

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, June 23, 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

## Thomas A. Wright, Mount Carmel Baptist Church

## Consent Agenda

*With the following modification: 1) File No. 970097 - Resignation - Correct spelling should be Richard "Montes" de Oca*

**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 unanimously.**

## City Manager, Consent Agenda Items

### 960423 Special Permits for Noise

**RECOMMENDATION** *The City Commission remove this item from the Public Safety Committee's pending referral list.*

**This Matter was Assigned to the Public Safety Committee, due back on December 23, 1997 on the Consent Agenda.**

### 970092 Surplus Property Sale

**RECOMMENDATION** *The City Commission: 1) declare all materials, equipment and vehicles presently stored at the Surplus Lot as surplus property and authorize the sale of such property; 2) award the contract for auctioneer services to First Coast Auction & Realty, Inc. at the commission rate of 7.5% of gross auction proceeds; and 3) authorize the City Manager or his designee to negotiate and execute a three-year contract with two one-year extensions, subject to the approval of the City Attorney as to form and legality.*

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

### 970093 Cox Communication's Annual FCC filings for maximum permitted rates charged for installation and equipment and basic cable service.

**RECOMMENDATION** *The City Commission approve Cox Communication's*

*maximum permitted rates, as filed on FCC forms 1240 and 1205, and authorize the City Manager to send a letter notifying Cox Communications of such approval.*

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

**970094 Contract Extension - Family Practice Medical Group, Inc. Fourth Extension/Amendment of the Medical Services Contract with Family Practice Medical Group, Inc.**

**RECOMMENDATION** *The City Commission authorize the City Manager or his designee to execute a fourth extension/amendment to the contract with Family Practice Medical Group, Inc. and the University of Florida, extending the term through June 30, 1998, as authorized in our contract dated October 7, 1993; subject to the approval of the City Attorney as to form and legality; and, approve the issuance of a purchase order to Family Practice Medical Group, Inc., for medical services not to exceed \$75,000 for the period of time from July 1, 1997 through June 30, 1998.*

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

**970100 Approval to Apply for Federal Grant Funds from the U.S. Department of Justice Under the Local Law Enforcement Block Grants Program and Appointment of the Required Advisory Board**

**RECOMMENDATION** *The City Commission authorize the City Manager: 1) to apply to the Department of Justice for \$343,546 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.**

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

**970083 Approval of Change Order to W.G. Johnson & Sons, Inc. for Proctor Dirt for FY 1997**

**RECOMMENDATION** *The City Commission approve a change order to W.G. Johnson & Son, Inc. for proctor dirt for FY 97 in an amount not to exceed \$40,000 (new not to exceed \$124,700).*

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

**970084 Purchase of DEC Computing Equipment and Associated Software to Enhance the Integrated AM/FM/GIS System**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to negotiate agreements for the purchase of certain computer hardware and software and authorize the issuance of purchase orders to Oracle, Miner & Miner, Environmental Systems Research Institute (ESRI) and Digital Equipment Corporation (DEC) for computer hardware and software in amounts not to exceed \$212,000.*

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

**970085 Quit Claim Deed of Abandoned Lift Station Site located in the 6500 block of Newberry Road on a Portion of Tax Parcel No. 6340-006-000**

**RECOMMENDATION** *The City Commission: 1) approve a Quit Claim Deed to Oh To Be Kids, Ltd.; and 2) authorize the Mayor-Commissioner and Clerk of the Commission to execute the document, substantially in the form on file, subject to approval by the City Attorney.*

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

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

**970101 Charles Payne, Plaintiff, v. City of Gainesville, a municipal corporation, Defendant; Case No. 97-2082-CA, Division K.**

**RECOMMENDATION** *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available to represent the City in the case styled Charles Payne, Plaintiff, v. City of Gainesville, a municipal corporation, Defendant; Case No. 97-2082-CA, Division K*

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

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

#### **Disability Review Committee**

**970096 Applications for Disability Retirement**

**RECOMMENDATION** *The City Commission approve the submitted applications for*

*disability retirement for the below listed employees:*  
*1. Russell Dougherty, Carpenter, GRU Electric System Operations*  
*2. Dawn West, Account Clerk III, Finance Department*

