

City of Gainesville

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



Meeting Minutes

Tuesday, November 13, 2001

1:00 PM

City Hall Auditorium

City Commission

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

CALL TO ORDER - 1:06 PM**INVOCATION****ROLL CALL**

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

CONSENT AGENDA

Commissioner Barrow moved and Commissioner Chestnut seconded to adopt the Consent Agenda with the following modification:

*File No #002072 - Destination Enhancement Funding Program - Replacement Back-Up of Interlocal Agreement.
(VOTE: 3-0, Mayor-Commissioner Pro Tem Hanrahan and Commissioner Nielsen - Absent - MOTION CARRIED)*

NOTE: Mayor-Commissioner Pro Tem Hanrahan entered the meeting room at 1:08 PM and Commissioner Nielsen entered the meeting room at 1:15 PM.

CITY MANAGER, CONSENT AGENDA ITEMS**002068 Second Extension of Ironwood Grounds Maintenance Agreement (B)**

RECOMMENDATION *The City Commission approve the second extension to the contract with OneSource Golf and Landscape Services, Inc. for grounds maintenance at Ironwood Golf course in the amount of \$427,077.48 for the period of October 1, 2001 through September 30, 2002.*

This Matter was Approved as Recommended on the Consent Agenda.

002069 Florida Senate Bill 244, Modification to School Zones (B)

RECOMMENDATION *The City Commission authorize the Mayor to send a letter to the Alachua County Legislative Delegation opposing Senate Bill 244.*

This Matter was Approved as Recommended on the Consent Agenda.

002070 Reallocation of Funds for Enhancement of the Downtown Community Plaza (NB)

RECOMMENDATION *The City Commission authorize the City Manager to approve the reallocation of \$16,000 from the Department of Cultural Affairs' NEA Grant match account, to a capital projects account for Downtown Community Plaza enhancement.*

This Matter was Approved as Recommended on the Consent Agenda.

002071 Disabled & Elderly Citizens Advisory Board (DECAB) (NB)

RECOMMENDATION *The City Commission request that the City Attorney draft an ordinance repealing Sec.2-430.1 - .5 of the code removing the Disabled and Elderly Citizens Advisory Board from the City's Code of Ordinances.*

This Matter was Approved as Recommended on the Consent Agenda.

002072 Interlocal Agreement with Alachua County for Destination Enhancement Funding Program (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the amended Interlocal Agreement with Alachua County for the Destination Enhancement Funding Program.*

This Matter was Approved as Recommended on the Consent Agenda.

002073 Bid Award - Mobile Trailers for Hazardous Materials Response Team (B)

RECOMMENDATION *The City Commission: 1) approve the issuance of a purchase order to Cherokee Fabrication, Inc. in the amount of \$26,000 for five mobile trailers and equipment for hazardous materials incidents; 2) approve the issuance of any additional purchase orders needed for items to equip the trailers with such purchases to be in compliance with City purchasing regulations and within the funding provided in the grant.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

002077 Approval of Contract for Electric Distribution Line Clearance, Tree Right-of-Way Maintenance, Weed Control and Related Work (B)

RECOMMENDATION *The City Commission 1) Authorize the General Manager or his designee to execute a contract for electric distribution line clearance, tree-trimming, right-of-way maintenance, weed*

control and related work with Asplundh Tree Expert Company for the period commencing December 1, 2001 and ending March 31, 2005, subject to the approval of the City Attorney as to form and legality; and 2) Approve the issuance of a purchase order to Asplundh Tree Expert Company for these services in FY 2002 in an amount not to exceed \$1,108,000.

This Matter was Approved as Recommended on the Consent Agenda.

002078 HVAC Replacement - Deerhaven Generating Station (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager, or his designee, to execute a contract with Thompson Sheet Metal for replacement of the HVAC system in the Deerhaven Generating Station's Administration Building, subject to the approval of the City Attorney as to form and legality, and 2) approve a purchase order to Thompson Sheet Metal in the amount of \$250,000 for the replacement of the HVAC system.*

This Matter was Approved as Recommended on the Consent Agenda.

