

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, September 28, 1998**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Paula DeLaney, Chair  
Mayor-Commissioner Pro Tem Pegeen Hanrahan, Member*

## Invocation

Present: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

## Reverend Willie Mayberry

## Consent Agenda

*With the following modifications: 1) File No. 980556 - Remove from Consent and place on Regular Agenda; 2) File No. 980560 - Remove from Consent and place on Regular Agenda; 3) File No. 980525 - Withdraw; 4) File No. 980534 - Remove from Consent and place on Regular Agenda; and 5) File No. 980536 - remove from Consent and place on Regular Agenda*

## City Manager, Consent Agenda Items

**A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.**

### 980474      Amendment to FY 1998 CDBG (Fund 102) Budget

**RECOMMENDATION**    *The City Commission approve an amendment to the budget by transferring \$55,635 from the FY 1998 CDBG Fund 102 to the NHDC Fund 105.*

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

### 980524      Amendment to Interlocal Agreement with Alachua County Equal Opportunity

**RECOMMENDATION**    *The City Commission approve the Amended Interlocal Agreement and authorize the City Manager to execute the Agreement subject to approval by the City Attorney as to form and legality.*

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

### 980525      Agreement with Coordinated Transportation Services, Inc. a not for profit corporation.

**RECOMMENDATION**    *The City Commission approve the proposed services agreement with the Coordinated Transportation System, Inc. a not for profit corporation and authorize the City Manager or*

*his designee to execute the same after approval by the City Attorney as to form and legality and authorize a Bus Mechanic III position to enable RTS to provide the vehicle maintenance services under this agreement.*

**This matter was Withdrawn**

**980527 Professional Diet/Nutrition Services with Kathryn Parker, Inc.**

**RECOMMENDATION** *The City Commission authorize the City Manager or designee to negotiate and execute, subject to the approval of the City Attorney as to form and legality, a contract with Kathryn Parker, Inc., for diet/nutrition. The term of the contract will be three years from October 1, 1998 through September 30, 2001, with the option to extend the contract for three additional one year periods upon satisfactory performance.*

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

**980528 Adoption of the 1996 National Electric Code (NEC)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance proposing an amendment to Section 6-34 adopting the 1996 edition of the National Electric Code as the minimum standard for electrical installations.*

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

**980529 Contract for Citywide Paging Services**

**RECOMMENDATION** *The City Commission authorize the City Manager to renew the contract with AirTouch Paging Incorporated to provide citywide paging services, subject to approval by the City Attorney as to form and legality.*

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

**980530 Extension of Contract for Medium/Heavy Duty Trucks/Vans**

**RECOMMENDATION** *The City Commission: 1) authorize the City Manager, or his designee, to execute a one year contract extension subject to approval of City Attorney as to form and legality; and, 2) authorize the City Manager, or his designee, to approve purchases under the contract.*

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

**980531                      Extension of Contract for Light Duty Trucks/Vans**

**RECOMMENDATION**    *The City Commission: 1) authorize the City Manager, or his designee, to execute a one year contract extension subject to approval of City Attorney as to form and legality; and, 2) authorize the City Manager, or his designee, to approve purchases under the contract.*

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

**980532                      Florida Recreation Development Assistant Program (FRDAP) Grant  
Application for CSX Trail Development**

**RECOMMENDATION**    *The City Commission: 1) approve the grant application to the State of Florida, Department of Environmental Protection Florida Recreation Development Assistant Program; 2) authorize the City Manager to execute the application; and, 3) authorize the City Manager to execute the grant agreement 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.**

**980533                      Amendment to the Designated Assistance Agreement with Alachua County.**

**RECOMMENDATION**    *The City Commission approve Amending the Designated Assistance Agreement as jointly proposed by City and County staff and authorize the Mayor and Clerk of the Commission to execute the amendment, subject to approval of the City Attorney as to form and legality.*

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

**980535                      Extensions to Annual Materials Supply Contracts for Ready Mix Concrete for  
FY 1999**

**RECOMMENDATION**    *The City Commission authorize the City Manager or designee to execute Extension Agreements for the annual supply of Ready Mix Concrete with Rinker Materials Corporation and Florida Rock Industries, Inc., extending the term of each from October 1, 1998 to September 30, 1999, subject to approval of the City Attorney as to form and legality and subject to final appropriation of funds for FY 1999.*

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

**980537                    Ratification of Contract for Communications Workers of America Local No. 3170 for October 1, 1998 through September 30, 1999.**

