

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, March 26, 2001**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## CALL TO ORDER

*Clerk of the Commission Kurt Lannon called the meeting to order at 1:12 PM.*

*Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to appoint Commissioner Pegeen Hanrahan as temporary chair.*

*(VOTE: 3-0) (Mayor Paula M. DeLaney and Mayor-Commissioner Pro Tem John R. Barrow - Absent)*

## INVOCATION

**Reverend Carl Romey, Associate Pastor, First United Methodist Church**

## ROLL CALL

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## CONSENT AGENDA

### CITY MANAGER, CONSENT AGENDA ITEMS

#### **001105 Amendment to License Agreement (B)**

**RECOMMENDATION** *The City Commission approve the amendment to the License Agreement with Gainesville Commerce Center Limited Partnership.*

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

#### **001106 Streetscape Agreement for Commerce Project (B)**

**RECOMMENDATION** *The City Commission approve the Streetscape agreement with Gainesville Commerce Center Limited Partnership.*

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

#### **001107 Domestic Violence Grant Application (NB)**

**RECOMMENDATION** *The City Commission authorize the City Manager to: 1) apply to the Department of Justice, Office of Justice Programs for the grant in an amount up to \$250,000 and if awarded; 2)*

*execute any grant documents.*

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

**001108 Employee Bus Pass Program for Downtown City, County, and UF Employees (B)**

**RECOMMENDATION** *The City Commission: 1) approve the continuation of the employee bus pass program for downtown City employees; and 2) authorize the City Manager to execute an interlocal agreement with the University of Florida and Alachua County for a second year of the employee bus pass program.*

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

**001109 Grant Application - Noxious Plant Removal (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the City Manager, or his designee to submit a grant application to the Withlacoochee Region Invasive Plant Working Group and the State of Florida, Department of Environmental Protection; and 2) to execute the application, contract and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

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

**001110 Construction of Morningstar Neighborhood Roadway, Water and Wastewater Systems (B)**

**RECOMMENDATION** *The City Commission: 1) award the contract for the construction of the Morningstar neighborhood roadway, water and wastewater systems to WCC Site Development, Inc.; 2) authorize the City Manager or his designee to execute the contract and all other necessary documents; and 3) authorize the issuance of a purchase order to WCC Site Development, Inc., in the amount of \$310,000.*

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

**991120 Convey Former Stringfellow Property to the Community Redevelopment Agency (B)**

**RECOMMENDATION** *The City Commission: 1) convey title to property located at 609, 611 and 613 West University Avenue (Tax Parcels 12936 and 12937) to the Community Redevelopment Agency; and 2)*

*authorize the Mayor and Clerk of the Commission to sign the deed and any papers necessary to complete the conveyance.*

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

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

### **001122 Amendment to Contract for Janitorial Services (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager, or his designee, to execute an amendment to the contract with the Florida Association of Rehabilitative Facilities, Inc. d/b/a RESPECT of Florida for janitorial services, extending the term through September 2001, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to RESPECT of Florida in an amount not to exceed \$80,000.*

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

### **001123 Annual Contract for Small Diameter Jack and Bore and Directional Boring (B)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager or his designee to execute a contract for small diameter jack and bore and directional boring services with D&D, Inc., subject to the approval of the City Attorney as to form and legality; 2) and approve the issuance of purchase orders to D&D, Inc., in amounts not exceeding \$220,000 per fiscal year.*

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

### **001124 Subordination of Utility Interests to FDOT - SE Corner, SW 34th St and Archer Road (B)**

**RECOMMENDATION** *The City Commission: 1) approve two Subordination's of Utility Interests to the State of Florida Department of Transportation, and; 2) authorize the Mayor and Clerk of the Commission to execute the documents, subject to approval as to form and legality by the City Attorney.*

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

### **001125 Release of Easement at Pinehurst Mobile Home Park (B)**

**RECOMMENDATION** *The City Commission: 1) approve releasing several easements*

*granted to the City of Gainesville at Pinehurst Mobile Home Park; and 2) authorize the Mayor and Clerk of the Commission to execute a Release of Easements document, substantially in the form attached, subject to approval by the City Attorney.*

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

**001126      Approval of Contract and Issuance of a Purchase Order for Wood Pole Inspection and Groundline Treatment (NB)**

