

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, February 23, 1998**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## Invocation

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

## Pastor Dan Boykin, Trinity Christian Center

## Consent Agenda

**A motion was made by Commissioner Jennings, seconded by Commissioner DeLaney, to Pass the Consent Agenda. The motion carried by the following vote:**

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

## City Manager, Consent Agenda Items

### 970510 Additional work for Joint Sealing and Filling of Voids in 72" Reinforced Concrete Pipe

**RECOMMENDATION** *The City Commission: 1) authorize the additional \$20,000.00 for project expenses on the contract for the repair of reinforced concrete pipe under SW 7th Terrace from 2nd to 7th Avenues; and 2) authorize a modification to the purchase order to Inducon Corporation up to the amount of \$80,000.00.*

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

### 970900 Special Investigations Unit Confidential Buy Fund

**RECOMMENDATION** *The City Commission authorize the appropriation and expenditure of \$10,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for replenishment of the Special Investigations Unit confidential buy fund.*

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

### 970901 Sale of Tax Parcels No. 9662 and 9666 Located in the 500 block of N.W. 8th Avenue

**RECOMMENDATION** *The City Commission: 1) declare Tax Parcel Nos. 9662-000-000 and 9666-000-000, located at 504 N. W. 8th Avenue as surplus to the City; 2) reserve applicable public*

*utilities easements to the City; 3) authorize the City Manager or his designee to advertise and dispose of said property by sealed bid process; and 4) authorize staff to negotiate a Purchase and Sale Agreement with the successful bidder based on the bid considered to be in the best interest of the City.*

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

**970902 College Park, NW 16th Street Lighting Improvements**

**RECOMMENDATION** *The City Commission: 1) approve funding of the special lighting for NW 16th Street as a demonstration project; and 2) authorize funding as a monthly street light fee of \$34.95 per fixture, from the General Government street light account.*

**This Matter was Assigned to the Public Works Committee, due back on August 23, 1998 on the Consent Agenda.**

**970903 Lincoln Estates Subdivision Streetlight Project**

**RECOMMENDATION** *The Public Works Committee recommends the City Commission authorize staff to go forward with the lighting plan in Lincoln Estates Subdivision, using cut-off luminaires, as per the City's Standard Practice for Roadway Lighting Policy.*

**This Matter was Assigned to the Public Works Committee, due back on August 23, 1998 on the Consent Agenda.**

**970904 Purchase Order to Integrated Business Systems, Inc.**

**RECOMMENDATION** *The City Commission: 1) approve the issuance of a purchase order for the purchase of a computerized cash register system from Integrated Business Systems, Inc. in the amount of \$44,910.05; and 2) authorize the City Manager or his designee to enter into a contract with Integrated Business Systems, Inc. subject to the approval of the City Attorney as to form and legality.*

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

**970905 Memorandum of Agreement with the State of Florida Department of Agriculture and Consumer Services for \$15,000 Matching Grant.**

**RECOMMENDATION** *The City Commission authorize the City Manager to execute*

*the Memorandum of Agreement, and any additional documents necessary to receive the \$15,000 from the U.S.D.A. Urban and Community Forestry grant program, subject to the approval of the City Attorney as to form and legality.*

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

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

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

#### **970887          Hearing Officer Civil Traffic Infraction**

**RECOMMENDATION**    *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance which authorizes the referral of violations of the City's parking ordinances to the Civil Traffic Infraction Hearing Officer Program established for Alachua County.*

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

#### **970924          Error in legal description in Ordinance No. 970446; Re: street vacation in the vicinity of East University Avenue to the north, SE 1st Avenue to the south, SE 15th Street to the west and SE 16th Street to the east.**

**RECOMMENDATION**    *The City Commission authorize the Clerk of the Commission to advertise and the City Attorney to draft an ordinance amending Ordinance No. 970446 by adopting a new legal description as Exhibit A.*