**RECOMMENDATION**    *The City Commission ratify the Contract for Communications Workers of America Local No. 3170 covering the period October 1, 1998 through September 30, 1999 between the City of Gainesville and Communications Workers of America, Local No. 3170, a copy of which is on file with the Clerk of the Commission. After September 28, 1998 the Contract will be on file in the Human Resources Department.*

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

**980538                    Fiscal Year 1998-99 contribution rates for the City of Gainesville Consolidated Police Officers' and Firefighters' Pension Plan.**

**RECOMMENDATION**    *The City Commission set the 1998-99 fiscal year contribution rates for the City of Gainesville Consolidated Police Officers' and Firefighter's Pension Plan at 8.49% of payroll for the employer and 5.93% for the employee.*

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

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

**980549                    Ratification of Contract Articles, 13, 14, and 29 for, International Chemical Workers Union Council of the United Food and Commercial Workers Union Local No. 354C. (NB)**

**RECOMMENDATION**    *The City Commission ratify the Amended Articles for International Chemical Workers Union Council of the United Food and Commercial Workers Union Local No. 354C covering the period October 1, 1998 through September 30, 1999 between the City of Gainesville and International Chemical Workers Union Council of the United Food and Commercial Workers Union Local No. 354C, a copy of which is on file with the Clerk of the Commission.*

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

**980550                    Award of Contract for Demolition of John R. Kelly Generating Station Water Tower (B)**

**RECOMMENDATION**     *The City Commission approve the issuance of a purchase order to Pittsburgh Tank and Tower Corporation for the demolition and disposal of the abandoned water storage tower at John R. Kelly Generating Station in an amount not to exceed \$29,310.00.*

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

**980551                    Extension to the Annual Contract for the Installation of Cable, Conduit and Associated Equipment within the Underground Electric Distribution System (NB)**

**RECOMMENDATION**     *The City Commission: (1) authorize the General Manager or his designee to execute an amendment extending the existing annual contract with All Florida Electric Company, Inc. for the installation of cable, conduit and other associated equipment, within the underground electric distribution system for FY 99, subject to the approval of the City Attorney as to form and legality; and (2) approve the issuance of a blanket purchase order to All Florida Electric Company, Inc. for these services in an amount not to exceed \$1,630,000 subject to the final appropriation of funds for FY 99.*

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

**980552                    Extension of Annual Contract for Electric Distribution Line Clearance, Tree-Trimming, Right-of-Way Maintenance, Weed Control and Related Work (NB)**

**RECOMMENDATION**     *The City Commission: 1) Authorize the General Manager or his designee to extend the annual contract for electric distribution line clearance, tree-trimming, right-of-way maintenance, weed control and related work with Asplundh Tree Expert Company ("Asplundh") for a 12 month period commencing October 1, 1998 and ending September 30, 1999, subject to the approval of the City Attorney as to form and legality; and 2) Approve the issuance of a blanket purchase order to Asplundh for the provision of these services for FY 99 in an amount not to exceed \$1,100,000.*

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

**980553                    Annual Contract for Security Services (B)**

**RECOMMENDATION**     *The City Commission: (1) authorize the General Manager or his designee to execute a contract with International Total*

*Services, Inc. for security services for Gainesville Regional Utilities, subject to the approval of the City Attorney as to form and legality, and (2) approve the issuance of purchase orders to International Total Services, Inc. for these services in amounts not to exceed \$250,000.00, subject to the final appropriation of funds for FY 99.*

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

**980554**

**Extension of the Annual Contract for Lease and Maintenance of Uniforms**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager or his designees to execute an amendment for a one year extension to the existing annual contract with G & K Services, Inc. for the lease and maintenance of uniforms for Gainesville Regional Utilities, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed \$42,000 for these services for FY 99, subject to the final appropriation of funds*

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

**980555**

**Extension of Installation of Gas Pipeline Contract for Two Months**

**RECOMMENDATION** *The City Commission: (1) authorize the General Manager or his designee to execute an amendment for a two month extension to the existing annual contract with Hamlet Construction Company, Inc., the contractor for gas pipeline installation, extending the term of the contract through November 30, 1998, subject to the approval of the City Attorney as to form and legality; and (2) approve the issuance of a blanket purchase order to Hamlet Construction Company, Inc. for these services in an amount not to exceed \$55,000.*

