

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, March 13, 2000**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## Invocation

### Father John Gillespie, St. Augustine Church

## Roll Call

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

## Consent Agenda

### City Manager, Consent Agenda Items

#### 991124      **Bid Award - Traffic Signal Installation at NW 53rd Avenue and NW 37th Street (B)**

**RECOMMENDATION**      *The City Commission: 1) approve the award of the contract for installation of a traffic signal at NW 53rd Avenue and NW 37th Street (Mile Run Subdivision entrance) to PAH Constructors, Inc.; 2) authorize the City Manager, or his designee, to execute the contract, subject to approval by the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order to PAH Constructors, Inc. in the amount of \$89,104.10.*

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

#### 991166      **Vanpool Management and Service Provider (B)**

**RECOMMENDATION**      *The City Commission: 1) approve the selection of VPSI Commuter Vanpools; 2) authorize the City Manager, or his designee, to initiate contract negotiations for vanpool management and services; and 3) authorize the City Manager, or his designee, upon successful contract negotiations, to execute a three year contract with option of two 1-year extensions, subject to approval by the City Attorney as to form and legality.*

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

#### 991167      **Perpetual Transportation Easement for New Alachua County Health Department (B)**

**RECOMMENDATION** *The City Commission: 1) accept the donation from Alachua County for the perpetual transportation easement located on SE 24th Street; and 2) authorize the City Manager or his designee to execute any and all documents or agreements necessary to accept the perpetual transportation easement subject to approval by the City Attorney as to form and legality.*

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

**991168 Proposal for Innovative Transportation Solutions (B)**

**RECOMMENDATION** *The City Commission: 1) authorize RTS to submit a proposal for Innovative Transportation Solutions to the Alachua/Bradford Regional Workforce Development Board; and 2) authorize the City Manager, or his designee, to sign all mandatory forms for grant proposal, subject to approval by the City Attorney as to form and legality.*

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

**991169 Sale of Lincoln Pool (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager to execute all documents, to complete the closing in accordance with the purchase and sale agreement, for the Lincoln Pool property to Edwin Dix and Philip Leitner subject to approval by the City Attorney as to form and legality.*

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

**991170 Capital Expenditure Threshold (B)**

**RECOMMENDATION** *City Commission authorize the City Manager and the General Manager for Utilities to approve a change to the capital expenditure threshold from \$500 to \$2000 or the currently promulgated Government Finance Officers Association's (GFOA) capital threshold.*

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

## **General Manager for Utilities, Consent Agenda Items**

**991176 Amendment to Contract for Grounds Maintenance (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to execute an amendment to the contract with Florida Green Keepers, Inc. for grounds maintenance for the Main Street and Kanapaha Water Reclamation Facilities, Murphree Water Plant's remote facilities and the electric substations to extend the term of the contract for a twelve month period in an amount not to exceed \$60,500.*

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

**991177 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 \$60,000.*

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

**991178 Release of Easement to UF Foundation (NB)**

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

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

**City Attorney, Consent Agenda Items**

**991163 ABRA J. THOMAS v. GAINESVILLE POLICE DEPARTMENT, & PAUL D. FORSBERG CASE NO. 99-CC-2202 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City in the case styled Abra J. Thomas v. Gainesville Police Department, & Paul D. Forsberg; Case No.: 99-CC-2202.*

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

**Committee Reports, Consent Agenda Items**

**Public Works Committee, Consent****Personnel & Organizational Structure Comm, Consent****Public Safety Committee, Consent****Audit & Finance Committee, Consent****990186 Process of Budget Amendments by Gainesville Regional Utilities (NB)**

**RECOMMENDATION** *The Audit and Finance Committee recommends the City Commission remove this item from the pending referral list.*

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

**991110 Summary Report of Payroll Payoff Procedures for the Fiscal Year Ended September 30, 1999 (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's report on payroll payoff procedures for Fiscal Year 1998-99.*