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

## **Committee Reports, Consent Agenda Items**

### **Public Works Committee, Consent**

#### **960082          Attendant Parking Experimental Program**

**RECOMMENDATION**    *The Public Works Committee recommends the City Commission rescind its November 10, 1997, action awarding the contract for day time and night time attendant parking in City Lots 1, 10 and 13 to Seven One Seven Parking Enterprises.*

---

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

**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**

**970906 City Commission Minutes of January 30, February 9 and 12, 1998**

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

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

**970907 Disabled & Elderly Citizens' Advisory Board**

**RECOMMENDATION** *Appoint Elaine Snow to a vacancy on the Disabled & Elderly Citizens' Advisory Board to expire November 16, 1999.  
Commissioner Sande Calkins - Snow  
Commissioner Paula DeLaney - Snow  
Commissioner Edward Jennings, Sr. - Snow  
Mayor Pro Tem Pegeen Hanrahan - Snow  
Mayor Bruce Delaney - Snow*

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

**970909 Gainesville Energy Advisory Committee**

**RECOMMENDATION** *Appoint Alan W. Hodges to a vacancy on the Gainesville Energy Advisory Committee to expire September 30, 1998.  
Commissioner Sande Calkins - Hodges  
Commissioner Paula DeLaney - Hodges  
Commissioner Edward Jennings, Sr. - Hodges  
Mayor Pro Tem Pegeen Hanrahan - Martin Rosenzweig  
Mayor Bruce Delaney - Hodges*

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

**970910 Gainesville Enterprise Zone Development Agency**

**RECOMMENDATION** *Appoint Michael A. King and Jerry M. Painter to terms on the Gainesville Enterprise Zone Development Agency to expire March 31, 2002 and appoint Fulton L.T. Wilson, Jr. to a vacancy to expire March 31, 2002.*  
*Commissioner Sande Calkins - King, Painter and Wilson*  
*Commissioner Paula DeLaney - King, Painter and Wilson*  
*Commissioner Edward Jennings, Sr. - King, Painter and Wilson*  
*Mayor Pro Tem Pegeen Hanrahan - King, Painter and Wilson*  
*Mayor Bruce Delaney - King, Painter and Wilson*

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

**970911 Public Recreation Board**

**RECOMMENDATION** *Appoint Scott T. Caron to a vacancy on the Public Recreation Board to expire June 1, 1998.*  
*Commissioner Sande Calkins - Caron*  
*Commissioner Paula DeLaney - Caron*  
*Commissioner Edward Jennings, Sr. - Caron*  
*Mayor Pro Tem Pegeen Hanrahan - Caron*  
*Mayor Bruce Delaney - Caron*

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

**970912 Regional Transit System Advisory Board**

**RECOMMENDATION** *Appoint Brooke L. Myrick to a vacancy on the Regional Transit System Advisory Board to expire June 1, 2000.*  
*Commissioner Sande Calkins - Myrick*  
*Commissioner Paula DeLaney - Lindsay Edelstein*  
*Commissioner Edward Jennings, Sr. - Myrick*  
*Mayor Pro Tem Pegeen Hanrahan - Myrick*  
*Mayor Bruce Delaney - Myrick*

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

**970923 Fair Housing Board**

**RECOMMENDATION** *Appoint Glen M. Boecher to a vacancy on the Fair Housing Board to expire January 1, 2000; appoint Beverly A. Craig to a vacancy to expire January 1, 1999 and appoint J. Michael*

*Todd to a vacancy to expire January 1, 2001.*

*Commissioner Sande Calkins - Boecher, Craig and Todd*

*Commissioner Paula DeLaney - Boecher, Craig and Todd*

*Commissioner Edward Jennings, Sr. - Boecher, Craig and Todd*

*Mayor Pro Tem Pegeen Hanrahan - Boecher, Craig and Todd*

*Mayor Bruce Delaney - Boecher, Todd and Readvertise*

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

## **Community Redevelopment Agency, Consent Items**

### **End of Consent Agenda**

### **Adoption of the Agenda**

*The Agenda was adopted.*

### **Citizen Comment (3:00 PM - 3:30 PM)**

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

### **Charter Officer Updates**

### **Clerk of the Commission**

#### **970922 Fair Housing Board**

**RECOMMENDATION** *The City Commission make an appointment to fill the disabled category vacancy on the Fair Housing Board. Term to expire January 1, 2001.*