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

**980557**

**An Ordinance amending Chapter 27, UTILITIES, Article II. Electricity; and amending Appendix A, Section UTILITIES (1) ELECTRICITY of the Gainesville Code of Ordinances (NB)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, Article II - Electricity and Chapter 27, Appendix A - Schedule of Fees, Rates, and Charges of the Gainesville Code of Ordinances by revising the definitions, requirements, rates, and charges for underground distribution*

*facilities, the requirements for metering facilities, and the requirements and rates for public and rental light service; providing for a repealing clause; providing for a severability clause; and, providing an effective date in accordance with the schedule provided herein.*

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

**980558      Approval of an Extension to the Annual Contract for Directional Bores and Small Diameter Jack & Bores for the Energy Delivery - Gas System Operation Division for FY99 (NB)**

**RECOMMENDATION**    *The City Commission: 1) authorize the General Manager or his designee to execute an amendment for a one (1) year extension to the existing annual contract with Hogtown Underground, Inc. for directional bores and small diameter jack and bores for the Energy Delivery - Gas System Operation Division for FY 99, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a blanket purchase order to Hogtown Underground, Inc. for these services in an amount not to exceed \$155,000.00*

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

**980559      Approval of a Contract and Issuance of Purchase Orders to Limestone Products, Inc. for the Annual Requirement of Limerock for FY 99 (B)**

**RECOMMENDATION**    *The City Commission authorize the General Manager or his designee to execute a contract with Limestone Products, Inc. for limerock and approve the issuance of purchase orders in not exceed amounts totaling \$80,000 for FY 99, subject to the final appropriation of funds for FY 99.*

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

**980561      Declare Scrap Materials Surplus and Authorize the General Manager to Execute an Amendment to the Contract for the Sale of Scrap Materials with Commercial Metals Company for FY 99 (NB)**

**RECOMMENDATION**    *The City Commission: 1) declare scrap materials to become available in the below listed categories during FY 98/99 as surplus; and 2) authorize the General Manager, or his designee, to execute an Amendment to the Contract for the sale of scrap metals with Commercial Metals Company, subject to the approval of the City Attorney as to form and legality.*



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

**980562            Termination of the Interlocal Agreement and Gas Services Agreement between Florida Gas Utility and the City of Gainesville, doing business as Gainesville Regional Utilities (NB)**

**RECOMMENDATION**    *The City Commission authorize the General Manager or his designee to execute the "Waiver and Agreement" with Florida Gas Utility (FGU) which terminates Gainesville's membership in FGU subject to the approval of the City Attorney as to form and legality.*

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

**980563            Purchase of Property at 503 SE 4th Avenue (NB)**

**RECOMMENDATION**    *The City Commission; 1) approve a Purchase and Sale Agreement dated September 1, 1998 for the purchase of property located at 503 SE 4th Avenue, in the amount of \$50,000 plus closing costs, from the Estate of Minnie D. Wesley, as negotiated by staff; 2) authorize the General Manager for Utilities or his designee to execute all documents to complete the closing in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.*

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

**980564            Purchase of 13.566 Acres at 1710 NE 31st Avenue (NB)**

**RECOMMENDATION**    *The City Commission; 1) approve a Purchase and Sale Agreement dated September 3, 1998 for the purchase of a 13.566 acre site located at 1710 NE 31st Avenue, in the amount of \$135,660 plus closing costs, from Florida Title Group, Inc., as negotiated by staff; 2) authorize the General Manager for Utilities or his designee to obtain the necessary City approvals and execute all documents to complete the closing in accordance with the Purchase and Sale Agreement, subject to approval by the City Attorney as to form and legality.*

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

**980565            Annual Professional Land Surveying Services Contracts (NB)**

**RECOMMENDATION**    *The City Commission: (1) approve the ranking of the qualified surveying firms in the given order of preference for provision*

*of land surveying services; (2) authorize the General Manager or his designee to initiate negotiations and, upon successful negotiations, execute annual contracts for professional land surveying services for FY 99, subject to the approval of the City Attorney as to form and legality; and 3) approve the issuance of purchase orders to these firms in total amounts not to exceed the budgeted amounts for these services, subject to the final appropriation of funds.*

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

**980566**

**An Ordinance amending Appendix A, subsection UTILITIES(3)g.3, of the Gainesville Code of Ordinances (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Appendix A, subsection UTILITIES(3)g.3, of the Gainesville Code of Ordinances, increasing water rates for the University of Florida (UF); providing for a repealing clause; providing for a severability clause; and, providing an effective date in accordance with the schedule provided herein.*