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

**991111 Petty Cash and Change Fund Counts for the Fiscal Year Ended September 30, 1999 (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends the City Commission accept the City Auditor's report on Petty Cash and Change Fund Counts for the Fiscal Year Ended September 30, 1999.*

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

**991112 Fiscal Year 2000 Operating Funds Quarterly Monitoring Report - Quarter Ending December 31, 1999 (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 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 ended December 31, 1999.**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission receive the quarterly budget monitoring report for the quarter ended December 31, 1999.*

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

**991117      Review of Alachua County's Allocation of Revenues and Expenditures to Countywide and Unincorporated Funding Sources (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends the City Commission:*  
*(1) accept the City Auditor's report; and (2) request the Alachua County Commission review and provide a written response to the recommendations made in the report.*

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

**991160      Review of a Proposed Alternative Recreational Fee Structure (B)**

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission:*  
*(1) accept the City Auditor's report on the implementation of the City Manager's proposed alternative fee structure for the Recreation and Parks Department; (2) receive a report from the City Manager; and (3) refer the issue to the Public Recreation Board for review and approval.*

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

## **Code Enforcement Committee, Consent**

**980507      Civil Citations (NB)**

**RECOMMENDATION** *Code Enforcement to the City Commission remove item 980507 from the pending referral list as all issues have been addressed.*

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

**991149 Heritage Neighborhood Preservation (NB)**

**RECOMMENDATION** *Code Enforcement Committee to City Commission create a new referral called Heritage Neighborhood Preservation.*

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

**Passed The Consent Agenda**

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

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

**Recreation and Cultural Affairs Committee, Consent****End of Consent Agenda****Adoption of the Agenda**

*Commissioner John R. Barrow moved and Edward L. Jennings, Sr. seconded to adopt the Regular Agenda with the following modifications: (3-0)*

- 1. File No. 991172 - Dollar General Learning Center Project - (Moved to the end of the agenda under Scheduled Evening Items).*
- 2. 991015 Nuisance Abatement - (Additional Back-up submitted).*

**City Commission Comment (If time available)****Clerk of the Commission****City Manager****991173 Certificate of Achievement for Excellence in Popular Reporting (NB)**

**RECOMMENDATION** *The City Commission accept the Certificate for Achievement for in Popular Reporting.*

**Heard**

**991174 Certificate of Achievement for Excellence in Financial Reporting (NB)**

**RECOMMENDATION** *The City Commission accept the Certificate for Achievement for Excellence in Financial Reporting.*

**Heard**

**991159**

**The General Purpose Financial Statements, Supplemental Information and Independent Auditors' Report of the City of Gainesville, Florida for the Fiscal Year Ended September 30, 1999; Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for Fiscal Year Ended September 30, 1999; 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, 1999; 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, 1999; and management's written response. (B)**

*Chair Pro-Tem Bruce L. Delaney recognized Administrative Services Director Glenda Currie who gave a presentation.*

**RECOMMENDATION** *The Audit and Finance Committee recommends that the City Commission:*  
*(1) hear a report and accept the subject financial statements and audit reports; (2) 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 (3) receive and accept management's written response.*

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

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

## **General Manager for Utilities**

**991179**

**Chapman's Pond Nature Trails (B)**

*Chair Pro-Tem Bruce L. Delaney recognized Assistant General Manager for Water/Wastewater Administration Bob McVay and Project Engineer Greg Marzak who gave presentations.*

**RECOMMENDATION** *1) The City Commission hear a presentation from GRU staff about the Chapman's Pond Nature Trails project and 2) authorize the General Manager, or his designee, to negotiate and execute an Interlocal Agreement/Lease Agreement with*



*Alachua County Recreation and Parks for "Chapman's Pond Park and Trails," subject to approval as to form and legality by the City Attorney.*

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

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

## **City Manager (continued)**

### **991171 ARTSREACH Exhibits (B)**

*Chair Pro Tem Bruce L. Delaney recognized Donna Born Drake who gave a presentation.*

