability retirement for the below listed employee:
1. Elsa K. Lawson, Staff Assistant I, Water/Wastewater -
Murphree Water Plant*

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

Outside Agencies

Members of the City Commission

980907 Annual Performance, Salary and Benefits Review for the Clerk

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

Postponed

980925 Annual Performance, Salary and Benefits Review for the City Attorney

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

Postponed

980926 Annual Performance, Salary and Benefits Review for the City Auditor

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

Postponed

980913 Geographical Information Program for Brownfield Areas

East Gainesville Sprout Task Force Member Brad Scott and City Engineer Stu Pierson gave presentations.

Chair P. DeLaney recognized Citizen David Lambert who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from University of Florida, Geo-Plan Center staff on the Geographical Information System (GIS) pilot that has been developed for the East Gainesville Sprout Project.*

This matter was Placed on File

980920 Volunteer Recognition

The City Commission agreed for Mayor Paula M. DeLaney to work with Clerk of the Commission Kurt Lannon on an appropriate recognition for volunteers.

RECOMMENDATION *Hear a suggestion about recognizing city volunteers.*

This matter was Discussed

Commission Comments**Recess Until 6:00 PM****Pledge of Allegiance****Mike Lee, Committee Chair, Troop #82****Proclamations/Special Recognitions****980916 House of Hope Day - December 14, 1998**

RECOMMENDATION *A representative to accept the proclamation.*

This matter was Placed on File

980917 Human Rights Council of North Central Florida Day - December 14, 1998

RECOMMENDATION *A representative to accept the proclamation.*

This matter was Placed on File

980915 Presentation of Executive Fire Officer Certificate to William K. Northcutt, District Chief of Training

RECOMMENDATION *The Mayor and the Fire Chief make the presentation.*

This matter was Placed on File

980896 Water Department Award (NB)

RECOMMENDATION *The City Commission hear a presentation regarding an award to the GRU Water Department.*

This matter was Placed on File

Mayor P. DeLaney - "The Cracked Nut" Announcement

Public Hearings

980891 Proposed Settlement of Notice of Claim by Nona Norris

Litigation Attorney Liz Waratuke gave a presentation.

Chair P. DeLaney opened the public hearing,

Chair P. DeLaney closed the public hearing.

RECOMMENDATION *The City Commission: 1) hold a public hearing; 2) approve the terms of the settlement; and 3) authorize the City Manager and the City Attorney to settle the case.*

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

Ordinances - 1st Readings- ROLL CALL REQUIRED**970566****Ordinance No. 0-98-84**

An ordinance of the City of Gainesville, Florida, amending Division 1 of Article VII of the Land Development Code, consisting of sections 30-151 through 30-166 and relating to the development plan review process, increasing the threshold for development plan approval by staff and clarifying the process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Senior Planner Carolyn Morgan gave a presentation.

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

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

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

970804**Ordinance No. 0-99-20**

An ordinance of the City of Gainesville, Florida, amending section 13-58 of the Code of Ordinances relating to authority to grant extensions of time to comply with citations for housing code violations, allowing extensions to be given by the city manager or designee rather than the board of adjustment; amending section 16-26 of the Code of Ordinances relating to service of notice of violations, allowing extensions of time to comply with citations for violation of the Dangerous Buildings and Hazardous Lands Code to be given by city manager or designee; amending section 16-27 of the Code of Ordinances relating to appeals from citations, removing the provision authorizing the Board of Adjustment to grant extensions of time to comply with citations for violation of the Dangerous Buildings and Hazardous Lands Code; 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 Calkins, seconded by Commissioner Jennings, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

980271**Ordinance No. 0-99-03, Petition No. 151LUC98PB**

An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan,

Future Land Use Map; by changing the future land use category of certain property from "Single Family (up to 8 units per acre)" to "Office"; located in the vicinity of 1605 and 1617 N.W. 16th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner 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, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980272