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

**980567**

**Murphree Wellfield Conservation Easement - Cooperative Agreement with the Commodity Credit Corporation to Receive a \$600,000 Grant (B)**

**RECOMMENDATION** *The City Commission authorize: 1) The Mayor and Clerk of the Commission to execute a cooperative agreement between the City of Gainesville and the United States of America through the Commodity Credit Corporation to receive 50 percent grant funding in the amount of \$600,000 to purchase property rights near the Murphree Wellfield, subject to approval by the City Attorney as to form and legality; 2) The General Manager or designee to negotiate for the acquisition of a conservation easement over properties north of the Murphree Wellfield.*

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

## **City Attorney, Consent Agenda Items**

**980539**

**Priscilla Rutledge and Murrell Rutledge v. City of Gainesville, et al.**

**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 Priscilla Rutledge and Murrell Rutledge, her husband, Plaintiffs, vs. D.A.B. Constructors, INC., a Florida Corporation, City of Gainesville, County of Alachua, and State of Florida, Dept. of Transportation, Defendants Alachua County Circuit Court, Eighth Judicial Circuit; Case No.: 98-2707-CA-K.*

**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**

### **Legislative Committee, Consent**

### **Regional Utilities Committee, Consent**

### **Clerk of the Commission, Consent Agenda Items**

#### **980579 Citizens' Advisory Committee for Community Development**

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

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

#### **980510 City Beautification Board**

**RECOMMENDATION** *The City Commission accept the resignation of member Florence A. Cline from the City Beautification Board effective immediately.*

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

**980572 City Commission Minutes of September 14, 1998**

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

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

**Community Redevelopment Agency, Consent Items****980511 NW 15th Terrace Sidewalk Construction Contribution (NB)**

**RECOMMENDATION** *CRA to the City Commission: Approve this sidewalk project and have it incorporated into the Public Works sidewalk construction work schedule for completion prior to the end of the calendar year.*

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

**980513 Downtown Streetscape (NB)**

**RECOMMENDATION** *CRA to the City Commission: refer the issue of allowing decorative hanging pole panels to City Staff and the City Beautification Board to be considered along with the comprehensive evaluation of the City sign regulations.*

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

**980545 College Park University Heights Redevelopment District Trust Fund - Unappropriated Funds (NB)**

**RECOMMENDATION** *CRA Manager to the City Commission: Appropriate \$12,234 to the College Park University Heights Redevelopment Trust Fund.*

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

**End of Consent Agenda****Adoption of the Agenda**

*The Agenda was adopted with the following modifications: 1. File No. 980580 - Additional back-up material submitted; and 2) Add an Item under Charter Officers category to hear an Update on the CTS Performance,*

*Chair P. DeLaney recognized Rev. Tim Keyes who spoke to the matter.*

**Citizen Comment (3:00 PM - 3:30 PM)****Arthur & Phyllis Saarinen (B)**

*Citizens Arthur & Phyllis Saarinen made comments regarding the Clean Air Ordinance.*

*Chair P. DeLaney informed the Commission that an item would be on the October 12, 1998 regular City Commission agenda for discussion.*

*Commissioner Hanrahan asked that information she has obtained be distributed.*

**980590 Mark Sexton - Halloween Event**

*MOTION: Ask staff to draft an exemption to the noise ordinance for Halloween, if it falls on a Friday or Saturday night.*

*Chair P. DeLaney recognized Rev. Tim Keyes who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear that the downtown Hippodrome Halloween Event will be moved to the Sun Center property; and further, add Halloween to the noise exemption ordinance.*

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

**980591 Rev. Tim Keyes - Alcohol Ordinance & Web Site Problems**

*NOTE: Referred the Web Site to the Charter Officers.*

**A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Referred to the Charter Officers, due back on March 28, 1999. The motion carried unanimously.**

**980592 Frederick Peterkin - Adoption Programs**

**RECOMMENDATION** *The City Commission consider creating two new programs as follows: 1) Adopt-A-Park Program; and 2) Scenic Street Ordinance.*

**A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the City Beautification Board, due back on March 28, 1998. The motion carried unanimously.**

*NOTE: Scenic Street Ordinance is referral to Public Works Committee.*

**RECOMMENDATION**    *The City Commission consider creating two new programs as follows: 1) Adopt-A-Park Program; and 2) Scenic Street Ordinance.*

**A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, that this matter be Assigned to the Public Works Committee, due back on March 28, 1999. The motion carried unanimously.**

