

# City of Gainesville

City Hall  
200 East University Avenue  
Gainesville, Florida 32601



## Minutes - Final

Thursday, March 7, 2013

1:00 PM

City Hall Auditorium

## City Commission

*Mayor Craig Lowe (At Large)*  
*Mayor-Commissioner Pro-Tem Lauren Poe (At Large)*  
*Commissioner Thomas Hawkins (At Large)*  
*Commissioner Yvonne Hinson-Rawls (District 1)*  
*Commissioner Todd Chase (District 2)*  
*Commissioner Susan Bottcher (District 3)*  
*Commissioner Randy Wells (District 4)*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER**

- Present** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase
- Absent** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**AGENDA STATEMENT**

**ROLL CALL**

- Present** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Chase, and Commissioner Bottcher
- Absent** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**INVOCATION**

**Prophet George Young**

**CONSENT AGENDA**

**A motion was made by Commissioner Bottcher, seconded by Commissioner Wells, that this Matter be Adopted on the Consent Agenda. The motion carried by the following vote:**

- Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase
- Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**CITY MANAGER, CONSENT AGENDA ITEMS**

[090925.](#) **Strategic Initiative 6.1 - Develop Creative Ways to Measure Progress in Code Enforcement (B)**

**This item outlines the responsibilities of the Special Magistrate for Code Enforcement, proposes an implementation process, and directs the City Attorney to draft required ordinance(s) to implement the Special Magistrate for Code Enforcement.**

**RECOMMENDATION**      *The City Commission: 1) direct the City Attorney to draft an ordinance to implement the Special Magistrate for Code Enforcement; and 2) once the required ordinance is approved, direct staff to issue a RFP for the Special Magistrate for Code Enforcement and begin the process of sun setting the Code Enforcement Board.*

**This Matter was Approved as Recommended**

[120805.](#)**Strategic Plan Quarterly Report - 1st Quarter of Fiscal Year 2013 (B)**

**This item provides a report on the progress of the City Commission's Strategic Goals and Initiatives for the 1st Quarter of Fiscal Year 2013.**

**RECOMMENDATION**

*The City Commission receives a quarterly report from the City Manager on the progress of the City Commission Strategic Goals and Initiatives for the 1st Quarter of FY 2013.*

**Approved as Recommended**

[120814.](#)**Human Resources Policy B-2, Employee Assistance Program (B)****RECOMMENDATION**

*The City Commission approve revisions to Human Resources Policy B-2, Employee Assistance Program.*

**Approved as Recommended**

[120816.](#)**Solving Cold Cases with DNA Analysis (B)**

**GPD requests permission to accept and execute the grant award and any other necessary documents through the new grant ending date of May 31, 2013.**

**RECOMMENDATION**

*The City Commission authorize the City Manager to accept and execute the grant award and any other necessary documents through the new grant ending date of May 31, 2013, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

[120801.](#)**"TD Greenstreets" Grant Application (NB)**

**This item involves a request to accept a "TD Greenstreets" grant from the Arbor Day Foundation and TD Bank, if awarded, to support an urban forestry project to plant 100 trees, and provide urban forestry support education and information for the Cedar Grove and Duval neighborhoods.**

**RECOMMENDATION**

*The City Commission: 1) approve the request to accept a grant, if awarded, from the Arbor Day Foundation and TD Bank, and 2) if the grant is awarded, authorize the City Manager or designee to execute the grant agreement and other grant-related documents, subject to approval by the City Attorney as to form and legality.*

**Approved as Recommended**

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

[120863.](#)

**LORETTA MALLARY VS. THE CITY OF GAINESVILLE, FCHR  
NO.: 201300697 (NB)**

**RECOMMENDATION**

*The City Commission authorize the City Attorney to represent the City in the case styled Loretta Mallary vs. the City of Gainesville; FCHR No.: 201300697*

**Approved as Recommended**

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

[120880.](#)

City Commission Minutes (B)

**RECOMMENDATION**

*The City Commission approve the minutes of January 17, February 7 and February 21.*

**Approved as Recommended**

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE,  
CONSENT**

[110876](#)