**RECOMMENDATION**    *The City Commission authorize the General Manager or his designee to execute an amendment to the contract with Osmose, Inc. for wood pole inspection and groundline treatment and approve the issuance of a purchase order to Osmose, Inc. in an amount not to exceed \$65,000.00.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT**

**001090      Second Amendment to the Commerce Project Development Agreement (B)**

**RECOMMENDATION**    *Approve the amendment to the Commerce Project Development Agreement.*

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

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

**001021      Addition of Part-Time Regular Building Assistant (B)**

**RECOMMENDATION**    *The Personnel and Organizational Structure Committee recommends the City Commission approve establishment of an additional part time regular Building Attendant position in Cultural Affairs at CWA pay grade 6.*

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

**PUBLIC SAFETY COMMITTEE, CONSENT**

**AUDIT & FINANCE COMMITTEE, CONSENT****001025 Fiscal Year 2001 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 2000 (B)****...Explanation**

The City's General Government Budget Policy requires staff to prepare and submit a quarterly budget compliance report in substantially the same form as the final budget document for all major operating funds including the status of General Fund balances to the Audit and Finance Committee.

**...Recommendation**

The Audit and Finance Committee recommends that the City Commission receive the quarterly budget monitoring report for the quarter ending December 31, 2000.

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission receive the quarterly budget monitoring report for the quarter ending December 31, 2000.*

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

**001119 GRU Quarterly Monitoring Report for the Period Ended December 31, 2000 (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission receive the report.*

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

**001120 Selection of External Auditors (NB)**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission authorize the City Auditor to execute a professional services contract in the amount necessary to provide auditing services for the fiscal years ending September 30, 2001 through 2005, subject to the approval of the City Attorney as to form and legality.*

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

**001121 The General Purpose Financial Statements, Supplemental Information and Independent Auditors' Report of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 2000; Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville,**

**Florida for Fiscal Year Ended September 30, 2000; Financial Statements and Independent Auditors' Report on the Consolidated Police Officers and Firefighters Retirement Plan of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2000; the Auditors' Management Letter and Additional Elements of Report Prepared in Accordance with the Single Audit Act and Office of Management and Budget's (OMB) Circular A-133 for the Fiscal Year Ended September 30, 2000; and management's written response. (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission:*

- a) accept the subject financial statements and audit reports;*
- b) receive the independent auditors' Management Letter Comments and Additional Elements of Report Prepared In Accordance with the Provisions of the Single Audit Act and The Office of Management and Budget's (OMB) Circular A-133; and c) receive and accept management's written response.*

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

## **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

### **001139 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of March 5, 2001, March 12, 2001, and March 19, 2001 as circulated.*

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

### **001140 Resignation - Citizens' Advisory Committee for Community Development (B)**

**RECOMMENDATION** *The City Commission accept the resignation of member Lula Maxwell from the Citizens' Advisory Committee for Community Development effective immediately.*

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

## **Passed The Consent Agenda**

**A motion was made by Commissioner Nielsen, 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, Warren Nielsen and Pegeen Hanrahan  
Absent: John R. Barrow and Paula M. DeLaney

## **END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to adopt the Regular Agenda with the following modifications:*

- 1. NEW ITEM - Appointments to the Fifth Avenue/Pleasant Street Task Force.*
- 2. FILE NO. 001142 - Board of Canvasser's Resolution - (Additional Back-Up Submitted).*

*(VOTE: 3-0) (Mayor Paula M. DeLaney and Mayor-Commissioner Pro Tem John R. Barrow - Absent)*

## CLERK OF THE COMMISSION

### 001145 Appointments to the Fifth Avenue/Pleasant Street Task Force (NB)

*MOTION: Appoint Roberta Parks and Joan Gowen to the Fifth Avenue/Pleasant Street Task Force.*

**RECOMMENDATION** *The City Commission appoint two additional members to the Fifth Avenue/Pleasant Street Task Force.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and Pegeen Hanrahan  
Absent: John R. Barrow and Paula M. DeLaney

## CITY MANAGER

### 001115 Certificate of Achievement for Excellence (NB)

**RECOMMENDATION** *The City Commission accept the Certificate for Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 1999, acknowledge Becky Rountree as the individual most responsible for its production, accept the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2000, and endorse its submittal to the Government Finance Officers Association.*