**A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, to appoint Pam Bowers to the Fair Housing Board. The motion carried by the following vote:**

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

Absent: Pegeen Hanrahan

### **City Manager**

#### **970913 Certificate of Achievement for Excellence (NB)**

*Mayor-Commissioner B. Delaney made the presentations.*

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

**This matter was Placed on File**

**General Manager for Utilities**

**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**

**970649 City Commission Referral Item #970649 - Bicycle Memorial Area Landscaping**

*NOTE: The Commission indicated that they would like to refer the item to Public Works on return.*

**RECOMMENDATION** *The City Commission: 1) refer the issue of Depot Trail Lighting to the appropriate committee; and 2) remove this item from the Regional Utilities Committee referral list.*

*GENERAL MANAGER'S RECOMMENDATION: The City Commission refer the issue of Depot Trail Lighting to the appropriate committee(s).*



**A motion was made by Commissioner Calkins, seconded by Commissioner DeLaney, that this matter be Assigned to the City Beautification Board, due back on August 23, 1998. The motion carried by the following vote:**

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

### **Advisory Brds/Comm (Appointments/Waivers/Reports)**

#### **970885 Gainesville Enterprise Zone Development Agency**

*Gainesville Enterprise Development Agency Chair Carol Villemaire gave a presentation.*

**RECOMMENDATION** *The City Commission hear a presentation from the Gainesville Enterprise Zone Development Agency and take appropriate action.*

**This matter was Placed on File**

### **Outside Agencies**

### **Members of the City Commission**

#### **970928 State Legislative Delegation**

*Florida State House of Representatives Member Bob Casey made comments on upcoming proposed legislation and requested the City consider moving the vote on the Recreation Tax Initiative to the primary election.*

*The Commission discussed issues of concern.*

*Chairman B. Delaney recognized Citizen J.T. Frankenberger who spoke to the matter.*

**RECOMMENDATION** *The City Commission welcome and hear brief comments from area legislators.*

**This matter was Placed on File**

### **Commission Comments**

#### **970931 Lighting on NE 5th Street**

**RECOMMENDATION** *The Public Works Committee: 1) receive a report from staff and 2) take action deemed appropriate.*

**A motion was made by Commissioner Calkins, seconded by Commissioner Jennings, that this matter be Assigned to the Public Works Committee, due back on August 23, 1998. The motion carried by the following vote:**

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

### **C/Hanrahan entered the meeting room (3:15pm)**

### **Economic Development Legislation - C/P. DeLaney (NB)**

*Commissioner P. Delaney asked Economic Development Director Conchi Ossa to discuss the Certified Corporation Company Act and the Reappropriation of Economic Development Road Transportation Grants and recommended the Commission support both.*

### **Alachua County Economic Meeting - Chair B. Delaney (NB)**

*Chairman B. Delaney asked Economic Development Director Ossa to discuss the County meeting on Economic Development. The Commission agreed to ask the Mayor-Commissioner to write a letter to Alachua County requesting submittal of the Economic Development Goals of the City of Gainesville.*

### **970932 City Advisory Board Relationships to the Gainesville Enterprise Zone Development Agency, Gainesville/Alachua County Regional Airport Authority, Gainesville Housing Authority, Consolidated Board of Trustees and the Bicycle/Pedestrian Advisory Board**

**RECOMMENDATION** *The City Commission refer the appointments to the Personnel and Organizational Structure Committee.*

**A motion was made by Commissioner DeLaney, seconded by Commissioner Calkins, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on August 23, 1998. The motion carried unanimously.**

### **Public Health Unit Funding - C/Hanrahan (NB)**

*C/Hanrahan suggested that the issue be discussed with the Legislative Delegation. The Commission agreed.*

