

City of Gainesville

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



Meeting Minutes

Monday, April 23, 2001

1:00 PM

City Hall Auditorium

City Commission

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

CALL TO ORDER

The meeting was called to order at 1:08 PM.

INVOCATION

Reverend David Green, Greater Bethel AME Church

ROLL CALL

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

BOARD OF TRUSTEES, CONSENT AGENDA

Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to approve the Board of Trustees Consent Agenda.

(VOTE: 3-0, Mayor Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)

001226 Financial Statements and Independent Auditors' Report on the Employees' Pension Fund of the City of Gainesville, Florida for Fiscal Year Ended September 30, 2000 (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the subject financial statements and audit reports.*

This Matter was Approved as Recommended on the Consent Agenda.

CONSENT AGENDA

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

(VOTE: 3-0, Mayor Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)

- 1. File No. 001243 - CLERK CONSENT CATEGORY - CACCD Appointment - Remove appointment of Jennifer S. Dixon to the CACCD from the Consent Agenda.*
- 2. File No. 001245 - CLERK CONSENT CATEGORY - Plan Board Appointment - Additional recommendation to waive probationary period for appointee Peter Polshek.*
- 3. File No. 001236 - GENERAL MANAGER FOR UTILITIES CONSENT CATEGORY - Move to the Regular Agenda under General Manager for Utilities*

Category.

CITY MANAGER, CONSENT AGENDA ITEMS

001219 Proposed Revision to Pension Review Committee Term Limits (NB)

RECOMMENDATION *The City Commission adopt, in concept, the proposed revisions to the Pension Review Committee term limits and instruct the City Attorney to draft the requisite resolution.*

This Matter was Approved as Recommended on the Consent Agenda.

001220 Approve an Interlocal Agreement with Alachua County for Purchase of EMS Equipment (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Interlocal Agreement with the County, and any other necessary documents pending review by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

001221 Surplus Property Sale (NB)

RECOMMENDATION *The City Commission declare all materials, equipment and vehicles presently stored at the Surplus Lot as surplus property and authorize the sale of such property on Saturday, May 19, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

001222 Transfer of Alachua County Recreation Grant to Cone Park (B)

RECOMMENDATION *The City Commission: 1) approve the State of Florida Department of Environmental Protection Amendment #2 to transfer the County Florida Recreation Development Program Assistance Grant to the City; and 2) authorize the City Manager to execute the Amendment subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

001223 Roof Replacement at City Facilities (B)

RECOMMENDATION *The City Commission approve the issuance of a Purchase Order to Poole Roofing & Sheet Metal and Marion/Service Roofing & A/C Co. in amounts not to exceed the amounts listed above for the replacement of the roofs on the T.B. McPherson Recreation Center, Westside Recreation Center, Fire Station #3 and Fire Station #5.*

This Matter was Approved as Recommended on the Consent Agenda.

001224 Assistance to Firefighters Grant (B)

RECOMMENDATION *The City Commission authorize the City Manager to apply for two Federal FIRE Grants of up to \$296,100 with a local match requirement of 30%, or up to \$127,000, if both grants are awarded.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

001232 Interagency Geographic Data Project (B)

RECOMMENDATION *The City Commission authorize: 1) The General Manager and City Manager to negotiate and execute an Agreement with the Alachua County Property Appraiser to participate in the acquisition and development of common geographic information; 2) The General Manager to issue a purchase order to the Alachua County Property Appraiser in an amount not to exceed \$160,000; and 3) The City Manager to issue a purchase order to the Alachua County Property Appraiser in an amount not to exceed \$100,000.*

This Matter was Approved as Recommended on the Consent Agenda.

001233 Gator.Net Purchase (NB)

RECOMMENDATION *The City Commission approve the purchase of Gator.Net customers and the domain name.*

This Matter was Approved as Recommended on the Consent Agenda.

001234 Lease Agreement between the City of Gainesville and Alachua County for Use of the City of Gainesville's/GRU's Utility Right-of-Way (NB)

RECOMMENDATION *The City Commission: 1) approve a Lease Agreement between*

the City of Gainesville and Alachua County for the use of the City of Gainesville's/GRU's Archer Road Utility Right-of-Way for bikeway/pedestrian access improvements by the Alachua County Public Works Department; and 2) authorize the General Manager, or his designee, to execute a Lease Agreement with Alachua County for the bikeway/pedestrian access project, subject to approval as to form and legality by the City Attorney.