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

**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**

**970089 City Commission Minutes of June 9, 1997**

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

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

**970097 Citizens' Advisory Committee for Community Development**

**RECOMMENDATION** *The City Commission accept the resignation of member Richard Montes de Oca from the Citizens' Advisory Committee for Community Development effective immediately.*

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

**970098 Tree Advisory Board/Tree Board of Appeals**

**RECOMMENDATION** *The City Commission accept the resignation of member Jon D. Johnson from the Tree Advisory Board/Tree Board of Appeals effective immediately.*

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

**970099                    Gainesville Code Enforcement Board**

**RECOMMENDATION**    *The City Commission accept the resignation of member J.L. Thomas from the Gainesville Code Enforcement Board effective June 13, 1997.*

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

**970103                    Citizens' Advisory Committee for Community Development**

**RECOMMENDATION**    *Appoint Scherwin L. Henry, Stephanie R. Seawright, to vacancies on the Citizens' Advisory Committee for Community Development to expire November 1, 1999 and appoint JoAnn S. Wilkes and A. Joleen Williams to vacancies to expire November 1, 1998.*  
*Commissioner Sande Calkins - Henry, Seawright, Williams and Readvertise*  
*Commissioner Paula DeLaney - Henry, Seawright, Wilkes and Williams*  
*Commissioner Edward Jennings, Sr. - Henry, Seawright, Wilkes and Williams*  
*Mayor Pro Tem Pegeen Hanrahan - Henry, Seawright, Wilkes and Williams*  
*Mayor Bruce Delaney - Henry, Seawright, Wilkes and Williams*

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

**970104                    Gainesville Enterprise Zone Development Agency**

**RECOMMENDATION**    *Reappoint James L. Garrett and Carol Villemaire to terms on the Gainesville Enterprise Zone Development Agency to expire March 31, 2000 and appoint Robert Woody to a vacancy to expire March 31, 1998.*  
*Commissioner Sande Calkins - Garrett, Villemaire and Woody*  
*Commissioner Paula DeLaney - Garrett, Villemaire and Woody*  
*Commissioner Edward Jennings, Sr. - Garrett, Villemaire and Woody*  
*Mayor Pro Tem Pegeen Hanrahan - Garrett, Villemaire and Woody*  
*Mayor Bruce Delaney - Garrett, Villemaire and Woody*

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

**970105 Historic Preservation Board**

**RECOMMENDATION** *Reappoint Lynn McRee and Beverly Thomas to terms on the Historic Preservation Board to expire June 1, 2000.  
Commissioner Sande Calkins - McRee and Thomas  
Commissioner Paula DeLaney - McRee and Thomas  
Commissioner Edward Jennings, Sr. - McRee and Thomas  
Mayor Pro Tem Pegeen Hanrahan - McRee and Thomas  
Mayor Bruce Delaney - McRee and Thomas*

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

**970106 Nature Centers Commission**

**RECOMMENDATION** *Appoint Kim S. Shelton to a vacancy on the Nature Centers Commission to expire November 1, 1999.  
Commissioner Sande Calkins - Shelton  
Commissioner Paula DeLaney - Shelton  
Commissioner Edward Jennings, Sr. - Shelton  
Mayor Pro Tem Pegeen Hanrahan - Shelton  
Mayor Bruce Delaney - Shelton*

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

**970107 Pension Review Committee**

**RECOMMENDATION** *Appoint William J. Frazer III to a term on the Pension Review Committee to expire July, 2000.  
Commissioner Sande Calkins - Frazer  
Commissioner Paula DeLaney - Frazer  
Commissioner Edward Jennings, Sr. - Frazer  
Mayor Pro Tem Pegeen Hanrahan - Frazer  
Mayor Bruce Delaney - Frazer*