Ordinance No. 0-99-04, Petition No. 152ZON-98PB

An Ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office district"; in the vicinity of 1605 and 1617 N.W. 16th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

980436

Ordinance No. 0-98-116

An ordinance of the City of Gainesville, Florida, amending ordinance 3778 to provide that the list of permitted uses for Boulware Springs Park includes veterinarian services for wildlife rehabilitation; providing that no preliminary development plan is required before the new use is permitted; 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, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980582

Ordinance No. 0-98-19

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to certificates of appropriateness for historic structures; amending section 30-112 to provide for emergency issuance of certificates of appropriateness in the event of imminent danger of structural failure or collapse; 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 Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

980665

Ordinance No. 0-99-14

An ordinance of the City of Gainesville, Florida, appointing Peter W. Alcorn, to fill a vacancy on the Gainesville Enterprise Zone Development Agency; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

980736

Ordinance No. 0-99-17

An ordinance of the City of Gainesville, Florida, amending chapter 9 of the Code of Ordinances relating to elections; updating the list of precincts in each district to match realignments approved by the Supervisor of Elections; repealing portions of the chapter concerning inspectors and clerks that duplicate state law; updating language on qualifying for office; providing minor modifications to clarify language; permitting absentee ballots to be run through tabulating equipment after polls open on election day; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Ordinances - 2nd Readings- ROLL CALL REQUIRED

980859

Ordinance No. 0-99-11

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally bounded on the West by Morningside Nature Center and the Gainesville city limits, on the North by the existing Gainesville City Limits (N.E. 39th Avenue), on the East by a line extending directly south from NE 39th Avenue to Lakeshore Drive, and on the South by Hawthorne Road and Lakeshore Drive; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

980860

Ordinance No. 0-99-12

An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally located in an area bounded on the West by I-75, on the North by NW 39th Avenue and the existing Gainesville city limits, on the East by NW 43rd Street and NW 55th Street and on the South by Newberry Road and North Florida Regional Medical Center, providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for Land Use Plan and Zoning Regulations; providing for persons engaged in any occupation, business, trade or profession; providing a severability clause; and providing effective dates.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, 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, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

980433

Ordinance No. 0-99-01, Petition No. 106LUC98PB

An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the future land use category of certain property from "Single Family (up to 8 units per acre)" to "Office"; located in the vicinity of 4907 and 4927 N.W. 43rd 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 Delaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

980434

Ordinance No. 0-99-02, Petition No. 107ZON-98PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-4: 8 units/acre single-family residential district" to "OF: General office district"; in the vicinity of 4907 and 4927 N.W. 43rd 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 Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

980524

Ordinance No. 0-99-13

An ordinance of the City of Gainesville, Florida, amending Chapter 8 of the Code of Ordinances relating to discrimination; repealing all references and provisions relating to discrimination on the basis of age, race, color, sex, religion, creed, national origin, physical or mental disabilities, marital status, familial status, and occupation; providing for an Equal Opportunity Director; providing for the Human Rights Board; authorizing certain duties; powers, functions, and responsibilities; providing for the enforcement, filing, processing, and hearing of complaints of discrimination based upon sexual orientation; providing for civil actions, penalties and other remedies; repealing certain obsolete sections; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair P. DeLaney recognized Citizen Rev. Tim Keyes and Human Rights Council Representative Craig Lowe who spoke to the matter.

AMENDMENT: Page seven, line 2, change word shall to should; and remove language after "city's population"

RECOMMENDATION *The City Commission: 1) receive a report from the City Manager on the composition of the board; and 2) adopt the proposed ordinance on second reading as amended.*

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

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

Resolutions- ROLL CALL REQUIRED

970733

Legislative Matter No. 970733. Petition 196SUB-97DB, City of Gainesville Housing Division, applicant.

Final replat approval of a portion of Cedar Grove Unit Two, to be known as Cedar Grove Unit Two Replat, Phase II, consisting of 33 lots located on 8.81acres more or less. Located in the vicinity of N.E. 12th Avenue and N.E. 22nd Street. Zoned: RSF-3.

