

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, October 13, 2003**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Tom Bussing (At-Large)  
Commissioner Warren Nielsen (At Large)  
Commissioner Rick Bryant (At Large)  
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Tony Domenech (District 3)  
Commissioner Craig Lowe (District 4)*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least 48 hours in advance.*

**CALL TO ORDER - 1:04 PM****ROLL CALL**

Present: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**INVOCATION****Reverend Jane Huffman Trinity United Methodist Church****CONSENT AGENDA****CITY MANAGER, CONSENT AGENDA ITEMS**

*Commissioner Domenech moved and Commissioner Nielsen seconded to adopt the Consent Agenda.*

*(VOTE: 5-0, Mayor-Commissioner Pro Tem Chestnut and Commissioner Braddy - Absent, MOTION CARRIED)*

**030479 Amend City of Gainesville Ordinance Section 22-20(a)(2), Secondhand Dealer Record Requirements (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending City of Gainesville Ordinance Section 22-29(a)(2), providing clear reporting requirements.*

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

**030480 Change to Burglar Alarm Ordinance (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Chapter 21 of the Code of Ordinance to: 1) increase burglar alarm-related fees 5% consistent with the adopted budget; 2) remove specific fee references from the body of the Code; and 3) place the fees into Appendix A of the Code.*

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

**030481 SR 24-A Bypass Designation (B)**

**RECOMMENDATION** *The City Commission authorize the Mayor to send a letter to the Florida Department of Transportation requesting that S 16th Avenue from Archer Road to SR 331 and Williston Road from SE 16th Avenue to University Avenue be designated as SR 24-A Bypass.*

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

**030482 Liberty Shield Grant Application (NB)**

**RECOMMENDATION** *The City Commission authorize the City Manager to: 1) apply to the Florida Department of Community Affairs, Division of Emergency Management Liberty Shield Grant Program for up to \$20,000 as reimbursement of eligible law enforcement overtime costs; and if awarded; 2) execute the grant agreement and any other required documents.*

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

**030483 Ratification of Contract for the Amalgamated Transit Union, Local No. 1579 (B)**

**RECOMMENDATION** *The City Commission ratify the Agreement between the Amalgamated Transit Union, Local No. 1579, and the City of Gainesville.*

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

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

**030477 Agreement for GRUCom Telecommunications Consulting Services (NB)**

**RECOMMENDATION** *The City Commission: 1) Authorize the General Manager or his designee to negotiate and execute a contract amendment with HIKE & Company, as a specified source, for telecommunications consulting services on an as needed basis for a twelve-month term ending September 30, 2004, subject to the approval of the City Attorney as to form and legality; and 2) Approve the issuance of purchase orders in amounts not exceeding \$75,000 for these services, subject to the final appropriation of the funds for FY 2004.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS****030461 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of September 15, 2003 (Special Meetings - 2 Sets); September 22, 2003 (Regular Meeting); and September 29, 2003 (Special Meetings - 2 Sets); as circulated.*

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

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS****PUBLIC WORKS COMMITTEE, CONSENT****PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT****030447 Reclassification of a Staff Assistant I in Community Development (B)**

**RECOMMENDATION** *The City Commission approve the reclassification.*

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

**030448 Reclassification of a Staff Assistant I in the Police Department (B)**

**RECOMMENDATION** *The City Commission approve the reclassification.*

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

**030449 Reclassification of a Staff Assistant in Building Inspections (B)**

**RECOMMENDATION** *The City Commission approve the reclassification.*

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

**030485 Reclassification of an Executive Assistant in the Utility Legal Services Office (B)**

**RECOMMENDATION** *The City Commission approve the reclassification.*

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

**PUBLIC SAFETY COMMITTEE, CONSENT****030446 Digital Upgrades to GPD Forensic Crime Unit from Federal Law Enforcement Contraband Forfeiture Trust Fund (B)**

**RECOMMENDATION** *The City Commission approve the appropriation and expenditure of an amount not to exceed \$27,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the purchase of digital audio/video equipment for the GPD Forensic Crime Unit.*

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

**030264 Joint Aviation Unit Federal LECFTF Funding FY 03/04 Operating Expenses (B)**

**RECOMMENDATION** *The City Commission approve the appropriation of \$81,750.00 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Joint Aviation Unit.*