### **Community Garden/Depot Avenue Trail Signs - C/Hanrahan (NB)**

*Commissioner Hanrahan suggested signs for the Depot Avenue Trail and the Community Garden.*

*The City Manager was asked to look into the issues.*

**Florida Communities Trust Program - C/Hanrahan (NB)**

*Commissioner Hanrahan suggested the Commission stay involved with the program.*

*Public Works Director Theresa Scott informed the Commission of her work with Mr. John McPherson on projects.*

**Recessed - 3:52pm - Reconvened - 4:01pm**

**Adjourn Until 6:00 PM**

**Pledge of Allegiance**

**Girl Scout Troop #1097**

**Proclamations**

**970925            The Visionaires Day - February 27, 1998**

**RECOMMENDATION**    *Visionaires President Gussie Campbell and Charter Members Mrs. Daphne Duval Williams and Mrs. Christola Wilkerson Jones to accept the proclamation.*

**This matter was Placed on File**

**970926            AIDS Walk 1998 Gainesville Day - February 28, 1998**

**RECOMMENDATION**    *North Central Florida Aids Network, Inc. Executive Director Joseph F. Antonelli to accept the proclamation.*

**This matter was Placed on File**

**970927            Trio Day - February 28, 1998**

**RECOMMENDATION**    *Upward Bound Program Director, Dr. G.W. Mingo to accept the proclamation.*

**This matter was Placed on File**

**970933            Hazardous Material 'EPCRA' Awareness Week**

**RECOMMENDATION**    *North Central Florida Local EMergency Planning Committee*

*Chairman John Hudson to accept the proclamation.*

**This matter was Placed on File**

## Public Hearings

### **970790 Proposed Settlement of Lawsuit Styled Classie Garrison v. City of Gainesville, Case No. 94-2227-CA.**

*Chairman B. Delaney opened the public hearing.*

*There was no public comment.*

*Chairman B. Delaney closed the public hearing.*

**RECOMMENDATION** *The City Commission: 1) hold a public hearing; 2) approve the terms of the settlement; and 3) authorize the City Manager and City's special counsel to settle the case.*

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

### **970914 Duck Pond Neighborhood - Traffic Calming Plan (2/23/98)**

*Traffic Engineer Brian Kanely gave a presentation.*

*Chairman B. Delaney recognized Citizens Jack Lutz, Robert Huneycutt, Elizabeth Franks, Bruce Lasky, Jerry Cutler, Joann Auth, Gerry Dedenbach, Sal Pearson, Mike Connelly, Francis Lane, Loriane McAsker, Bill Hood, Al Shoaf, Dan Pearson, Heather McCloud, Calvin Martin and Elizabeth Rich who spoke to the matter.*

*Commissioner Jennings moved to separate the motion to exclude item no. 6.*

*NO SECOND.*

**RECOMMENDATION** *The City Commission approve the following traffic calming measures for the Duck Pond Neighborhood:*  
*1) establish a speed limit of 25 miles per hour by posting speed limit signs on the significant streets that enter the neighborhood (N.E. 1st, 2nd, 5th Streets, N.E. Boulevard, N.E. 2nd, 4th, 5th, 6th, 7th, and 9th Avenues); 2) reverse the stop signs at the following intersections: N.E. 4th Avenue & 5th Street, N.E. 5th Avenue & 6th Street and N.E. 6th Avenue & 6th Street; 3) establish all way stop control at the following intersections: N.E. 5th Avenue & 5th Street, N.E. 5th Avenue & N.E. Boulevard, and N.E. 6th Avenue and 2nd Street; 4) install speed humps on N.E. 2nd Street in the 400 block (two speed humps) and 700 block.*

5) install speed humps on N.E. Boulevard in the 200, 400, 500, and 600 blocks; 6) install speed humps on N.E. 7th Street in the 200, 400, and 600 blocks; 7) modify the curb radius at N.E. 10th Avenue and N.E. Boulevard for southbound traffic.