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

001237 Watson Construction Co., Inc. v. City of Gainesville (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Watson Construction Co., Inc. v. City of Gainesville.*

This Matter was Approved as Recommended on the Consent Agenda.

001238 State Farm Mutual Automobile Insurance Company as subrogee of Viktor Torda; Paul Mohacsy v. City of Gainesville, and Gainesville Police Department; Alachua County Court Case No.: 01-0000990 CC (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled State Farm Mutual Automobile Insurance Company as subrogee of Viktor Torda Paul Mohacsy v. City of Gainesville, and Gainesville Police Department; Alachua County Court Case No.: 01-0000990 CC.*

This Matter was Approved as Recommended on the Consent Agenda.

001239 Darrell E. Elmore v. City of Gainesville and Wayne Bowers, in his official capacity as City Manager and Individually; United States District Court Case No.: 1:01 CV 35 SPM (B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or special counsel if insurance coverage is available to represent the City and the City Manager in the case styled Darrell E. Elmore v. City of Gainesville and Wayne Bowers, in his official capacity as City Manager and Individually; Case No.: 1:01 CV 35 SPM.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**001242 Appointment - Bicycle/Pedestrian Advisory Board (NB)**

RECOMMENDATION *The City Commission appoint Larry Schwandes to a vacancy on the Bicycle/Pedestrian Advisory Board to expire December 31, 2003.*

*Commissioner Chuck Chestnut - Larry Schwandes
Commissioner Pegeen Hanrahan - Larry Schwandes
Commissioner Warren Nielsen - William A.B. Maloney
Mayor-Commissioner Pro Tem John Barrow - Larry Schwandes
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001243 Appointment - Citizens' Advisory Committee for Community Development (NB)

NOTE: Jennifer S. Dixon - Appointment to the CACCD - Withdrawn

RECOMMENDATION *The City Commission appoint Jennifer S. Dixon and William Holt to vacancies on the Citizens' Advisory Committee for Community Development to expire November 1, 2003.*

*Commissioner Chuck Chestnut - Edward B. Braddy, Jennifer S. Dixon and William Holt
Commissioner Pegeen Hanrahan - Jennifer S. Dixon and Readvertise
Commissioner Warren Nielsen - Jennifer S. Dixon, Jonathan L. Heise and William Holt
Mayor-Commissioner Pro Tem John Barrow - Edward B. Braddy, Jennifer S. Dixon and William Holt
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001244 Appointment - City Beautification Board (NB)

RECOMMENDATION *The City Commission appoint Heather Martin to a vacancy on the City Beautification Board to expire November 1, 2001.*

*Commissioner Chuck Chestnut - Jonathan L. Heise
Commissioner Pegeen Hanrahan - Heather Martin
Commissioner Warren Nielsen - Heather Martin
Mayor-Commissioner Pro Tem John Barrow - Heather Martin
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001245 Appointment - City Plan Board (NB)

RECOMMENDATION *The City Commission appoint Peter Polshek to a vacancy on the City Plan Board to expire November 1, 2003 and appoint David S. Welch to a vacancy to expire November 1, 2001.
Commissioner Chuck Chestnut - Steven A. Reid and David S. Welch
Commissioner Pegeen Hanrahan - Peter Polshek and David S. Welch
Commissioner Warren Nielsen - Peter Polshek and David S. Welch
Mayor-Commissioner Pro Tem John Barrow - Peter Polshek and David S. Welch
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001246 Appointment - Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint William Holt to a vacancy on the Gainesville/Alachua County Cultural Affairs Board to expire September 30, 2002 and appoint Robert L. Woods to a vacancy to expire September 30, 2001.
Commissioner Chuck Chestnut - William Holt and Robert L. Woods
Commissioner Pegeen Hanrahan - William Holt and Robert L. Woods
Commissioner Warren Nielsen - Robert L. Woods and Readvertise
Mayor-Commissioner Pro Tem John Barrow - William L. Holt and Robert L. Woods
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001247 Appointment - Gainesville Energy Advisory Committee (NB)