002079 Partial Release of Easement at Springhill Commons Shopping Center, 9100 blk. of NW 39th Avenue (B)

RECOMMENDATION *The City Commission: 1) approve the partial release of a public utilities easement to Island Point, Inc.; 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.

002080 Purchase Order for Small Kubota Backhoe Loader Tractor (NB)

RECOMMENDATION *The City Commission approve the issuance of a purchase order to Blakewood Equipment Sales, Inc. for one (1) Small Kubota Backhoe Loader Tractor in the amount of \$30,983.00.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**002074 Increase a Part Time Aquatic Leader to Full Time in Recreation & Parks Department (B)**

RECOMMENDATION *Personnel & Organizational Structure Committee recommends that the City Commission approve changing the part time Aquatic Leader position to a full time position.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT**AUDIT & FINANCE COMMITTEE, CONSENT****002021 Review of General Fund Forecasted Revenues and Other Sources of Funds for the Fiscal Year Ending September 30, 2002 (B)**

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report.*

This Matter was Approved as Recommended on the Consent Agenda.

002022 Semi-Annual Report on the Status of Outstanding Audit Recommendations for October 2001 (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report.*

This Matter was Approved as Recommended on the Consent Agenda.

002024 Summary Report of Payroll Payoff Procedures for the Fiscal Year Ended September 30, 2001 (NB)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report on payroll payoff procedures for Fiscal Year 2000-2001.*

This Matter was Approved as Recommended on the Consent Agenda.

002025 Petty Cash and Change Fund Counts for the Fiscal Year Ended September 30, 2001 (NB)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report on Petty Cash and Change Fund Counts for the Fiscal Year Ended September 30, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT

001828 Boltin Center Fees (B)

RECOMMENDATION *The City Commission: 1) receive a report from staff on the Facility Use Agreements with Swing & Sway Dance Club and Gainesville Oldtime Dance Society for use of the Thelma Boltin Center; and 2) remove this item from the Active Referral List.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

002007 Resignation - Bicycle/Pedestrian Advisory Board (B)

RECOMMENDATION *The City Commission accept the resignation of member Margaret Davison from the Bicycle/Pedestrian Advisory Board effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

002008 Resignation - Board of Adjustment (B)

RECOMMENDATION *The City Commission accept the resignation of member Bill Rohan from the Board of Adjustment effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

002009 Appointment - Student Adjunct Members (NB)

RECOMMENDATION *The City Commission appoint the following individuals as Student Adjunct members to terms on the referenced boards/committees to expire August 2, 2002.*
Art In Public Places Trust - Tarsha Luke
Bicycle/Pedestrian Advisory Board - Kenneth John Wilson
Board of Adjustment - Kelvin Lee

Citizens' Advisory Committee for Community Development - Zainabu Rumala
City Beautification Board - John Hooker
Development Review Board - John H. Domeier, Jr.
Fire Safety Board of Adjustment - Mark D. Campbell
Gainesville Energy Advisory Committee - Geoffrey Nadler
Gainesville Enterprise Zone Development Agency - Alex Alonso
Gainesville Human Rights Board - Mercy Roberg
Gainesville/Alachua County Cultural Affairs Board - Eric Trabin
Historic Preservation Board - Alexander Bond
Nature Centers Commission - Melissa Deem
Pension Review Board - Ken Kerns
Public Recreation Board - Jay Ryan
Regional Transit System Advisory Board - Kyle Jones
Tree Advisory Board - Anna Avery
Tree Board of Appeals - Laura Barber
Water Management Committee - Andrew Chiang

This Matter was Approved as Recommended on the Consent Agenda.

002010

Appointment - Art In Public Places Trust (NB)

RECOMMENDATION *The City Commission reappoint James B. Wyman to a term on the Art In Public Places Trust to expire September 30, 2004.*
Commissioner John Barrow - James B. Wyman
Commissioner Chuck Chestnut - James B. Wyman
Commissioner Warren Nielsen - James B. Wyman
Mayor-Commissioner Pro Tem Pegeen Hanrahan - James B. Wyman
Mayor Tom Bussing - James B. Wyman

This Matter was Approved as Recommended on the Consent Agenda.

