

City of Gainesville

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



Meeting Minutes

Monday, July 26, 1999

3:00 PM

City Hall Auditorium

City Commission

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

Invocation

Present: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

Reverend Thomas A. Wright

Introduction of New Canines Donated to GPD From the Jaycees (NB)

Chair P. DeLaney introduced K-9 Trainees JayCee and Zombie.

She also introduced Gainesville Police Department Sgt. Mary Birkhold, K-9 Unit Supervisor and Jaycees Representative Joel Islam who made comments.

Brd of Trustees of the General Employees Pension Plan

990284 Applications for Retirement

RECOMMENDATION *The Board of Trustees for the General Employees' Pension Plan approve the submitted applications for retirement for the below listed employees:*

1. Walter O. Gillis, Fleet Mechanic II, Regional Transit System

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

990286 Board of Trustees of the Employees' Pension Plan Minutes of June 28, 1999

RECOMMENDATION *The Trustees approve the minutes as circulated.*

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

Consent Agenda

With the following modification: 1. File No. 990271 - Remove From Consent and Place on Regular Agenda - Duck Pond Restoration Project

A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, 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

990266 FY 2000 Annual Action Plan (Application) for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds.

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to prepare and submit the FY 2000 Annual Action Plan (Application), including all understandings and assurances contained therein, to the U.S. Department of Housing and Urban Development (HUD) for financial assistance under the Community Development Block Grant (CDBG) Program and HOME Investment Partnerships (HOME) Program and to act on behalf of the City of Gainesville in all matters pertaining to the CDBG and HOME Programs; and 2) authorize the City Manager to execute subrecipient agreements with those agencies that are designated to receive FY 2000 CDBG and HOME funding, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990267 Proposed Amendment to Chapter 10, City of Gainesville Code of Ordinances.

RECOMMENDATION *The City Commission direct the City Attorney to draft an amendment to Chapter 10 of the City of Gainesville Code of Ordinances governing fire protection providing fire hydrant clearance requirements.*

This Matter was Approved as Recommended on the Consent Agenda.

990268 Agreement with University of Florida to provide Campus Bus Service

RECOMMENDATION *The City Commission: 1) authorize the City Manager to execute the agreement subject to approval by the City Attorney as to form and legality; and 2) authorize the City Manager to apply for FDOT Service Development Grant to establish a new campus circulator route in conjunction with the University of Florida.*

This Matter was Approved as Recommended on the Consent Agenda.

990269 Old Gainesville Depot Building Historic Rehabilitation

RECOMMENDATION *The City Commission: 1) approve the Memorandum of*

Understanding (MOU) between the University of Florida Center for Construction & Environment and the City; 2) authorize the City Manager to execute the MOU on behalf of the City, pending approval by the City Attorney as to form and legality; and 3) approve the City's match in the amount of \$16,300.

This Matter was Approved as Recommended on the Consent Agenda.

990270 SE 8th Avenue Roadway Extension Project Stormwater Management Facilities

RECOMMENDATION *The City Commission authorize the City Manager, or his designee, to execute a modification to the existing purchase order for the construction of the SE 8th Avenue Extension Project issued to Harlis R. Ellington Construction, Inc. for additional work on the project's stormwater management facilities, increasing the amount of the purchase order from \$512,468.78 to \$542,468.78.*

This Matter was Approved as Recommended on the Consent Agenda.

990272 Extensions to Annual Materials Supply Contracts for Redi-Mix Concrete for FY 2000

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute Extension Agreements for the annual supply of Redi-Mix Concrete with Rinker Materials Corporation and Florida Rock Industries, Inc., extending the term of each Agreement from October 1, 1999 to September 30, 2000, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 2000.*

This Matter was Approved as Recommended on the Consent Agenda.