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

**970108 Public Recreation Board**

**RECOMMENDATION** *Appoint Susan Y. Konish and reappoint David Whidden to terms on the Public Recreation Board to expire June 1, 2000.  
Commissioner Sande Calkins - Konish and Whidden  
Commissioner Paula DeLaney - Konish and Whidden  
Commissioner Edward Jennings, Sr. - Konish and Whidden  
Mayor Pro Tem Pegeen Hanrahan - Konish and Whidden  
Mayor Bruce Delaney - Konish and Whidden*

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

**970109 Regional Transit System Advisory Board**

**RECOMMENDATION** *Appoint Robert Karp to a term on the Regional Transit System Advisory Board to expire June 1, 1998.  
Commissioner Sande Calkins - Karp  
Commissioner Paula DeLaney - Karp  
Commissioner Edward Jennings, Sr. - Karp  
Mayor Pro Tem Pegeen Hanrahan - Karp  
Mayor Bruce Delaney - Karp*

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

**970113 Gainesville/Alachua County Regional Airport Authority**

**RECOMMENDATION** *Appoint Frank H. Ogborn to a term on the Gainesville/Alachua County Regional Airport Authority to expire July 31, 2000.  
Commissioner Sande Calkins - Denard L. Gusler  
Commissioner Paula DeLaney - Michael L. House  
Commissioner Edward Jennings, Sr. - Ogborn  
Mayor Pro Tem Pegeen Hanrahan - Ogborn  
Mayor Bruce Delaney - Ogborn*

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

**Community Redevelopment Agency, Consent Items**

**970074 NW 16th Street Designation - High Bicycle and Pedestrian Use Area for Roadway Lighting Purposes**

**RECOMMENDATION** *Community Redevelopment Agency recommend to the City Commission that NW 16th Street from University Avenue to NW 4th Avenue be designated a High Bicycle and Pedestrian Use Area for roadway lighting purposes.*

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

**970075 Fifth Avenue/Pleasant Street Redevelopment District Current and Past Spending**

**RECOMMENDATION** *Community Redevelopment Agency recommends to the City Commission: Refer to the City Auditor to review the expenditures of the Fifth Avenue/Pleasant Street*



*Redevelopment District and come back with a report on how the funds were expended from fiscal year 1993.*

**This Matter was Referred to the City Auditor, due back on December 23, 1997 on the Consent Agenda.**

**970076 Sidewalk & Street Improvements in College Park**

**RECOMMENDATION** *Community Redevelopment Agency recommends to the City Commission to rescind the motion of May 27, 1997 which read: "In order to assist in the completion of the street and sidewalk improvements in the College Park Neighborhood the City Commission authorize the remaining amount of the original appropriation, \$10,860.04, to be transferred to the CRA. The City funds to be used only after the \$36,000.00 in tax increment funds have been expended and only for the work authorized in the College Park Neighborhood by the CRA action of July 22, 1996."*

*And approve a new motion to read as follows:*

*In order to assist in the completion of the street and sidewalk improvements in the College Park Neighborhood the City Commission authorize the remaining amount of the original appropriation, \$10,860.04, to be transferred to the CRA.*

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

**End of Consent Agenda**

**Adoption of the Agenda**

*The Agenda was adopted with the following modifications: 1) File No. 970095 - Salvation Army Update - Back-up Material Submitted; 2) File No. 970114 - Landscaping Projects -; and 3) New Item Submitted - File No. 970115 - Presentation from the Board of Adjustment*

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

**Rev. Earl Young - Opposition to the NW 5th Avenue Arts Festival (NB)**

**Craig Lowe - Discrimination Due To Sexual Orientation (NB)**

*Human Rights Council of North Central Florida Craig Lowe requested the City Commission add sexual orientation to the City Code to prevent any type of discrimination.*

*Commissioner Hanrahan asked for an update from the City Manager regarding a request from the City to Alachua County to conduct investigations relating to Equal Opportunity complaints.*

*Chairman B. DeLaney and Commissioner Hanrahan agreed to formulate a committee, if needed, to review the Code of Ordinances after the update report from the City Manager.*

### **Pastor Glen Dixon - Equal Protection (NB)**

*Pastor Glen Dixon supported the request to review the City codes to add sexual orientation to prevent discrimination.*

