

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, August 28, 2000**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Paula M. DeLaney (At-Large)  
Commissioner Warren Nielsen (At-Large)  
Commissioner Chuck Chestnut (District 1)  
Mayor-Commissioner Pro Tem John R. Barrow (District 2)  
Commissioner Pegeen Hanrahan (District 3)*

## INVOCATION

*The meeting was called to order at 1:08 PM.*

## Dr. Royal Colbert, Mount Carmel Baptist Church

## ROLL CALL

*NOTE: Chair Paula M. DeLaney was absent for part of the meeting and Mayor-Commissioner Pro Tem John R. Barrow assumed the gavel.*

*Present: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney*

*Absent: Pegeen Hanrahan*

## BOARD OF TRUSTEES

*Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to adopt the Board of Trustees of the General Employee Retirement Plan Agenda.*

*(VOTE: 3-0, Chair Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)*

**000323**

### **General Employee Retirement Plan Investment Performance Consultant (B)**

*City of Gainesville Finance Director Mark Benton gave a presentation.*

**RECOMMENDATION** *The Board of Trustees of the General Employees' Pension Plan approve the recommendation to hire Summit Strategies Group as Investment Performance Consultant for the General Employees' Retirement Plan, and authorize the City Manager as Trust Administrator to execute all related documents subject to the approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow

Absent: Pegeen Hanrahan and Paula M. DeLaney

## CONSENT AGENDA

*Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to adopt the Consent Agenda with the following modifications:*

*(VOTE: 3-0, Chair Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)*

*1. File No. 000335 - CITY MANAGER - Strike 2nd sentence in paragraph 3 on Page*

2 of the Agreement.

2. File No. 000343 - GENERAL MANAGER FOR UTILITIES - Add to Recommendation "as a specified source."

3. File No. 991057 - GENERAL MANAGER FOR UTILITIES - Remove from Consent and place on the Regular Agenda.

4. File No. 000357 - CLERK OF THE COMMISSION - Add "accept resignation from DRB" to Recommendation.

5. File No. 000278 - CLERK OF THE COMMISSION - Appointment - Gainesville Code Enforcement Board - move to the Regular Agenda.

6. File No. 000353 - GENERAL MANAGER FOR UTILITIES - Ash Removal From Deerhaven Ash Landfill - move to the Regular Agenda.

## **CITY MANAGER, CONSENT AGENDA ITEMS**

### **000324 Approval to Purchase Street Sweeper (NB)**

**RECOMMENDATION** *The City Commission approve a waiver of the competitive bid process and authorize the City Manager, or his designee, to execute the agreement for a new sweeper with Florida Municipal Equipment, Inc. at a cost not to exceed \$136,300.00 to be paid in FY01 pending review by the City Attorney as to form and legality.*

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

### **000327 Land Clearing for Phase III of Cedar Grove II (Lots 61-74 and 75-99) (B)**

**RECOMMENDATION** *The City Commission: 1) accept the low bid in the amount of \$27,300.00; and 2) authorize the City Manager or designee to issue a purchase order to Watson Construction Company, Inc. for the bid award price of \$27,300.00.*

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

### **000328 Cox Communication's Annual FCC Filings for the Projected Period from July 01, 2000 through June 30, 2001. (B)**

**RECOMMENDATION** *The City Commission approve Cox Communication's maximum permitted rates, as filed on FCC Forms 1240 and 1205 for the Projected Period July 01, 2000 through June 30, 2001.*

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

**000329 1997 Metamorphosis House Agreement (B)**

**RECOMMENDATION** *The City Commission appropriate \$14,528 from General Fund Fund Balance to pay for the renovation expenses at Collins Court.*

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

**000330 Fifth and Final Extension to the Agreement for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration for FY 2001 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the Fifth and Final Extension Agreement with CH2M Hill, Inc., for Professional Services for Engineering & Surveying & Mapping Services for Stormwater Management Projects and Stormwater Utility Administration, extending the term of the Agreement from October 1, 2000 to September 30, 2001, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 2001.*

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

**000331 Professional Environmental Engineering Services for FY 2001 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute the First Extension to the contract with Water & Air Research, Inc. for Professional Environmental Engineering Services, extending the term of the contract from October 1, 2000 to September 30, 2001, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 2001.*

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

**000332 In-Place Density Testing Services for Capital Improvement Projects for FY 2001 (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to execute Second Extension Agreements with Geoengineering & Testing, Inc., formerly known as Advanced Geotechnical Consultants, Inc., and Universal Engineering Sciences, Inc. for Professional Services for In-Place Density and Material*