002011

Appointment - Board of Adjustment (NB)

RECOMMENDATION *The City Commission appoint Curtis Cooper to a term on the Board of Adjustment to expire November 1, 2004.*
Commissioner John Barrow - Curtis Cooper
Commissioner Chuck Chestnut - William C. Andrews
Commissioner Warren Nielsen - Curtis Cooper
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Curtis Cooper
Mayor Tom Bussing - Curtis Cooper

This Matter was Approved as Recommended on the Consent Agenda.

002012 Appointment - Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Philip N. Ankrim, Adam J. Guillette and Debbie E. MacLeod to terms on the Citizens' Advisory Committee for Community Development to expire November 1, 2004.*
Commissioner John Barrow - Ankrim and Readvertise
Commissioner Chuck Chestnut - Ankrim, Guillette and MacLeod
Commissioner Warren Nielsen - Ankrim, Guillette and MacLeod
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Ankrim, Gregory T. Branch and MacLeod
Mayor Tom Bussing - Ankrim, Gregory T. Branch and Guillette

This Matter was Approved as Recommended on the Consent Agenda.

002013 Appointment - City Beautification Board (NB)

RECOMMENDATION *The City Commission reappoint E.J. Bolduc, III, Susan S. Reynolds and Erick Smith to terms on the City Beautification Board and appoint Richard A. Jeter to a term to expire November 1, 2004.*
Commissioner John Barrow - Bolduc, Jeter, Reynolds and Smith
Commissioner Chuck Chestnut - Bolduc, Jeter, Reynolds and Smith
Commissioner Warren Nielsen - Bolduc, Jeter, Reynolds and Smith
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Bolduc, Jeter, Reynolds and Smith
Mayor Tom Bussing - Bolduc, Jeter, Reynolds and Smith

This Matter was Approved as Recommended on the Consent Agenda.

002014 Appointment - City Plan Board (NB)

RECOMMENDATION *The City Commission appoint William C. Andrews and David Gold to terms on the City Plan Board to expire November 1, 2004.*
Commissioner John Barrow - William C. Andrews and David Gold
Commissioner Chuck Chestnut - William C. Andrews and David Gold
Commissioner Warren Nielsen - William C. Andrews and David Gold

Mayor-Commissioner Pro Tem Pegeen Hanrahan - William C. Andrews and David Gold
Mayor Tom Bussing - William C. Andrews and David Gold

This Matter was Approved as Recommended on the Consent Agenda.

002015 Appointment - Development Review Board (NB)

RECOMMENDATION *The City Commission reappoint Edward B. Borden, Monica Cooper and Joel Houston to terms on the Development Review Board to expire November 1, 2004 and appoint Darlene Pifalo to a vacancy to expire November 1, 2003.*
Commissioner John Barrow - Borden, Cooper, Houston, Pifalo and Readvertise
Commissioner Chuck Chestnut - Borden, Cooper, Houston, Pifalo and Readvertise
Commissioner Warren Nielsen - William C. Andrews, Borden, Cooper, Houston and Pifalo
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Borden, Cooper, Houston, Pifalo and Readvertise
Mayor Tom Bussing - Borden, Cooper, Houston, James J. Konish and Pifalo

This Matter was Approved as Recommended on the Consent Agenda.

002016 Appointment - Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint Sharon Alford and Richard A. Jeter to terms on the Gainesville/Alachua County Cultural Affairs Board and reappoint Robert L. Woods to a term to expire November 1, 2004.*
Commissioner John Barrow - Alford, Jeter and Woods
Commissioner Chuck Chestnut - Alford, Jeter and Woods
Commissioner Warren Nielsen - Alford, Jeter and Woods
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Alford, Jeter and Woods
Mayor Tom Bussing - Alford, Jeter and Woods

This Matter was Approved as Recommended on the Consent Agenda.

002017 Appointment - Gainesville Code Enforcement Board (NB)

RECOMMENDATION *The City Commission reappoint Richard W. Pohlman to a vacancy on the Gainesville Code Enforcement Board to expire August 1, 2003.*
Commissioner John Barrow - Richard W. Pohlman
Commissioner Chuck Chestnut - Richard W. Pohlman

*Commissioner Warren Nielsen - Richard W. Pohlman
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Richard
W. Pohlman
Mayor Tom Bussing - Richard W. Pohlman*

This Matter was Approved as Recommended on the Consent Agenda.