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

### **Charter Officer Updates**

### **Clerk of the Commission**

#### **970110 Goal Target Meetings**

*AMENDMENT: Meeting time would be alternated between 9:00am one Monday and 6:00pm the next Monday*

**RECOMMENDATION** *The City Commission schedule Goal Target Meetings at 9:00am on the third Monday of each month from October 1997 through May 1998.*

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

### **City Manager**

#### **970095 Presentation Regarding Salvation Army Facility Located at 639 East University Avenue.**

*MOTION: Refer to the City Attorney, City Manager and all affected parties the following concept: to send the matter to a hearing officer for an objective interpretation to advise the City Commission, if all parties agree to abide by the decision of the hearing officer.*

*Chairman B. Delaney recognized Attorney for Giovanna Holbrook Jeff Braswell, Citizens Jerry Barnes, Giovanna Holbrook, Vincent Mallet, David Holbrook, Linda McGurn, Patricia McCartney and J.T. Frankenberger who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation from staff regarding the zoning history of the Salvation Army property at 639 East University Avenue.*

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

**970091 Brownfields Pilot Grant Offers**

**RECOMMENDATION** *The City Commission: 1) authorize the City Manager or his designee to execute grant agreements with the EPA and the State of Florida subject to the approval of the City Attorney as to form and legality, and 2) instruct staff to include the transactions in the next amendatory budget resolution.*

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

**General Manager for Utilities**

**970086 American Public Power Association Community Service Award**

*General Manager for Utilities Mike Kurtz gave a presentation and introduced participating employees.*

**RECOMMENDATION** *The City Commission hear a presentation from staff recognizing GRU as recipient of the American Public Power Association's 1997 Community Service Award.*

**This matter was Placed on File**

**970087 An Ordinance Amending Article IV, Section 27-8 of Chapter 27 of the Gainesville Code of Ordinances**

*Assistant General Manager for Utilities Karen Johnson and Field Services Manager Thor Wishart gave a presentation.*

*Chairman B. Delaney recognized Citizens Ken Wilson and Dr. Steven Reid who spoke to the matter.*

**RECOMMENDATION** *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Article IV of Chapter 27 of the Gainesville Code of Ordinances (Section 27-8) to provide access to utility meters at a minimum of every three months or require the installation*

*of meters capable of being read remotely.*

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

**970088            An Ordinance amending Appendix A, UTILITIES (1) Electricity, Sections g.2, h.2 and i.2 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 Appendix A, UTILITIES (1) Electricity, Sections g.2, h.2 and i.2 of the Gainesville Code of Ordinances, revising the procedure for power factor adjustment; providing for a repealing clause; providing for a severability clause; and, providing an effective date in accordance with the schedule provided therein.*

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

**City Attorney**

**City Auditor**

**Committee Reports (Pulled from Consent)**

**Public Works Committee**

**Personnel & Organizational Structure Committee**

**Public Safety Committee**

**960896            Florida Court Neighborhood - Jim Masson**

**RECOMMENDATION**    *The City Commission approve the GPD Crime Prevention Survey on the Florida Court Neighborhood, prepared by Officer Sterling Keys on May 5, 1997 and direct the City Manager and General Manager to assign the recommendations from the report to the appropriate staff or committees.*

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

## Audit & Finance Committee

## Legislative Committee

## Regional Utilities Committee

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

### 970114 City Beautification Board (CBB) Combination of the Waldo Road and the Airport to Waldo Road/N.E. 39th Avenue Landscaping Projects for 1998 FDOT Grant Application

*City Beautification Board Chair Arnall Downs gave a presentation.*

**RECOMMENDATION** 1. The City Commission authorize the addition of the Airport to Waldo Road/39th Avenue area to the 1998 FDOT Grant application for landscaping improvements on Waldo Road; 2. the City Commission authorize \$15,000 currently allocated for landscaping improvements on the Airport to Waldo Road/N.E. 39th Avenue area be used as part of matching funds required for the 1998 FDOT Highway Beautification Grant upon approval.