*Testing Services for Capital Improvement Projects, extending the term of the Agreements from October 1, 2000 to September 30, 2001, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 2001.*

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

**000333      Extension of the City of Gainesville contract with Actuarial Concepts and Lewis, Longman & Walker, P.A. (NB)**

**RECOMMENDATION**    *The City Commission approve the three (3) year extension to the Actuarial Concepts and Lewis, Longman & Walker, P.A. contract and authorize the City Manager to execute the requisite amendment subject to the approval of the City Attorney as to form and legality.*

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

**000334      Extension of the City of Gainesville Contract with Actuarial Concepts. (NB)**

**RECOMMENDATION**    *The City Commission approve the three (3) year extension to the Actuarial Concepts contract and authorize the City Manager as Trust Administrator to execute all related documents subject to the approval of the City Attorney as to form and legality.*

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

**000335      Interlocal Agreement Between City of Gainesville and Alachua County Sheriff for Administration of City's False Alarm Ordinance (B)**

**RECOMMENDATION**    *The City Commission authorize the City Manager to execute the Interlocal Agreement between the City of Gainesville and Alachua County Sheriff for Administration of the City's False Alarm Ordinance, subject to approval by the City Attorney as to form and legality.*

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

**000336      Approval to Apply for Federal Grant Funds from the U.S. Department of Justice Under the Local Law Enforcement Block Grants Program (NB)**

**RECOMMENDATION**    *The City Commission authorize the City Manager 1) to apply to the Department of Justice for \$307,293.00 under this grant program, and if awarded, 2) to execute the grant award*

*contract, pending approval by the City Attorney as to form and legality, and 3) to execute any additional documents that may be necessary*

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

**990999 Change Order to Nelson's Engineering Services, Inc. (B)**

**RECOMMENDATION** *The City Commission approve the issuance of a Change Order to Nelson's Engineering Services, Inc. in an amount not to exceed \$12,962.47 for the renovations of the Thelma Boltin Center.*

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

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

**000338 Contract Extension for Electric Distribution Line Clearance, Tree-Trimming, Right-of-Way Maintenance, Weed Control, and Related Work (NB)**

**RECOMMENDATION** *The City Commission: 1) Authorize the General Manager or his designee to execute an amendment extending the contract for electric distribution line clearance, tree-trimming, right-of-way maintenance, weed control and related work with Asplundh Tree Expert Company for a twelve-month period, commencing October 1, 2000, and ending September 30, 2001, subject to the approval of the City Attorney as to form and legality; and 2) Approve issuance of purchase orders to Asplundh Tree Expert Company for the provision of these services for FY01 for amounts not to exceed \$1,081,276.*

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

**000339 Amendment to Contract and Issuance of Purchase Orders for Computer Systems (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to: 1) execute an amendment to extend the term of the contract with B & W Computer and Technologies, Inc. for computer systems through FY 2001 and, 2) approve the issuance of purchase orders in amounts not to exceed the budgeted amounts.*

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

**000340 Approval of an Amendment to Contract for Janitorial Services (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract for janitorial services, extending the term through March 2001 with the Florida Association of Rehabilitative Facilities, Inc. d/b/a RESPECT of Florida, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to RESPECT of Florida in an amount not to exceed \$80,000.*

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

**000341 Approval of Amendment Contract and Issuance of Purchase Order for Herbicides (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to execute an amendment to extend the term of the contract with Timberland Enterprises, Inc. for herbicides for the Vegetation Management Department through FY 2001 and approve issuance of purchase orders in amounts not to exceed \$50,000.00.*

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

**000342 Approval of an Amendment to the Contract and Issuance of Purchase Orders for Limerock (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to execute an amendment to the contract with Limestone Products, Inc. to extend the term of the contract for limerock and approve the issuance of purchase orders for FY 2001 not to exceed budgeted amounts, subject to the final appropriation of funds.*

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

**000343 Advanced Control Consulting: Contract for Water and Wastewater Instrumentation and Control Technical Services (NB)**

**RECOMMENDATION** *The City Commission authorize the execution of a contract as a specified source with Advanced Control Consulting for instrumentation and control consulting services in an amount not to exceed \$55,000.*

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

**000344 Partial Release of Platted Public Utilities Easement In Northwood West, Unit No. 2, Lot 21 (B)**

**RECOMMENDATION** *The City Commission: 1) approve the partial release of a platted public utilities easement at 5015 NW 40th Street, Northwood West, Unit No. 2, Lot 21, to J. H. and Song Cha Ward; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, subject to approval by the City Attorney as to form and legality.*