RECOMMENDATION *The City Commission adopt a resolution approving the replat of a portion of "Cedar Grove Unit Two" to be known as the "Cedar Grove Unit Two Replat, Phase II," located in the vicinity of N.E. 12th Avenue and N.E. 22nd Street, and providing an immediate effective date.*

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

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

980918

FDOT Block Grant Funds for Operating Assistance for Regional Transit System (RTS) for FY 1998-1999

RECOMMENDATION *The City Commission: 1) approve the resolution authorizing acceptance of state block grant funds; and 2) authorize the Mayor and the Clerk of the Commission to execute the resolution, pending approval by the City Attorney as to form and legality.*

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

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

980919 Federal Transit Administration Grant Application for FY 1999 Formula Assistance

RECOMMENDATION *The City Commission: 1) approve the resolution authorizing the filing of an application with FDOT; 2) authorize the Mayor and Clerk of the Commission to execute the Resolution, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager, or his designee, to file the grant application pending approval by the City Attorney as to form and legality.*

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

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

980921 A Resolution of the City Commission for the Temporary Closing of Two State Roads for the 1999 Martin Luther King, Jr. Commemorative March on Monday, January 18, 1999.

ADDITIONAL MOTION: Commissioner Hanrahan moved and Commissioner Calkins seconded to ask the Martin Luther King, Jr. Commission if they would be interested in having a parade (Vote 5-0)

RECOMMENDATION *The City Commission adopt the proposed resolution, which requests the temporary closing of two State roads for the 1999 Martin Luther King, Jr. Commemorative March, providing an immediate effective date.*

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

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

Plan Board Petitions

980583 Legislative Matter No. 980583. Petition 192CPA-98PB. City Plan Board. Amend policies and objectives of the 1991-2001 Comprehensive Plan for the City

of Gainesville in the Conservation, Open Space and Groundwater, Recreation and Stormwater Elements to add or enhance language concerning the removal of exotic/invasive vegetation, restoration or improvement of degraded watercourses, and the provision of facilities and access to certain linear corridors and greenways.

RECOMMENDATION City Plan Board to City Commission - The City Commission approve Petition 192CPA-98 PB. Plan Board vote 6-0.

Staff to Plan Board - Approve

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

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

980725

Legislative Matter No. 980725. (Quasi-Judicial) Petition 180SVA-98PB, Brown & Cullen, Inc., agent for L.W. Calton. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate, abandon, and close that portion of S.E. 2nd Street lying south of S.E. 11th Avenue and north of the abandoned Atlantic Coastline Railroad right-of-way and that portion of Lot 29 of Veitch's Addition to South Gainesville, a subdivision as per a plat thereof recorded in Plat Book "A," page 90 of the public records of Alachua County, Florida, being previously dedicated as additional right-of-way for S.E. 2nd Street.

Planning Manager Ralph Hilliard gave a presentation.

Petitioner Agent Mike Castine gave a presentation.

RECOMMENDATION City Plan Board to City Commission - The City Commission deny Petition 180SVA-98 PB. Plan Board vote 5-1

Staff to Plan Board - Deny

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

980726

Legislative Matter No. 980726. (Quasi-Judicial) Petition 185PDV-98 PB, C. David Coffey, Esq. agent for Timothy Townsend Orton. Rezone property from AGR (Agriculture) to PD (Planned Development) with a PD layout plan for a Traditional Neighborhood Development consisting of residential and mixed uses. Located on 52 acres in the 2300 block of N.W. 39th Avenue and extending south to N.W. 31st Avenue (Glen Springs Road). Zoned: AGR (agriculture).

Senior Planner Carolyn Morgan gave a presentation.

Petitioner Agent David Coffey gave a presentation.