990273 Contract for Medium and Heavy Duty Trucks

RECOMMENDATION *The City Commission: 1) authorize the City Manager, or his designee, to execute the contract for the procurement of medium and heavy duty trucks to Fountain Motors, Inc. d.b.a. King Truck Center subject to approval of the City Attorney as to form and legality and 2) authorize the City Manager, or his designee, to approve purchases under the contract.*

This Matter was Approved as Recommended on the Consent Agenda.

990274 Annual Services Contract for Professional Environmental Engineering Services for FY 1999-2000

RECOMMENDATION *The City Commission: 1) accept the selection of the three most qualified engineering firms in the order of ranking; 2) authorize the City Manager, or his designee, to initiate contract negotiations for professional environmental engineering in accordance with the Consultants' Competitive Negotiations Act (CCNA); and 3) authorize the City Manager, or his designee, upon successful contract negotiations, to execute the contract, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990275 Appointment of Kinnon Thomas to the East Gainesville Sprout Task Force (NB)

RECOMMENDATION *The City Commission appoint Mr. Kinnon Thomas to the East Gainesville Sprout Task Force.*

This Matter was Approved as Recommended on the Consent Agenda.

990276 Contract for Provision of Information Services

RECOMMENDATION *The City Commission authorize the City Manager or designee to negotiate and execute a contract with Information on Demand for the provision of information services at no cost to the City, subject to approval by the City Attorney as to form and legality*

This Matter was Approved as Recommended on the Consent Agenda.

990289 Loblolly Environmental Facility Renovations

RECOMMENDATION *The City Commission approve the issuance of a purchase order in an amount not to exceed \$57,656 to Darcco, Inc. for the renovation of Loblolly Environmental Facility.*

This Matter was Approved as Recommended on the Consent Agenda.

990290 Sports Funding Request

RECOMMENDATION *The City Commission: 1) approve funding from City Commission Contingency fund in the amount of \$45 for each child that qualifies (\$405 for The Next Generation of Runners Track Club, \$1,080 for the Undisputed Truth Track Club, and*

\$1,980 for the Gainesville Striders) for a total contribution amount of \$3,465; 2) require that each team provide "sweat equity" by working as volunteers in department programs equal to the contribution; and 3) the teams provide a financial statement within three weeks of their return from the event.

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

990263 Partial Release of Easement (NB)

RECOMMENDATION *The City Commission: 1) approve the partial release of a public utilities easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, substantially in the form on file, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

990264 Sponsorship of TV-20's Weatherschool (B)

RECOMMENDATION *The City Commission authorizes the General Manager, or his designee, to execute a contract with WCJB TV, TV-20, for sponsorship of Weatherschool at a cost not to exceed \$120,000, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990265 Release of Easement to D. W. McBride (NB)

RECOMMENDATION *The City Commission: 1) approve the release of a public utilities easement to D. W. McBride; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, subject to approval as to form and legality by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

990262 Carl E. Norris v. The City of Gainesville; EEOC Complaint Charge Number 150993366

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel, if insurance coverage is available, to represent the City of Gainesville in the case styled Carl E. Norris v. City of Gainesville, a Municipal Corporation. Charge Number 150993366.*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

981403 Downtown Transportation/Parking

RECOMMENDATION *The City Commission authorize staff to make a presentation to the Alachua County Commission in order to share information and get the County's input on a parking cash out program for downtown employees.*

This Matter was Approved as Recommended on the Consent Agenda.

Personnel & Organizational Structure Comm, Consent

990227 To provide certification pay to Survey Party Chiefs.

RECOMMENDATION *Personnel & Organizational Structure Committee recommends the City Commission approve payment of \$100 certification pay per pay period to Survey Party Chiefs holding a current State of Florida Surveyors license and providing critical services as described above.*

This Matter was Approved as Recommended on the Consent Agenda.

990228 Revision of Personnel Policy 8 (Sick Leave); Personnel Policy 9 (Annual Leave); Personnel Policy 24 (Longevity Pay).