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

**000354 Federal Energy Regulatory Commission Dockets No. RM98-10-000, RM98-12-000, and RP00-387-000, Motion of Florida Cities for Leave to Intervene (NB)**

**RECOMMENDATION** *Authorize the General Manager or his designee to proceed with the intervention in the above docket and to take other appropriate actions in this issue in the best interest of the City including intervention in future filings, if required.*

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

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

**000345 WILLIAM A. MELANSON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GLADYS A. BIRT, DECEASED V. CITY OF GAINESVILLE; CASE NO.: 01-00-CA-2777 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the case styled William A. Melanson, as personal representative of the estate of Gladys A. Birt, deceased v. City of Gainesville.*

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

**000346 REQUEST FOR EXTENSION OF VACATION HOURS (B)**

**RECOMMENDATION** *The City Commission authorize a 120 day extension of vacation hours for the City Attorney in accordance with the City of Gainesville's Personnel Policy No. 9.*

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

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**



**PERSONNEL & ORGANIZATIONAL STRUCTURE COMMITTEE, CONSENT****000220 GRU Marketing and Communications Reorganization (B)**

**RECOMMENDATION** *Personnel & Organizational Structure Committee recommends City Commission approve reorganization of the GRU Marketing and Communications Department as proposed.*

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

**PUBLIC WORKS COMMITTEE, CONSENT****PUBLIC SAFETY COMMITTEE, CONSENT****RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT****COMMUNITY DEVELOPMENT COMMITTEE, CONSENT****000337 Pet Chickens (NB)**

**RECOMMENDATION** *The City Commission : 1) Authorize the City Attorney to draft an ordinance amending the animal ordinance; and 2) authorize the Clerk of the Commission to advertise the ordinance change.*

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

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****000357 Appointment - City Plan Board (NB)**

**RECOMMENDATION** *The City Commission appoint Robert Pearce to a vacancy on the City Plan Board to expire November 1, 2000 and to accept his resignation from the Development Review Board.  
Commissioner Chuck Chestnut - Robert Pearce  
Commissioner Pegeen Hanrahan -  
Commissioner Warren Nielsen - Robert Pearce  
Mayor-Commissioner Pro Tem John Barrow - Robert Pearce  
Mayor Paula DeLaney - Robert Pearce*

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

**000277 Appointment - Development Review Board (NB)**

**RECOMMENDATION** *The City Commission appoint Abraham J. Layon to a vacancy on the Development Review Board to expire November 1, 2000.*

*Commissioner Chuck Chestnut - James K. Massey*

*Commissioner Pegeen Hanrahan - Layon*

*Commissioner Warren Nielsen - Layon*

*Mayor-Commissioner Pro Tem John Barrow - Layon*

*Mayor Paula DeLaney - James K. Massey*

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

**000279 Appointment - Pension Review Committee (NB)**

**RECOMMENDATION** *The City Commission appoint Joe E. Belgrade and reappoint Elinor V. Bowman to terms on the Pension Review Committee to expire July, 2003.*

*Commissioner Chuck Chestnut - Belgrade and Bowman*

*Commissioner Pegeen Hanrahan - Belgrade and Bowman*

*Commissioner Warren Nielsen - Belgrade and Bowman*

*Mayor-Commissioner Pro Tem John Barrow - Belgrade and Bowman*

*Mayor Paula DeLaney - Belgrade and Bowman*

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

**000280 Appointment - Public Recreation Board (NB)**

**RECOMMENDATION** *The City Commission reappoint Albert Ray Massey and appoint Vincent R. Prem-Das to terms on the Public Recreation Board to expire June 1, 2003.*

*Commissioner Chuck Chestnut - Massey and Prem-Das*

*Commissioner Pegeen Hanrahan - Massey and Prem-Das*

*Commissioner Warren Nielsen - Massey and Prem-Das*

*Mayor-Commissioner Pro Tem John Barrow - Massey and Prem-Das*

*Mayor Paula DeLaney - Massey and Prem-Das*

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

**000281 Appointment - Water Management Committee (NB)**

**RECOMMENDATION** *The City Commission reappoint Allan Biddlecomb, Mack Oliver and Phyllis Saarinen to terms on the Water*

*Management Committee to expire August, 2003.  
Commissioner Chuck Chestnut - Biddlecomb, Oliver and  
Saarinen  
Commissioner Pegeen Hanrahan - Biddlecomb, Oliver and  
Saarinen  
Commissioner Warren Nielsen - Biddlecomb, Oliver and  
Saarinen  
Mayor-Commissioner Pro Tem John Barrow - Biddlecomb,  
Oliver and Saarinen  
Mayor Paula DeLaney - Biddlecomb, Oliver and Saarinen*