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

**DISABILITY REVIEW COMMITTEE, CONSENT****030494 Application for Disability Retirement - Angela Williams (B)**

**RECOMMENDATION** *The City Commission approve the submitted application for disability retirement for Angela Williams, Occupational Health Nurse, Risk Management Department.*

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

**030495 Application for Disability Retirement - John Titus (B)**

**RECOMMENDATION** *The City Commission approve the submitted application for disability retirement for John Titus, Water/Wastewater Instrument Tech Sr., GRU Water/Wastewater.*

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

**030496 Application for Disability Retirement - Cecilia White (B)**

**RECOMMENDATION** *The City Commission approve the submitted application for disability retirement for Cecelia White, Custodial Worker, Facilities Management Department.*

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

## **COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

### **030403 Revision to the Eastside Redevelopment District Base Year Tax Amount (B)**

**RECOMMENDATION** *CRA to the City Commission: Request the City Commission amend the Eastside Trust Fund Ordinance to reflect a base year taxable value of \$34,980,826.*

*City Manager to the City Commission: Direct the City Attorney to prepare and the Clerk to advertise an amendment to the existing ordinance.*

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

### **030404 Adoption of the Adjusted Fiscal Year 2003-2004 Budget (B)**

**RECOMMENDATION** *CRA to the City Commission: Approved the amended Fiscal Year 2003-2004 budget.*

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

## **Passed The Consent Agenda**

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Edward Braddy and Chuck Chestnut

## **END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Domenech moved and Commissioner Nielsen seconded to adopt the Regular Agenda with the following modifications/additional backup:  
(VOTE: 5-0, Mayor-Commissioner Pro Tem Chestnut - Absent, MOTION CARRIED)*

- 1. File #030435 - Water Protection Resolution- (Revised back-up submitted and move to last Resolution on the agenda).*
- 2. File #030564 - Gainesville Sports Organizing Committee, Inc. (Add new item).*
- 3. File #030489 - Interlocal Agreement with Alachua County Concerning Alachua County Fire/Rescue Employees - (Additional back-up submitted).*
- 4. File #030484 - Commissioner Tony Domenech - SW 24th Avenue - SW 62nd Boulevard - (Additional back-up submitted by Commissioner Tony Domenech and Commissioner Craig Lowe).*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

### **030499 National League of Cities Voting Delegate (B)**

*MOTION: The Commission selected Mayor-Commissioner Pro Tem Chestnut as voting delegate and Commissioner Warren Nielsen as alternate for the National League of Cities.*

*NOTE: Commissioner Braddy entered the meeting room at 1:11 PM.*

**RECOMMENDATION** *The City Commission select a voting delegate and alternate.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Edward Braddy and Chuck Chestnut

## CITY MANAGER

### **030487 Request from Tiger Bay Group, LLC for an Extension of the \$100,000 Affordable Housing Loan/Grant Commitment to December 31, 2004 (B)**

*City of Gainesville Community Development Director Tom Saunders and Tiger Bay Group, LLC President Alan V. Iselin gave presentations.*

*FIRST MOTION: Commissioner Domenech moved and Commissioner Chestnut seconded to free up the \$100,000, that is currently encumbered for this project, and reserve the right to encumber \$100,000 in next year's budget for this particular project.*

*(NO VOTE)*

*SUBSTITUTE MOTION: Commissioner Domenech moved and Commissioner Bryant seconded that the City Commission: 1) intends to continue offering the necessary support for the Tiger Bay Project; and 2) ask staff to come back in two weeks with a plan for budgeting that support.*

*(VOTE: 7-0, MOTION CARRIED)*

**RECOMMENDATION** *The City Commission hear a presentation from representatives of Tiger Bay Group, LLC and take appropriate action.*

**A motion was made by Commissioner Domenech, seconded by Commissioner Bryant, that this matter be Approved, as shown above (Substitute Motion). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030488                      Gainesville Fire Rescue Public Information Office Internship Program (NB)**

*Internship Program Representative Tiffany Cooper gave a presentation.*

*MOTION: Continue this item to the next regular scheduled City Commission Meeting (October 27, 2003).*