**RECOMMENDATION** *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs, introducing the exhibitions of Art in City Hall, Art in the County Administration Building and Art in the Airport.*

**Heard**

**City Attorney**

**City Auditor**

**Committee Reports (Pulled from Consent)**

**Public Works Committee**

**Personnel & Organizational Structure Committee**

**Public Safety Committee**

**Audit & Finance Committee**

**Recreation & Cultural Affairs Committee**

**Advisory Boards/Committees (Appointments/Reports)**

**Outside Agencies**

**Members of the City Commission**

**Commission Comments (if time available)**

**Commissioner Edward L. Jennings, Sr.**

*African-American representation in Accounting Department.*

**Mayor-Commissioner Pro-Tem Bruce L. Delaney**

*Chicken issue and Code Committee.*

**Commissioner John R. Barrow**

*Spring Pilgrimage - Thank you for support.*

**Recess**

*The meeting recessed at 1:35 PM.*

**Citizen Comment (5:30pm)**

**Johnny Moore**

*Gainesville Police Department issues referred to the City Manager.*

**Debbie Martinez**

*Commission thank-you and drug/rave issues.*

**Nora Gibbons**

*Inhalation of Nitrous Oxide (Whippets)/Florida Statutes and Campaign 2000.*

**Vincent Mallet**

*Spring Pilgrimage, rave issues and Campaign 2000.*

**Tim Keyes**

*Campaign 2000 signs on public property and sign ordinance enforcement referred to*

*the City Manager.*

## **Bob Karp**

*Neighborhood Nuisance - Large semi-truck parked in public right-of-way, referred to the City Manager.*

*Commissioner Pegeen Hanrahan arrived @ 5:56 PM.*

## **Robert Pearce**

*Hidden Lakes Apartments Lawsuit*

## **Commission Comments (if time available)**

## **Pledge of Allegiance (6:00pm)**

## **Brownie 923**

## **Proclamations/Special Recognitions**

### **991165            Hazardous Materials Spill Prevention Week - March 19-25, 2000**

**RECOMMENDATION**    *North Central Florida Local Emergency Planning Committee Chair John Hudson to accept the proclamation.*

**Placed on File**

### **991182            Celebration 2000 Days - March 30-31, 2000**

**RECOMMENDATION**    *University of Florida College of Journalism and Communication Dean Terry Hynes and WUFT Director of Development and Community Relations D. Brent Williams to accept the proclamation.*

**Placed on File**

## **Public Hearings**

## **Adoption Readings**

### **990952            LAND USE CHANGE - MAGNOLIA PARKE (B)**

**Ordinance No. 0-00-42, Petition 193LUC-99PB**

**An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing property from the Alachua County land use category of "Medium High Density 8.01 to 14.0 Dwelling Units Per Acre" to the City land use category of "Residential Medium Density (8-30 units per acre)" and the overlay land use category of "Planned Use District"; located in the vicinity of 4620 N.W. 39th Avenue; providing additional conditions and directions; 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 Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Approved and Adopted on Adoption Reading (Ordinance). The motion carried by the following vote:**

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

**990953****LAND USE AMENDMENT - MAGNOLIA PARKE(B)****Ordinance No. 0-00-43, Petition 194LUC-99PB**

**An ordinance amending Ordinance No. 960940 that placed the Planned Use District Category on certain property by expanding the allowable uses and removing a buffer area; located in the vicinity of 4660 N.W. 39th Avenue, commonly known as Magnolia Parke Planned Development; providing additional conditions and restrictions; 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 Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Approved and Adopted on Adoption Reading (Ordinance). The motion carried by the following vote:**

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

**Ordinances - 1st Readings- ROLL CALL REQUIRED****991113****GENERAL GOVERNMENT BUDGET AMENDMENT (B)****Ordinance No. 0-00-41**