**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: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to adopt the Regular Agenda with the following modifications:*

*(VOTE: 3-0, Chair Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)*

- 1. CITY MANAGER - New Item - Home Depot Annexation.*
- 2. File No. 980342 - Traffic Operations and Parking Changes - Additional Back-up submitted.*
- 3. File No. 980853 - Sidewalks and Bicycle Paths - Ordinance Line 20, Page 3 & Petition - "change 44" to 5 feet".*

## CLERK OF THE COMMISSION

**000278**

### **Appointment - Gainesville Code Enforcement Board (NB)**

*Chair Pro Tem John R. Barrow recognized Citizen Mark Goldstein who spoke to the matter.*

#### **RECOMMENDATION**

*The City Commission reappoint James E. Clayton and Steven G. Douglas and appoint Karl E. Hackenbrack to terms on the Gainesville Code Enforcement Board to expire August 1, 2003.*

*Commissioner Chuck Chestnut - Clayton, Douglas and Hackenbrack*

*Commissioner Pegeen Hanrahan - William A. Gager, Jr., Hackenbrack and Julia Reiskind*

*Commissioner Warren Nielsen - William A. Gager, Jr., Hackenbrack and Julia Reiskind*

*Mayor-Commissioner Pro Tem John Barrow - Clayton, Douglas and Hackenbrack*

*Mayor Paula DeLaney - Clayton, Douglas and Hackenbrack*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

## CITY MANAGER

**000212**

### **Ad Hoc Steering Committee on University Neighborhoods (B)**

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

*Chair Pro Tem John R. Barrow recognized Citizens Bruce Delaney, Jim Konish, Mark Goldstein and Susan Wright who spoke to the matter.*

*MOTION: Accept staff's recommendation for the dates for the Ad Hoc Steering Committee on University Neighborhoods meetings, setting the first meeting time for 7:00 to 9:00 PM; also include staff representation from the City Attorney's Office, Community Development Department, Codes Enforcement, Gainesville Police Department and representation from the University of Florida.*

**RECOMMENDATION** *Hear a report from staff and take appropriate action.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Peegen Hanrahan and Paula M. DeLaney

**000348 Cedar Grove II - HOME Construction Loan Update (NB)**

*City of Gainesville Community Development Director Tom Saunders and Housing Manager Jacquelin Richardson gave presentations.*

**RECOMMENDATION** *Hear a brief presentation from staff and confirm approval of the \$1,125,000 HOME funds from the Florida Housing Finance Corporation.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Peegen Hanrahan and Paula M. DeLaney

**000349 National Safety Award for Best Practices - Traffic Crash Data (NB)**

*City of Gainesville Public Works Director Teresa Scott and Police Corporal Mitch Nixon gave presentations.*

**RECOMMENDATION** *The City Commission hear a presentation from the Public Works Department and Gainesville Police Department regarding national recognition for Traffic Crash Data Work.*

**Heard**

**000363 Home Depot Annexation (NB)**

*Chair Pro-Tem John R. Barrow recognized Citizen Jim Konish who spoke to the matter.*

**RECOMMENDATION** *The City Commission receive the City Manager's report and take whatever action deemed appropriate to resolve the conflict.*

**Heard**

**000209**

**Budget 2000-2001 and 2001-2002 (B)**

*GAINESVILLE POLICE DEPARTMENT BUDGET*

*City of Gainesville Police Chief Norm Botsford, Police Lieutenant Ray Weaver and Officer Jeff McAdams gave presentations.*

*Chair Pro Tem John R. Barrow recognized Reverend Tim Keyes who spoke to the matter.*

*RECREATION BUDGET/MLK CENTER*

*City of Gainesville Assistant City Manager Carl Harness gave a presentation.*

**RECOMMENDATION** *The City Commission continue reviewing the proposed 2000-2001 and 2001-2002 budgets.*

**Heard**

**000355**

**Proposed CRA Budget - FY 2000/2001 and 2001/2002 (B)**

*Chair Pro Tem John R. Barrow recognized Citizen Mark Sexton who spoke to the matter.*