002018 Nature Centers Commission (NB)

RECOMMENDATION *The City Commission appoint Susan Brown and Steven R. Vann to terms on the Nature Centers Commission to expire June 1, 2004.
Commissioner John Barrow - Susan Brown and Steven R. Vann
Commissioner Chuck Chestnut - Susan Brown and Steven R. Vann
Commissioner Warren Nielsen - Susan Brown and Steven R. Vann
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Susan Brown and Steven R. Vann
Mayor Tom Bussing - Susan Brown and Steven R. Vann*

This Matter was Approved as Recommended on the Consent Agenda.

002019 Appointment - Tree Advisory Board (NB)

RECOMMENDATION *The City Commission reappoint Noel Lake to a vacancy on the Tree Advisory Board to expire January 1, 2004.
Commissioner John Barrow - Noel Lake
Commissioner Chuck Chestnut - Noel Lake
Commissioner Warren Nielsen - Noel Lake
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Noel Lake
Mayor Tom Bussing - Noel Lake*

This Matter was Approved as Recommended on the Consent Agenda.

002020 Water Management Committee (NB)

RECOMMENDATION *The City Commission reappoint Gladys Lane to a term on the Water Management Committee to expire August, 2004.
Commissioner John Barrow - Gladys Lane
Commissioner Chuck Chestnut - Gladys Lane
Commissioner Warren Nielsen - Gladys Lane
Mayor-Commissioner Pro Tem Pegeen Hanrahan - Gladys Lane
Mayor Tom Bussing - Carroll N. Pearson*

This Matter was Approved as Recommended on the Consent Agenda.

002057 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of October 15, 2001 (2 sets); October 19, 2001; and October 22, 2001, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Barrow, 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, John R. Barrow and Tom Bussing
Absent: Warren Nielsen and Pegeen Hanrahan

ADOPTION OF THE REGULAR AGENDA

Commissioner Barrow moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications:

File #001957 - Rules of the City Commission - Add to Agenda under Members of the City Commission.

File #002084 - Southwest 13th Street Joint Planning Study - Additional Back-Up Submitted.

File # 002061 Housing Issues - Add to Agenda after Item #002084. Jackie Richardson and Tom Saunders to give presentations.

File # 002075 - Roads in Cedar Grove II - Subdivision - City Manager request to waive rules to move this item be heard at 6:00 PM.

(VOTE: 4-0, Commissioner Nielsen - Absent - MOTION CARRIED)

CLERK OF THE COMMISSION

CITY MANAGER

002084 Southwest 13th Street Joint Planning Study (B)

City of Gainesville Community Development Director Tom Saunders, Chief of Comprehensive Planning Dean Mimms, Planning Manager Ralph Hilliard and Alachua County Principal Planner Steven Lachnicht gave presentations.

Chair Bussing recognized Bivens Arms Condominium Association President Rick Swenson, John Hudson, Dennis Chancel, Francis Gunnoe, Sheraton Hotel Representative Danny Williams, James Higman, John Stockwell, Mary Ann Barton, Penny Wheat, Geneva Malcolm, Jane Burman-Holtem, Park Place Apartments Representative Amy Hack and Tumblin Creek Watershed Advisory Board Committee Chair Richard Fry who spoke to the matter.

FIRST MOTION:

Commissioner Barrow moved and Commissioner Nielsen seconded to direct City staff to work with Alachua County staff to: 1) Clearly establish an accelerated time frame for the joint special area plan; 2) clearly establish specific borders for a joint special area plan; 3) develop and expedite an intensive visioning process as part of the special area study which may include professional consultants; 4) report back to the Commission at the next available regular Commission Meeting with recommendations for additional actions as needed for the special area plan.
(VOTE: 3-2, Mayor Bussing, Commissioner Chestnut Voted - No - MOTION

CARRIED)

NOTE: Prior to voting on the above motion, Commissioner Barrow moved and Commissioner Nielsen seconded to move the previous question.

