

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, November 10, 1997**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## Invocation

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

## Rev. Geraldine McClellan (Not Present) City Employee Ralph Hilliard

## Consent Agenda

*With the following modification: File No. 970594 - New recommendation submitted*

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

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

## City Manager, Consent Agenda Items

### 970568 Hills Record Storage

**RECOMMENDATION** *The City Commission waive competitive bidding and authorize the issuance of a purchase order to Hill's Record Storage for \$21,000 for Fiscal Year 1997-1998*

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

### 970569 Adoption of State Minimum Building Codes

**RECOMMENDATION** *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of Ordinances adopting the updated minimum building codes, effective January 1, 1998.*

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

### 970570 EAR Assistance Program Contract

**RECOMMENDATION** *The City Commission: 1) authorize the Mayor to sign the Evaluation and Appraisal Report Assistance Program Contract, subject to review and approval by the City Attorney as to form and legality; and 2) authorize the City Manager to submit the contract to the Department of Community Affairs.*

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

**970571 Grant Application for the State of Florida HOME Program**

**RECOMMENDATION** *The City Commission: 1) authorize the submission of a grant application to the State of Florida Housing Finance Agency; 2) authorize the City Manager or his designee to execute the application on behalf of the City, and to provide the appropriate assurances and certifications required; 3) authorize the Mayor-Commissioner to execute a letter supporting the grant application; 4) approve the use of \$1,051,300 of State Housing Initiative Partnership funds to satisfy the grant match requirements; and if awarded, 5) authorize the City Manager to execute the grant agreement and any other related documents, pending approval by the City Attorney as to form and legality. (A copy of the grant application is on file in the Clerk of the Commission office. After November 10, 1997 the grant application will be on file in the Community Development Department.)*

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

**970572 Disposition of City Properties**

**RECOMMENDATION** *The City Commission: 1) approve the disposition of 706 NW 7th Avenue and 1223 NE 14th Street to a low-income homebuyer; 2) approve the disposition of 706 NW 7th Avenue and 1223 NE 14th Street at a price greater than or equal to 90% of the current appraisal value and not to exceed the current appraisal value; 3) authorize the City Manager or his designee to sign the Purchase and Sale Agreements for the disposition of 706 NW 7th Avenue and 1223 NE 14th Street; and 4) authorize the Mayor-Commissioner and Clerk of the Commission to execute a Special Warranty Deed, and other appropriate documents as required to effect the conveyance of the property, subject to approval by the City Attorney as to form and legality.*

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

**970573 Permanent Full Time Position for Environmental Programming in Nature Operations**

**RECOMMENDATION** *The City Commission approve the hiring of a Recreation Leader, at Pay Grade 10, to assist with the Environmental programs and events.*

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

**970574                      Renovations of HVAC & Plumbing systems for Fire Station No. 2**

**RECOMMENDATION**    *The City Commission: 1) approve the issuance of a Purchase Order in an amount of \$37,100.00, to DARCCO Inc., for the renovations of Plumbing and HVAC systems at Fire Station No. 2; and 2) approve a contingency of approximately 8 percent (\$2,900), bringing the approved funding for the project to \$40,000.00.*

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

**970575                      Roadway Lighting**

**RECOMMENDATION**    *The Public Works Committee recommends the City Commission approve the Standard Practice for Public Lighting Policy as amended.*

**This Matter was Assigned to the Public Works Committee, due back on May 10, 1998 on the Consent Agenda.**

**970576                      Ordinance No. 0-98-36**

**An ordinance of the City of Gainesville, Florida, amending section 28-2 of the Code of Ordinances relating to vehicles for hire to include non-emergency medical transport vehicles (medivans) in the definition of limousines; 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.*

**This Matter was Assigned to the Public Safety Committee, due back on May 10, 1998 on the Consent Agenda.**

## **General Manager for Utilities, Consent Agenda Items**

**970593                      Amendment to Service Charges**

**RECOMMENDATION**    *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Appendix A, subsection UTILITIES (6)b.(iv) specifying specific charges for different levels of service; amending Section 27-15 identifying different levels of service; providing for a repealing clause; providing for a severability*

*clause; and, providing an effective date.*

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

**970594            An Ordinance amending Chapter 27, UTILITIES, Article II. Electricity; and amending Appendix A, Section UTILITIES (1) ELECTRICITY of the Gainesville Code of Ordinances**