**RECOMMENDATION** *CRA to the City Commission: 1) approve the transfer of unspent funds in the Renovation Loans account to the Downtown Streetscape account; 2) adopt the budget recommendations from each advisory board for their respective budgets; 3) incorporate each proposed budget into the upcoming City two year budget; and 4) increase the DRAB contribution to the downtown parking facility by \$15,000 and eliminate the downtown marketing budget for both fiscal years.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Peegen Hanrahan and Paula M. DeLaney

**GENERAL MANAGER FOR UTILITIES****000210 GRU Budget FY 2000-2001 (NB)**

*Gainesville Regional Utilities Finance Director Kim Simpson, Strategic Utility Planning Director Ed Regan and Utility Communications Director Kathy Viehe gave presentations.*

*Chair Pro Tem John R. Barrow recognized Citizen Jim Konish spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation from GRU on the FY 2000-2001 Budget.*

**Heard**

**991057 Revised Card Access System (B)**

*Chair Pro Tem John R. Barrow recognized Simplex Representatives Joe Nowikowski and Randy Graves; and SEMCO President Bob Phillips who spoke to the matter.*

*Gainesville Regional Utilities Assistant General Manager for Administrative Services Karen Johnson and Utility Purchasing Manager Ruth Davis gave presentations.*

**RECOMMENDATION** *The City Commission: (1) deny the protest of Simplex; (2) authorize the General Manager, or his designee, to negotiate and execute a contract with SEMCO, Southeast Energy Management Corporation, for the purchase and installation of a card access system for certain GRU facilities, and (3) approve the issuance of a purchase order to Semco in an amount not to exceed \$79,115.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**RECESS - 5:20 PM**

**RECONVENE - 5:46 PM**

**CITIZEN COMMENT**

**Mark Goldstein**

*Opposition of one-way streets - 17th Street Project*

**Jim Konish**

1. *Alachua County Courthouse.*
2. *GRU Issues*

**Frederick Peterkin**

1. *Mowing Schedule*
2. *Liabilites associated with "Adopt a Street" program*

**Mark Sexton**

1. *Housing -15 year financing vs. 30 year financing*
2. *Night-time use of GRU Administration Parking Lot*
3. *1 Cent Sales Tax for Parking Garage*

**Debbie Martinez**

*Drug Issues*

**Mark Dunmore, Sr.**

*Development Issues*

**Reverend Tim Keyes**

1. *GPD Budget Issues - (See item 000377 below)*
2. *Pay raises for Commissioners/Petition/Ballot*

**000377****Tim Keyes - GPD Issues (B)**

**RECOMMENDATION** *The City Commission receive a document and hear a presentation.*

**Heard**

**PLEDGE OF ALLEGIANCE (6:00pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****000351**

**City of Gainesville Firefighter Appreciation Week-August 28-September 4, 2000 (B)**

**RECOMMENDATION** *City of Gainesville Assistant Fire Chief Will Irby,*



*International Association of Fire Fighters Local 2157  
President Jeff Lane and Muscular Distrophy Association  
Program Coordinator Melissa Warner to accept the  
proclamations.*

**Placed on File**

**000352 "Well Workplace/Well City USA" - August 28, 2000 (B)**

**RECOMMENDATION** *Chamber of Commerce Chair Marilyn Tubb to accept the  
proclamation.*

**Placed on File**

**UNFINISHED BUSINESS - PULLED FROM CONSENT**

**000353 Ash Removal From Deerhaven Ash Landfill (B)**

*Gainesville Regional Utilities Assistant General Manager for Energy Supply Darrell  
Dubose gave a presentation.*

*Chair Pro Tem John R. Barrow recognized Citizen Jim Konish who spoke to the  
matter.*

**RECOMMENDATION** *Authorize the General Manager or his designee to negotiate  
and execute a contract for the removal of ash from the  
Deerhaven ash landfill.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**CITY ATTORNEY**

**000347 MARY FIALLO AND ANTONIO FIALLO V. CITY OF GAINESVILLE;  
ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 99-CA-3850 (B)**

*City of Gainesville Sr. Assistant City Attorney Ron Combs gave a presentation.*

**RECOMMENDATION** *The City Commission 1) approve the terms of the settlement;  
and 2) authorize the City Manager and the City Attorney's  
Office to settle the case.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

## CITY AUDITOR

## COMMITTEE REPORTS (PULLED FROM CONSENT)

## PUBLIC WORKS COMMITTEE

### 980342 Traffic Operations and Parking Changes - SE 2nd Avenue and SE 2nd Place (B)

*City of Gainesville Public Works Traffic Engineering Director Brian Kanely gave a presentation.*

*Chair Pro Tem John R. Barrow recognized Citizens Mark Sexton and Reverend Tim Keyes who spoke to the matter.*