(VOTE: 2-2, Commissioner Barrow and Warren Nielsen Voted Yes and Commissioner Chestnut and Mayor Bussing Voted No - Mayor-Commissioner Hanrahan - Absent - MOTION FAILED)

SECOND MOTION:

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner Barrow seconded to direct staff to: 1) Bring back to the City Commission a moratorium ordinance effective November 13, 2001, excluding any project or proposal that has already come to the City for any level of staff review or site plan review; 2) include zoning districts of BT, BUS and MU-1, from Archer Road to the City Limits along 13th Street, for a period of 9 months; 3) include any commercial uses on the corridor in whatever zone or any comparable uses that are allowed in the other zones; and 4) also address parcels that do not front on 13th street and are immediately adjacent to those parcels that do and are in the same zoning categories.

(VOTE: 5-0, MOTION CARRIED)

THIRD MOTION:

Commissioner Barrow moved and Commissioner Chestnut seconded to direct the Mayor to write a letter to the Alachua County Commission requesting their cooperation in the efforts of the previous two motions.

(VOTE: 5-0, MOTION CARRIED)

NOTE:

Mayor-Commissioner Pro Tem Hanrahan moved to authorize the Clerk of the Commission to schedule a Special City Commission Meeting in December to hear the second reading of the Moratorium Ordinance. The Clerk recommended December 17th, 2001 and indicated that this item would be placed on the November 26, 2001 agenda for approval and/or revision.

RECOMMENDATION *Hear an update from staff.*

Approved, as shown above

002061

Housing Issues (NB)

Chair Bussing recognized Citizens Kevin Claney, Kevin Hartel and an unidentified male who made brief comments.

RECOMMENDATION *The City Commission hear a presentation from City staff regarding housing issues.*

This matter was Continued for December 10, 2001

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

PUBLIC WORKS COMMITTEE

PUBLIC SAFETY COMMITTEE

AUDIT & FINANCE COMMITTEE

RECREATION AND CULTURAL AFFAIRS COMMITTEE

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

RECESS - 5:04 PM

RECONVENE - 5:35 PM

CITIZEN COMMENT

Robert Pearce

Traffic Calming. See following item # 002114

002114 Traffic Calming in the North University Heights Neighborhood (NB)

RECOMMENDATION *The City Commission refer the issue of installing speed humps or speed tables on NW 11th Street and NW 12th Street to the Public Works Committee.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Referred to the Public Works Committee, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Stephanie Mills

City Recreation Football Program - See following item # 002115

002115 City Recreation Department Football Program (NB)

RECOMMENDATION *The City Commission refer the issue of a more organized football program and review of the former Pop Warner Football Program to the Recreation and Cultural Affairs Committee.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Barrow, that this matter be Referred to the Recreation and Cultural Affairs Committee, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Dr. Mark Barrow

Sweetwater Branch Park - See following item #002116

002116 Sweetwater Branch Park (B)

RECOMMENDATION *The City Commission hear a presentation and accept the document submitted by Dr. Mark Barrow.*

Placed on File

Jeff Lane - President of Gainesville Fire Fighters

Negotiations - Impasse between the City and the International Association of Firefighters

Debbie Martinez

Quality of Life Issues - Club Drugs, etc.

Brad Guy

Community Development - See following item #002117

002117 Plan for the Porter's Community (B)

RECOMMENDATION *The City Commission refer the issue of creating a plan for the Porter's Community during the construction of the Alachua County Courthouse and another proposed large scale development being considered for the east side of West 6th Street to the Community Development Committee.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Community Development Committee, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

COMMISSION COMMENTS (if time available)**PLEDGE OF ALLEGIANCE (6:00pm)****Scout Pack #476****PROCLAMATIONS/SPECIAL RECOGNITIONS****PUBLIC HEARINGS****002075 Roads in Cedar Grove II Subdivision (B)**

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.

City of Gainesville Public Works Transportation Manager Brian Kanely gave a presentation.