**RECOMMENDATION** *The City Commission hear a report about the Gainesville Fire Rescue's Public Information Office Internship Program.*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Chestnut, that this matter be Continued for October 27, 2003. The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030489                      Interlocal Agreement with Alachua County Concerning Alachua County Fire Station 19 Employees (B)**

*Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *The City Commission approve the Interlocal Agreement, as amended.*

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



**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030491 Additional Homestead Exemption for Low-Income Seniors (B)**

*City of Gainesville Office of Management and Budget (OMB) Director Becky Rountree gave a presentation.*

*FIRST MOTION: Commissioner Domenech moved and Commissioner Nielsen seconded to instruct the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance adopting an additional homestead exemption for low income seniors as provided by Florida Statute Section 196.075 in the amount of \$25,000 to be effective January 1, 2004.*

*SUBSTITUTE MOTION: Commissioner Lowe moved and Commissioner Nielsen seconded to phase this proposal in over a 5 year period of time, \$5,000 per year.*

*SECOND SUBSTITUTE MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to instruct the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance adopting an additional homestead exemption for low income seniors as provided by Florida Statute Section 196.075 in the amount of \$20,000 to be effective January 1, 2004 and that the remaining \$5,000 be effective January 1, 2005.*

*(VOTE: 5-2, Mayor-Commissioner Pro Tem Chestnut and Commissioner Nielsen - No, MOTION CARRIED)*

*Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *The City Commission discuss the desirability of granting the additional homestead exemption for qualifying seniors and decide whether or not to instruct the City Attorney to draft and the Clerk to advertise an Ordinance adopting an additional homestead exemption for low income seniors as provided by Florida Statute Section 196.075 in the amount of \$25,000 to be effective January 1, 2004.*

**A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Approved as shown above (Second Substitute Motion). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Rick Bryant and Craig Lowe  
Nay: Chuck Chestnut and Warren Nielsen

**030564 Gainesville Sports Organizing Committee (GSOC), Inc., Funding Request (B)**

*Gainesville Senior Games Event Director Laura Bosek gave a presentation.*

**RECOMMENDATION** *The City Commission co-sponsor the Gainesville Senior Games with GSOC by using \$5000 from the City Commission*

*Contingency Fund and with in-kind services.*

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe  
Nay: Tom Bussing

## GENERAL MANAGER FOR UTILITIES

### 030476 Solar Energy Awareness Program in Schools (B)

*Gainesville Regional Utilities Strategic Planning Analyst Mark Spiller gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) Hear a presentation from Staff; 2) Authorize the Mayor to Execute an Agreement Between the City of Gainesville and the School Board of Alachua County (SBAC) to Incorporate a Solar Awareness Program; 3) Authorize the General Manager for Utilities to purchase photovoltaic (PV) panels and any other materials and equipment required for installation of 2 solar electric generation systems, and award a contract for their installation. The total cost to purchase and install the two solar electric generation systems shall not exceed \$53,000; and 4) Authorize the General Manager for Utilities to make any certifications reasonably required to receive available grant money from the Florida Solar Energy Center to defray the cost of supplying and installing the solar electric generation systems.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

## WAIVER OF RULES

*Mayor-Commissioner Pro Tem Chestnut moved and Commissioner Braddy seconded to move the Community Redevelopment Agency item File #030493 "Impact of Drug Activities on Redevelopment" before File #030478 "Cabot Carbon/Koppers Superfund Site Investigation and GRU Regional Groundwater Monitoring Network". (VOTE: 7-0, MOTION CARRIED)*

## COMMUNITY REDEVELOPMENT AGENCY

**030493 Impact of Drug Activities on Redevelopment (NB)**

*Community Redevelopment Agency (CRA) Manager Karen Slevin, Police Chief Norm Botsford and Lieutenant Lonnie Scott gave presentations.*

*Chair Bussing recognized Fifth Avenue/Pleasant Street Advisory Board Members Carl Rose, Clevern Sharpe, Jr., George Tedford and Kali Blount; and Citizen Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *CRA to the City Commission: FAPS believes that redevelopment in this neighborhood is impeded by drug activities within the neighborhood and requests that the CRA request the City Commission to address those issues.*