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

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

**970934 Formation of a Traffic Calming Plan for NE 8th Avenue**

**RECOMMENDATION** *The Public Works Committee: 1) receive a report from staff on the Neighborhood Meeting that was held on September 15, 1998; and 2) formulate a recommendation for City Commission action.*

**A motion was made by Commissioner Calkins, seconded by Mayor-Commissioner Pro Tem Hanrahan, that this matter be Assigned to the Public Works Committee, due back on August 23, 1998. The motion carried unanimously.**

**970915 City Commission Workshop on the Evaluation and Appraisal Report for the Historic Preservation and Solid Waste Elements of the City of Gainesville 1991-2001 Comprehensive Plan.**

*Historic Planner Rick Smith gave a presentation on the Historic Preservation Element.*

*MOTION: Refer to the City Manager the building codes and the relation to historic properties to work with the Florida League of Cities on this as a legislative issue, if needed.*

*Chairman B. Delaney recognized Citizens Frederick Veterquist, Cindy Smith, David Chalmers and Robert Pearce who spoke to the matter.*

*Planner Jason Simmons gave a presentation on the Solid Waste Element.*

*Chairman B. Delaney recognized Alachua County Assistant Public Work Director Robert Thomas who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation of the Evaluation and Appraisal Reports for the Historic Preservation and Solid Waste Elements of the Comprehensive Plan.*

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

**Ordinances - 1st Readings- ROLL CALL REQUIRED****960988 Ordinance No. 0-98-38**

An ordinance of the City of Gainesville, Florida, relating to the art in public places trust amending section 5.5-2 of the code of ordinances changing administration of the trust from committees to one group and adding evaluation of city board and citizen proposed art projects to the duties of the trust; amending section 5.5-3 of the Code of Ordinances to conform with the change to section 5.5-2; designating terms for the initial members; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**970576 Ordinance No. 0-98-36**

An ordinance of the City of Gainesville, Florida, amending section 28-2 of the Code of Ordinances relating to vehicles for hire to include non-emergency medical transport vehicles (medivans) in the definition of limousines; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

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

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

**970647 Ordinance No. 0-98-33**

An ordinance of the City of Gainesville, Florida, amending section 2-248 relating to appointment of student adjunct members to city boards and committees; providing that recommendations for appointments will be taken from the University of Florida student government, the University of Florida College Council and the Santa Fe Community College student government; providing directions to the codifier; providing a severability clause; providing a repealing

clause; and providing an immediate effective date.

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

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

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

**970681**

**Ordinance No. 0-98-32**

**An ordinance of the City of Gainesville, Florida, amending section 30-78 of the Land Development Code pertaining to the corporate park (CP) district, adding nursing and personal care facilities and membership organizations as uses by right; changing maximum lot coverage and setback requirements; amending Appendix A, Section 2, Exhibit B of the Land Development Code, the Special Area Plan for the Triangle Area, clarifying that hotels and motels are allowed by special use permit and amending the maximum building height restriction; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Planning Manager Ralph Hilliard gave a presentation on needed changes to the ordinance.*

*Chairman B. Delaney recognized Citizen Ralph Eng who spoke to the matter.*

*AMENDMENTS: 1) Page 3, line 3, The text should read: subdivision of property may obscure the intended office "or" office mixed use character of the.....; 2) Page 3, line 6, Delete the following language "Applications for special use permits shall include a development plan for a minimum of ten compact and contiguous acres under the unified control of the applicant.; 3) Page 4, line 3, Change the subsection reference to 30-78(d)"(5)"; 4) Page 4, bottom of page, Add the following hazardous material "management" code.; 5) Page 6, line 19, change six stories to "four" stories.*

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

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

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

**970683**

**Ordinance No. 0-98-30**

**An ordinance of the City of Gainesville, Florida, amending section 30-74(d) of the Land Development Code pertaining to dimensional requirements in the medical services (MD) district, changing setback requirements for angle of light**

obstruction; increasing maximum lot coverage under certain conditions; increasing the maximum floor area ratio; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