**RECOMMENDATION**    *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, Article II, Electricity of the Gainesville Code of Ordinances by revising the definitions, rates, and charges for underground distribution facilities and the rates for public and rental light service.*

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

**970595            Agreement with the University of Florida to Continue Wastewater Service to Maguire Village**

**RECOMMENDATION**    *The City Commission authorize the General Manager to negotiate and execute an Agreement with the University of Florida to provide wastewater service to Maguire Village at an initial rate of \$1.55 per thousand gallons.*

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

**970596            Natural Gas Service Pilot Program**

**RECOMMENDATION**    *The City Commission authorize the General Manager for Utilities or his designee to enter into contracts, subject to approval of the City Attorney as to form and legality, to provide natural gas service to Tacachale and to the North Florida Evaluation and Treatment Center (NFETC) under temporary and "pilot" terms and conditions that deviate slightly from the terms and conditions provided within the City's Code of Ordinances.*

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

**970597            Extension of Contract for the Maintenance of GRU and General Government's Communications Equipment**

**RECOMMENDATION**    *The City Commission: 1) authorize the General Manager or his designee to execute an Amendment to the contract with Motorola, Inc. for the repair and maintenance of*

*communications equipment for Fiscal Year 98, subject to the approval of the City Attorney; and 2) approve the issuance of purchase orders to Motorola, Inc. and their local authorized repair facility, Tri-Co Communications, Inc., in amounts not exceeding \$210,500 (\$72,100 for GRU and \$138,400 for General Government)*

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

## **City Attorney, Consent Agenda Items**

**970590**      **Coalition to Save Gainesville's Greenspaces, by and through the Florida League of Conservation Voters, Inc., Clean Air & Water, Inc., and Greenspace Preservation Inc. vs. City of Gainesville; Case No. 97-3906-CA.**

**RECOMMENDATION**      *The City Commission authorize the City Attorney to represent the City in the case styled Coalition to Save Gainesville's Greenspaces, by and through the Florida League of Conservation Voters, Inc., Clean Air & Water, Inc., and Greenspace Preservation Inc. vs. City of Gainesville; Case No. 97-3906-CA.*

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

## **Committee Reports, Consent Agenda Items**

**Public Works Committee, Consent**

**Personnel & Organizational Structure Comm, Consent**

**Public Safety Committee, Consent**

**Audit & Finance Committee, Consent**

**Legislative Committee, Consent**

**Regional Utilities Committee, Consent**

**Clerk of the Commission, Consent Agenda Items**

**970577**      **City Beautification Board**

**RECOMMENDATION** *The City Commission accept the resignation of member Sally Palmi from the City Beautification Board effective immediately.*

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

**970586**      **City Commission Minutes of October 20, 27 and 30, 1997**

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

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

### **Community Redevelopment Agency, Consent Items**

### **End of Consent Agenda**

### **Adoption of the Agenda**

*Commissioner P. DeLaney entered the meeting room (3:05 pm)*

*The agenda was adopted with the following modifications: 1) Waive the Rules of the City Commission to move Resolution 970584 to be considered after Proclamations; 2) Withdraw File No. 970599 per General Manager of Utilities; 3) New Item Submitted - File No. 970606 - Resolution of Support; and 4) File No. 970448 - Withdraw*

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

### **City Commission Comment (If time available)**

### **Charter Officer Updates**

### **Clerk of the Commission**

### **Proclamations**

**970605**      **Marion J. Radson - Boss of the Year 1997-1998**

**RECOMMENDATION** *City Attorney Marion J. Radson to accept the Proclamation.*

**This matter was Placed on File**

## City Manager

### 970579 Distinguished Budget Presentation Award for FY 1997.

*Chairman B. Delaney presented the award to Office of Management and Budget Director Rick Mills.*

**RECOMMENDATION** *The City Commission accept the Distinguished Budget Presentation Award for the current year from the Government Finance Officers Association (GFOA).*

**This matter was Placed on File**

### 970580 Hogtown Creek Sediment Control Project Presentation

*Public Works Manager J.E. Swearingen gave a presentation.*

*NOTE: Greenway Staff and Carla Palmer, Engineer from the St. John's River Management District be available at the Public Works Committee meeting when this item is discussed.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation by staff and CH2M Hill on the preliminary engineering analysis and design options for the Hogtown Creek Sediment Control Project; 2) select a design option for final design; and 3) authorize the City Manager or designee to negotiate an agreement with the Florida Department of Transportation for their participation in the project construction.*