**Heard**



**001060 Affirmative Action Plan Update (B)**

*City of Gainesville Police Lieutenant Lonnie Scott, Affirmative Action Officer Steve Malu and GRU Assistant General Manager for Water/Wastewater Administration Bob McVay gave presentations.*

*NOTE: Chair Paula M. DeLaney entered the meeting room at 2:12 PM and assumed the gavel.*

*MOTION: Accept the Affirmative Action Plan presented by the Affirmative Action Task Force.*

**RECOMMENDATION** *The City Commission hear a presentation from the Affirmative Action Task Force.*

**A motion was made by Commissioner Nielsen, 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 and Paula M. DeLaney  
Absent: John R. Barrow

**001112 Alachua County Forever and Florida Community Trust Grant Applications 2001 (B)**

*City of Gainesville Nature Operations Manager Steve Phillips, Nature Centers Commission Representative Jack Hughes and Nature Programs Coordinator Deanna Kinnard gave presentations.*

*MOTION: The City Commission approve the recommendation and note that the City Commission is supporting Alachua County Forever Applications for all three projects ("Little Hatchet Creek", "Beville Creek" and "Sugarfoot Sink") and authorize staff as the recommendation indicates to move forward with them as desired and to report back to the City Commission.*

*Chair Paula M. DeLaney recognized Citizens John Reiskind and Susan Wright who spoke to the matter.*

**RECOMMENDATION** *The City Commission: 1) hear recommendations from the Nature Centers Commission; 2) authorize the City Manager to submit grant applications to Alachua County Forever and Florida Communities Trust; 3) authorize the City Manager to execute applications to Alachua County Forever for the purpose of matching grant funds; 4) authorize the City Manager to execute grant applications to Florida Communities Trust; 5) approve the funding for the grant or grants; and 6) authorize the City Manager to execute the grant agreements and other grant related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**001113 Neighborhood Planning Program Update (B)**

*City of Gainesville Community Development Director Tom Saunders and Senior Planner Kathy Winburn gave presentations.*

*MOTION: Authorize staff to include Sugar Hill Neighborhood and the Highland Court Manor Neighborhood in next year's program and to establish "The Neighbor of the Year Program".*

*Chair Paula M. DeLaney recognized Citizen Doris Edwards who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear an update on the Neighborhood Planning Program administered by the Community Development Department, authorize staff to add two more neighborhoods for participation, and establish a Neighbor of the Year Program.*

**A motion was made by Commissioner 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 and Paula M. DeLaney  
Absent: John R. Barrow

**001141 Local Option Gas Tax (B)**

*City of Gainesville Administrative Services Director Glenda Currie and Public Works Director Teresa Scott gave presentations.*

*NOTE: Commissioner Pegeen Hanrahan left the meeting room at 3:21 PM and returned at 3:42 PM.*

*NOTE: Chair Paula M. DeLaney left the meeting room at 4:00 PM and returned at 4:37 PM.*

**RECOMMENDATION** *The City Commission hear a presentation from the City Manager and staff on the local option gas tax and provide direction for the negotiations with Alachua County concerning the distribution formula.*

**Discussed**

**001114 Reichert House Presentation (NB)**

*City of Gainesville Police Captain Tony Jones, Officer Jeff McAdams, State Attorney Bill Cervone, Alachua County School Board Representative Sam Gaddy, YES Program Representative Chris Brown gave presentations.*

*Chair Paula M. DeLaney recognized Citizens Oletha Williams, Yvonne Manning, Robin Bradshaw, Sophia Parker, and Rosa B. Williams who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear from parents of the Gainesville Police Department's Reichert House Program regarding the current progress with their youth programs and activities.*

**Discussed**

**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY****CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC WORKS COMMITTEE****PERSONNEL & ORGANIZATION STRUCTURE 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**

*The meeting recessed at 5:05 PM.*

**RECONVENE**

*The meeting reconvened at 5:38 PM.*

**CITIZEN COMMENT (5:30pm)****Raquel Garcia**

*See following item Re: Request for Funds for Dr. Bill Maples Documentary Thesis Project*