**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, 1999 and Ending September 30, 2000; Amending Ordinance No. 99-417, Adopted September 27, 1999, 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 Jennings, seconded by Commissioner Hanrahan, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

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

## **Ordinances - 2nd Readings- ROLL CALL REQUIRED**

### **990194            TEMPORARY SIGNS (B)**

**Ordinance No. 0-00-28; Petition No. 98TCH-99PB**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, REVISING AND AMENDING THE LAND DEVELOPMENT CODE RELATING TO TEMPORARY SIGNS; AMENDING SUBSECTION 30-317(6) TO ALLOW SIGNS FOR SPECIAL EVENTS OF UNIVERSITY OF FLORIDA STUDENT ORGANIZATIONS LOCATED ON PROPERTY IN THE UNIVERSITY CONTEXT AREA UNDER CERTAIN CONDITIONS; 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.*

#### *STAFF REPORT*

*On August 19, 1999, the Plan Board reviewed the petition and recommended that the petition be continued so that staff could attempt to address some of the Board's concerns. During the hearing, the Board raised concerns about the amount of time the signs would be displayed, the purpose of the signs, height limitations, construction materials, and limiting the signs to just fraternities and sororities and property ownership. Staff reviewed the concerns and revised the proposed changes to address those concerns. On November 18, 1999, the Board reheard the petition.*

*Staff revised the language to state that signs shall not be displayed more than three days before the beginning of the special event or sale. The actual amount of time that a sign*

*can be displayed is limited to 10 days for any one event and to four times within a 12-month period. The 10-day limitation is consistent with University of Florida policy.*

*The main purpose of the proposed code changes is to allow off-campus student organizations to advertise special events and membership drives the same as on-campus organizations. There are many organizations that are located on property off the main campus owned by the State of Florida and the University that are governed by the Campus Master Plan. In some instances, these organizations are located across the street from officially registered university organizations that are governed by City codes. These organizations are not allowed by City codes to have signs larger than 16 square feet in commercial districts, and no signs are allowed in residential districts. Most of these organizations are located in multi-family districts. Staff's proposal is to limit these signs to the University Context Area in areas that are designated for non-residential use and multi-family areas.*

*On this issue staff has considered the following options: Keep the maximum sign size for all non-profits at 16 square feet and a height of 10 feet; increase the size for University organizations to a size between 16 square feet and 100 square feet with a maximum height of 10 feet; or-staff's recommendation-allow a maximum size of 32 square feet with a maximum height of 10 feet. Planning Division staff recommended that the petition limit the size of signs for officially registered University organizations to 32 square feet. As an alternative, Planning Staff recommended that the Board should consider the request by the City Commission to allow the same size of sign that the University of Florida allows for on-campus organizations.*

*The proposed changes limit construction material to materials constructed of heavy cloth, heavy vinyl or heavy plastic, properly sewn and vented. This is consistent with the University's policy. However, under the City proposal, wall-mounted signs may be made out of wood. The University does not allow wall-mounted signs of wood and they do not allow any type of sign to be screwed or nailed to a building.*

*The code changes would limit the signs to organizations that actually own the property where they are located, within the University Context Area.*

*The final issue relates to limiting the code changes to fraternities and sororities. It is staff's opinion that limiting the code changes to fraternities and sororities would not be fair to other campus organizations. Staff does not feel that*

*this will be a problem given the proposed requirement on property ownership.*

*The City Plan Board reviewed the petition and recommends approval of the petition to allow a 32-square-foot sign as presented by staff, with changes. The Board voted to eliminate the property ownership provision and require owner permission instead. The Board also asked staff to make it clear that the ordinance language states that the banners are allowed for student organizations. The Board also eliminated the provisions for wood-mounted signs.*

*Public notice was published in the Gainesville Sun on November 2, 1999. The Plan Board held a public hearing November 18, 1999.*

*The Plan Board recommended that the City Commission approve Petition 98TCH-99 PB. Plan Board vote 7-0.*