**A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on May 10, 1998. The motion carried unanimously.**

### 970581 Targeted Bulk Waste Collection Service

*Solid Waste Manager Steve Hiney gave a presentation.*

*Waste Management of Central Florida Representative Doug McCoy made comments.*

*Commissioner P. DeLaney moved and Commissioner Jennings seconded to approve the City Manager's recommendation (Motion Failed 2-3, Commissioner Calkins, Hanrahan and Chairman B. Delaney voted Nay)*

**RECOMMENDATION** *The Public Works Committee recommends the City Commission: 1) approve a pilot program, to extend to September 30, 1998, to provide enhanced bulk waste collection service within targeted areas identified by City staff*



*of up to 12,000 homes; 2) authorize the City Manager to negotiate and execute an Amendment to the Memorandum of Understanding between Alachua Waste Management and the City of Gainesville, allowing the provision of enhanced bulk waste collection service of 12,000 homes; expanding the definition of bulk waste; providing for the collection of solid waste placed curbside at vacant properties, and defining and providing for the provision of "Special Services" at the direction of the City, subject to approval of the City Attorney as to form and legality.*

**A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on May 10, 1998. The motion carried unanimously.**

**970582 Notification Requirements for Sign Enforcement**

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation from city staff; and 2) request the City Commission to initiate a petition deleting Section 30-326(c) of the code.*

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

**General Manager for Utilities**

**970484 Contract for janitorial services for the remainder of FY 98 with Florida Association of Rehabilitative Facilities, Inc., d/b/a RESPECT of Florida**

*Utility Administrative Services Director Pat Moore gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation from staff; 2) authorize the General Manager or his designee to negotiate and execute a contract for janitorial services for the remainder of FY 98 (12/1/97 - 9/30/98) with 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 3) approve the issuance of a blanket purchase order to RESPECT of Florida in an amount not to exceed \$142,500.*

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

**970599 Electric Service Territorial Agreement**

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to execute an Electric Service Territorial Agreement between the City of Gainesville and the City of Alachua, Florida, subject to approval by the City Attorney as to form and legality.*

**This matter was Withdrawn**

**970600 Acceptance of Electric Franchise with the City of Alachua**

*General Manager of Utilities Mike Kurtz gave a presentation.*

**RECOMMENDATION** *That the City Commission approve the franchise for electric service granted by City of Alachua to the City of Gainesville and authorize the Mayor and Clerk to execute an acceptance of the franchise and file such acceptance with the Clerk of the City of Alachua.*

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

**970601 Amendment to Operating and Maintenance Agreement with the City of Alachua**

**RECOMMENDATION** *The City Commission authorize the General Manager for Utilities or his designee to execute the Amendment to Operating and Maintenance Agreement with the City of Alachua, Florida, subject to approval by the City Attorney as to form and legality.*

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

**970602 Acceptance of Gas Franchise with the City of Alachua**

**RECOMMENDATION** *The City Commission approve the franchise for gas service between the City of Alachua and the City of Gainesville, Gainesville Regional Utilities and authorize the Mayor and Clerk to execute an acceptance of the franchise and file such acceptance with the Clerk of the City of Alachua.*

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

## City Attorney

### 970603 Proposed Federal Bills that Preempt Local Land Use Authority (H.R. 1534 and S.B.1256)

*Assistant City Attorney Pat Carter gave a presentation.*

*MOTION: Authorize the Mayor-Commissioner to send a letter of opposition to the entire Federal Legislative Delegation; and further, send a letter of appreciation to those who voted against the legislation.*

**RECOMMENDATION** *The City Commission: 1) hear a summary of proposed federal legislation that preempts local land use authority; and 2) take whatever action deemed appropriate.*

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

## City Auditor

### Committee Reports (Pulled from Consent)

### Public Works Committee

### 960082 Attendant Parking Experimental Program

*Traffic Engineer Brian Kanley gave a presentation.*

*Chairman B. Delaney recognized Citizen Tom Fox who spoke to the matter.*

*AMENDMENT: City Manager return to the City Commission with the final contract.*

**RECOMMENDATION** *The City Commission: 1) approve the awarding of the conceptual contract for day time and night time attendant parking in City Lots 1, 10 and 13 to Seven One Seven Parking Enterprises; 2) authorize the City Manager to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) instruct the City Attorney and the Building Official to research and provide an interpretation of the ADA and restroom requirements of the attendant parking building to be located in Parking Lot 13.*