RECOMMENDATION *The Personnel & Organizational Structure Committee recommends the City Commission approve revised Policy 8, 9, and 24.*

This Matter was Approved as Recommended on the Consent Agenda.

Public Safety Committee, Consent

Audit & Finance Committee, Consent**Legislative Committee, Consent****Regional Utilities Committee, Consent**

981236 **City Commission Referral #981236 - Charitable Donations through the GRU Bill (NB)**

RECOMMENDATION *The City Commission remove this referral from the Regional Utilities Committee referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Recreation and Cultural Affairs Committee, Consent**Clerk of the Commission, Consent Agenda Items**

990285 **City Commission Minutes of July 12, 1999**

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

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items

990277 **Community Redevelopment Agency - Appropriation of Surplus Funds (NB)**

RECOMMENDATION *CRA to the City Commission: 1) approve the appropriation of \$25,189 to the Downtown Redevelopment Trust Fund; 2) approve the appropriation of \$44,008 to the College Park University Heights Redevelopment Trust Fund; and 3) approve the appropriation of \$8,195 to the Fifth Avenue Pleasant Street Redevelopment Trust Fund.*

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. Introduction of New Canines donated to GPD by the Jaycees after the Invocation; and 2. File No. 990293 - New Item Added - GRU's Water Campaign in the Special Recognition/Proclamation Category; 3) New Item Submitted by City Attorney - File No. 990294 - Privilege Fee Case; 4. File No. 990257 - Milage Rate Resolution - New Back-Up Material Submitted - Consider Prior to Ordinances; 5. File No. 990258 - Proposed Tentative General Government Budget - New Back-Up Material Submitted - Consider Prior to Ordinances; 6. File No. 981352 - Willowcroft Subdivision Resolution - Consider Prior to Ordinances; 7. File No. 990283 - Temporary Closing of State Roads - Consider Prior to Ordinances; and 8. File No. 990061 - Land Use Change - 5043 NW 43rd St - Consider Prior to Ordinances

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

City Commission Comment (If time available)

Rev. Tim Keyes - City Commission Decision-Making(NB)

990301 Hippodrome Agreement

RECOMMENDATION *The City Commission receive the agreement for appropriate execution.*

This matter was Placed on File

990300 Solid Waste Billing Issue

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

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Referred to the City Manager. The motion carried unanimously.

Charter Officer Updates

Clerk of the Commission

City Manager

990278 Historic District Listing and Zoning Issues in the University Neighborhoods

Community Development Department Director Tom Saunders and Planner Rick

Smith gave presentations.

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

This matter was Placed on File

990279 State Legislative Funding Request Agenda

City Manager Wayne Bowers and Assistant City Manager Glenda Currie gave presentations.

MOTION: Direct the City Manager to submit the following items for potential state funding: 1) Business Incubator; 2) Centralized Downtown Stormwater Basin and Park; 3) Wellfield Expansion; 4) African-American Museum; and 5) Olympic Training Initiative.

RECOMMENDATION *The City Commission discuss items to submit for potential State funding and authorize the City Manager to submit them to the 5th District State Office for appropriate action to ensure their placement in the State budget process.*

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

990280 State Infrastructure Bank Loan Application

RECOMMENDATION *The City Commission authorize the City Manager to: 1) file a loan application(s) on behalf of the City of Gainesville with the Florida Department of Transportation's State Infrastructure Bank for the acquisition of 25 low floor 40' buses, 15 paratransit vans, 6 small hybrid electric buses, and the construction of the Gainesville Transportation Center; and 2) execute any required documents related to acquiring the loan(s), subject to review by the City Attorney as to form and legality.*

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

990288 Fast Track Surcharge Amendment to the Fee Schedule, Appendix A.

Building Official Doug Murdock gave a presentation.

RECOMMENDATION *The City Commission: 1) hear a report from staff; and 2) authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Code of*

Ordinances amending Appendix A to include a section for a Fast Track surcharge.