RECOMMENDATION *The City Commission appoint Edward B. Braddy to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 2003 and appoint Jonathan L. Heise to a vacancy to expire September 30, 2002.
Commissioner Chuck Chestnut - Edward B. Braddy and Jonathan L. Heise
Commissioner Pegeen Hanrahan - Edward B. Braddy and Jonathan L. Heise*

*Commissioner Warren Nielsen - Edward B. Braddy and
Jonathan L. Heise
Mayor-Commissioner Pro Tem John Barrow - Jonathan L.
Heise and Readvertise
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001248 Gainesville Human Rights Board (NB)

RECOMMENDATION *The City Commission appoint Candy Barnhill and Jeanna Marie Mastrodicasa to terms on the Human Rights Board to expire February 22, 2004.
Commissioner Chuck Chestnut - Candy Barnhill and Jeanna M. Mastrodicasa
Commissioner Pegeen Hanrahan - Candy Barnhill and Jeanna M. Mastrodicasa
Commissioner Warren Nielsen - Candy Barnhill and Jeanna M. Mastrodicasa
Mayor-Commissioner Pro Tem John Barrow - Candy Barnhill and Jeanna M. Mastrodicasa
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001249 Nature Centers Commission (NB)

RECOMMENDATION *The City Commission appoint Kelly K. Samek to a vacancy on the Nature Centers Commission to expire November 1, 2001.
Commissioner Chuck Chestnut - Kelly K. Samek
Commissioner Pegeen Hanrahan - Kelly K. Samek
Commissioner Warren Nielsen - Kelly K. Samek
Mayor-Commissioner Pro Tem John Barrow - Kelly K. Samek
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001250 Appointment - Tree Advisory Board (NB)

RECOMMENDATION *The City Commission appoint Francis E. Putz to a vacancy on the Tree Advisory Board to expire January 1, 2002.
Commissioner Chuck Chestnut - Francis E. Putz
Commissioner Pegeen Hanrahan - Francis E. Putz
Commissioner Warren Nielsen - Francis E. Putz
Mayor-Commissioner Pro Tem John Barrow - Francis E. Putz
Mayor Paula DeLaney -*

This Matter was Approved as Recommended on the Consent Agenda.

001241 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of April 9, 2001, as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY REDEVELOPMENT AGENCY, CONSENT

001200 Support to a Change to the State Vertical Accessibility Requirements (B)

RECOMMENDATION *The City Commission contact the Alachua County legislative delegation about reinstating the previous state vertical accessibility requirement.*

This Matter was Approved as Recommended on the Consent Agenda.

ADVISORY BOARDS/COMMITTEES, CONSENT

001218 Appointment of Fifth Member to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan (NB)

RECOMMENDATION *The City Commission re-appoint George Ling as the fifth member to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan for another two (2) year term.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

AUDIT & FINANCE, CONSENT

001211 Report on the Status of Outstanding Audit Recommendations (B)

RECOMMENDATION *The Audit and Finance Committee recommends that the City Commission accept the City Auditor's Report on the Status of Outstanding Audit Recommendations.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

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

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

(VOTE: 3-0, Mayor Paula M. DeLaney and Commissioner Pegeen Hanrahan - Absent)

1. OUTSIDE AGENCY CATEGORY - Add Airport Authority File # 000873 and hear a report from Airport Authority Chair Marilyn Tubb.

2. OUTSIDE AGENCY CATEGORY - Add Pine Beetle Infestation - Hear a report regarding pine beetle infestation from Jim Meeker of the Division of Forestry, County Forester Dave Concer and Dr. John Foltz of the University of Florida.

3. File # 001236 - Agreement with Council for Economic Outreach - Move from Consent to Regular Agenda.

CLERK OF THE COMMISSION

CITY MANAGER

001225 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Director Teresa Scott gave a presentation.

NOTE: Commissioner Pegeen Hanrahan entered the meeting room at 1:23 PM.