*FIRST MOTION: Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to approve part 1 of the recommendation.  
(3-0, Chair Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)*

*SECOND MOTION: Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to refer part 2 of the recommendation back to the Public Works staff to: 1) obtain an East/West Traffic Study of the area within 2 weeks; 2) keep the street 2-way until the study is complete; 3) upon completion of the study have a trial parking period on the north side of the street; 4) and come back to the City Commission in 4 weeks with a report.  
(3-0, Chair Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)*

**RECOMMENDATION** *The City Commission approve the following traffic operations and parking changes:*

*1. SE 2nd Avenue between South Main Street and SE 3rd Street*

*Modify the street cross section to provide the following:*

*One eastbound and one westbound travel lane.*

*One eastbound and one westbound bicycle lane.*

*Center lane for left turns and landscaped medians.*

*Parallel parking lane on the north side of the street.*

*2. SE 2nd Place between SE 1st Street and SE 3rd Street*

*Modify the street cross section to provide the following:*

*Convert street to one way eastbound.*

*Parallel parking lane on the north side of the street.*

*One eastbound travel lane.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on September 25, 2000. The motion carried by the following vote:**

Votes: Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**000291 Traffic Operations and Parking Changes--Southeast 2nd Avenue and Southeast 2nd Place (B)**

*NOTE: This item was addressed under Legistar File # 980342.*

**RECOMMENDATION** *The Community Redevelopment Agency recommends: that the City Commission approve the traffic operation and parking changes to Southeast 2nd Avenue between South Main Street and Southeast 3rd Street; and Southeast 2nd Place between Southeast 1st Street and Southeast 3rd Street as proposed by the Public Works Department.*

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**RECREATION AND CULTURAL AFFAIRS COMMITTEE**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**PUBLIC HEARINGS**

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

**000051 GENERAL EMPLOYEES PENSION PLAN (B)**

**Ordinance No. 0-00-84**

**An ordinance of the City of Gainesville, Florida, amending Division 3 and Division 5 of Chapter 2 of the Code of Ordinances relating to longevity payments**

and the City of Gainesville General Employees Pension Plan; describing benefits available to certain Gainesville Police Department employees; fixing the percentage of employee pension contributions and defining the types of pay from which contributions are derived; creating a Deferred Retirement Option Program (DROP); modifying procedures for selecting annuity options; providing for a cost of living increase for pension benefits; restricting the waiver of entitlement to longevity benefits to Police Officers and Firefighters who participate in the Consolidated Pension Plan DROP; providing directions to the codifier, 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

## **000187            CONTRACTOR AND CRAFTSMAN CERTIFICATION RENEWALS (B)**

### **Ordinance No. 0-00-86**

**An ordinance of the City of Gainesville, Florida, amending section 6-193 of the Code of Ordinances relating to contractor and craftsman certification; providing for renewal of contractor and craftsman certificates every two years to be consistent with Appendix A adopted on August 14, 2000 by ordinance number 000057; 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 First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

## **990853            SIDEWALKS AND SHARED USE BICYCLE PATHS (B)**

### **Ordinance No. 0-00-76; Petition No. 78TCH-99PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code with respect to sidewalks and shared use bicycle paths; amending section 30-160 to provide that sidewalks are required on the preliminary development plan and the final development plan during development review and providing exemptions for certain types of streets; amending section 30-183 to provide that sidewalks are required on the design**

plat for subdivision and providing exemptions for certain types of streets; amending section 30-188 to require construction of sidewalks with exemptions for certain types of streets and requiring shared use bicycle paths in subdivisions where designated on the officially adopted trail network plan for the city; 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 gave a presentation.*

*REVISION: Ordinance and Petition, line 20, page 3, "change 44" to 5 feet".*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**991153**

**SIDEWALK CAFES IN THE CENTRAL CORRIDOR DISTRICT (B)**

**Ordinance No. 0-00-78; Petition No. 35TCH-00PB**

**An ordinance of the City of Gainesville, Florida; amending subsection 30-66(e)(4) relating to sidewalk cafes in the central corridor district (CCD), providing that a license for a sidewalk cafe, must be renewed upon change of owner of the principal use, revising the requirements and conditions for an enclosure or barrier around the cafe, and revising the requirements for a clear pedestrian path; amending section 30-87 relating to outdoor cafes, revising the requirements and conditions for an enclosure or barrier around the cafe, and requiring the cafe, to not interfere with pedestrian or vehicular circulation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Sr. Planner Kathy Winburn gave a presentation.*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