### **City Commission Comment (If time available)**

### **Charter Officer Updates**

#### **980593            Disadvantaged Transportation Program**

*Regional Transit System Director Perry Maull gave a presentation.*

*Chair P. DeLaney recognized Citizens Joan DeNicola and Cathy Lynn who spoke to the matter.*

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

**A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Delaney, that this matter be Referred to the City Auditor, due back on March 28, 1999. The motion carried unanimously.**

### **Clerk of the Commission**

### **City Manager**

#### **980541            Update on the Gainesville Transportation Center**

*Regional Transit System Director Perry Maull and Architect Billy Brame gave presentations.*

*MOTION: Refer the project to the City Manager to look at the potential for meeting all the needs and funding sources.*

*Chair P. DeLaney recognized Citizens Frederick Peterkin, Brad Guy and Bob Karp who spoke to the matter.*

**RECOMMENDATION**    *The City Commission hear a presentation from staff on the status of the Gainesville Transportation Center.*

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

**980542                    Presentation from staff on the progress of the Florida Building Commission**

*City Manager Bowers stated that the Building Official will provide the Commission with a written report.*

**RECOMMENDATION**    *The City Commission receive a presentation from staff on the progress of the Florida Building Commission*

**This matter was Placed on File**

**980543                    FY 98-99 Pilot Neighborhood Planning Program**

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

*Chair P. DeLaney recognized Citizen Leadership Committee Member Ward Scott, Citizens Lois Harrison, Chester Leathers, Maria Huff Edwards and Barbara Esrig who spoke to the matter.*

**RECOMMENDATION**    *The City Commission: 1) approve a pilot Neighborhood Planning Program to be initiated by the Community Development Department; 2) designate two pilot neighborhoods for FY 98-99; 3) authorize the distribution of grant funds in the amount of \$30,000 for neighborhood planning projects; and, 4) authorize the City Manager to establish interdepartmental neighborhood action teams.*

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

**980544                    Design Review for Public Buildings**

*Community Development Director Tom Saunders gave a presentation.*

*MOTION: Direct staff to go forward in developing a resolution regarding design review for public buildings and development standards for new, expanded or renovated city buildings also adding consideration of resource efficiency and opportunities for public education; and further, staff include a process to retain at all costs, special, unique or historical features during renovation.*

*Chair P. DeLaney recognized Citizen Alice Bojanowski who spoke to the matter.*

**RECOMMENDATION**    *Hear a presentation from staff on the design review process for public buildings.*

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

**980534 Agreement with Keep Alachua County Beautiful for 1999**

**RECOMMENDATION** *The City Commission authorize the City Manager or his designee to execute an agreement between the City of Gainesville and Keep Alachua County Beautiful for FY 98/99 for the Great Florida Cleanup and other cleanup activities, subject to approval of the City Attorney as to form and legality.*

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

**980536 Reconstruction of N.E. 49th Terrace and Extension of N.E. 49th Avenue**

*ADDITIONAL MOTION: Commissioner B. Delaney moved and Commissioner Hanrahan seconded to refer the issue of evaluating contracts to C/Manager, C/Attorney & General Manager for Utilities (Vote 5-0).*

**RECOMMENDATION** *The City Commission: 1) award the contract for reconstruction of N.E. 49th Terrace and the extension of N.E. 49th Avenue to Watson Construction Company, Inc.; 2) authorize the City Manager, or his designee, to execute the contract, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order to Watson Construction Company, Inc., in the amount of \$434,175.00.*

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

**General Manager for Utilities**

**980556 Extension to the Annual Contract for Temporary Personnel Services Contracts (NB)**

**RECOMMENDATION** *The City commission: 1) authorize the General Manager and the City Manager or their designees to execute amendments extending the contracts with (a) TempForce, as the primary supplier for general, labor and clerical temporary personnel services; (b) Norell Services, as the secondary supplier for general and clerical temporary personnel services; and (c)*



*Wal-Staff, as the secondary supplier for labor temporary personnel services, for Gainesville Regional Utilities and General Government on an as need basis for FY 99, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of purchase orders in amounts not to exceed the budgeted amounts for these services for FY 99, subject to the final appropriation of funds.*

**A motion was made by Commissioner Jennings, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Postponed for October 12, 1998. The motion carried unanimously.**

**980560 Janitorial Services for FY 99 (NB)**

**RECOMMENDATION** *The City Commission: 1) authorize the General Manager or his designee to execute a contract for janitorial services for FY 99 with Florida Association of Rehabilitative Facilities, Inc., d/b/a RESPECT of Florida, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a blanket purchase order to RESPECT of Florida in an amount not to exceed \$160,000, subject to the final appropriation of funds.*