RECOMMENDATION *The City Commission hear a report from staff regarding the May 10, 2001 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Discussed

GENERAL MANAGER FOR UTILITIES

001231 The Energy Authority (TEA) Guaranty Increase (NB)

Gainesville Regional Utilities Finance Director Kim Simpson gave a presentation.

Chair Pro Tem John R. Barrow recognized Citizen Sara Poll who spoke to the matter.

RECOMMENDATION *The City Commission authorize the General Manager to execute the revised Restated and Amended Electric Advance Agreement for TEA subject to approval by the City Attorney as to form and legality.*

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

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

001235

Renovation for GRUCom Central Equipment Hub (B)

Gainesville Regional Utilities GRUCom Director Ed Hoffman and GRUCom Project Engineer Ron Herget and Strategic Planning Director Ed Regan gave presentations.

Chair Pro Tem John R. Barrow recognized Citizens Sara Poll and Ilene Kanely who spoke to the matter.

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Joyner Construction, Inc. to renovate a City-owned building (former offices of Hanger Prosthetics & Orthotics, Inc.) for use as the central equipment hub for GRUCom, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Joyner Construction, Inc. in an amount not to exceed Eight Hundred Thirty-six Thousand Three Hundred Fifty Dollars (\$836,350.00).*

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

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

001236

Agreement with Council for Economic Outreach (B)

NOTE: The Clerk was asked to remove this item from the City Manager's Referral List at the May 9, 2002, Special City Commission Meeting.

Gainesville Regional Utilities Strategic Planning Director Ed Regan gave a presentation.

Chair Pro Tem John R. Barrow recognized Council for Economic Outreach Director Bob Rohrlack, Citizens Sara Poll and Mayor Elect Tom Bussing who spoke to the matter.

MOTION: The City Commission ask the City Manager and the General Manager for Utilities to come back with: 1) An overview of what Alachua County's been doing, some of the specific measurable results information that has been discussed; 2) examples of past contracts, or if they have something that's close to being finished, go ahead and bring that and we'll talk about the actual contract; 3) ask staff to bring this

information back as soon as possible and work out when would be the appropriate time, but no more than one month or six weeks; and 4) have Alachua County's Economic Development Advisory Committee give a presentation to help the City Commission understand what they are doing as well.

RECOMMENDATION *The City Commission authorize the General Manager for Utilities or his designee to negotiate and execute a five year investment agreement with the Council for Economic Outreach subject to the Approval of the City Attorney. The proposed agreement would include an annual investment of \$100,000 for five years, subject to the annual appropriation of funds in the utility budget.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the City Manager, due back on June 4, 2001. The motion carried by the following vote:

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

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

EQUAL OPPORTUNITY COMMITTEE

001227 Report on MBE/SBE Procurement Programs (B)

Gainesville Regional Utilities Administrative Services Director Pat Moore, GRU Purchasing Manager Ruth Davis and General Government Minority Business Enterprise Coordinator Arline Hampton gave presentations.

RECOMMENDATION *The Equal Opportunity Committee recommends that the City Commission receive a brief presentation on the Minority Business Enterprise Procurement Programs.*

Heard

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

001229 Art in Public Places Trust (APPT) Creek Signage Project Update (B)

City of Gainesville Public Works Director Teresa Scott and APPT Coordinator Amy Dickerson gave presentations.

Chair Pro Tem John R. Barrow recognized Art in Public Places Trust Vice Chair James Wyman, St. Johns River Water Management District Representative John Shuman, Alachua County Environmental Protection Director Chris Bird and APPT Representative Brenda Brown who spoke to the matter.

MOTION: Refer to the Public Works Committee for further discussion.

RECOMMENDATION *The City Commission: 1) hear presentations from James Wyman, APPT Vice Chair; Joy McBane, Alachua County EPD Environmental Specialist as to meetings held with the SRWMD and the DOT; and a representative from the DOT; and 2) offer further recommendations to the Trust as to how to proceed regarding coordinating City Creek Signage with the County and the DOT, and as to cost considerations.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the Public Works Committee, due back on October 23, 2001. The motion carried by the following vote:

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

OUTSIDE AGENCIES

000873 Airport Authority (NB)

Airport Authority Chair Marilyn Tubb gave a presentation.