**Policy Review of Public Property Not Being Used for Public Purposes (B)**

**This item is a referral from the City Commission for a policy review of public property not being used for public purposes. The focus of the Committee's efforts has been addressed in the Real Property Policies that are recommended for City Commission approval.**

**RECOMMENDATION**

*The City Commission direct the City Attorney to prepare a resolution for City Commission approval of the City of Gainesville Real Property Policies.*

**Approved as Recommended**

**EQUAL OPPORTUNITY COMMITTEE, CONSENT**

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

**ADOPTION OF THE REGULAR AGENDA**

**CHARTER OFFICER UPDATES**

**CLERK OF THE COMMISSION**

120909. Canvassing Board (NB)

*Motion: appoint Gerry Dedenbach to the Canvass Board*

**RECOMMENDATION**            *The City Commission appoint a member to the 2013 Canvassing Board.*

**A motion was made by Commissioner Wells, seconded by Commissioner Chase, that this Matter be Approved, as shown above. The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**CITY MANAGER**

120862.            **2014 Federal Legislative Agenda (B)**

**This is a request for the City Commission to approve the 2014 Federal Legislative Agenda.**

*Chris Cooper made a presentation.*

*Commissioner Wells moved with Commissioner Chase seconding to put Federal Agenda in alphabetical order and approve items except premium transit services. Motion carried 5-0 with Commissioner Hawkins and Commissioner Hinson-Rawls absent.*

*Second Vote/Approve premium transit services only. Motion carried 4-1 with Commissioner Chase voting no and Commissioner Hawkins and Commissioner Hinson-Rawls absent.*

**RECOMMENDATION**            *The City Commission approve the recommended federal agenda.*

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**RECREATION, CULTURAL AFFAIRS AND PUBLIC WORKS COMMITTEE**

**PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

**PUBLIC SAFETY COMMITTEE**

**AUDIT, FINANCE AND LEGISLATIVE COMMITTEE**

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

**OUTSIDE AGENCIES**

[120879.](#)

Nominations - Library District Board of Trustees (B)

*Modification: Appoint Allard, Moore and and Monroe*

**RECOMMENDATION**

*The City Commission nominate three applicants for consideration of appointment by the Library District Governing Board.*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Approved as Modified. The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

*Commissioner Chase: Butler Plaza Process  
Gerry Dedenbach, Nathan Skop, Eric Godet, Byron Flagg, Donald Sheppard and Eric Bredfeldt spoke to the matter.*

*Mayor Lowe: Innovation Square Issue*

*Motion made by Commission Poe and seconded by Commissioner Wells to Direct staff to initiate a petition to the Plan Board regarding two aspects of the UMU-2 zoning district: 1) Amend figure 2.1 to delete a new street proposed to bisect the Ayers block from 7th Street to 8th Street in the general alignment of SW 1st Avenue; 2) amend the New Streets/Blocks section to allow the "urban walkway" concept and to change the maximum block perimeter in University Heights from 1,800 to 2,000*

*feet and add language that if streets are constructed by a public agency, or if a plan is in place to construct said streets, that appropriate development approvals can be provided. Additionally, allow staff to bring additional changes as deemed necessary to support the orderly development of the Innovation District.*

*Eric Bredfeldt made a presentation.*

*Motion carried 5-0 with Commissioner Hawkins and Commissioner Hinson-Rawls absent.*

## **RECESS-2:18PM**

## **RECONVENE**

## **PLEDGE OF ALLEGIANCE (5:30pm)**

## **PROCLAMATIONS/SPECIAL RECOGNITIONS**

### **120875. 2012 Albert "Ray" Massey Citizen Volunteer Award Recipients Day - March 7, 2013 (B)**

**RECOMMENDATION**

*City Of Gainesville Heatwave Program and Porters Community Neighborhood Organization Coach and President Gigi Simmons, Gainesville Fast Pitch Booster Club President Sara Emmanuel and City Of Gainesville Environmental Education Programs Volunteer and Program Participant Margaret Cook to accept the proclamation.*

**Heard**

### **120876. Florida Tourism Day - March 13, 2013 (B)**

**RECOMMENDATION**

*Visit Gainesville Executive Director Roland Loog and City of Gainesville Parks, Recreation and Cultural Affairs Department Tourism marketing Technician Sean Plemons to accept the proclamation.*