**A motion was made by Commissioner Calkins, seconded by Commissioner Delaney, that this matter be Approved as Recommended. The motion carried unanimously.**

**City Attorney**

**City Auditor**

**Committee Reports (Pulled from Consent)**

**Public Works Committee**

**Personnel & Organizational Structure Committee**

**Public Safety Committee**

**Audit & Finance Committee**

**Legislative Committee**

## Regional Utilities Committee

## Advisory Boards/Committees (Appointments/Reports)

## Outside Agencies

## Members of the City Commission

### 980581      Annual Performance, Salary and Benefits Review for the City Manager

*The Commission agreed to submit a memo to the Mayor recommending a salary adjustment for the City Manager; and further, the Mayor return to the City Commission with a report on the recommendations.*

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

**This matter was Discussed**

### 980378      "Sprout" Task Force

**RECOMMENDATION**    *The City Commission remove Mayor-Commissioner Pro Tem Hanrahan from the "Sprout" Task Force.*

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

### 980576      Goal-setting Meetings

*INSTRUCTION: Direct the Clerk of the Commission to schedule a goal setting meeting between October and November.*

**RECOMMENDATION**    *The City Commission discuss scheduling goal-setting meetings.*

**This matter was Discussed**

### 980578      Appointment

*Commissioners B. Delaney and Calkins and Chair P. DeLaney will try to attend the first meeting and then decide who will attend on a regular basis.*

**RECOMMENDATION**    *The City Commission appoint a member to the Airport working group.*

**This matter was Discussed**

**Commission Comments**

**Recess Until 6:00 PM**

**Pledge of Allegiance**

**Troop #452**

**Proclamations/Special Recognitions**

**980568 Special Presentation**

*Utilities Communication Director Cathy Viehe gave a presentation.*

**RECOMMENDATION** *The City Commission receive a presentation from GRU staff regarding Public Power Week.*

**This matter was Placed on File**

**980573 National Arts and Humanities Month - October 1998**

**RECOMMENDATION** *City of Gainesville Cultural Affairs Director Dr. Lemuel Moore to accept the proclamation.*

**This matter was Placed on File**

**980574 Italian Heritage and Cultural Month - October 1998**

**RECOMMENDATION** *Order of Sons of Italy in America President Lew Mazzarella to accept the proclamation.*

**This matter was Placed on File**

**980575 Respiratory Care Week - October 4-10, 1998**

**RECOMMENDATION** *Respiratory Care Class of 1999 President Andrea Davison to accept the proclamation.*

**This matter was Placed on File**

## Public Hearings

**980540            A Resolution of the City Commission of the City of Gainesville, Florida; Relating to the Levy of General Municipal Purpose Ad Valorem Taxes for the 1998-1999 Fiscal Year; Adopting the Final Millage Rate; Directing the Transmittal of Certified Copies; Authorizing a Specified Adjustment to the Final Millage Rate; Providing for the Publication of Notice; and Providing an Immediate Effective Date.**

*Office of Management and Budget Director Rick Mills gave a presentation.*

*Millage - 4.9416*

*AMENDMENTS: Page 1 - Change to read resolved from ordained and Page 2 - Change to read resolution from ordinance*

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980398            Ordinance No. 0-98-95**

**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, 1998 and Ending September 30, 1999; Adopting the General Operating and Financial Plan Budget; and Providing an Immediate Effective Date.**

*Office of Management and Budget Director Rick Mills gave a presentation.*

*Chair P. DeLaney recognized Citizen Myra Bailes who spoke to the matter.*

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980399            Ordinance No. 0-98-93**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, ADOPTING THE BUDGET FOR THE CITY OF GAINESVILLE REGIONAL UTILITIES FOR THE FISCAL YEAR**

**BEGINNING OCTOBER 1, 1998, AND ENDING SEPTEMBER 30, 1999; PROJECTING REVENUES AND ADOPTING A BUDGET TO PAY FOR PERSONAL SERVICES EXPENSES, OPERATING AND MAINTENANCE EXPENSES AND OTHER EXPENSES, FOR CAPITAL OUTLAY, AND FOR DEBT SERVICE REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

**RECOMMENDATION** *The City Commission adopt an ordinance adopting the budget for the City of Gainesville Regional Utilities for the fiscal year beginning October 1, 1998, and ending September 30, 1999.*

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980580                      Adoption of Evaluation and Appraisal Report (EAR) on the City of Gainesville 1991-2001 Comprehensive Plan.**

*Chief of Comprehensive Planning Dean Mimms gave a presentation.*

*Chair P. DeLaney opened the public hearing.*

*Chair P. DeLaney closed the public hearing.*

**RECOMMENDATION** *The City Commission receive the comments of the Florida Department of Community Affairs on the EAR, hold a public hearing, and adopt a resolution adopting the EAR.*

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan and Paula M. DeLaney  
Absent: Edward L. Jennings, Sr.