RECOMMENDATION *Hear an update from Marilyn Tubb, Chair, Airport Authority.*

Heard

001257 Pine Beetle Infestation (B)

Division of Forestry Entomologist Jim Meeker, Dr. John Foltz of the University of Florida and County Forester Dave Concer, Senior Manager with the Division of Forestry Don West and City Arborist Meg Niederhofer gave presentations.

Chair Pro Tem John R. Barrow recognized Citizen Charles Thompson and Tree Advisory Board Member Robert Simons who spoke to the matter.

MOTION: The City Commission authorize staff to re-institute programs that they had during the previous outbreak and come back to the City Commission next week (Special Meeting, Monday, April 30, 2001) with a report and budget information for final adoption.

RECOMMENDATION *Hear a report regarding pine beetle infestation from Jim Meeker of the Division of Forestry, Dave Concer County*

Forester and Dr. John Foltz of the University of Florida.

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

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

RECESS

The meeting recessed at 5:13 PM.

RECONVENE

The meeting reconvened at 5:44 PM.

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

CITIZEN COMMENT (5:30pm)

D.J. Williams

Approval of \$10,000 for Downtown Advertising Campaign.

Germaine Ferguson

EEO/Charter Officer Issues

Mary Jensen

Kanapaha Botanical Gardens - Art (Sacred Circle)

Mark Goldstein

Agenda Order

Bob Bauge

RTS and Greyhound Issues (700 SE 3rd Street - Old GRU Engineering Building)

(See following Item # 001258)

001258 RTS/Greyhound Relocation Issues

NOTE: The Clerk was asked to remove this item from the City Manager's Referral List at the May 9, 2002, Special City Commission Meeting.

RECOMMENDATION *The City Commission refer to the City Manager and the City Clerk to schedule a special public forum to discuss the property at 700 SE 3rd Street; and RTS and Greyhound Bus Station relocation.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the City Manager, due back on October 23, 2001. The motion carried by the following vote:

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

Diane Deevey

Comprehensive Plan Issues - Community Development Director Tom Saunders made comments

Marcus LePratt

World Youth Choir - see following item # 001260.

001260 World Youth Choir Funding Request (B)

RECOMMENDATION *The City Commission refer the World Youth Choir funding request to the City Manager and have the Cultural Affairs Department see if there is anything the City can do to offer assistance.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager. The motion carried by the following vote:

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

Paula Stahmer - President of Greenspace Preservation Association

Comprehensive Plan Issues

Francine Robinson

Comprehensive Plan Issues

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)**Troops 332 & 924****PROCLAMATIONS/SPECIAL RECOGNITIONS**

NOTE: Chair Paula M. DeLaney entered the meeting room at 6:18 PM.

001215 Days of Remembrance 2001 - April 15-22, 2001 (B)

RECOMMENDATION *Congregation B'nai Israel Rabbi Amy Levin to accept the proclamation.*

Placed on File

001216 Day of Prayer - May 3, 2001 (B)

RECOMMENDATION *Gainesville Christian Ministerial Association President Danny Austin to accept the proclamation.*

Heard

001217 International Association of Administrative Professionals Week - April 22-28, 2001 (B)

RECOMMENDATION *Gainesville Chapter of International Association of Administrative Professionals Treasurer, Ruth Martin, CPS and Seminar Committee Chair Jamie Hill to accept the proclamation.*

Heard

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****001160 ANNEXATION - SOUTH WEST PROPERTY (B)****ORDINANCE NO. 0-01-08**

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 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 south of SW 20th Avenue, east of the extension of SW 63rd Blvd., west of I-75 and north of Kanapaha Lake and Prairie; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for land use plan and zoning regulations; providing for enforcement of Alachua County, land use plan, zoning and subdivision regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

001161

ANNEXATION - BLUES CREEK AREA 2 (B)

ORDINANCE NO. 0-01-05

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 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 comprising approximately 12.79 acres (MOL), generally located north of NW 73rd Street, east of Blues Creek Unit 3-A and NW 50th Street, south of Blues Creek Unit 6B and west of the City limits; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for land use plan and zoning regulations; providing for enforcement of Alachua County, land use plan, zoning and subdivision regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