**Heard**

### **120877. Ellen West, Gilbert Levy and Tioga Town Center and Lennie Kesl Day - March 7, 2013 (B)**

**RECOMMENDATION**

*Artist Ellen West, Tioga Town Center Gilbert Levy and Artist, Musician, Instructor and Inspiration the Family of the late Lennie Kesl to accept the proclamation.*

**Heard**

### **120878. Daniel Royston and Leah Cobb Day - March 7, 2013 (B)**

**RECOMMENDATION**

*Star Volunteer Daniel Royston and Leah Cobb, Nature Operations Program Coordinator Stefanie Nagid and Nature*

---

*Centers Commission Chair Pearse Hayes to accept the proclamation.*

Heard

**CITIZEN COMMENT (6:00pm) - Please sign on sign-up sheet**

*Nathan Skop-Biomass Contract*

*Mac McEachern-Fuel Adjustment Opinion*

*Jeremiah Tattersall-Wage Theft Ordinance*

*Diana Moreno-Wage Theft Ordinance*

*John Davies-Misc. Issues*

*Bruce M. Williams-NE 9th Avenue traffic*

*Walter Willard-Misc. Issues*

*Pat Fitzpatrick-Homeless Issues*

*Ernesto Martinez-Civic Interactions*

*Debbie Martinez-Biomass Contract*

*Jo Beaty-GREC pipeline*

*Susan Fairforest-Agenda Management*

*Gabe Kaimowitz-Civic ideas and public records*

*Jim Konish-Fuel Adjustment Opinion*

*Commissioner Poe moved with Commissioner Bottcher seconding to send letter to County in support of the wage theft ordinance in concept. Motion carried 4-1 with Commissioner Chase voting no.*

*Commissioner Wells moved with Commissioner Poe seconding to refer traffic calming on NE 9th Avenue between Main Street and NE 2nd Street to Public Works and GPD. Motion carried 4-0 with Commissioner Bottcher, Commissioner Hawkins and Commissioner Hinson-Rawls absent.*

[121029.](#)

Fuel Adjustment Policy(NB)

**RECOMMENDATION**

*Refer to Regional Utilities Committee*

**A motion was made by Commissioner Chase, seconded by Mayor-Commissioner Pro Tem Poe, that this Matter be Assigned to the Regional Utilities Committee, due back on 9/7/2013. The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Chase, and Commissioner Bottcher



**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120962.](#) Bruce Williams Materials  
**RECOMMENDATION** *Place on File*

[120963.](#) Pat Fitzpatrick Materials  
**RECOMMENDATION** *Place on File*

**120964.** Jo Beaty Materials  
**RECOMMENDATION** *Place on file*

## **PUBLIC HEARINGS**

## **RESOLUTIONS- ROLL CALL REQUIRED**

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

[110373](#) **LAND DEVELOPMENT CODE AMENDMENT - DEVELOPMENT REVIEW PROCESS AND FEES, SPECIAL USE PERMITS AND CITIZEN PARTICIPATION (B)**

Ordinance No. 110373, Petition No. PB-11-74TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and Appendix A, Schedule of Fees, Rates and Charges of the City Code of Ordinances related to the development review process, special use permits and citizen participation; by deleting existing Sections 30-151 through 30-166; by creating new Sections 30-151 through 30-164 relating to the development review process; by amending Sections 30-234 and 30-235 relating to special use permits; by amending Section 30-350 relating to citizen participation; by amending Section 30-356 relating to the Development Review Coordinator and Technical Review Committee; by amending Appendix A. Schedule of Fees, Rates and Charges to reflect the new levels of and fees for the development review process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

*Scott Wright and Onelia Lazarri made presentations.*

*John Hudson and Mark Venske spoke to the matter.*

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

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

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120597.](#)