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

990271 Duck Pond Restoration Project Purchase Order

City Engineer Stu Pierson and The Rickman Partnership, Inc. Representative Linda Rickman gave presentations.

Chair P. DeLaney recognized Citizen Jane Myers who spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Manager, or designee, to issue a purchase order to The Rickman Partnership, Inc. in the amount of \$32,000.00 for services and reimbursable expenses as estimated on the proposal of July 12, 1999 for the Duck Pond Restoration Project.*

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

General Manager for Utilities

City Attorney

990294 Privilege Fee Case

City Attorney Marion J. Radson gave a presentation.

RECOMMENDATION *The City Commission: 1) receive a report from the City Attorney; and 2) waive the City's claim for costs against Alachua County.*

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

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee**Public Safety Committee****Audit & Finance Committee****Legislative Committee****Regional Utilities Committee****990292 City Commission Referral #981083 - Delinquent Collection Practices (NB)**

RECOMMENDATION *The City Commission direct the City Attorney to draft an ordinance modifying section 27-6 of the Code of Ordinances by adding the following sentence to the end of Section 27-6(e): "A person having a delinquent account relocating to reside with a family or household whose account is in good standing shall not constitute cause for denial or discontinuance of service to said family or household."*

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

Recreation & Cultural Affairs Committee**Advisory Boards/Committees (Appointments/Reports)****990282 Community and Urban Forestry grant report "Gainesville's Future Urban Forest--Making the Plan Work!"**

Tree Advisory Board Chair Joe Durando and City Arborist Meg Niederhofer gave presentations.

Chair P. DeLaney recognized Gainesville Builders Association Representative Juddy Carter who spoke to the matter.

ADDITIONAL REFERRALS: Staff and Gainesville Builders Association.

RECOMMENDATION *The City Commission: 1) hear a report from Joe Durando, Chair of the Tree Advisory Board and Meg Niederhofer, City Arborist; 2) receive a list of proposed changes to the Land*

Development Code; and 3) direct staff to study the proposed changes and return them to the Commission by September 13, for approval for submission to the Department of Agriculture.

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the City Plan Board, due back on February 26, 2000. The motion carried unanimously.

Outside Agencies

Members of the City Commission

Commission Comments

Recess Until 6:00 PM

Pledge of Allegiance

Troop #454

Proclamations/Special Recognitions

990287 The American With Disabilities Act Awareness Week - July 26-31, 1999

RECOMMENDATION *Center for Independent Living of North Central Florida Administrator Bob Tilley will accept the proclamation.*

This matter was Placed on File

990293 GRU's Water Campaign

GRU Corporate Communications Specialist Jerri Gentry gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation on GRU's new water campaign.*

This matter was Placed on File

Public Hearing

Resolutions- ROLL CALL REQUIRED

990257 Resolution to Establish a Proposed Millage Rate

Millage Rate: 4.9416%

Chair P. DeLaney recognized Citizen Susan Carter who spoke to the matter.

RECOMMENDATION *The City Commission adopt the following: A Resolution of the City Commission of the City of Gainesville Florida; relating to the levy of general municipal purpose ad valorem taxes for the 1999-2000 fiscal year; establishing proposed millage rates; establishing a public hearing; providing for notice to the Alachua County Property Appraiser; providing an immediate effective date.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990258 Resolution to approve a Proposed Tentative General Government Financial and Operating Plan.

AMENDMENT: Delete the \$75,000 for NFTIC from the budget and consider the NFTIC funding at the Monday, August 2, 1999 Budget Meeting.

RECOMMENDATION *The City Commission adopt the following: A Resolution of the City Commission of the City of Gainesville Florida; relating to its general government budget for the 1999-2000 fiscal year; approving a proposed tentative general financial and operating plan budget; providing an immediate effective date.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

981352 Legislative Matter No. 981352. Petition 18SUB-99DB, Eng, Denman and Associates, Inc., agent for Albemarle Development Corporation. Final plat approval of Willowcroft Cluster Subdivision, 33 lots on 11.27 acres more or less. Located in the vicinity of Northwest 16th Boulevard and Northwest 19th Place. Zoned: RSF-1.