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

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

**991015**

**NUISANCE ABATEMENT (B)**

**Ordinance No. 0-00-34**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, RELATING TO PUBLIC NUISANCE ABATEMENT; AMENDING SECTION 16.91 OF THE CODE OF ORDINANCES TO INCLUDE ARRESTS AND CONVICTIONS FOR THE UNLAWFUL SALE OF SUBSTANCES IN LIEU OF CONTROLLED SUBSTANCES, THE UNLAWFUL SALE OF IMITATION CONTROLLED SUBSTANCES, THE VIOLATION OF FEDERAL NARCOTICS LAWS AND CONSPIRACY TO VIOLATE FEDERAL NARCOTICS LAWS, AND VIOLATIONS OF STATE GAMBLING LAWS AS GROUNDS CONSTITUTING A PUBLIC NUISANCE WHEN 2 OR MORE ARRESTS AND CONVICTIONS HAVE OCCURRED IN A 6 MONTH PERIOD FOLLOWED BY AN ADDITIONAL ARREST; AMENDING SECTIONS 16-92 THROUGH 16-96 AND CREATING NEW SECTIONS 16-97 AND 16-98; CREATING THE NUISANCE ABATEMENT BOARD; PROVIDING FOR PROCEDURES AND THE CONDUCT OF HEARINGS; PROVIDING FOR POST HEARING PROCEEDINGS AND THE ENFORCEMENT OF ORDERS; PROVIDING FOR APPEALS; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Chair Pro-Tem Bruce L. Delaney recognized Code Enforcement Board Chair Richard Pohlman and Member Darlene Pifalo; and Citizen Vincent Mallet who spoke to the matter.*

*AMENDMENTS: Pages 8 and 13 as submitted by the City Attorney.*

*SECOND MOTION: Commissioner Hanrahan moved and Commissioner Jennings, seconded to authorize staff to work with the Code Enforcement Board and come back to the City Commission with a formal recommendation with regard to whether they would take on this responsibility and also ask them to review whether a Hearing Officer would be helpful in the process, either for their service in this capacity or the City Commission's service in this capacity. (4-0)  
(Paula DeLaney absent)*

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

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

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

## **Resolutions- ROLL CALL REQUIRED**

### **980721 Kirkwood Special Assessment Public Hearing Date (B)**

*REVISIONS:*

*Page 2, paragraph 2 change 10 days to 30 days.*

*Page 2, bottom of the page, change dated to adopted.*

**RECOMMENDATION** *The City Commission: 1) approve the resolution to set a date, time and place for a public hearing; and 2) authorize the City Manager or his designee to advertise the time and place of the public meeting in a newspaper of general circulation; and 3) authorize the City Manager or his designee to send written notices informing of the public meeting time and place to all property owners who will be affected by the assessment.*

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

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

### **991175 Reimbursement for Category B (Emergency Protective Measures) Costs Associated with Hurricane Floyd in the Non-Declared Counties. (B)**



**RECOMMENDATION** *The City Commission (1) approve a Resolution designating the City Manager as the official agent authorized to execute Public Assistance documents/agreements on behalf of the City; and (2) authorize the City Manager to sign a Department of Community Affairs Disaster Relief Funding Agreement, subject to the approval of the City Attorney as to form and legality.*

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

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

## Plan Board Petitions

**991042** **Quasi-Judicial Petition 5PDA-00 PB, Rory P. Causseaux, P.E., agent for Emmer Development Corp. A Planned Development Amendment with associated development layout plan review for construction of Twelve (12) single-family detached dwelling units on 4.36 acres more or less. Zoned: PD ( 5 units/acre). Located in the 4900 Block of Northwest 24th Boulevard, west side. Related to petition 6SUB-00PB (B)**