**001146 Funding Request for Forensic Anthropologist Dr. Bill Maples Biographical Documentary (B)**

**RECOMMENDATION** *The City Commission refer the authorization of \$1,350.00 from the City Commission Contingency Fund for completion of Dr. Maples' biographical documentary to Cultural Affairs staff and GPD contingent on: 1) Staff review and approval; 2) the film being shown on Government Access TV (Channel 12); and 3) GPD will be provided a copy for informational purposes.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on April 9, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**Frederick Peterkin**

- 1. Cell Phones for all GPD Police Officers*
- 2. GruCom/Laptops for GPD - Referred to City Manager*

**COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (6:00pm)****Troop #334****PROCLAMATIONS/SPECIAL RECOGNITIONS**

**001127 Florida Department of Education Business Recognition Award (NB)**

**RECOMMENDATION** *The City Commission hear a report and accept the Education Commissioner's Business Recognition Award for the Alachua County District received by GRU.*

**Heard**

**001100 Glenda Currie Day - March 26, 2001 (B)**

**RECOMMENDATION** *City of Gainesville Administrative Services Director Glenda Currie to accept the proclamation.*

**Heard**

**001101 Darrell DuBose Day - March 26, 2001 (B)**

**RECOMMENDATION** *City of Gainesville/Gainesville Regional Utilities Assistant General Manager for Energy Supply Darrell DuBose to accept the proclamation.*

**Heard**

**001102 Robert McVay Day - March 26, 2001 (B)**

**RECOMMENDATION** *City of Gainesville/Gainesville Regional Utilities Assistant General Manager for Water/ Wastewater Bob McVay to accept the proclamation.*

**Heard**

**001103 Kick Butts Day - April 4, 2001 (B)**

**RECOMMENDATION** *Alachua County Students Working Against Tobacco President Alejandra Ellison-Barnes and Tobacco Prevention Coordinator Stephen Langer to accept the proclamation.*

**Heard**

**PUBLIC HEARINGS**

*NOTE: Chair Paula M. DeLaney requested that Second Reading Ordinances and Resolutions be heard before First Reading Ordinances and Plan Board Petitions.*

**ORDINANCES 2ND READING- ROLL CALL REQUIRED****000568 PLANNED DEVELOPMENT - MALLORCA (B)****ORDINANCE NO. 0-00-127, PETITION NO. 125PDV-00PB**

**An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "MU-1: 10-30 units per acre mixed use low intensity" to "Planned Development District"; located at 528 Northwest 39th Road; 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.**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**000928 LIEN FORECLOSURE PROCEEDINGS (B)****ORDINANCE NO.: 0-01-13**

**An ordinance of the City of Gainesville, Florida; amending section 2-387 relating to lien foreclosure proceedings on any real property whenever the code violation fines exceed 50% of the property's value, or in the City Attorney's discretion make foreclosure appropriate; 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 Nielsen, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**001018 GENERAL GOVERNMENT BUDGET AMENDMENT FY 2000-2001 (B)****Ordinance No. 0-01-12**

**An Ordinance of the City Commission of the City of Gainesville, Florida; Relating to its General Government Budget for the Fiscal Year Beginning October 1, 2000 and Ending September 30, 2001; Amending Ordinance No. 000366, Adopted September 25, 2000, by Making Certain Adjustments to the General Operating and Financial Plan Budget; and Providing an Immediate Effective Date.**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## **RESOLUTIONS- ROLL CALL REQUIRED**

**001116**      **Petition 31SUB-01CD, Causseaux & Ellington, Inc. agent for Donald and Kathleen David. Final single-lot replat approval of "Lot 36, Northwood Unit No. 10, Replat". Located at 4803 Northwest 36th Street. Zoned: RSF-1 (B)**

**RECOMMENDATION** *Planning Staff to City Commission - The City Commission adopt the following resolution: A resolution approving the final, single-lot replat of "Lot 36, Northwood Unit No.10, Replat" located at 4803 Northwest 36th Street, Gainesville, Florida; and providing an immediate effective date.*

**A motion was made by Commissioner 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 and Paula M. DeLaney  
Absent: John R. Barrow

**001142**      **Board of Canvasser's Resolution (B)**

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

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

**000768**                    **COMP PLAN AMENDMENT - CAPITAL IMPROVEMENTS ELEMENT (B)**  
**ORDINANCE NO. 0-01-14; PETITION NO. 171CPA-00 PB**