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt the following resolution: A resolution approving the*

final plat of Willowcroft Cluster Subdivision, located in the vicinity of Northwest 16th Boulevard and Northwest 19th Place; authorizing the Mayor and Clerk of the Commission to execute a Tri-Party Agreement for the construction of improvements; and providing an immediate effective date.

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and Paula M. DeLaney
Absent: John R. Barrow

990283

A resolution of the City Commission to allow the City Manager or designee to authorize requests for the temporary closing of state roads within the City of Gainesville for special events.

RECOMMENDATION *The City Commission adopt the proposed resolution, allowing the City Manager or designee to authorize requests for the temporary closing of state roads for special events occurring within the City of Gainesville.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and Paula M. DeLaney
Absent: John R. Barrow

Plan Board Petitions

990061

Legislative Matter No. 990061. Petition 6LUC-99 PB James Meehan, agent for W.E. Walker, L.K. McKay, and Edward Channing. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (single-family, up to 8 units per acre) to PUD (planned use district) for office and commercial uses. Located at 5043 Northwest 43rd Street.

Senior Planner Carolyn Morgan and Recreation Director Cliff Crawford gave presentations.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 6LUC-99PB, with the attached conditions modified by the Plan Board. Plan Board vote 5-0*

Staff to Plan Board - Approve, with conditions.

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

Public Hearings (Continued)**Ordinances - 1st Readings- ROLL CALL REQUIRED****980726**

An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City and amending the Zoning Map Atlas from "AGR: Agriculture district" to "Planned Development District"; located in the vicinity of the 2300 block of N.W. 39th Avenue and extending south to N.W. 31st Avenue (Glen Springs Road) consisting of approximately 52 acres, commonly known as "Townsend-A Traditional Neighborhood Development"; adopting a development plan report and development plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.

Chair P. DeLaney recognized Attorney David Coffey and Citizen Frederick Peterkin who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

981438**Ordinance No. 0-99-62, Petition No. 54SVA-99PB**

An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of Northeast 1st Avenue between Northeast 3rd Street and Northeast 4th Street; reserving a public utilities easement and a public ingress/egress easement for pedestrian traffic; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Commissioner Barrow declared a Conflict of Interest and abstained from voting.

Community Development Director Tom Saunders gave a presentation.

Chair P. DeLaney recognized Citizen Frederick Peterkin who spoke to the matter.

RECOMMENDATION *The City Commission: (1) approve Petition 54SVA-99 PB, and (2) adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Bruce L. Delaney and Paula M. DeLaney
Nay: Edward L. Jennings, Sr.
Abstain: John R. Barrow

990163

Ordinance No. 0-99-61

An ordinance of the City of Gainesville, Florida, amending subsection 4-4 of the Code of Ordinances relating to consumption and sale of alcoholic beverages during a city-produced New Year's Eve event at the Downtown Plaza, allowing possession of all types of alcoholic beverages at the event; providing an exception to the prohibition against possession of alcoholic beverages in open containers on streets, thoroughfares and sidewalks closed during the event; allowing sales of alcoholic beverages pursuant to State permit on street and sidewalks closed during the event; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date

Chair P. DeLaney recognized Citizen Tom Fox, Fred Peterkin, Rev. Tim Keyes and Tom Morrissey who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow
Nay: Edward L. Jennings, Sr. and Paula M. DeLaney

990210

Ordinance No. 0-99-69

An ordinance of the City of Gainesville, Florida, amending section 4-2 of the Code of Ordinances by repealing subsection (c); prohibiting vendors, who hold alcoholic beverage licenses and whose principal business is the sale of alcoholic beverages, from renting, leasing, or otherwise using the licensed premises for any lawful purpose after the time for which they may sell alcoholic beverages; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Gainesville Police Department Interim Chief Darryl Johnston Assistant City Attorney Ron Combs gave presentations.