Chair Bussing recognized Citizens Coretha Bostick, Cedar Grove Homeowners Association Acting President Warren McCluney, Rolanda Ford, Anita Heard, December McSherry, Helen Harris, Nina Postlethwaite-Saive and John Korb who spoke to the matter.

NOTE: City of Gainesville Fire Chief Richard Williams gave a presentation..

MOTION:

Direct staff to come back with proposed street closures for the Cedar Grove II Neighborhood.

RECOMMENDATION *The City Commission: 1) hear a report from staff on the history of the roads in the Cedar Grove II Subdivision; and 2) hear a request from a representative of the Cedar Grove Homeowners Association.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

000882 COMPREHENSIVE PLAN AMENDMENT - CONSERVATION, OPEN SPACE AND GROUNDWATER RECHARGE ELEMENT (B)

ORDINANCE NO. 0-01-18; PETITION NO. 175CPA-00PB

An ordinance of the City of Gainesville, Florida, amending the Conservation, Open Space and Groundwater Recharge Element of the City of Gainesville 1991-2001 Comprehensive Plan; revising policies on wetlands; adding provisions concerning the Alachua County Forever program; adding provisions concerning the Alachua County Murphree Wellfield Protection Code; adding provisions concerning Floridan aquifer recharge areas; providing for an Environmentally Significant Land and Resources map series within the Future Land Use Map Series; adding Tumblin Creek and Hogtown Creek to the priority list for improving water quality; removing outdated provisions; amending provisions concerning NPDES permitting; making minor amendments throughout; providing directions to the city manager; stating intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Community Development Director Tom Saunders, Alachua County Environmental Specialist Michael Drummond and St. John's River Water Management District Representative Barbara Hatchett gave presentations.

Chair Bussing recognized Citizens Carol Higman, Pete Rebmann, Bonnie O'Brien, Paula Stahmer, Barry Rutenberg, December McSherry, Monica Cooper, Dink Henderson, Nina Postlethwaite-Saive, James Higman, Stuart Cullen and Francine Robinson who spoke to the matter.

FIRST MOTION:

Commissioner Nielsen moved and Mayor-Commissioner Pro Tem Hanrahan seconded to offer language in Exhibit I through page 6 and then use the rest of Exhibit II by using language from Commissioner Nielsen's hand-out and renumber where appropriate.

Policy 1.1.1 (b)(3)

Establish bonding for mitigation, long term monitoring and enforceable long-term maintenance requirements for wetland mitigation projects to ensure that all the negative impacts have been mitigated; monitoring should be reviewed by the Alachua County Environmental Protection Department, the appropriate water management district, the University of Florida, or other appropriate monitoring agency or reviewing entity, with regulatory fees paid by the permitted applicant. The mitigation plan must be approved prior to the initiation of the project.

Policy 1.1.1 (b)(4) - Omit

Policy 1.1.1 (b)(7)

Require mitigation to be performed within the City limits of Gainesville or the adjacent sub-basin.

Policy 1.1.1 (b)(9)

A minimum buffer distance of 35 ft. shall be required between the landward extent of any wetland or surface water and the developed area. Larger buffers may be warranted. The criteria for buffer expansion will be developed in the land development regulations.

Policy 2.1.1

Keep language "within the Gainesville urban area."

Chair Bussing recognized Citizens Carol Higman, Pete Rebmann, Bonnie O'Brien, Paula Stahmer, Barry Rutenberg, December McSherry, Monica Cooper, Dink Henderson, Nina Postlethwaite-Saive, James Higman, Stuart Cullen and Francine Robinson who spoke to the matter.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

SECOND MOTION:

Commissioner Nielsen moved and Commissioner Barrow seconded to form an Ad Hoc Committee including the following individuals to participate on this committee:

- 1. Professor Tom Crisman, Director Center for Wetlands, UF*
- 2. Richard Hamann, Associate in Environmental Law, Center for Government Responsibility, UF College of Law*
- 3. Thomas T. Ankerson, Director, Conservation Clinic, UF College of Law*
- 4. Dr. Mark Brown, Wetlands Ecology & Estuarine Systems, Center for Wetlands, UF*
- 5. Dr. Walter A. Rosenbaum, Environmental Policy, Department of Political Science, UF*

This Ad Hoc Committees charge would be to: 1) Review policy pertaining to creeks and wetlands as outlined in the transmitted Conservation, Open Space and Groundwater Recharge Element of the City's Comprehensive Plan; 2) review the land development regulations as drafted by the City's Water Management Advisory Board and further develop with staff the Land Development Regulations (LDR's) that support the policies of the transmitted comprehensive plan; 3) present draft LDR's before the final reading of the Conservation Element of the City's Comprehensive plan.