Chair P. DeLaney recognized Citizen Craig Johnson who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 185PDV-98 PB. Plan Board vote 7-0.*

Staff to Plan Board - Approve Petition 185PDV-98 PB, with conditions.

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

980727

Legislative Matter No. 980727. (Quasi-Judicial) Petition 201 LUC-98 PB, John E. Hudson/T.C. Skinner and Associates, Inc., agent for Dr. Thomas W. Hawkins/White Electric and Battery Services, Inc. Amend the Gainesville Comprehensive Plan 1991-2001, Future Land Use Map from R-L (Residential Low Density- up to 12 units per acre) to PF (Public Facilities) for parking and drainage retention for the Alachua County Health Department. Related to Petition 202PSZ-98PB. Located at 2145 S.E. 2nd Avenue.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 201LUC-98 PB. Plan Board vote 6-0.*

Staff to Plan Board - Approve

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

980728

Legislative Matter No. 980728. (Formal Quasi-Judicial) Petition 202 PSZ-98 PB. City Plan Board. Skinner and Associates, Inc., agent for Dr. Thomas W. Hawkins/White Electric and Battery Services, Inc. Rezone property from RMF-5 (12 units/acre single-family/multiple-family residential district) to PS (public service and operations district) concept development plan review for construction of a parking lot and storm drainage system for the Alachua County Health Department. Located at 2145 S.E. 2nd Avenue. Related to Petition 201LUC-98PB.

Chair P. DeLaney recognized Petitioner Agent John Hudson who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 202PSZ-98 PB, with staff conditions. Plan Board vote 6-0.*

Staff to Plan Board - Approve Petition 202PSZ-98PB with concept plan review and with staff conditions.

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

980729

Legislative Matter No. 980729. (Formal Quasi-Judicial) Petition 210LUC-98 PB. Brown and Cullen, Inc., agent for Collier Venture One, LP. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from CON (Conservation) to RM (Residential Medium Density, 10-30 units per acre). Located in the vicinity of the 1200 block of N.W. 21st Avenue. Related to Petition 211ZON-98 PB.

Commissioner B. Delaney moved and Commissioner Hanrahan seconded to accept the following as affected parties: Eric and Nancy Garland, Michael Lazin, Professor Bo Gustofson, Milton Baxley, Steven Chamberlain and Randy Lawton (Vote 5-0).

NOTE: These minutes reflect the omission of Dr. Paul Wheeler and Theodore Williams as affected parties; however, after relistening to the audio tape regarding this particular motion, they should be included.

Planning Manager Ralph Hilliard gave a presentation.

Commissioner Calkins disclosed an ex parte communication.

Petitioner's Agent Stuart Cullen asked questions of Commissioner Calkins.

Commissioner Hanrahan disclosed an ex parte communication.

Commissioner B. Delaney disclosed an ex parte communication.

Clerk of the Commission Kurt Lannon swore in the witnesses.

Petitioner Agent Stuart Cullen gave a presentation.

Affected Parties asked questions of Petitioner Agent Stuart Cullen.

City Planning Manager Ralph Hilliard gave a presentation.

Affected Parties asked questions of City Planning Manager Ralph Hilliard.

Petitioner Agent Stuart Cullen asked questions of City Planning Manager Ralph Hilliard.

City Attorney Marion J. Radson asked City Planning Manager Ralph Hilliard questions.

The City Commission asked questions.

NOTE: Combined with File No. 980730, Petition No. 211ZON-98PB.

RECOMMENDATION City Plan Board to City Commission - The City Commission

deny Petition 210LUC-98 PB. Plan Board vote 6-1.

Staff to Plan Board - Approve

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Continued (Petition) for January 11, 1999. The motion carried unanimously.

980730 Legislative Matter No. 980730. (Quasi-Judicial) Petition 211ZON-98 PB. Brown and Cullen, Inc., agent for Collier Venture One, LP. Rezone property from Conservation (CON) to RMF-6 (Multi-Family Residential (10-15 du/acre). Located in the vicinity of the 1200 block of N.W. 21st Avenue. Related to Petition 210LUC-98 PB.