**Discussed****030478 Cabot Carbon/Koppers Superfund Site Investigation and GRU Regional Groundwater Monitoring Network (NB)**

*MOTION: Continue this item and direct the Clerk of the Commission to schedule a Special Meeting for 6:00 PM, Monday, October 20, 2003, and that this meeting be televised.*

*Chair Bussing recognized Beazer East Representative Quinta Vitel and Citizen Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation from staff regarding the history of the Cabot Carbon / Koppers Superfund site, recent field investigations at the site and the status of GRU's regional groundwater monitoring network around the Murphree Water Treatment Plant.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Domenech, that this matter be Continued for October 20, 2003. The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**CITY ATTORNEY****CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS - 4:39 PM**

**RECONVENE - 5:32 PM**

*NOTE: Mayor-Commissioner Pro Tem Chestnut called the meeting back to order.*

**CITIZEN COMMENT**

**COMMISSION COMMENTS (if time available)**

**Michael Leath**

*Homeless Facilities*

*NOTE: Mayor Bussing entered the meeting room and assumed the gavel at 5:33 PM.*

**Deacon James Dixon**

*Action Network Grant Funding*

**Reverend Milford Lewis Griner**

*Kennedy Homes*

**Sam Trickey**

*Action Network*

**Patricia Hilliard-Nunn**

*Kennedy Homes*

**Jackie Hart Williams - Martin Luther King, Jr., Commission of Florida**

*Kennedy Homes*

**Vanessa Anthony**

*Kennedy Homes*

**Michael Bowie - NAACP Representative**

*Kennedy Homes*

**Charles Nelson**

*Kennedy Homes*

**Sarah Poll**

- 1. TV Scheduling*
- 2. Plan Board Petitions*

**WAIVER OF RULES**

*Commissioner Domenech moved and Commissioner Braddy seconded to waive the rules to hear the remainder of Citizen Comment (4 speakers) immediately after the Pledge of Allegiance and before the Proclamations.  
(VOTE: 7-0, MOTION CARRIED)*

**PLEDGE OF ALLEGIANCE (6:00pm)**

**Junior Girl Scout Troop #1367**

**Jamal Sowell - Student Body Treasurer for UF**

- 1. Bright Futures Campaign*
- 2. Inform UF Students about Kennedy Homes*

**Rodney Long - Alachua County Commissioner**

*Kennedy Homes*

**Rob Brinkman**

- 1. Kennedy Homes
- 2. Creeks and Gravity Sewer Lines

**Toni Clanton**

*Kennedy Homes*

**030565 Kennedy Homes Special Meeting (NB)**

*Chair Bussing recognized County Commissioner Rodney Long who spoke to the matter.*

**RECOMMENDATION** *The City Commission direct the Clerk to: 1) Schedule a Special City Commission Meeting to deal with the issues of Kennedy Homes, 2) schedule this meeting in the evening in order for it to be available to the public; 3) notify the NAACP, the Dr. Martin Luther King, Jr. Commission of Florida, the tenants of Kennedy Homes and any other interested citizens; 4) schedule this meeting at a time when it can be televised; and 5) schedule this meeting after the Kennedy Homes Task Force meets on October 28, 2003.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**030502 Domestic Violence Awareness Month (B)**

**RECOMMENDATION** *Peaceful Paths Executive Director Dr. Theresa Harrison to accept the proclamation.*

**Heard**

**030503 Arts and Humanities Month (B)**

**RECOMMENDATION** *City of Gainesville Cultural Affairs Department Manager Coni Gesualdi to accept the proclamation.*

**Heard**

**030504 Gay and Lesbian Pride Week (B)**

**RECOMMENDATION** *Pride Celebration of Gainesville Members Dotty Faibisy and Tim Stokes to accept the proclamation.*

**Heard**

**030505 Distribution Education Clubs of America (DECA) Delta Epsilon Chi Week (B)**

**RECOMMENDATION** *Buchholz High School DECA Club Officers Lauren Kraft and Andre Ware to accept the proclamation.*

**Heard**

**030506 United Nations Day (B)**

**RECOMMENDATION** *United Nations Association Gainesville Chapter President Robert H. Hornberger to accept the proclamation.*