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

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

**Personnel & Organizational Structure Committee**

**Public Safety Committee**

**Audit & Finance Committee**

**Legislative Committee**

**Regional Utilities Committee**

**Advisory Brds/Comm (Appointments/Waivers/Reports)**

**970578 Fair Housing Board**

*Fair Housing Board Chair Ruben Ramos gave a presentation.*

*City Manager Wayne Bowers reported that discussions were continuing with Alachua County regarding these services.*

*MOTION: Approved that January 15, 1998 be an appropriate deadline to receive a response from Alachua County regarding Equal Opportunity duties.*

**RECOMMENDATION** *The City Commission hear a presentation from the Fair Housing Board and take appropriate action.*

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

**Outside Agencies**

**Members of the City Commission**

**Commission Comments**

**Adjourn Until 6:00 PM**

**Pledge of Allegiance**

## Brownie Girl Scout Troop #497

### Proclamations

#### 970491 Gainesville Association for the Creative Arts Day - November 16, 1997

RECOMMENDATION *Gainesville Association for the Creative Arts Board of Directors Member Doris Bardon to accept the proclamation.*

**This matter was Placed on File**

#### 970492 "Gainesville Recycles" Day - November 15, 1997

RECOMMENDATION *City of Gainesville Solid Waste Division Recycling Coordinator Gina Hawkins to accept the proclamation.*

**This matter was Placed on File**

#### 970587 Crop Walk Day - November 16, 1997

RECOMMENDATION *Crop Walk Day Representative Carol Willis to accept the proclamation.*

**This matter was Placed on File**

#### 970588 Richard Parker Day - November 16, 1997

RECOMMENDATION *Eastside High School Retired Band Director Richard Parker to accept the proclamation.*

**This matter was Placed on File**

#### 970604 Farm-City Week - November 19-28, 1997

RECOMMENDATION *Kiwanis Club of Gainesville Agriculture/Conservation Chair Paul Spinelli and President Melda Bassett to accept the proclamation.*

**This matter was Placed on File**

### Resolutions - ROLL CALL REQUIRED

**970584**      **A RESOLUTION OF THE CITY OF GAINESVILLE, FLORIDA, ACCEPTING ADDITIONAL CONTRIBUTIONS TO BE DEPOSITED INTO THE NON-EXPENDABLE TRUST FUND KNOWN AS THE RING PARK WILDFLOWER GARDEN TRUST FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE FRIENDS OF RING PARK, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE REQUIRED DOCUMENTS TO ESTABLISH A TRUST ACCOUNT AT MERRILL LYNCH FOR THE DEPOSIT OF SAID TRUST FUNDS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Dr. Alfred A. Ring made comments and presented a check for \$30,000 to the City.*

*City Manager Wayne Bowers made comments and presented a matching amount check for \$30,000.*

**RECOMMENDATION**      *City Commission: 1) adopt a Resolution acknowledging additional contributions into the Ring Park Wildflower Garden Trust Fund and authorizing the execution of the Agreement Between the City of Gainesville and Friends of Ring Park, Inc.; and 2) authorize the City Manager to establish a Trust Account with Merrill Lynch Trust Company, and execute the necessary documents, subject to the approval of the City Attorney as to form and legality.*

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

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

## **Public Hearings**

## **Ordinances - 1st Readings- ROLL CALL REQUIRED**

**970229**      **Ordinance No. 0-97-91, Petition No. 146LUC-97PB**

**An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the Land Use Category of certain property from "Mixed Use Low Intensity (10-30 units per acre)" to "Public Facilities"; located in the vicinity of 2621 Hawthorne Road; 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**970230 Ordinance No. 0-97-90, Petition No. 147ZON-97PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "MU-1: 10-30 units/acre mixed use low intensity" to "PS: Public services and operations district" to allow for the Sheriff Administration Facility as a principal use permitted by right without the requirement of a preliminary development plan as a part of this Ordinance; located in the vicinity of 2621 Hawthorne Road; 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 Jennings, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**970400 Ordinance 0-97-81**

**An ordinance of the City of Gainesville, Florida, finding that property at 516 NW 3rd Street, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 1998, and continuing for 10 years; adopting the Historic Preservation Exemption Covenant between the applicant and the City by reference; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**970538 Ordinance No. 0-98-02**

**An Ordinance of the City of the Gainesville, Florida amending Section 2-337 of the Code of Ordinance as relating to civil citations; providing that a repeat**

violator may be immediately issued a civil citation; providing directions to the codifier; providing a severability clause; and providing an effective date.