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

**A motion was made by Commissioner 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**970799 Ordinance No. 0-98-34**

**An ordinance of the City of Gainesville, Florida, adopting a revised map of the area designated for pedestrian fliers; 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 First Reading (Ordinance). The motion carried by the following vote:**

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

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

**970748 Ordinance No. O-98-26**

**AN ORDINANCE AMENDING CHAPTER 27 OF THE GAINESVILLE CODE OF ORDINANCES, SECTION 27-6(a) TO ALLOW FOR SUCH METHODS OF APPLICATION FOR SERVICE AS ARE APPROVED BY THE GENERAL MANAGER FOR UTILITIES WHETHER WRITTEN, VERBAL, TELEPHONIC, ELECTRONIC OR OTHERWISE; SECTION 27-7 BY REVISING TERMS AND CONDITIONS FOR DEPOSITS FOR UTILITY SERVICE AND REFUNDS OF CERTAIN UTILITY DEPOSITS; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.**

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

**A motion was made by Commissioner DeLaney, 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**970756 Ordinance No. 0-98-28**

**An ordinance of the City of Gainesville, Florida, amending Section 23-17 of the Gainesville Code of Ordinances to provide that the official street map shall be on file in the Office of the Department of Community Development; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**970793 Ordinance No. O-98-31**

**AN ORDINANCE AMENDING APPENDIX A SECTION UTILITIES (1) ELECTRICITY, OF THE GAINESVILLE CODE OF ORDINANCES BY CLARIFYING ELIGIBILITY FOR THE BUSINESS PARTNERS RATE DISCOUNT RIDER; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN**

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

**A motion was made by Commissioner DeLaney, 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, Paula M. DeLaney, Edward L. Jennings, Sr., Pegeen Hanrahan and Bruce L. Delaney

**Resolutions- ROLL CALL REQUIRED**

**970810 A RESOLUTION OF THE GAINESVILLE CITY COMMISSION INVITING THE CITIES OF KFAR SABA, ISRAEL, AND QALQILYA, PALESTINE, TO ESTABLISH A THREE-WAY SISTER CITY RELATIONSHIP WITH GAINESVILLE**

*Gainesville Sister City Program President Steve Kalishman and Martin McClellan gave presentations.*

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

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

**970916**            **A Resolution of the City Commission for the Temporary Closing of State Road 26 for City of Gainesville elections on March 17 and March 31, 1998.**

**RECOMMENDATION** *The City Commission adopt the proposed resolution, which requests the temporary closing of a left turn lane on a state road for up to two city elections in March, providing an immediate effective date.*

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

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

**970917**            **A resolution of the City Commission for Temporary Closing of two State Roads: State Road 121 (Northwest 34th Street) and State Road 222 (Northwest 39th Avenue) for the 1998 March of Dimes WalkAmerica on Saturday, March 28, 1998.**

**RECOMMENDATION** *The City Commission adopt the proposed resolution, containing the request for a temporary closing of State Road 121 and State Road 222 for the 1998 March of Dimes WalkAmerica and providing an immediate effective date.*

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

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

**970918**            **A Resolution of the City Commission for the Temporary Closing of three State Roads: State Road 26A (Southwest 2nd Avenue) State Road 26 (University Avenue) and State Road 25/US 441 (Southwest 13th Street) for the 1998 Tri-Gator Sprint Triathlon on March 22, 1998.**

**RECOMMENDATION** *The City Commission adopt the proposed resolution, containing the request for a temporary closing of State Road 26A (Southwest 2nd Avenue), State Road 26 (University*

*Avenue) and State Road 25 (Southwest 13th Street) for the 1998 Tri-Gator Sprint Triathlon, and providing an immediate effective date.*