**Heard**

**030507 White Cane Safety Month (B)**

**RECOMMENDATION** *Alachua County Council of the Blind President Maxine Stallings to accept the proclamation.*

**Heard**

**PUBLIC HEARINGS****ORDINANCES, 1ST READING- ROLL CALL REQUIRED****030457 VOLUNTARY ANNEXATION - NORTH FLORIDA REGIONAL DOCTOR'S OFFICE PARK - LOTS 1 AND 22 THROUGH 26 (B)****ORDINANCE NO. 0-03-91**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area described as Lots 1 and 22 through 26 of North Florida Regional Doctor's Office Park located in the vicinity of NW 64th Terrace**

and NW 9th Boulevard; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

*City of Gainesville Office of Management and Budget (OMB) Strategic Planner Karen Snyder gave a presentation.*

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**030458**

**VOLUNTARY ANNEXATION - NORTH FLORIDA REGIONAL DOCTOR'S OFFICE PARK - LOTS 10, 11 AND 16 (B)**

**ORDINANCE NO. 0-03-93**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area described as Lots 10, 11 and 16 of North Florida Regional Doctor's Office Park located in the vicinity of NW 64th Terrace and NW 9th Boulevard; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business trade or profession within the area; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.**

*City of Gainesville OMB Strategic Planner Karen Snyder gave a presentation.*

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**030128**

**FOREST NURSERIES - LAND DEVELOPMENT CODE (B)**



**Ordinance No. 0-03-83; Petition 72TCH-03 PB**

**An Ordinance of the City of Gainesville, Florida amending subsection 30-61(c), Land Development Code, allowing forest nurseries for sale of planted trees in a non-enclosed (outdoor), fenced area as a permitted use by right in the general business district (BUS), subject to development plan review; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

**RECOMMENDATION** *The City Commission (1) approve Petition 72TCH-03 PB, allowing forest nurseries for sale of planted trees in a non-enclosed (outdoor), fenced area as a permitted use in the general business district (BUS) subject to development plan review; and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**020589****UNIVERSITY HEIGHTS NEIGHBORHOOD - REZONING (B)****ORDINANCE NO. 0-03-36, PETITION NO. 115ZON-02PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties within the City from "OR: (20 units/acre office residential district)" and "MD: Medical services district" to "RH-2: 8-100 unit/acre residential high density district" and "MU-1: 10-30 units/acre mixed use low intensity"; in the area generally bounded on the North by West University Avenue, bounded on the South by S.W. 3rd Avenue, bounded on the East by S.W. 6th Street and bounded on the West by S.W. 10th Street, as more specifically described in the ordinance; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030470****IRONWOOD AREA - REZONING (B)**

**ORDINANCE NO. 0-03-40, PETITION NO. 131ZON-02PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties recently annexed into the City from various Alachua County zoning categories to various City of Gainesville zoning categories, as more specifically shown on the maps attached to this ordinance; generally located North of N.E. 39th Avenue, South of N.E. 53rd Avenue, East of N.E. 15th Street, and West of Waldo Road; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.*

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030471 ARCHER ROAD AREA - REZONING (B)****ORDINANCE NO. 0-03-44, PETITION NO. 131ZON-02PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from various Alachua County zoning categories to various City of Gainesville zoning categories, as more specifically shown on the maps attached to this ordinance; generally located north of Williston Road, east of Interstate 75, and the vicinity of Archer Road and S.W. 23rd Street; 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 Domenech, seconded by Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030472 BLUES CREEK AREA - REZONING (B)****ORDINANCE NO. 0-03-48, PETITION NO. 131ZON-02PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from the Alachua County zoning category of "PUD, planned unit development" to the City of**

Gainesville zoning category of "Planned Development District"; as more specifically shown on the maps attached to this ordinance; generally located west of N.W. 43rd Street, south of the existing City limits, north of N.W. 69th Lane and NW 73rd Avenue and east of the existing City limits; 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 Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe  
Nay: Tom Bussing