**AMENDMENTS TO CHAPTER 27 AND APPENDIX A OF THE CITY CODE OF ORDINANCES RELATING TO NATURAL GAS (B)**

ORDINANCE NO. 120597

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO NATURAL GAS, AMENDING ARTICLE VI, NATURAL GAS, OF CHAPTER 27, UTILITIES, SECTIONS 27-271, 27-272, 27-273, 27-275, 27-277, 27-283, 27-286 AND AMENDING APPENDIX A, UTILITIES (5) NATURAL GAS, OF THE CITY OF GAINESVILLE CODE OF ORDINANCES; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

*Nathan Skop spoke to the matter.*

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

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

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

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

[120220.](#)

**REZONING - VICINITY OF 3500-3700 BLOCKS OF SW WILLISTON ROAD (B)**

Ordinance No. 120220; Petition No. PB-11-50 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 24 acres of property located in the vicinity of the 3500-3700 blocks of SW Williston Road, north side, west of SW 41st Boulevard, as more specifically described in this ordinance, from the Alachua County Highway oriented business services (BH) zoning district to the City of Gainesville General office (OF) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION            *The City Commission adopt the proposed ordinance.*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance).**

**The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120223.](#)**REZONING - VICINITY OF 4600-5000 SW 41ST BLVD. (B)**

Ordinance No. 120223; Petition PB-11-52 ZON

An ordinance amending the Zoning Map Atlas of the City of Gainesville, Florida, by rezoning approximately 285 acres of property located in the vicinity of the 4600-5000 blocks of SW 41st Boulevard, west side, as more specifically described in this ordinance, from the Alachua County zoning districts of Industrial services and manufacturing (MS), Multiple family, high density (R-3), Single family, low density (RE-1), and Agricultural (A) to the City of Gainesville Business industrial (BI) zoning district; providing directions to the City Manager; providing a severability clause; providing a repealing clause; and providing an effective date.

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

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Wells, that this Matter be Adopted on Final Reading (Ordinance).**

**The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120179.](#)**TEXT CHANGE - TEMPORARY PARKING - UMU-2 ZONING (B)**

Ordinance No. 120179; Petition No. PB-12-59 TCH

An ordinance of the City of Gainesville, Florida, amending Section 30-65.2 Urban mixed-use district 2 (UMU-2) of the Land Development Code by adding surface parking to the list of permitted uses by special use permit within the University Heights Area and providing regulations for surface parking; providing clarifying amendments related to surface and structured parking; 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 Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

Absent: 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**PLAN BOARD PETITIONS**

[120839.](#) **Small-scale Comprehensive Plan Amendment from Commercial (C) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL) (B)**

**Petition PB-12-161 LUC. Brown & Cullen Inc., agent for Iris McWilliams. Amend the City of Gainesville Future Land Use Map from Commercial (C) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL). Located at 2029 NW 13th Street. Related to PB-12-162 ZON.**

*Dean Mimms, Onelia Lazzari and Stuart Cullen made presentations.*

*Maryhelen Wheeler, Dr. Paul Wheeler and Donald Sheppard spoke to the matter.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition PB-12-161 LUC. The Plan Board voted 6-0.*

*Staff to City Commission - The City Commission approve Petition PB-12-161 LUC.*

*Staff to City Plan Board - Staff recommends approval of Petition PB-12-161 LUC.*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Approved (Petition). The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120840.](#) **Rezoning from Automotive-oriented business district (BA) to Mixed-use low intensity district (MU-1) (B)**

**Petition PB-12-162 ZON. Brown & Cullen Inc., agent for Iris McWilliams. Rezone property from Automotive-oriented business district (BA) to Mixed-use low intensity district (MU-1). Located at 2029 NW 13th Street. Related to PB-12-161 LUC.**

*Ralph Hilliard, Dean Mimms and Stuart Cullen made presentations.*

*Paul Rothstein, Ernesto Martinez and Maryhelen Wheeler spoke to the matter.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition PB-12-162 ZON. The Plan Board voted 6-0.*

*Staff to City Commission - The City Commission approve Petition PB-12-162 ZON.*

*Staff to City Plan Board - Staff recommends approval of Petition PB-12-162 ZON.*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Approved (Petition). The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120841.](#)

**Small-scale Comprehensive Plan Amendment from Conservation (CON) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL), and Residential Medium-Density (8-30 units per acre) (RM) (B)**

