

City of Gainesville

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



Meeting Minutes

Monday, July 23, 2001

1:00 PM

City Hall Auditorium

City Commission

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

CALL TO ORDER - 1:02 PM**INVOCATION**

PASTOR KENNETH BABIN
First Lutheran Church of Gainesville
1801 NW 5th Avenue
Gainesville, FL 32603

ROLL CALL

Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

CONSENT AGENDA

*Commissioner John R. Barrow moved and Commissioner Chuck Chestnut seconded to adopt the Consent Agenda with the following modification:
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

MODIFICATION:

FILE NO: - 001090 - CRA Item - Third Amendment to the Commerce Project Development Agreement - (Move to Regular Agenda)

CITY MANAGER, CONSENT AGENDA ITEMS

001586 **FY 2002 Annual Action Plan (Application) for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds. (B)**

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to prepare and submit the FY 2002 Annual Action Plan (Application), including all understandings and assurances contained therein, to the U.S. Department of Housing and Urban Development (HUD) for financial assistance under the Community Development Block Grant (CDBG) Program and HOME Investment Partnerships (HOME) Program and to act on behalf of the City of Gainesville in all matters pertaining to the CDBG and HOME Programs; and 2) authorize the City Manager to execute subrecipient agreements with those outside agencies that are designated to receive FY 2002 CDBG and HOME funding, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

001595 Industrial Zoning Consultant Services (B)

RECOMMENDATION *Authorize the City Manager to spend up to \$25,000 from the City Commission Contingency Fund to hire a consultant.*

This Matter was Approved as Recommended on the Consent Agenda.

001596 Revision of Speed Limit Ordinance (NB)

RECOMMENDATION *The City Commission authorize the City Attorney to draft the appropriate revision to City Code of Ordinances Section 26-27.*

This Matter was Approved as Recommended on the Consent Agenda.

001597 Funding for Lease Vehicles for GPD Drug Enforcement Administration Task Force Officers (NB)

RECOMMENDATION *The City Commission authorize the City Manager to execute a two-year lease contract with Mears Motor Leasing of Orlando, Florida for the lease of three vehicles for the DEA Task Force in an amount not to exceed \$35,640.00, subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

001598 First Extension to the Contract to Provide Limerock Materials and Services (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the first extension to the contract for FY 2002 to Limestone Products, Inc., to provide materials and services used for roadway base construction and stabilization.*

This Matter was Approved as Recommended on the Consent Agenda.

001599 Second Extension to the Contract to Provide Asphalt Materials and Services (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the second extension to the contract for FY 2002 to V. E. Whitehurst & Sons, Inc., as primary supplier for asphaltic concrete plant mix.*

This Matter was Approved as Recommended on the Consent Agenda.

001600 Second Extension to the Contract to Provide Asphalt Materials and Services (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the second extension to the contract for FY 2002 to John C. Hipp Construction Equipment Company as primary supplier for in-place asphalt and other materials and services and secondary supplier for picked up plant mix.*

This Matter was Approved as Recommended on the Consent Agenda.

001611 Annexation of North Florida Regional Doctors Office Park, Lot 3 (B)

RECOMMENDATION *The City Commission: 1) receive the petition for annexation; and make findings that it contains the signature of the property owners; 2) direct the City Manager to analyze the area, and produce an Urban Services Report; and 3) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the adoption of an urban services report and annexation of the area.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**001613 Contract for Professional Services (NB)**

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with J&D Trading, as a specified supplier, to provide professional consulting services associated with the current and future state of Florida's natural gas supply and transportation activities, the development of alliance strategies and projected natural gas pipeline construction, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to J&D Trading in an amount not to exceed \$35,000.*

This Matter was Approved as Recommended on the Consent Agenda.

001614 Roof Replacement - Deerhaven Generating Station Administration Building (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Perry Roofing, Inc. for the replacement of the Deerhaven Generating Station's*

Administration Building roof, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Perry Roofing, Inc., in the amount of \$44,500.00.

This Matter was Approved as Recommended on the Consent Agenda.