Chair P. DeLaney recognized Citizens Vincent Venero, Karl Kuras, Ed Porras, Nora FitzGibbons, Thomas Morrissey, Boyd Westerman, Brian Chandler, Leon Morley, Tamara Young, Kevin Gunter, Debbie Martinez, Andrew Roberts, Annerose H. Kuros, D. Stephen Moss, Paul Hutz, Maggie Arias, Marc Adler, Susan Carter, Benjamin Johnson, Tim Keyes, Tim Rockwell, Thomas H. Fay, Ruth Brown, Chris LeGore, Ben Tunis, Tom Fox, Craig Trover, Adam Lee, Mike Strange, Michael Podolsky, Linda McGurn, Joe Antonelli and Brent Gordon who spoke to the matter.

ADDITIONAL MOTION: Commissioner Barrow moved and Commissioner B. Delaney seconded to direct the City Manager to work with the Chief of Police to work with the downtown bar and club owners association, Gainesville Downtown Owners and Tenants Association and his proposed committee to begin to work out some good

long term solutions to the problems; and further, return to the City Commission with an update on the progress in two weeks and potential solution in one month (Vote 3-1, Commissioner Jennings voted Nay and Commissioner Hanrahan was absent).

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Edward L. Jennings, Sr. and Paula M. DeLaney

Nay: Bruce L. Delaney and John R. Barrow

Absent: Pegeen Hanrahan

Ordinances - 2nd Readings- ROLL CALL REQUIRED

Development Review Board Petitions

Scheduled Evening Agenda Items

Unfinished Business

Commission Comment

Mayor P. DeLaney - Resolution Request from City of Newberry (B)

Chair P. DeLaney reviewed the request and read the proposed resolution asking for support from the Alachua County League of Cities relating to the annexation by the City of Newberry.

Chair P. DeLaney recognized Alachua County Commission Member Robert Hutchinson who spoke to the matter.

The Commission chose not to support the City of Newberry proposed resolution to the Alachua County League of Cities.

990302 C/B. Delaney - Firing Range Update Request

Chair P. DeLaney recognized Citizen Frederick Peterkin who spoke to the matter.

City Manager Wayne Bowers gave a brief update.

RECOMMENDATION *The City Commission ask the Mayor to write a letter to the Gainesville/Alachua County Regional Airport Authority Chairman asking for a successful resolution on re-opening the firing range.*

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

C/ B. Delaney - Gatorbuzz Event Noise (NB)

Commissioner B. Delaney gave a brief report on attending the GatorBuzz Event Downtown. He stated that the event seemed very successful; however, the noise was too loud.

C/ B. Delaney - Noise Ordinance Update (NB)

University of Florida Student Government President Brent Gordan gave the Commission an update on their committee work regarding the noise ordinance.

C/Barrow - Director of Aviation Contract - Request for Update & Procedure (NB)

City Attorney Marion J. Radson gave a brief explanation of the procedures of the Airport.

Chair P. DeLaney stated that she would be revisiting the special act creating the Gainesville/Alachua County Regional Airport Authority.

Citizen Comment

Frederick Peterkin - Ad Valorem Exemptions to Increase Housing Downtown (NB)

Nora FitzGibbons - Further Comments on Rave Events (NB)

Rev. Tim Keyes - Rave Committee Issues & Membership (NB)

Chair P. DeLaney asked the City Manager or the Clerk of the Commission to notify Rev. Keyes with information on the committee membership and meeting times.

City Manager Bowers stated that staff would inform Rev. Keyes of the requested information.

Joe Antenielli - Further Comments on Rave Issue (NB)

Adjournment - 12:12am

Kurt M. Lannon, Clerk of the Commission