**Petition PB-12-159 LUC. Brown & Cullen Inc., agent for Hidden Lake SFR LLC. Amend the City of Gainesville Future Land Use Map from Conservation (CON) to Mixed-Use Low-Intensity (8-30 units/per acre) (MUL), and Residential Medium-Density (8-30 units per acre) (RM). Located at 1015 NW 21st Avenue. Related to PB-12-160 ZON.**

*Dean Mimms, Stuart Cullen, Ralph Hilliard and Onelia Lazzari made presentations.*

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition PB-12-159 LUC, as recommended by staff. The Plan Board voted 4-2.*

*Staff to City Commission - The City Commission approve Petition PB-12-159 LUC, with the clarification that the sole proposed change in land use category is Residential Medium-Density (8-30 units per acre) for the Conservation area.*

*Staff to City Plan Board - Staff recommends approval of Petition PB-12-159 LUC, with the clarification that the sole proposed land use category is Residential Medium-Density (8-30 units per acre) (RM).*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Continued (Petition). The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

[120842.](#)

**Rezoning from Conservation (CON) to Mixed-use low intensity district (MU-1), and RMF-6 (8-15 units/acre multiple-family residential district) (B)**

**Petition PB-12-160 ZON. Brown & Cullen Inc., agent for Hidden Lake SFR LLC. Rezone property from Conservation (CON) to Mixed-use low intensity district (MU-1), and RMF-6 (8-15 units/acre multiple-family**

residential district). Located at 1015 NW 21st Avenue. Related to PB-12-159 LUC.

**RECOMMENDATION**

*City Plan Board to City Commission - The City Commission approve Petition PB-12-160 ZON. The Plan Board voted 4-2.*

*Staff to City Commission - The City Commission approve Petition PB-12-160 ZON.*

*Staff to City Plan Board - Staff recommends approval of Petition PB-12-160 ZON.*

**A motion was made by Mayor-Commissioner Pro Tem Poe, seconded by Commissioner Bottcher, that this Matter be Continued (Petition). The motion carried by the following vote:**

**Aye:** 5 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, Commissioner Bottcher, and Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

## DEVELOPMENT REVIEW BOARD PETITIONS

### SCHEDULED EVENING AGENDA ITEMS

[100672.](#)

#### Update on the Status of the Cabot-Koppers Superfund Site (B)

**This item involves receiving a presentation from the Local Intergovernmental Team (LIT) on the US Environmental Protection Agency's Proposed Consent Decree for the Cabot-Koppers Superfund Site.**

*Fred Murry, Rick Hutton and Bill Pense made presentations.*

*Ms. Alanzo, Ronald Hodell, Susan Fairforest, Nathan Skop, Mark Venske, Ernesto Martinez, Rober Pearce, John Davies, Debbie Martinez, Sandra Watts Kennedy, Paul Rothstein, Barbara Ruth, Pat Kline, Maria Parsons and Jo Beaty spoke to the matter.*

*Commissioner Poe moved with Commissioner Bottcher seconding to waive rules to continue to 11:30PM. Motion carried 5-0.*

*Commissioner Chase moves with Commissioner Wells seconding to waive rules to continue to 11:45PM. Motion carried 5-0.*

*Amendment: Commissioner Bottcher moved with Commissioner Wells seconding to include stronger wording in letter regarding possible permanent relocation for residents and consider future indebted impacts be considered*

*Meeting adjourned at 11:50PM*

**RECOMMENDATION**

*The City Commission: 1) hear a presentation from staff; 2) discuss the US Environmental Protection Agency's Proposed Consent Decree for the Cabot-Koppers Superfund Site; and 3) authorize the Mayor to transmit a letter to the Department*

*of Justice with the City of Gainesville's comment regarding the Proposed Consent Decree.*

**Approved as Amended**

**Aye:** 4 - Mayor Lowe, Mayor-Commissioner Pro Tem Poe, Commissioner Wells, and Commissioner Bottcher

**Nay:** 1 - Commissioner Chase

**Absent:** 2 - Commissioner Hawkins, and Commissioner Hinson-Rawls

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT (no later than 11:00PM - Mayor to schedule date and time to continue meeting)**

---

**Kurt Lannon, Clerk of the Commission**