**Ordinances - 1st Readings- ROLL CALL REQUIRED**

**960937                      Ordinance No. 0-97-92, Petition No. 38PDV-97PB**

**An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-4: 8 units/acre single-family residential district" and "CON: Conservation district" to "Planned Development District"; adopting development plan maps and a development plan report for a development commonly known as "NE 39th Ave.**

Park"; located in the vicinity of the 900 block of N.E. 39th Avenue, south side; providing conditions and regulations; providing for penalties; providing a severability clause; and providing an immediate effective date.

*Planning Manager Ralph Hilliard gave a presentation.*

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980470                      Ordinance 0-98-99**

**An ordinance of the City of Gainesville repealing Article II of Chapter 14.5 of the Code of Ordinances relating to Convenience Food Stores; amending Section 2-337 of the Code of Ordinances removing the Code Enforcement Board's jurisdiction over Article II of Chapter 14.5; providing a severability clause; providing an immediate effective date.**

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

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

**961098                      Ordinance No. 0-97-49, Petition No. 70LUC-97PB**

**An Ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by overlaying the Planned Use District Category over certain property with the future land use category of "Residential Medium Density (10-30 units per acre)"; located in the vicinity of 2424 N.W. 23rd Blvd.; 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 Calkins, seconded by Commissioner Jennings, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**961099 Ordinance No. 0-97-48, Petition No. 71PDV-97PB**

An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City and amending the Zoning Map Atlas from "RMF-6: 10-15 units/acre multiple-family residential district" to "Planned Development District"; adopting development plan maps and a development plan report to allow expansion of the existing facility commonly known as "Elk's Lodge"; located at 2424 N.W. 23rd Boulevard; providing conditions; 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 Jennings, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980102 Ordinance No. 0-98-85, Petition No 99PDA-98PB**

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "Hunter's Crossing"; amending the planned development by adopting revised development plan maps with specific reference to Phase II to allow an additional off-street parking area for an office development; located in the vicinity of 4701 N.W. 53rd Avenue; 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 Delaney, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980215 Ordinance No. 0-98-90; Petition No. 133TCH-98PB**

An ordinance of the City of Gainesville, Florida, creating and adding a section to the Special Area Plan for College Park providing that the development review board has the duty and authority to grant variances from the Plan and certain code requirements associated with a development plan within the College Park Special Area; 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 Hanrahan, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980222                      On-Street Parking/Central City District**

**Ordinance No. 0-98-97**

**An ordinance of the City of Gainesville, Florida, amending subsection 26-50.1 of the Code of Ordinances relating to on-street parking in the Central City District, allowing such parking to be on areas designated by the City Manager and approved by the Florida Department Of Transportation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980281                      Ordinance No. 0-98-92**

**An ordinance of the City of Gainesville, Florida, amending section 2-602 of the Code of Ordinances relating to the City of Gainesville Police Officers and Firefighters Consolidated Retirement Plan; amending the voting requirements, duties of the secretary, clarifying the authority of the Board in regard to retention of agents and consultants; 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 Hanrahan, seconded by Commissioner Calkins, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney



**980362 Stormwater Management Utility Fee Change****Ordinance No. 0-98-96**

**An ordinance of the City of Gainesville, Florida, amending subsection 27-241(a) of the Code of Ordinances relating to the stormwater management utility changing the utility fee to \$5.25/ERU; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule herein.**

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980395 Ordinance No. 0-98-98**

**An ordinance of the City of Gainesville, Florida, amending subsection 15-4(2)d. of the Code of Ordinances relating to hours for special noise permits, extending the hours for events held 0.5 mile or more from any private residence, hospital or nursing home; 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 Hanrahan, seconded by Commissioner Delaney, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

**980467 Ordinance No. 0-98-100**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally located in an area bounded on the north by the Gainesville City Limits, on the east by the Gainesville City Limits, on the west by Deer Run Subdivision and on the south by the Gainesville City Limits and NW 53rd Avenue; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the Clerk of the Commission; providing ballot language; providing for Land Use**