Chair Bussing recognized Citizens Peter Rebmann, Francine Robinson, James Higman, Paula Stahmer, December McSherry, Carol Higman, Stuart Cullen and Everett Wilcox who spoke to the matter.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

RECESS - 9:51 PM

RECONVENE - 10:01 PM

THIRD MOTION - MAIN MOTION:

Mayor-Commissioner Pro Tem Hanrahan moved and Commissioner John R. Barrow seconded to continue this hearing to the November 26th, 2001 City Commission Meeting to be heard after 6:00 PM.

Chair Bussing recognized Stuart Cullen, Francine Robinson and Paula Stahmer who spoke to the matter.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

NOTE:

Prior to voting on the third motion, Commissioner Barrow moved and Mayor-Commissioner Pro Tem Hanrahan seconded to move the previous question.

(VOTE: 4-1, Mayor Bussing - No - MOTION CARRIED)

RECOMMENDATION *The City Commission (1) hear a presentation on the proposed revisions to the Conservation, Open Space and Groundwater Recharge Element and (2) continue the public hearing to November 26, 2001.*

Approved, as shown above

ORDINANCES 2ND READING- ROLL CALL REQUIRED

RESOLUTIONS

002023 Proposed FY 2002 Annual Audit Plan (B)

RECOMMENDATION *The Audit and Finance Committee submits the City Auditor's Proposed FY 2002 Annual Audit Plan to the City Commission for approval by resolution.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

SCHEDULED EVENING AGENDA ITEMS**002076 Annual Performance, Salary and Benefits Review - City Manager (NB)**

MOTION: Approve a 4% increase in salary retroactive to the City Manager's anniversary date.

RECOMMENDATION *As required by the City Manager's employment agreement, the City Commission conduct the annual performance, salary and benefits review.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, 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, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001957 Rules of the City Commission (B)

NOTE: Ask the Clerk to look for a future date to discuss this issue.

RECOMMENDATION *The City Commission discuss the Rules of the City Commission and take action deemed appropriate.*

UNFINISHED BUSINESS**COMMISSION COMMENT****Commissioner Warren Nielsen**

Economic Development Ad-Hoc Committee - See following item #002118.

002118 Economic Development Ad-Hoc Committee (NB)

MOTION: Mayor-Commissioner Pro Tem Hanrahan and Commissioner Warren Nielsen to serve on the Economic Development Ad-Hoc Joint Committee with the County. Include in the letter to the County that the meetings need to be Monday or Thursday.

RECOMMENDATION *The City Commission appoint two members to the Economic Development Ad-Hoc Committee.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Commissioner Chuck Chestnut

1. *Greyhound - Crime Prevention Through Environmental Design - See following item #002119*
2. *Tour of District 1- See following item #002120*

002119 Crime Prevention Through Environmental Design (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 direct staff to look into Crime Prevention Through Environmental Design and bring back recommendations.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002120 District One (1) Clean-Up Issues (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 direct staff to review ordinances that deal with issues in District One and to come up with any language change that would strengthen or help the City move forward in the cleaning up of that area, specifically ordinances regarding: 1) Board & Seal of Buildings; 2) Grass Ordinance; 3) Perilous lands; and 4) Abandoned Vehicle, or any other ordinances that relate to these issues.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Referred to the City Manager, due back on May 13, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

002121 Elected Officials Participation in the Florida State Retirement System (NB)

RECOMMENDATION *The City Commission direct staff to bring back an ordinance in time to have it adopted by the State imposed deadline as a no cost solution. .*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Attorney, due back on December 31, 2001. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:03 PM

Kurt M. Lannon, Clerk of the Commission