Chair Paula M. DeLaney recognized Alachua County Commissioner Penny Wheat who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

001162 ANNEXATION - BLUES CREEK AREA 3 (B)

ORDINANCE NO. 0-01-06

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 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 comprising approximately 129.96 acres (MOL) generally located north of NW 69th Lane and Blues Creek Unit-2, west of NW 52nd Terrace, NW 50th Street and the Blues Creek Subdivisions, south of the City limits, east of Section 9, Township 9S, Range 19E; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for land use plan and zoning regulations; providing for enforcement of Alachua County, land use plan, zoning and subdivision regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

001163 ANNEXATION - BLUES CREEK AREA 4 (B)

ORDINANCE NO. 0-01-07

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 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 comprising ; approximately 21.71 acres (MOL) generally located north of Blues Creek Units 6-D and 3-C, west of the City limits, south of the City limits, east of Blues Creek 3-C; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for land use plan and zoning regulations; providing for enforcement of Alachua County, land use plan, zoning and subdivision regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an

immediate effective date.

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

000901 HISTORIC PRESERVATION - CERTIFICATE OF APPROPRIATENESS FOR FENCING (B)

ORDINANCE NO. 0-01-21; PETITION NO. 12TCH-01PB

An ordinance of the City of Gainesville, Florida, relating to historic preservation; amending section 30-112 of the Land Development Code to require a certificate of appropriateness be obtained for fencing on vacant property within an historic district; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 12TCH-01 PB, and (2) adopt the proposed ordinance.*

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

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

000903 TEMPORARY OUTDOOR ALCOHOLIC BEVERAGE SALES FOR UF HOME FOOTBALL GAME DAY EVENTS (B)

ORDINANCE NO. 0-01-22; PETITION NO. 14TCH-01 PB

An ordinance of the City of Gainesville, Florida, relating to temporary outdoor alcoholic beverage sales for University of Florida home football game day events; amending section 30-67 to provide regulations for such sales; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Paula M. DeLaney recognized Citizen Mark Goldstein and Joe's Deli Owner

Bill Reichardt.

RECOMMENDATION *The City Commission (1) approve Petition 14TCH-01 PB, and (2) adopt the proposed ordinance.*

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

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

001066

TEMPORARY MORATORIUM (I-1 AND I-2 DISTRICTS) - (B)

Ordinance No. 0-01-25

An ordinance of the City of Gainesville, Florida, imposing a temporary moratorium on building permits, zoning permits, site plan approval and any other official action of the City of Gainesville permitting or having the effect of permitting certain industrial development or use on all real property located in whole or in part within the "I-1: Limited industrial district" and the "I-2: General industrial district" of the City of Gainesville, as more specifically set forth in this ordinance; providing a procedure for extraordinary hardship; providing severability clause; and providing an immediate effective date.

City of Gainesville Community Development Director Tom Saunders and Planning Manager Ralph Hilliard gave a presentation.

Chair Paula M. DeLaney recognized Citizens Ilene Kanely, Dick Jones, Dick Williams, Citizens to Reform Industrial Zoning Representative Peter Rebmann, William Boe, Marilyn Walker, Florence Clements, Peggy Trudeau, December McSherry, Sam Harvey, Attorney Patrice Boyes representing Watson Construction, Diane Deevey, Mark Goldstein, Kimberly Hudacko, Margaret Archer, Mary Anderson and Penny Wheat who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

001259

Industrial Zoning Moratorium - Referral

Passed on Final Reading as Ordinance # 001066.

RECOMMENDATION *The City Commission: 1) authorized the Mayor to send a letter to the Alachua County Commission asking if a subcommittee of the County Commissioners and their staff would like to work with the City Public Works Department on*

this issue; 2) authorized the mayor to send a letter to the Regional Planning Council asking that other communities that are interested in this issue be made aware that we are placing a moratorium on industrial uses and are welcoming others to participate in our process; 3) also indicate in the letter to the County Commission that the City Commission is concerned that there may be a need for some site specific air monitoring and we would like their assistance in making that determination; and 4) referred this matter to the Public Works Committee and the issue related to the Deerhaven Power Plant be presented to this subcommittee as part of the overall scheme of trying to determine what we need to do during the moratorium.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, that this matter be Referred to the Public Works Committee, due back on October 23, 2001. The motion carried by the following vote:

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

RECESS

The meeting recessed at 8:35 PM.