**030473 SW CONSERVATION AREA - REZONING (B)**

**ORDINANCE NO. 0-03-50, PETITION NO. 131ZON-02PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from the Alachua County zoning category of "R-1a, single-family, low density (one to four dwelling units per acre)" and "C-1, conservation district" to the City of Gainesville zoning category of "CON: Conservation district"; as more specifically shown on the maps attached to this ordinance; generally located West of I-75, South and East of SW 30th Avenue and north of the existing City Limits; 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 Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Nielsen, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**030474 BUCKRIDGE AREA - REZONING (B)**

**ORDINANCE NO. 0-03-52, PETITION NO. 131ZON-02PB**

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain properties annexed into the City from various Alachua County zoning categories to various City of Gainesville zoning categories, as more specifically shown on the maps attached to this ordinance; generally located West of N.W. 43rd Street, North of N.W. 23rd Avenue, South

of N.W. 29th Avenue and East of N.W. 49th Terrace; 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 Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**030129**

**STREET VACATION - UNIVERSITY HEIGHTS (B)**

**ORDINANCE NO. 0-03-84, PETITION 74SVA-03PB**

**An ordinance of the City of Gainesville, Florida, to vacate, abandon and close a certain portion of the right-of-way located in the vicinity of SW 5th Avenue, south side in the 1100 block; reserving a public utilities easement; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Senior Planner Carolyn Morgan gave a presentation.*

**RECOMMENDATION** *The City Commission: (1) approve Petition 74SVA-03 PB, and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030468**

**USER FEES (B)**

**ORDINANCE NO. 0-03-95**

**An ordinance of the City of Gainesville, Florida; amending Appendix A of the Code of Ordinances; correcting scrivener's errors relating to user fees, rates and charges as more specifically set forth in the ordinance, and generally related to buildings and building regulations; cemeteries; land development code landlord permit fees; Police, alarm fees; and traffic and motor vehicles; increasing some fees, rates, and charges in Appendix A; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Revenue Recovery Specialist Audrey Lewis gave a presentation.*

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**021104 CIVIL CITATIONS FINES (B)**

**ORDINANCE NO. 0- 03-90**

**An ordinance of the City of Gainesville, Florida; amending Section 2-339, Code of Ordinances of the City of Gainesville; increasing certain penalties for violation of City ordinances, as more specifically set forth in the ordinance, and generally related to property conditions in neighborhoods; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

*Chair Bussing recognized Citizens Sarah Poll and Jennifer Raymond who spoke to the matter.*

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

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

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

**030131 EXERCISE STUDIO - LAND DEVELOPMENT CODE (B)**

**ORDINANCE NO. 0-03-82; PETITION 85TCH-03 PB**

**An Ordinance of the City of Gainesville, Florida; amending section 30-23, adding the definition of Exercise Studio, amending subsection 30-59(e), Land Development Code, adding Exercise Studio as a permitted use in the OF (General Office) 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 Domenech, seconded by Mayor-Commissioner Pro Tem Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

## RESOLUTIONS- ROLL CALL REQUIRED

**030497**            **Final Plat approval for Townsend, A Planned Development, Phase Four, 5 lots on 22.3 acres more or less, located in the 2300 block of Northwest 39th Avenue (south side). (Quasi-Judicial) (B)**

*City of Gainesville Senior Planner Carolyn Morgan gave a presentation.*

**RECOMMENDATION**    *Planning staff to City Commission -The City Commission adopt the resolution.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030435**            **Water Protection Resolution (B)**

*GRU Senior Water/Wastewater Engineer Rick Hutton gave a presentation.*

*Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.*

*ADDITIONAL MOTION: Commissioner Lowe moved and Commissioner Domenech seconded that the City Commission appoint a Commission-committee on water policy to serve in conjunction with the County Commission, to consist of City Commissioners Edward Braddy and Craig Lowe. The purpose of the committee would be to have a dialogue on water supply strategy. The committee would receive and distribute information and provide a unified voice for North Central Florida to coordinate and initiate change.*

*(NO VOTE)*

*NOTE: Mayor Bussing passed the gavel to Mayor-Commissioner Pro Tem Chestnut in order to make the following substitute motion.*

*SUBSTITUTE TO ADDITIONAL MOTION: Mayor Bussing moved and Commissioner Lowe seconded that the City Commission appoint Commissioners Braddy and Lowe to a Joint City/County Committee on Water Supply Policy to follow up on the issues and topics raised in the Water Protection Resolution.*  
*(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)*