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

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

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

**970591 Ordinance No. 0-98-03**

**An ordinance of the City of Gainesville, Florida, amending Division 8 of the Gainesville Code of Ordinances, the Gainesville Consolidated Police Officers' and Firefighters' Retirement Plan; amending section 2-596 of the Code relating to the definitions; amending section 2-599(a)(1) of the Code relating to member contributions; amending section 2-600 of the Code relating to benefits; amending section 2-601 of the Code relating to optional forms of benefit; 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**970592 Ordinance No. 0-98-04**

**An ordinance of the City of Gainesville, Florida, amending Division 5 of the Gainesville Code of Ordinances, the Employees Pension Plan; amending section 2-521 of the Code relating to the definitions; amending section 2-524(b)(1) of the Code relating to member contributions; amending section 2-526 of the Code relating to benefits; 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney



**Ordinances - 2nd Readings- ROLL CALL REQUIRED****960127 Ordinance No. 0-97-79**

**An ordinance of the City of Gainesville, Florida, amending section 17-2 of the Code of Ordinances relating to posting fliers on poles, extending the prohibition on fliers to other utility-related structures, allowing exception for concrete poles in an area near the University of Florida; amending section 2-339, providing that section 17-2 shall be enforceable by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**RECOMMENDATION** *The City Commission: (1) adopt the proposed ordinance; and (2) approve the administrative policy of the City Manager.*

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

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

**970151 Ordinance 0-97-61; Petition No. 98TCH-97PB**

**An ordinance of the City of Gainesville, Florida, amending section 30-98 of the Land Development Code pertaining to towers, creating and adding subsections (f) and (g) providing that certain television signal receiving antennas are allowed in all zoning districts; providing conditions for placement of such antennas and providing that a certificate of appropriateness is required for such antennas in historic districts or on properties individually listed as an historic place; 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 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**970227 Ordinance No. 0-97-89, Petition No. 141SVA-97PB**

**An ordinance of the City of Gainesville, Florida; to vacate, abandon and close a portion of S.E. 4th Avenue, lying west of S.E. 13th Street, immediately south of Lots 13 & 14 in Block 47, of New Gainesville; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**970228 Ordinance No. 0-97-88, Petition No. 145ZON-97PB**

**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 "RMF-5: 12 units/acre single-family/multiple-family residential district"; located in the vicinity of the 2200 block of NE 3rd Avenue; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**970231 Ordinance No. 0-97-87, Petition No. 148ZON-97PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "BA: Automotive-oriented business district" to "BUS: General business district"; located in the vicinity of 25 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 Jennings, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

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

**970404 Ordinance No. 0-97-85**

**An ordinance of the City of Gainesville, Florida, finding that property at 618 NW 3rd Street, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain**

improvements beginning January 1, 1998, and continuing for 10 years; adopting the Historic Preservation Exemption Covenant between the applicant and the City by reference; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

## **Resolutions- ROLL CALL REQUIRED**

### **970585 Request for Co-Sponsorship of Elks Lodge Parade**

*Elk's Lodge Representative Ezekiel Everett gave a presentation.*

*AMENDMENT: Approve to co-sponsor and appropriate \$995.00 from the City Commission Contingency fund.*

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation by Ezekiel Everett of the Elks Lodge, requesting co-sponsorship of the Elks Parade; 2) determine whether to co-sponsor the Elks Parade on May 16, 1998; and 3) adopt the proposed resolution, which requests the temporary closing of University Avenue for the 1998 Elks Parade, providing an immediate effective date.*

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

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

### **970606 A Resolution of the City Commission of Gainesville, Florida, supporting a request that the State of Florida acquire certain lands in the Newnans Lake C.A.R.L. Project area; requesting the cooperation of the State's Land Acquisition Advisory Council in preserving these areas; and providing an immediate effective date**