*Chair Pro-Tem Bruce L. Delaney recognized Planning Manager Ralph Hilliard and Petitioner Agent Rory Causseaux who gave presentations.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 5PDA-00 PB with associated development layout plan and staff conditions, as modified, to allow the maximum building coverage per lot to be 75% and the maximum impervious lot coverage to be 90%. Plan Board vote 6-0*

*Staff to Plan Board - Approve the Planned Development Amendment with associated development layout plan and with staff conditions.*

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

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

**991043** **Petition 6SUB-00PB, Rory P. Causseaux, P.E., agent for Emmer Development Corp. Design plat approval of Villas On The Lake Subdivision, twelve (12) lots on 4.36 acres more-or-less, having a density of 2.75 dwelling units per acre. Located in the vicinity of Northwest 49th Avenue and Northwest 24th Boulevard,**

west side of street. Zoned: PD-5du/ac (B)

*Chair Pro-Tem Bruce L. Delaney recognized Planning Manager Ralph Hilliard and Petitioner Agent Rory Causseaux who gave presentations.*

**RECOMMENDATION** *Plan Board to City Commission - The City Commission approve Petition 6 SUB-00 PB, with staff conditions. PB vote 6-0*

*Staff to Plan Board - The Design Plat is approvable with conditions.*

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

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

**Recess - 7:03 PM**

**Re-Convene - 7:07 PM**

**991041**

**Quasi-Judicial Petition 4PDA-00 PB Brown and Cullen, Inc., agent for Eastern Federal Corporation and Scotty's Inc. A planned development amendment with a PD layout plan for a mixed-use center, with a maximum of 24 dwelling units. Zoned: PD (planned development district). Located at 3802 Newberry Road. (B)**

*Chair Pro-Tem Bruce L. Delaney recognized Senior Planner Carolyn Morgan, Project Architect Jay Reeves, Project Engineer Jay Brown, Petitioner Mike Warren of AMJ Construction and Public Works Director Teresa Scott who gave presentations.*

*Commissioner Hanrahan disclosed potential Ex Parte communications.*

*Commissioner Jennings disclosed potential Ex Parte communications.*

*Commissioner Barrow disclosed potential Ex Parte communications.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission approve Petition 4PDA-00 PB, with conditions and a modification to increase the square footage of outdoor patio area from 7,230 square feet to 15,000 square feet. Plan Board vote 6-1*

*Staff to Plan Board - Approve, with conditions*

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

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

## Scheduled Evening Agenda Items

### 991172 Agreement with East Gainesville Development Task Force for Dollar General Learning Center Project (B)

**RECOMMENDATION** *The City Commission authorize the City Manager to execute an agreement with the East Gainesville Development Task Force, subject to approval by the City Attorney as to form and legality, to provide \$40,000 in funding support for services associated with the Dollar General Learning Center/WAGES Employment Project as specified in the Agreement.*

**A motion was made by Commissioner Jennings, seconded by Commissioner Barrow, that this matter be Striken From the Agenda. The motion carried by the following vote:**

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

## Unfinished Business

## Commission Comment

### Commissioner John R. Barrow

*Development Review Board - Shooting Range in Wellfield Protection Area.*

*Senior Planner Carolyn Morgan spoke to the matter.*

### Commissioner Pegeen Hanrahan

### 991224 Lake Meta Neighborhood

**RECOMMENDATION** *The City Commission refer the issue of reviewing the possibilities for a Special Area Plan or a Neighborhood Planning Program for the Lake Meta Neighborhood.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Referred to the City Manager, due back on April 24, 2000. The motion carried by the following vote:**

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

**Commissioner Edward L. Jennings, Sr.**

*Campaign signs.  
Baking cakes for retirement.*

**Mayor-Commissioner Pro-Tem Bruce L. Delaney**

*Airport Shooting Range  
Community Development Director Tom Saunders spoke to the matter.*

**Citizen Comment**

**Reverend Tim Keyes**

*Campaign Signs.*

**Adjournment 8:09 PM.**

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Kurt M. Lannon, Clerk of the Commission