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

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

**970919 Resolution Calling for Renewed Federal Support for Public Transit**

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

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

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

**970929 Florida League of Cities, Inc.**

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

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

## **Plan Board Petitions**

**970562 (Quasi-Judicial) (Informal) Petition 190SVA-97 PB, John and Carol Koogler, John and Eve Cech. Pursuant to Sec. 30-192(b), to vacate, abandon and close the western 95+ foot dead-end portion of N.W. 7th Lane right-of-way. Located approximately 40 feet west of Northwest 22nd Street. The portion to be vacated lies between lots 1 and 2 of the Baker-Broome Plat.**

*Planning Manager Ralph Hilliard and Public Works Director Theresa Scott gave presentations.*

*Petitioner Attorney Bill Edwards gave a presentation and asked to present sworn statements and certified copies of plats.*

*The Commission declared the sworn statements repetitive to letters received in the submitted back-up material; and further, were considered past the back-up material*

*submittal deadline and did not accept the sworn statements; however, accepted the certified plats of the non-certified plats which were submitted in the back-up material.*

*Petitioner John Koogler gave a presentation.*

*Petitioner Representative Melanie Barr gave a presentation.*

*Petitioner Attorney Jeff Braswell gave a presentation.*

*Chairman B. Delaney opened the public hearing.*

*Chairman B. Delaney recognized Adjacent Property Owners Attorney David Coffey who asked to and the Commission agreed to give a presentation.*

*Adjacent Property Owners Roose and Johnson Attorney David Coffey gave a presentation.*

*Adjacent Property Owner Larry Roose gave a presentation.*

*Adjacent Property Owner Jay and Jo Brasington gave a presentation.*

*Chairman B. Delaney closed the public hearing.*

*The Commission deliberated.*

*ADDITIONAL MOTION: After the vote the Commission took the following action: Commissioner Hanrahan moved and Commissioner P. DeLaney seconded to allow the landscaping trees and columns to remain (Vote Carried 5-0).*

*Chairman B. Delaney recognized Adjacent Property Owner Jay Brasington who spoke to the matter.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission deny Petition 190SVA-97 PB. Plan Board vote 5-0*

*Staff to Plan Board - Deny*

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

**970921**

### **Quasi-judicial Plan Board Meeting**

*Planning Manager Ralph Hilliard gave a presentation.*

*Chairman B. Delaney suggested the City Manager, City Attorney and the Clerk of the Commission meet and formulate concerns regarding the quasi-judicial process.*

*Commissioner Hanrahan would like the following clarified: 1) what can and what*

*cannot be submitted the night of the hearing, written materials and/or photographs; 2) ex parte communication options, what other counties and cities do; and 3) Staff provide both sides of the issue.*

*Commissioner P. DeLaney suggested that presenters get all the time needed to complete presentations.*

**RECOMMENDATION** *The City Commission provide the Development Review Board and the City Plan Board with a list of problems associated with the quasi-judicial process.*

**This matter was Discussed**

## **Development Review Board Petitions**

## **Unfinished Business**

## **Commission Comment**

## **Domestic Partners Benefits (NB)**

*Chairman B. DeLaney wanted to clarify when the Domestic Partners Benefits Program should be discussed and suggested that the City Manager and the General Manager for Utilities work on the issue and come back to the Commission when completed with an interim report, rather than be scheduled for the April 20, 1998 Special Meeting.*

*Commissioner P. DeLaney suggested that the issue might be referred to the Personnel and Organizational Structure Committee.*

*Commissioner P. DeLaney moved and Commissioner Hanrahan seconded to ask the City Manager, the General Manager for Utilities to return to the City Commission with an interim report at their earliest convenience with the intent to refer the whole issue to the Personnel and Organizational Structure Committee (Motion Carried 5-0).*

**970937**

## **College Park/University Heights Neighborhood Parking Issue**

**RECOMMENDATION** *The City Commission refer the issue to the Public Works Committee.*

**A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Calkins, that this matter be Assigned to the Public Works Committee, due back on August 23, 1998. The motion carried unanimously.**

## **Citizen Comment**

**Adjournment - 11:53pm**

---

Kurt M. Lannon, Clerk of the Commission