*Alachua Conservation Trust Gary Appleton made comments.*

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

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

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

## Plan Board Petitions

**970446**      **Petition 168 SVA-97 PB, City of Gainesville. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate the alley located between East University Avenue to the north, SE 1st Avenue to the south, SE 15th Street to the west and SE 16th Street to the east.**

*Planning Manager Ralph Hilliard gave a presentation.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 168SVA-97 PB. Plan Board vote 4-0*

*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.**

**970448**      **Petition 180TCH-97 PB. City Plan Board. Amend Article IX, Division I, Sign Regulations of the City of Gainesville Land Development Code, to allow certain banners and signs for extended periods of time in the City Core Area.**

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 180TCH-97 PB. Plan Board vote 4-0*

*Staff to Plan Board - Approve*

**This matter was Withdrawn**

**970449**      **Petition 181TCH-97 PB. City Plan Board. Amend Section 30-66 (Central City District), of the City of Gainesville Land Development Code to allow farmers' markets as a use by right in the City Core Area.**

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 181TCH-97 PB. Plan Board vote 4-0*

*Staff to Plan Board - Approve*

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

**970450 (Formal Quasi-Judicial) Petition 182LUC-97 PB, Tom Dorn, owner and Charles Sapp and Ken Whitney, agents. Amend the Future Land Use Element of the Comprehensive Plan, 1991-2001, Map from AGR (agriculture) to SF (Single-Family, 0-8 units/acre). Related to Petition 183ZON-97 PB. Located at 2131 SE 15th Street.**

*Clerk of the Commission Kurt Lannon read the items.*

*Chairman B. Delaney disclosed an ex parte communication.*

*City Planning Manager Ralph Hilliard gave a brief introduction.*

*Petitioner Agent Charles Sapp gave a presentation.*

*The Commission asked questions of the Petitioner's agent.*

*The Clerk of the Commission swore in witness City Planning Manager Ralph Hilliard.*

*City Planning Manager Hilliard gave a presentation.*

*Chairman B. Delaney closed the quasi-judicial hearing and opened the public hearing.*

*Chairman B. Delaney recognized Citizen Frederick Peterkin who spoke to the matter.*

*The Commission deliberated.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 182LUC-97 PB. Plan Board vote 3-1*

*Staff to Plan Board - Approve*

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

**970451 (Formal Quasi-Judicial) Petition 183ZON-97 PB, Tom Dorn, owner and Charles Sapp and Ken Whitney, agents. Rezone property from AGR (agriculture) to RSF-3 (single-family residential, 5.8 units/acre). Related to Petition 182LUC-97 PB. Located at 2131 SE 15th Street.**

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 183ZON-97 PB. Plan Board vote 3-1*

*Staff to Plan Board - Approve*

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

970452

**Petition 186TCH-97 PB, City Plan Board. Amend the City of Gainesville Land Development Code to establish new design standards for downtown and surrounding areas and corridors. The new standards would generally include provisions regarding a build-to line, sidewalks, building orientation, building articulation, building height, parking location, trash receptacles, and loading, air compressors, landscaping, lighting, and prohibited uses.**

**Public notice was published in the Gainesville Sun on September 30, 1997. The Plan Board held a public hearing October 16, 1997.**

**RECOMMENDATION** *City Plan Board Action - Continue Petition 186TCH-97 PB to the November 20, 1997 Plan Board Meeting. Plan Board vote 4-0*

*Staff to Plan Board - Plan Board hear a staff presentation regarding Petition 186TCH-97 PB, and continue the Petition to the November Plan Board meeting for recommendation.*

***CITY MANAGER'S RECOMMENDATION***

*The City Commission continue the Public Hearing on Petition 186TCH-97 PB to December 8, 1997.*

**A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Continued (Petition) for December 8, 1997. The motion carried unanimously.**

970453

**Petition 187TCH-97 PB, City Plan Board. Amend the City of Gainesville Land Development Code and Building Code, Chapter 6 to: (1) clarify the rehearing process to indicate who may request a rehearing, the time period and standards for the request; (2) shorten the period for appealing the Board of Adjustment's decision to the Court; and (3) remove the requirement for the Board of Adjustment to review house moving applications.**

**RECOMMENDATION** *City Plan Board Action - Continue Petition 187TCH-97 PB to the November 20, 1997 Plan Board Meeting. Plan Board vote 4-0*

*Staff to Plan Board - Approve Petition 187TCH-97 PB.*

***CITY MANAGER'S RECOMMENDATION***

*The City Commission continue the Public Hearing on Petition 187TCH-97 PB to December 8, 1997.*

A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Continued (Petition) for December 8, 1997. The motion carried unanimously.