RECONVENE

The meeting reconvened at 8:57 PM.

001149 **COMP PLAN AMENDMENT - FUTURE LAND USE MAP CHANGES (B)** **ORDINANCE NO. 0-01-20; PETITION NO. 163LUC-00PB**

An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan; by changing the land use categories of certain properties within the City as follows: (1) from "Commercial" and "Residential High Density (8-100 units per acre)" to "Mixed-Use Medium Intensity" (14-30 units per acre) in an area generally located adjacent and west of SW 13th Street from the 2400-block to the 3500-block; (2) from "Residential Low Density (up to 12 units per acre)" to "Recreation" in an area generally located on the east side of NW 3rd Street between NW 4th Place and NW 6th Avenue; (3) from "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)", and "Single Family (up to 8 units per acre)" to "Single Family (up to 8 units per acre)", "Commercial", "Residential Medium Density (8-30 units per acre)", "Residential Low Density (up to 12 units per acre)" and "Conservation" in an area generally located west of NW 13th Street/US 441, east of NW 19th Street, north of NW 45th Avenue, and south of NW 53rd Avenue; (4) from "Planned Use District" to "Single Family (up to 8 units per acre)" in an area generally located between NW 68th Avenue on the south, the Turkey Creek

Forest single-family subdivision on the north, US 441 on the east, and NW 43rd Street on the west; (5) from Alachua County "Commercial" to City of Gainesville "Commercial" in an area generally located at the 7100 block of West University Avenue on the north side; (6) from Alachua County "Commercial" to City of Gainesville "Mixed-Use Low Intensity (10-30 units per acre)" in an area generally located at the northeast corner of the intersection of SW 34th Street and Archer Road (SR 24); and (7) from Alachua County "Residential Low Density (1-4 units per acre)" to City of Gainesville "Single Family (up to 8 units per acre)" in an area generally located at the 2100 block of Williston Road on the north side; these changes are coincident with the Future Land Use Element amendment to be made part of the City of Gainesville 2000-2001 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

MOTION ONE: Commissioner Warren Nielsen moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to take this item from the table.

(VOTE: 5-0)

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

Chair Paula M. DeLaney recognized Citizens Jane Burman-Holtom, Michael Lucas, Alachua County Commissioner Penny Wheat, Kirkwood Homeowner's Association Representative James Higman, Diane Deevey, and Bill Finley who spoke to the matter.

ORIGINAL MOTION: This motion was originally made at the April 9, 2001 City Commission Meeting - (Withdrawn).

MOTION TWO: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to direct staff to amend the ordinance to reflect the amended language for the 13th Street areas and to strike Section, except for the language related to Lake Shore Towers.

(Withdrawn)

MOTION THREE: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to give staff direction that the new policy 4.1.5 be incorporated into the text changes for the future land use element and to ahead and notify DCA that is our intent when it comes back to us for second reading.

(VOTE: 5-0)

MOTION: FOUR: Commissioner Pegeen Hanrahan moved to direct staff to strike the SW 13th Street map changes with the exception of Lake Shore Towers and have the ordinance be readvertised for another public hearing.

(VOTE: 5-0)

RECOMMENDATION *The City Commission (1) remove from table; (2) approve Petition 163LUC-00 PB and (3) adopt the proposed ordinance.*

Withdrawn

000882 COMP PLAN AMENDMENT - CONSERVATION, OPEN SPACE AND GROUNDWATER RECHARGE ELEMENT (B)

ORDINANCE NO. 0-01-18; PETITION NO. 175CPA-00PB

An ordinance of the City of Gainesville, Florida, amending the Conservation, Open Space and Groundwater Recharge Element of the City of Gainesville 1991-2001 Comprehensive Plan; revising policies on wetlands; adding provisions concerning the Alachua County Forever program; adding provisions concerning the Alachua County Murphree Wellfield Protection Code; adding provisions concerning Floridan aquifer recharge areas; providing for an Environmentally Significant Land and Resources map series within the Future Land Use Map Series; adding Tumblin Creek and Hogtown Creek to the priority list for improving water quality; removing outdated provisions; amending provisions concerning NPDES permitting; making minor amendments throughout; providing directions to the City Manager; stating intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