001615 Release of Easement at Lil' Champ, 3500 SW 34th Street (B)

RECOMMENDATION *The City Commission: 1) approve the release of a public utilities easement to Lil' Champ Food Stores, Inc.; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, 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

001591 WOODLAND PARTNERS, INC. V. CITY OF GAINESVILLE; ALACHUA COUNTY CIRCUIT CASE NO. 01-01-CA-2286 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Woodland Partners, Inc. v. City of Gainesville; Alachua County Circuit case no. 01-01-CA-2286.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

ADVISORY BOARD AND COMMITTEE CONSENT

001601 Resignation - Pleasant Street/Fifth Avenue Task Force (B)

RECOMMENDATION *The City Commission accept the resignation of member Joseph W. Davis from the Pleasant Street/Fifth Avenue Task Force effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

001628 Appointment - University Ad-Hoc/Finance (NB)

RECOMMENDATION *The City Commission appoint James Patton to an opening on the University Ad-Hoc/Finance Committee.*

*Commissioner John Barrow - James Patton
Commissioner Chuck Chestnut - James Patton
Commissioner Warren Nielsen - James Patton
Mayor-Commissioner Pro Tem Pegeen Hanrahan - James Patton
Mayor Tom Bussing - Thelma P. Carlisle*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC WORKS COMMITTEE, CONSENT

PERSONNEL & ORGANIZATIONAL STRUCTURE COMMITTEE CONSENT

001623 Advisory Boards and Committees (NB)

RECOMMENDATION *Personnel & Organizational Structure Committee recommends the City Commission approve the gathering of information by the P & O on current City Board and Committee structures and processes.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT

AUDIT & FINANCE COMMITTEE, CONSENT

RECREATION AND CULTURAL AFFAIRS COMMITTEE, CONSENT

COMMUNITY REDEVELOPMENT AGENCY CONSENT

CRA CONSENT ITEM # 001090 - "Third Amendment to the Commerce Project Development Agreement" - was moved to the Regular Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

001590 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of June 18, 2001, July 2, 2001 and July 9, 2001 as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Barrow, 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, John R. Barrow and Tom Bussing

Absent: Pegeen Hanrahan

ADOPTION OF THE REGULAR AGENDA

*Commissioner John R. Barrow moved and Commissioner Chuck Chestnut seconded to approve the Regular Agenda with the following modification:
(VOTE: 4-0, Mayor-Commissioner Pro Tem Pegeen Hanrahan - Absent)*

MODIFICATION:

*NEW ITEM - FILE NO: - 001639 - City Manager Category - Federal LECFTF
Funding for Juvenile Assessment Center.*

CLERK OF THE COMMISSION

001625 City Commission Special Meetings (NB)

AMENDMENT: Item 1) of the recommendation, add "Land Use and Transportation Elements" before "Comprehensive Plan"; and Item 2) "reschedule the August 30, 2001 Budget Session to August 29, 2001 at 6:00 PM" instead of "discuss rescheduling".

RECOMMENDATION *The City Commission: 1) Schedule a special meeting on the Land Use and Transportation Elements of the Comprehensive Plan for August 22, 2001 at 6:00 PM. The Community Development Department has recommended holding this meeting in the GRU Multi-Purpose Room; 2) discuss rescheduling the August 30, 2001 Budget Session to August 29, 2001 at 6:00 PM; 3) schedule the GRU Rate Workshop for September 17, 2001 at 6:00 PM; and 4) schedule a special meeting regarding Industrial Zoning Code Changes for October 29, 2001 at 6:00 PM.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Tom Bussing
Absent: Pegeen Hanrahan

CITY MANAGER

001369 Courthouse Parking Garage (B)

City of Gainesville Transportation Manager Brian Kanely, Community Development Director Tom Saunders, Rolando Llanes of the Corradino Group and Gregory Slaybaugh of Wilbur Smith Associates gave presentations.

NOTE: Mayor-Commissioner Pro Tem Pegeen Hanrahan entered the meeting room

at 1:12 PM.

MOTION: The City Commission approve the proposed location of Lot 10, Option 1A and the recommended configuration without levels designated at this time.

Chair Tom Bussing recognized Citizens Ken McGurn and Liz Fetty who spoke to the matter.