**970447** Petition 172 SVA-97 PB, City of Gainesville. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to vacate the 40-foot-wide right-of-way located between SW 8th Street and Tumblin Creek, 800 block, more specifically between Lot 102 to the north and Lot 101 to the south, as recorded in the plat of O.A. Porter's Addition to Gainesville, Plat Book "A", Page 54. Located in the vicinity of SW 8th Street and SW 8th Avenue.

*Planning Manager Ralph Hilliard gave a presentation.*

**RECOMMENDATION** City Plan Board to City Commission - The City Commission approve Petition 172SVA-97 PB. Plan Board vote 4-0

*Staff to Plan Board - Approve*

A motion was made by Commissioner DeLaney, seconded by Commissioner Jennings, that this matter be Approved as Amended (Petition). The motion carried unanimously.

**970454** Petition 184LUC-97 PB. City Plan Board. Amend the Future Land Use element of the Comprehensive Plan 1991-2001 from PF (public facilities) to RH (residential high density, 21-100 units/acre).

**RECOMMENDATION** City Plan Board to City Commission - The City Commission approve Petition 184LUC-97 PB. Plan Board vote 4-0

*Staff to Plan Board - Approve*

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

**970455** Petition 185ZON-97 PB. City Plan Board. Rezone property from PS (public services and operations) to RH-1 (residential high density, 20-43 units/acre).

**RECOMMENDATION** City Plan Board to City Commission - The City Commission approve Petition 185ZON-97 PB. Plan Board vote 4-0

*Staff to Plan Board - Approve*

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

## Development Review Board Petitions

## Unfinished Business

### 970583 Corridors To Campus Project

*Dr. Ruth Steiner gave a presentation.*

*AMENDMENT: Accept the Corridors To Campus Project report; and 2) Staff prepare a formal report back to the City Commission with funding opportunities within the budget for the next five (5) years to address the issues identified in the report.*

*Chairman B. Delaney recognized Citizens Mark Kane Goldstein and Joanne Auth who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation by Dr. Ruth Steiner, Assistant Professor of the Department of Urban and Regional Planning, on the findings and recommendations contained in the Corridors To Campus Project report; and 2) accept the Corridors To Campus Project report.*

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

## Commission Comment

### Code Enforcement Issues - C/P. DeLaney (NB)

*Commissioner P. DeLaney relayed to the Commission the Code Enforcement action against the Gainesville Women's Club enforcing the removal of a banner.*

*She suggested that a review of what Code Enforcement enforces would be warranted.*

### Hungry/Homeless Ad Hoc Committee - C/Calkins (NB)

*Commissioner Calkins informed the Commission that the Hungry/Homeless Ad Hoc Committee would be merging with the Homeless Coalition.*

### Design Charrette Process - C/Hanrahan (NB)

*Commissioner Hanrahan stated that the Design Charrette Process was a worthwhile process and more representation was needed from the business community and Alachua County.*

### New RTS Bus Station - C/Hanrahan (NB)

*Commissioner Hanrahan informed the Commission of a meeting she attended to*



*discuss the new RTS station site and building design and how it will fit into the neighborhood. She further stated that neighbors should have the opportunity to provide input in the ultimate decision.*

### **Appreciation Remarks - Chairman Delaney (NB)**

*Chairman B. Delaney expressed appreciation to Commissioner Hanrahan for her work with the Alfred A. Ring Park issues.*

*He also asked for a status of the referral regarding the planning process.*

*Community Development Director Tom Saunders stated that the item was referred to the City Plan Board and would be scheduled for the January meeting.*

### **Citizen Comment**

### **Flyer Issue - Arnall Downs, Edwin Charles French & Joanne Auth**

#### **970609 Building Permit Requirement for Satellite Dish**

**RECOMMENDATION** *The City Commission refer 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 May 10, 1998. The motion carried unanimously.**

### **Adjournment - 8:28 pm**

### **Items Pending in Committee (for information only)**

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Kurt M. Lannon, Clerk of the Commission