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

**000053            SECONDHAND GOODS CHAPTER 22 (B)****Ordinance No. 0-00-35**

**An ordinance of the City of Gainesville amending Chapter 22 of the Gainesville Code of Ordinances relating to secondhand goods and secondhand dealers; repealing the "Junk dealers" category; incorporating statutory definitions; deleting local regulations relating to pawnbrokers and requiring pawnbrokers to obey state law; providing for enforcement by civil citation; changing the record requirements of secondhand transactions; modifying the holding period for property; defining the right of the police to inspect records and premises; prohibiting purchases from minors; amending section 2-339 to provide for enforcement by civil citations; 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: Chuck Chestnut, Warren Nielsen and John R. Barrow  
Absent: Pegeen Hanrahan and Paula M. DeLaney

**000240            EQUAL OPPORTUNITY POLICIES (B)****Ordinance No. 0-00-83**

**An Ordinance of the City of Gainesville, Florida; relating to Equal Opportunity; adopting the Policy Statement; adopting the Charter Officer's Duties Related to Equal Opportunity Policy; adopting the Discrimination, Harassment and Conduct Policy; adopting the Retaliation Policy, adopting the Disability Policy; and adopting the Equal Employment Opportunity Policy; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*NOTE: Chair Paula M. DeLaney entered the meeting room and assumed the gavel.*

**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: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

**ORDINANCES 1ST READING - CONTINUED**

**991285 PLANNED DEVELOPMENT - MAGNOLIA PARKE (B)****Ordinance No. 0-00-63, Petition Nos. 19PDA-00PB& 29PDV-00PB**

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Magnolia Parke Planned Development", located in the vicinity of the 4600-5000 Block of Northwest 39th Avenue; rezoning and adding certain additional property from the Alachua County zoning category of "R-2, multiple-family, medium density" to the City of Gainesville zoning category of "Planned Development District"; adopting a development plan; amending City of Gainesville Ordinance No. 960941 as amended by Ordinance No. 980987 by adopting revised development plan maps and a revised planned development report; amending and adopting additional conditions and restrictions; providing for penalties; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Sr. Planner Kathy Winburn gave a presentation.*

*Chair Pro Tem John R. Barrow declared a conflict of interest regarding this item.*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and Paula M. DeLaney  
Abstain: John R. Barrow  
Absent: Pegeen Hanrahan

**ORDINANCES 2ND READING - CONTINUED****000191 OCCUPATIONAL LICENSES RATE INCREASE (B)****Ordinance No. 0-00-85**

**An ordinance of the City of Gainesville, Florida, replacing in total, section 25-51 of the Code of Ordinances, increasing rates for occupational licenses; providing a severability clause; providing a repealing clause; providing an implementation date; and providing an immediate effective date.**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

**990442 COMMERCIAL BUILDING CODE (B)****Ordinance No. 0-00-07**

An ordinance of the City of Gainesville, Florida, creating and adding Article III to Chapter 13 of the Code of Ordinances consisting of sections 13-201 through 13-214 inclusive, establishing a commercial building code; making findings of facts and a declaration of necessity; specifying the buildings covered by the commercial building code; resolving conflicts with other ordinance provisions; establishing standards for exterior property areas, exterior structure, exterior walls, door and window openings, roofs, and accessory and appurtenant structures; providing for compliance periods; providing for appeals of decisions; providing that properties covered by the commercial building code must continue to comply with applicable historic preservation ordinances; providing a right of entry; amending section 2-339 of the Code of Ordinances to allow enforcement of the commercial building code by the civil citation process; amending section 2-377(a)(8) of the Code of Ordinances to allow enforcement of the commercial building code by the Code Enforcement Board process; providing directions to the codifier; 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 Barrow, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Peegen Hanrahan

**990710 REZONING - ASHTON (B)****Ordinance No. 0-00-60, Petition No. 149ZON-00PB**

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from the zoning categories of certain properties annexed into the City from the Alachua County zoning categories to City of Gainesville zoning categories as follows: 1) from "C-1, conservation district" to "CON: Conservation district" on Tax Parcel Nos. 06006-000-000, 06006-001-000, 06022-000-000, 06021-000-000 and 06023-003-001; 2) from "Agricultural districts" and "BA, BA-1, business, automotive" to "OF: General office district" on Tax Parcel Nos. 06022-002-000 and 06022-001-000; 3) from "R-1a, single-family, low density (one to four dwelling units per acre)" to "RSF-1: 3.5 units/acre single-family residential district" on Tax Parcel Nos. 06023-040-001 thru 074 inclusive; 4) from "Agricultural districts" to "ED: Educational services district" on Tax Parcel 06020-002-000; and 5) from "Agricultural districts" to "AGR: Agriculture district" on Tax Parcel No. 06023-003-002; consisting of approximately 367 acres, located in the vicinity of N.W. 43rd Street north of N.W. 53rd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.