NOTE: Combined with File 980729, Petition 210LUC-98PB.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 211ZON-98 PB. Plan Board vote 6-1.*

Staff to Plan Board - Approve

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Continued (Petition) for January 11, 1999. The motion carried unanimously.

980732 Legislative Matter No. 980732. Petition 213TCH-98 PB, City Plan Board. Amend the City of Gainesville Land Development Code to allow reconstruction of existing transmitter towers for additional antennas to be moved up to 50 feet from the existing location.

Chair P. DeLaney recognized Citizen Jerry Muldowney who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 213TCH-98 PB, as proposed by staff. Plan Board vote 6-0.*

Staff to Plan Board - Approve Petition 213TCH-98 PB, as proposed by staff.

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Continued (Petition) for January 25, 1999. The motion carried unanimously.

Development Review Board Petitions

Scheduled Evening Agenda Items

Unfinished Business

Commission Comment

C/B. Delaney - Regional Utilities Committee/Gainesville Energy Advisory Committee (NB)

Commissioner B. Delaney informed the Commission of a meeting between the Regional Utilities Committee and the Gainesville Energy Advisory Committee.

980935 C/Hanrahan - Traffic Calming Request on NW 10th Avenue, between 13th and 18th Streets

RECOMMENDATION *The City Commission refer the request to staff.*

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Referred to the City Manager, due back on June 14, 1999. The motion carried unanimously.

980936 C/Hanrahan - Liveable Wages

RECOMMENDATION *The City Commission ask staff to return with a report.*

This matter was Discussed

980937 C/Calkins - Bus Passes for the homeless.

RECOMMENDATION *The City Commission refer the issue of free or reduced bus fare to the Regional Transit System Advisory Board; and further, return to the Commission with information from other cities that provide free or reduced bus fares.*

A motion was made by Commissioner Calkins, seconded by Mayor- Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Regional Transit System Advisory Board, due back on June 14, 1999. The motion carried unanimously.

C/Calkins - Duckpond Englert Property (NB)

Commissioner Calkins gave an update/clarification on the Code Enforcement of the Englert Property.

971175 C/Calkins - Skate Board Park

RECOMMENDATION *The City Commission refer the possibility of constructing a skate board park to the Recreation and Cultural Affairs*

Committee.

A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Assigned to the Recreation and Cultural Affairs Committee, due back on June 14, 1999. The motion carried unanimously.

980940 Chair P. DeLaney - National Championship

RECOMMENDATION *The City Commission authorize the Mayor to write a letter to the Gainesville Area Chamber of Commerce, Gainesville Sports Organizing Committee, and refer to staff (Cultural Affairs) regarding an event for the University of Florida Women's Soccer Team National Championship.*

A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Referred to the City Manager, due back on June 14, 1999. The motion carried unanimously.

980941 Chair P. DeLaney - City/County Agenda Review

RECOMMENDATION *The City Commission approve an agenda review with the Alachua County Chair and County Manager at the next Mayor/Chair meeting to set the Agenda for the January 22, 1999 joint city/county meeting; and further, authorize the Mayor to send a letter to the Alachua County Board of County Commissioners Chair informing him of the process.*

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

980942 Chair P. DeLaney - Porters Neighborhood Issues

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

A motion was made by Commissioner Delaney, seconded by Commissioner Calkins, that this matter be Assigned to the Public Safety Committee, due back on June 14, 1999. The motion carried unanimously.

980943 Chair P. DeLaney - University of Florida's Emerging Leaders Conference and Request

MOTION: Allow the group to use the auditorium unless it is cost prohibitive.

RECOMMENDATION *The City Commission allow the use of the auditorium for the*

Emerging Leaders Conference.

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

Citizen Comment

Rev. Tim Keyes - Holiday Comments (NB)

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

Kurt M. Lannon, Clerk of the Commission