**Plan and Zoning Regulations; providing a severability clause; and providing effective dates.**

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

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

## **Resolutions- ROLL CALL REQUIRED**

### **980577            Rules of the City Commission**

**RECOMMENDATION**    *The City Commission revise the Rules of the City Commission.*

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

**Votes:** Aye: Sande Calkins, Bruce L. Delaney, Pegeen Hanrahan, Edward L. Jennings, Sr. and Paula M. DeLaney

## **Plan Board Petitions**

## **Development Review Board Petitions**

## **Scheduled Evening Agenda Items**

### **960846            Trader Tom's**

*Special Counsel Michael Kahn gave a presentation.*

*Chair P. DeLaney recognized Jerry Simmons, Tom Henderson, Deborah Butler, Stephen Keyes, Amy Simmons, Reginald Lewis, Sr., Dawn Western, Ana C. Herrera, Dana Allen, Rev. Tim Keyes, Jim Earles, Wendi Steele, Jennifer Hull, Autumn White, Donnie Sloan, Vincent Mallet, Attorney John Wagner, George Grimm, Jr., Joann Herl, Tarah Deaton, Vonceil Levine, Nick Savage, Joey Henderson, Theresa Parker, Darrell Mays, Loren Roby, Jennifer Bedford, Chris Hall, Charles Thomas Jempson, James Healy, John Parker, Delma Nelson, Nancy Maryhew, Attorney David Wasserman and Diane Bolten who spoke to the matter.*

*REVISION: Change amortization from 10 years to 7 1/2 years*

**RECOMMENDATION**    *Michael Kahn, special counsel to the City recommends that*

*the City Commission: (1) approve the revised settlement agreement between the City and Trader Tom's Florida Fried Chicken, Inc., d/b/a Trader Tom's; and (2) authorize the Special Counsel to execute the agreement on behalf of the City.*

**A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Approved as Recommended, as Amended or Revised. The motion carried by the following vote:**

**Votes:** Aye: Sande Calkins, Bruce L. Delaney and Pegeen Hanrahan  
Nay: Edward L. Jennings, Sr. and Paula M. DeLaney

## **Unfinished Business**

## **Commission Comment**

### **C/B. Delaney - St. Michael's Church (NB)**

*Commissioner B. Delaney asked for a report from the City Manager regarding the sale and rezoning of St. Michael's Church.*

### **C/ B. Delaney - Bouleware Springs Event (NB)**

*Commissioner B. Delaney asked Recreation Staff to check with the School Board of Alachua County regarding the all children's access to the event.*

### **980596 C/Calkins - Florida Park Study**

**RECOMMENDATION** *The City Commission refer the study of Florida Park by students of Dr. Richard Snyder to the Public Safety Committee.*

**A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Safety Committee, due back on March 28, 1999. The motion carried unanimously.**

### **C/Calkins - Flexibility in Highway Design (NB)**

*Commissioner Calkins informed the Commission of a document entitled Flexibility in Highway Design sent to her by Melanie Carr, Senior Policy Analyst for the Florida Department of Transportation which she would leave with staff for other Commissioners review.*

### **C/Jennings - Advisory Board Resignations (NB)**

*Commissioner Jennings made comments regarding the increase of Citizens resigning from advisory boards.*

**980597            Chair P. DeLaney - Exit Survey on Recreation Tax**

**RECOMMENDATION**    *The City Commission ask the City Manager to complete an exit survey on the Recreation Tax initiative.*

**A motion was made by Mayor- Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Referred to the City Manager, due back on March 28, 1999. The motion carried unanimously.**

**Chair P. DeLaney - Reminders & Issues (NB)**

*Chair P. DeLaney asked the Commission to consider appointments to the new Recreation and Park Committee and asking the Alachua County Board of County Commissioners to attend.*

*Chair P. DeLaney asked the City Manager to look into who can participate in the St. John's River Celebration.*

*Chair P. DeLaney reminded the Commission of the following: 1) Leading Edge Seminar; 2) Joint City Commission/University of Florida Meeting; 3) Elected Officials Forum; and 4) Election on October 1, 1998.*

**Citizen Comment**

**Rev. Tim Keyes - Public Comment Process (NB)**

**Vincent Mallet - Governmental Responsibility (NB)**

**Adjournment - 11:22pm**

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Kurt M. Lannon, Clerk of the Commission