**An ordinance of the City of Gainesville, Florida, amending the Capital Improvements Element of the City of Gainesville 1991-2001 Comprehensive Plan; changing the threshold expected life for capital improvements included in the plan from 3 to 2 years; removing provisions concerning projects that have been completed or that the need or funding had not been determined for level of service reasons; adding a provision concerning coordination with Alachua County on the Alachua County Forever program; making minor amendments throughout; adopting a new 5-Year Schedule of Capital Improvements; 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 Senior Planner Onelia Lazzari and Planning Manager Ralph Hilliard gave presentations.*

**RECOMMENDATION**    *The City Commission (1) approve Petition 171CPA-00 PB, with modification; and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**001150**                    **Referral - Comp Plan Amendment - Capital Improvement Element**

*NOTE: This item was removed at final reading of Ordinance 000768 - Comprehensive Plan Amendment - Capital Improvements Element.*

**RECOMMENDATION**    *The City Commission have the Community Development Committee consider a referral on the City of Austin's Capital Improvement Element Screening Matrix and invite Mr. Brad Guy to participate in the conversation.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the Community Development Committee. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

**000769**                    **COMP PLAN AMENDMENT - HISTORIC PRESERVATION ELEMENT (B)**  
**ORDINANCE NO. 0-01-15; PETITION NO. 173CPA-00 PB**



An ordinance of the City of Gainesville, Florida, amending the Historic Preservation Element of the City of Gainesville 1991-2001 Comprehensive Plan; adding provisions relating to archaeologically sensitive areas, cemeteries, "native stone" buildings, encouragement of reuse rather than relocation or demolition, establishment of a conservation overlay district ordinance to identify distinctive neighborhoods, inventory of threatened structures in historic districts, targeting CDBG funds for historic districts, identification of areas for "Florida Main Street Community" designation, encouragement of Santa Fe Community College to have a master plan for its downtown campus, and protection of historic districts from incompatible uses; 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 Historic Preservation Planner Dee Henrichs and Community Development Director Tom Saunders gave presentations.*

*Chair Paula M. DeLaney recognized Leonard Furlow who spoke to the matter.*

**RECOMMENDATION** *The City Commission (1) approve Petition 173CPA-00 PB, with modifications; and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

000904

**COMP PLAN AMENDMENT - CONCURRENCY MANAGEMENT, POTABLE WATER AND WASTEWATER, AND STORMWATER MANAGEMENT ELEMENTS (B)**

**ORDINANCE NO. 0-01-16; PETITION NO. 15CPA-01PB**

An ordinance of the City of Gainesville, Florida, amending certain elements of the City of Gainesville 2000-2010 Comprehensive Plan to provide consistency with other elements of that Plan; amending the Concurrency Management Element by adding a certain area annexed into the City to Zone B of the Transportation Concurrency Exception Area; adding a policy to the Potable Water and Wastewater Element to show the addition into the Capital Improvements Element of the water main upgrade along a portion of Archer Road; amending policies of the Stormwater Element to provide consistency with the Capital Improvements Element regarding stormwater projects, to clarify that both public and public master stormwater basins are allowed, and to update the name of the Murphree Wellfield Management Zone; providing directions to the City Manager; stating intent to adopt the amended elements 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 Chief of Comprehensive Planning Dean Mimms, Public Works Director Teresa Scott and Planning Manager Ralph Hilliard gave presentations.*

**RECOMMENDATION** *The City Commission (1) approve Petition 15CPA-01PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## PLAN BOARD PETITIONS

**000902**      **Petition 13TCH-01 PB. City of Gainesville. Amend the City of Gainesville Land Development Code to include a citizen participation procedure which would enhance neighborhood input in the planning process by requiring developers and property owners to meet with neighborhood groups by holding a neighborhood workshop prior to submitting an application for a rezoning, land use change, special use permit or development plan requiring a public hearing. (B)**

*City of Gainesville Community Development Director Tom Saunders and Planning Manager Ralph Hilliard gave presentations.*

*Chair Paula M. DeLaney recognized Citizens Cindy Smith, Leonard Furlow, Frederick Peterkin, Jon McBride, Ted Lacombe, Jamshid Armaghani, Brent Williams, Caroline Thurber who spoke to the matter.*