**RECOMMENDATION** *The City Commission approve the Water Protection resolution.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

## **PLAN BOARD PETITIONS**

## **DEVELOPMENT REVIEW BOARD PETITIONS**

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

### **030359 Annual Performance, Salary, and Benefits Review for the City Manager (NB)**

*FIRST MOTION: Commissioner Bryant moved and Commissioner Nielsen seconded to approve a salary increase of 5% for the City Manager.  
(NO VOTE)*

*FIRST SUBSTITUTE MOTION: Commissioner Lowe moved and Commissioner Braddy seconded to approve a salary increase of 4.2% for the City Manager.  
(VOTE: 0-7, MOTION FAILED)*

*Chair Bussing recognized Citizens Sarah Poll and Bob Reller who spoke to the matter.*

*SECOND SUBSTITUTE MOTION (MAIN MOTION): Commissioner Nielsen moved and Commissioner Chestnut seconded to approve a salary increase of 6% for the City Manager, retroactive to his anniversary date.  
(VOTE: 7-0, MOTION CARRIED)*

*Chair Bussing recognized Citizen Estelle Herkett who spoke to the matter.*

**RECOMMENDATION** *The City Commission review the salary and benefits of the City Manager and make any changes deemed appropriate.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

**030475 Commissioner Edward Braddy - Audit of Bid Process (NB)**

*City Auditor Alan Ash gave a presentation.*

**RECOMMENDATION** *The City Commission hear a presentation regarding the "Audit of Bid Process - GRU and General Government."*

**Heard**

**030484 Commissioner Tony Domenech - SW 24th Avenue - SW 62nd Boulevard (B)**

*Chair Bussing recognized Director of Development for Butler Enterprises Bob Reller who gave a presentation.*

*WAIVER OF RULES: Commissioner Domenech moved and Commissioner Chestnut seconded to waive the rules to extend the meeting to 11:15 PM.*

*(VOTE: 5-2, Commissioner Nielsen and Mayor Bussing - No, MOTION CARRIED)*

*Chair Bussing recognized Citizen Sarah Poll who spoke to the matter.*

**RECOMMENDATION** *The City Commission authorize the Mayor to send a letter to Congressman Cliff Stearns endorsing federal funding for construction of SW 24th Avenue - SW 62nd Boulevard as a four lane road from SW 43rd Street to the current southern terminus of SW 62nd Boulevard.*

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut and Rick Bryant

Nay: Tom Bussing, Warren Nielsen and Craig Lowe

**COMMISSION COMMENT****Commissioner Warren Nielsen**

*Remembering John Mahon*

**City Manager Wayne Bowers**

*The City Manager brought forward a new item. See following file # 030567.*

**030567 Certification of Final Taxable Value (B)**

*WAIVER OF RULES: Commissioner Domenech moved and Commissioner Nielsen seconded to waive the rules to extend the meeting until 11:30 PM.*

*(VOTE: 6-1, Commissioner Chestnut - No, MOTION CARRIED)*



**RECOMMENDATION**    *The City Commission maintain the millage rate as it is.*

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

**Votes:** Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

## CITIZEN COMMENT

### Sarah Poll

- 1. Requested referral to the Community Development Committee regarding Development Issues - See following referral #030568.*
- 2. Channel 12 - Enhancing use - City Manager to report back.*

### 030568                      **Development Issues Referral (NB)**

*NOTE: Commissioner Domenech left the meeting room at 11:21 PM.  
Mayor-Commissioner Pro Tem Chestnut left the meeting room at 11:22 PM.  
Commissioner Bryant left the meeting room at 11:27 PM.*

**RECOMMENDATION**    *The City Commission refer the issue of handouts to neighbors regarding development and other development issues to the Community Development Committee.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Lowe, that this matter be Referred to the Community Development Committee, due back on April 13, 2004. The motion carried by the following vote:**

**Votes:** Aye: Tom Bussing, Edward Braddy, Warren Nielsen and Craig Lowe  
Absent: Tony Domenech, Chuck Chestnut and Rick Bryant

## ADJOURNMENT - 11:30 PM

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Kurt M. Lannon, Clerk of the Commission