RECOMMENDATION *The City Commission (1) approve Petition 175CPA-00 PB, with modifications; and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Striken From the Agenda (Ordinance). The motion carried by the following vote:

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

000515 COMP PLAN AMENDMENT - TRANSPORTATION MOBILITY ELEMENT (B)

ORDINANCE NO. 0-01-19; PETITION NO. 146CPA-00PB

An ordinance of the City of Gainesville, Florida, amending the Transportation Mobility Element of the City of Gainesville 1991-2001 Comprehensive Plan; adding a goal and related objectives and policies to promote transportation choices, compact development, and a livable city; adding a goal and related objectives and policies to promote walking; adding a goal and related objectives and policies to promote an accessible and comfortable community transit system; adding a goal and related objectives and policies to promote bicycling; making minor amendments throughout; adding a goal and related objectives and policies to develop a trails network; adding goals and related objectives and policies to create livable streets that promote safety and quality of life and minimize single-occupant vehicle travel; adding a goal and related objectives and policies to promote accessibility to people with disabilities; making minor amendments throughout; providing directions to the City Manager; stating

intent to adopt the amended element as part of the City of Gainesville 2000-2010 Comprehensive Plan; providing a severability clause; providing a repealing clause; and providing an effective date.

Chair Paula M. DeLaney recognized Citizens Paula Stahmer and Diane Deevey who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve Petition 146CPA-00 PB and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Striken From the Agenda (Ordinance). The motion carried by the following vote:

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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

RESOLUTIONS- ROLL CALL REQUIRED

PLAN BOARD PETITIONS

000516 **Petition 147TCH-00PB. Amend the City of Gainesville Land Development Code related to lighting in terms of site plan submittal requirements, glare, light trespass, light fixture mounting height, illumination levels and specific requirements for gasoline service stations. (B)**

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 147TCH-00 PB. Plan Board vote 3-1*

Staff to Plan Board - Approve

A motion was made by Mayor-Commissioner Pro Tem Barrow, seconded by Commissioner Hanrahan, that this matter be Continued (Petition) for May 14, 2001. The motion carried by the following vote:

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

001230 **Petition 184PDA-00PB. Causseaux & Ellington, Inc., agent for Naylor Real Estate. A planned development amendment to include a 1-acre parcel (more-or-less) zoned OF (general office district) for the construction of an office building. Zoned: PD (planned development district) and OF (general office district). Located at 5938 Northwest 1st Place. (B)**

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission*

approve Petition 184PDA-00 PB. Plan Board vote 4-0

Staff to Plan Board - Approve, subject to the recommended conditions.

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Approved (Petition - Design Plat). The motion carried by the following vote:

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

SCHEDULED EVENING AGENDA ITEMS

COMMISSION COMMENT

Commissioner Pegeen Hanrahan

Direct the Clerk to find alternative days for the July 11th and July 12th, 2001 budget meetings.

Commissioner Chuck Chestnut

Local Labor see following item # 001261.

001261 Local Labor Use (NB)

RECOMMENDATION *Refer the issue of Local Labor Use to the Personnel and Organizational Structure Committee.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Personnel and Organizational Structure Committee. The motion carried by the following vote:

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

Mayor-Commissioner Pro Tem John R. Barrow

Update on the Status of Skate Board Parks - Referred to staff to bring back on the next agenda.

Mayor Paula M. DeLaney

Parking Permits for Couriers, see following item # 001262.

001262 Special Parking Permits for Couriers (NB)

RECOMMENDATION *The City Commission refer the courier parking issue to the Public Safety Committee.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Referred to the Public Safety Committee. The motion carried by the following vote:

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

CITIZEN COMMENT (If time available)

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

The meeting adjourned at 10:55 PM.

Kurt M. Lannon, Clerk of the Commission