*AMENDMENT: The City Commission: 1) Approve Option #2 of the petition; 2) have staff consider mailing to all neighborhood associations in the development process; and 3) have staff bring back information on the number of petitions and additional properties that would be involved using ratios between 400 ft. and 1000 ft. for development notification.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 13TCH-01 PB. Plan Board vote 5-1.*

*Staff to Plan Board - Approve*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved as Amended (Petition). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## RECESS

*The meeting recessed at 8:33 PM.*

**RECONVENE**

*The meeting reconvened at 8:55 PM.*

**001117**

**Petition 142SUB-00 DB, (Quasi-judicial). Jerome Kelly, agent for Luther E. Blake, Jr. and Irene Blake Caudle. Design plat review for 138 lots on 30.02 acres more or less. Located in the 2500 block of Northwest 39th Avenue extending south to Northwest 31st Avenue. Zoned: PD (Planned development) (B)**

*City Attorney Marion Radson explained the difference between a formal hearing and an informal hearing.*

*Citizen Goran Hyden agreed to proceed with an informal hearing.*

*City of Gainesville Senior Planner Carolyn Morgan, Attorney Patrice Boyes, Engineer Jerome Kelly, Builder Phil Hartley, Fire Chief Richard Williams, and Public Works Director Teresa Scott gave presentations.*

*Chair Paula M. DeLaney recognized Citizens Everett Wilcox, Jon McBride, John Dame, Sharon Dame, Duane Thompson, Leonard Furlow, Brent Williams, Merrill Wilcox, and Developer Cotton Fletcher who spoke to the matter.*

*Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to waive the rules to continue the meeting for 15 minutes.*

*(VOTE: 4-0, Mayor-Commissioner Pro Tem John R. Barrow - Absent)*

*MOTION: To approve the petition with staff conditions and in addition amend the written recommendation by eliminating the remainder of the language after "staff conditions" and adding the following language: "1) The developer would construct the three access points that are required by the ordinance; 2) the City Commission would interpret one of those access points to mean limited access and put a note on the design plat and the final plat; 3) the developer would construct the barricade and the type of barricade could be worked out as the project gets to construction and final plat; 4) maintenance of that barricade to keep vehicular access out, but allow emergency vehicles through, would be provided by the homeowner's association to be created along with the subdivision; 5) this also becomes an enforceable condition by virtue of being on the recorded plat; and 6) bike and pedestrian access would then be facilitated by this design."*

**RECOMMENDATION** *Development Review Board to City Commission - The City Commission approve Petition 142SUB-00 DB with staff conditions and including the recommendation that the final plat require the stormwater plan not cause a water table rise at any time within eighteen inches of the land surface of adjacent properties. And also with the recommendation that lots 108 and 109 be dropped to save the large oak trees in those locations.*

*Staff to Development Review Board - The Design Plat is approvable with the conditions as recommended by staff.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved as shown above (Petition). The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan and Paula M. DeLaney  
Absent: John R. Barrow

## SCHEDULED EVENING AGENDA ITEMS

### UNFINISHED BUSINESS

### COMMISSION COMMENT

*Commissioner Pegeen Hanrahan moved and Commissioner Warren Nielsen seconded to waive the rules to continue the meeting for 10 minutes in order to complete pending business.*

*(VOTE: 4-0, Mayor-Commissioner Pro Tem John R. Barrow - Absent)*

### Commissioner Pegeen Hanrahan

*See following item Re: Depot Gas Station Land Acquisition*

### 001151 Depot Gas Station Land Acquisition (NB)

**RECOMMENDATION** *The City Commission authorize the City Manager to write a letter of intent including a time line to Mr. McBride regarding the City purchasing the Depot Gas Station.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on April 9, 2001. The motion carried by the following vote:**

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and Paula M. DeLaney  
Abstain: Pegeen Hanrahan  
Absent: John R. Barrow

### Mayor Paula M. DeLaney

*Chair Paula M. DeLaney designated Commissioner Pegeen Hanrahan as liaison to the St. Johns River Water Management District.*

### Commissioner Warren Nielsen

*Crossing on NW 13th Street in front of GHS*

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT**

*The meeting adjourned at 11:28 PM.*

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Kurt M. Lannon, Clerk of the Commission