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

### 970115 Board of Adjustment

*Board of Adjustment Chair Dr. Steven Reid made comments.*

*MOTION: Refer to staff for review and a report the following requests from Board of Adjustment Chair Dr. Steven Reid: 1) the \$100 filing fee to appeal the decision of a City Official; and 2) time extensions that appear on the Board of Adjustment agenda*

**RECOMMENDATION** *The City Commission hear a presentation.*

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

## Outside Agencies

**970102 Henry Foster Planning Group**

*University of Florida Representative Leilani Doty gave a presentation.*

*REFERRAL: \$3,000.00 additional funding for the Community Partners Group Pre-Conference Activities.*

**RECOMMENDATION** *The City Commission hear an update.*

**A motion was made by Commissioner DeLaney, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on December 23, 1997. The motion carried unanimously.**

**Members of the City Commission****970111 Mayor-Commissioner Pro Tem Pegeen Hanrahan**

*Chairman Pro Tem Hanrahan, Citizen David Coffey and Planning Manager Ralph Hilliard gave presentations.*

**RECOMMENDATION** *The City Commission discuss meeting of the Congress for the New Urbanism and other design related issues.*

**This matter was Placed on File**

**Commission Comments****Adjourn Until 6:00 PM****Pledge of Allegiance****Girl Scout Troop #565****Proclamations****Public Hearings****Ordinances - 1st Readings- ROLL CALL REQUIRED****961100 Ordinance No. 0-97-36; Petition No. 75TCH-97PB**

An ordinance of the City of Gainesville, Florida, amending section 30-64(a) of the Land Development Code to include places of religious assembly in the purpose of the mixed use low intensity (MU-1) district; amending section 30-64(b)(7) of the Land Development Code adding places of religious assembly on sites larger than three acres to the objectives section of the MU-1 district; amending section 30-64(d) to allow places of religious assembly as an allowable nonresidential development on sites larger than three acres in the MU-1 district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**961118 Ordinance No. 0-97-30**

An ordinance relating to the salaries of the Mayor and the Commissioners; amending Section 2-68 of the Gainesville Code of Ordinances, providing that effective October 1, 1997 the Mayor and the Commissioners shall begin receiving annual salaries of \$28,000.00 and \$22,000.00 respectively; providing that beginning on June 1, 1999 salaries of the Mayor and City Commission may be increased by 1.5% per year under certain conditions; providing for intent; 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 Mayor-Commissioner Pro Tem Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

**970014 Ordinance 0-97-34**

An ordinance of the City of Gainesville, repealing in its entirety Sec. 6-18 dealing with Fire Districts and reserving same; providing direction to the codifier, providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

**A motion was made by Commissioner Calkins, seconded by Commissioner 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

## **Ordinances - 2nd Readings- ROLL CALL REQUIRED**

### **951490 Ordinance No. 0-96-52; Petition No. 80LUC96-PB**

**An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the Land Use Category of certain property from "Recreation" to "Residential Low Density (0-12 units per acre)"; located in the vicinity of the west thirty-three feet of 510 NW 2nd Street; providing a severability clause; providing a repealing clause; and providing an effective date.**

**RECOMMENDATION** *The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and 2) 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

### **951491 Ordinance No. 0-96-53, Petition No. 81ZON-96PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City of Gainesville from "PS: public services and operations district" to "RC: 12 units/acre residential conservation district"; located in the vicinity of the west 33 feet of 510 N.W. 2nd Street; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

**A motion was made by Commissioner 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

### **960124 Ordinance No. 0-96-73, Petition No. 124CPA-96PB**

**An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan;**



amending Policy 2.1.1 of the Future Land Use Element removing minimum floor area ratios from mixed use low intensity, mixed use medium intensity, office and commercial land use categories; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

**RECOMMENDATION** *The City Commission: 1) receive the preliminary review of the Department of Community Affairs; and 2) 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