*City of Gainesville Planning Manager Ralph Hilliard gave a presentation.*

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

## **RESOLUTIONS- ROLL CALL REQUIRED**

## **PLAN BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

### **000356 Select a Topic for Special Meeting (NB)**

*MOTION:*

*1st Choice: Airport Issue if Assistant City Attorney Charlie Houck is available on that date, and direct the Clerk of the Commission to notify Airport Authority members and the Airport Director .*

*2nd Choice: Charter Review Update and joint planning with small cities.*

**RECOMMENDATION** *The City Commission select a topic for the September 8th Joint City/County Commission meeting.*

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

**Votes:** Aye: Chuck Chestnut, John R. Barrow and Paula M. DeLaney  
Absent: Warren Nielsen and Pegeen Hanrahan

### **000318 Reporting Structure of Equal Opportunity, Affirmation Action and Other Human Relations Programs (B)**

*City of Gainesville Auditor Alan Ash gave a presentation.*

*Chair Paula M. DeLaney recognized Blue Ribbon Task Force Chair Rodney Long and Member Larry McDaniel who spoke to the matter.*

*AMENDMENT: Change item 4 in the recommendation from "consider creating" to "create a standing committee" .*

**RECOMMENDATION** *The Personnel and Organizational Structure Committee accept the City Auditor's report and recommend that the City Commission:*

- 1) Not transfer Equal Opportunity, Affirmative Action or other human relations programs and activities to the Office of the City Auditor;*
- 2) Authorize the City Auditor to include audits for assessing and evaluating the City's human relations programs in the FY 2001 Annual Audit Plan;*
- 3) Support the City Manager to consider relocating the Equal Opportunity Department outside the City Manager's Office; and*
- 4) Consider creating a standing committee to monitor human relations programs.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

### **000373 Charter Review Commission (NB)**

*Chair Paula M. DeLaney recognized Blue Ribbon Task Force Members Rodney Long, Ruth Brown, Larry McDaniel and Nkwanda Jah who spoke to the matter.*

**RECOMMENDATION** *The City Commission reconsider items 990185 & 000221 which were addressed at the August 14, 2000 City Commission Meeting with references to the new Charter Officer position removed; and place on the Consent Agenda of the September 11, 2000 City Commission Meeting.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Mayor-Commissioner Pro Tem John Barrow**

*Vehicle Towing - See item 000374 below.*

**000374 Vehicle Towing Downtown/Streets & Parking Lots (NB)**

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

**A motion was made by Mayor-Commissioner Pro Tem Barrow, seconded by Commissioner Nielsen, that this matter be Referred to the Public Safety Committee, due back on February 28, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

**Warren Nielsen**

*Commission Discussion - See Item 000375 below.*

**000375 City Commission Discussions (NB)**

*Chair Paula M. DeLaney recognized Citizens Reverend Tim Keyes and Mark Dunmore, Sr. who spoke to the matter.*

**RECOMMENDATION** *The City Commission direct the Clerk of the Commission to schedule City Commission "round table" discussions on a monthly basis and notice these meetings accordingly.*

**A motion was made by Commissioner Nielsen, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Referred to the Clerk of the Commission, due back on September 11, 2000. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

**Commissioner Chuck Chestnut**

- 1. Code Enforcement in neighborhoods. (See Item 000376 below)*
- 2. RTS Complaint - Commissioner Chestnut to return call.*

**000376 Code Enforcement in Neighborhoods (NB)**

*NOTE: The Clerk was asked to remove this item from the City Manager's Referral List at the May 9, 2002, Special City Commission Meeting.*

**RECOMMENDATION** *The City Commission refer the issue of incentive awards to homeowners and renters for attractive yards, such as a "Yard of the Month Award" to the City Manager.*

**A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Referred to the City Manager, due back on February 28, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Paula M. DeLaney

Absent: Pegeen Hanrahan

**Mayor Paula M. DeLaney**

*10 Year Memorial of the Gainesville Student Murders - Thank you to Gainesville Police Department*

**CITIZEN COMMENT**

**Reverend Tim Keyes**

*GPD Community Policing Issues*

**ADJOURNMENT - 10:05 PM**

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Kurt M. Lannon, Clerk of the Commission