960798

**Ordinance No. 0-97-33**

**An ordinance creating Section 27-103 of Chapter 27 of the Code of Ordinances of Gainesville, Florida, Authorizing Installment Payments of Connection Charges for Water and Wastewater Facilities; Amending Appendix A, Subsection (3), Water Treatment Plant Connection Charges by Creating New Subsection (3)k. Providing for Installment Payments of Water Connection Charges, and Redesignating prior subsections (3)k. and 1.; Amending Appendix A, Subsection (4)h., Wastewater Flow-Based Connection Charges, Providing for Installment Payments of Wastewater Flow-Based Connection Charges; Providing for a Repealing Clause; Providing for a Severability 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 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

960843

**Ordinance No. 0-97-20; Petition No. 15CPA-97PB**

**An ordinance of the City of Gainesville, Florida, amending the Transportation Mobility Element of the City of Gainesville 1991-2001 Comprehensive Plan; amending Policy 1.1.1 creating a new level of service for a segment of N.W. 13th Street; amending Policy 1.1.5 removing a segment of N.W. 13th Street from the table showing level of service for state roadways included in the TCMA; creating and adding policy 1.8.7 providing mitigation requirements and standards for a segment of N.W. 13th Street; providing directions to the city manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

**RECOMMENDATION** *The City Commission : 1) receive the preliminary review of the Department of Community Affairs; and 2) 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**

**960472**      **Petition 148 SUB-96 DB, George E. Fletcher and Gloria W. Fletcher, applicants. Final Plat approval of Palm Grove. Forty-nine (49) single-family detached lots located on 9.54 acres more-or-less. Located in the vicinity of N.W. 39th Avenue and N.W. 25th Terrace. Zoned: RSF-4**

*Chairman B. Delaney recognized Citizen Chris Ott who spoke to the matter.*

**RECOMMENDATION** *Planning Staff to City Commission - The City Commission adopt the resolution approving the final plat of Palm Grove, Petition 148 SUB-96 DB.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, 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**

## **Development Review Board**

## **Unfinished Business**

**970090**      **Underground Utility Policy**

*Assistant General Manager for Utilities David Beaulieu gave a presentation.*

*MOTION: Approve in concept and encourage the Utility to continue working on this issue.*

*Chairman B. Delaney recognized Citizens J.T. Frankenberger, Michael Bailey, Frederick Peterkin, Cindy Smith, Warren Nielsen and Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation from staff regarding a proposed Underground Utility Policy.*

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

## **Commission Comment**

### **Tentative Millage Setting Meeting (NB)**

*Commissioner Calkins informed the Commission that July 21, 1997 was available for a televised meeting and requested the tentative millage setting meeting be scheduled for that time.*

*The Commission agreed.*

## **Citizen Comment**

### **Steve Kalishman - Russian Trip (NB)**

*Citizen Steve Kalisman gave a report on the Russia trip made by Mayor-Commissioner Bruce Delaney and others.*

### **Michael Bailey - Appreciation for Discussions on Quality of Life Issues (NB)**

### **Sarah Poll - Issues & Concerns (NB)**

*Citizen Sarah Poll voiced concerns on the following: 1) Institution of the Hot Line; 2) Poor television audio; 3) Garbage transfer station trucks using City streets; 4) Request for update on Alachua County moratorium on communication towers, will the City be involved; 5) referral to the Regional Utilities Committee the issue of a lifeline credit from GRU who are receiving funds from Social Security and/or low income; 6) Szechuan Omei project ordinance omissions; and 7) "The Choice" apartment construction noise.*

*Commissioner Hanrahan requested information from the City Manager on the hot line issue and the poor audio system in the auditorium.*

*General Manager for Utilities provided information on the transmitter towers and the lifeline credit issues.*

*Commissioner Hanrahan requested staff review the issue regarding construction noise.*

*Public Works Manager Emery Swearingen gave an update on the hot line issue.*

**970120            Utilities Committee Referral Item # 970120**

**RECOMMENDATION**    *The City Commission remove the Lifeline Rates (Item # 970120) from the referral list.*

**A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the Regional Utilities Committee, due back on December 23, 1997. The motion carried unanimously.**

**Adjournment - 9:39pm**

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

---

Kurt M. Lannon, Clerk of the Commission