RECOMMENDATION *The City Commission: 1) hear a presentation by City staff and the City's consultant on options for location of the Courthouse Parking Garage; and 2) approve a location for the parking facility.*

A motion was made by Commissioner Barrow, 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, John R. Barrow and Tom Bussing

001602 Report on the Proposed Operating Plan for the Newly Renovated Wilhelmina Johnson Resource Center (B)

City of Gainesville Cultural Affairs Director Dr. Lemuel Moore and Assistant City Manager Carl Harness gave presentations.

Chair Tom Bussing recognized Citizen Nkwanda Jah who spoke to the matter.

RECOMMENDATION *The City Commission hear a brief report by Cultural Affairs staff.*

Discussed

001112 Update on the Alachua County Forever and Florida Communities Trust Grant Applications for 2001 (B)

Recreation and Parks Nature Operations Director Steve Phillips gave a presentation.

MOTION: The City Commission directed staff to submit the three FCT applications indicating a 40% match for Little Hatchet Creek; a 60% match for Beville Creek and Sugarfoot Sink with the funding source as Alachua County Forever and any property owner discounts that can be obtained.

RECOMMENDATION *Hear an update from staff and provide direction on which FCT grants to apply for and their level of funding match.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001603 Geographic Information System (GIS) (NB)

City of Gainesville Public Works Director Teresa Scott, Sr. Engineering Technician Kersandras Hightower and GPD Crime Analyst Elaine Posey gave presentations.

RECOMMENDATION *The City Commission hear report from staff.*

Discussed

001612 Southwest Area Annexation (B)

City of Gainesville Strategic Planner Heidi Lannon gave a presentation.

Chair Tom Bussing recognized University of Florida Student Government Lobby Director Natalie Hanan and Citizen Jim Konish who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation and take action as deemed appropriate.*

Discussed

RECESS: 5:04 PM

NOTE: FILE NO: 001617 - Update on Acquisition of MCB Oil - The meeting recessed during this discussion and the item was continued to the 6:00 PM portion of the agenda.

Also note that the remainder of the afternoon items were continued to the 6:00 PM portion of the agenda.

RECONVENE - 5:33 PM**GENERAL MANAGER FOR UTILITIES****CITY ATTORNEY****CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC WORKS COMMITTEE****PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE**

PUBLIC SAFETY COMMITTEE

RECREATION AND CULTURAL AFFAIRS COMMITTEE

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS (if time available)

CITIZEN COMMENT (5:30pm)

Vivian Filer

Springhill 2nd Annual Festival

Saul Silber

Landlord Licensing Issue See following item: 001642.

001642 Landlord License Permitting (NB)

RECOMMENDATION *The City Commission request staff to research the impact of exempting certain properties from obtaining a landlord licensing permit.*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on January 23, 2002. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Vincent Mallet

- 1. GPD Issues*
- 2. Citizen Comment time period*

Bonnie O'Brian

Comprehensive Plan Issues & Wetlands

Francine Robinson

*Comprehensive Plan Issues - Conservation Element***LeRoy Bogan***City Retirement Issues - Referred to City Manager***Dr. Carol Lippincott***Pine Beetle Issue**NOTE: Citizen Comment was continued in order to have the Pledge and the Proclamations.***COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (6:00pm)****TROOP #84, Howard Eckenrode, Troop Representative****PROCLAMATIONS/SPECIAL RECOGNITIONS****001618 National Clown Week - August 1-7, 2001 (B)**

RECOMMENDATION *Gainesville Sunshine Clown President Tish "Sunshine" Benton, Vice President Janel "Flaky" Rodel, Secretary Mary "Giggles" Bennett, Treasurer Pat "Tootie" Dean, Education Director Jim "Rusty" Gorgans and Historian Nancy "Sonny" Jacks to receive the proclamation.*

Heard**001619 11th Anniversary of the Americans with Disabilities Act - July 26, 2001 (B)**

RECOMMENDATION *City of Gainesville Interim Equal Opportunity Director Jimmie Williams to accept the proclamation.*

Heard**001620 National Night Out Against Crime 2001 (B)**

RECOMMENDATION *City of Gainesville Police Chief Norman B. Botsford to accept the proclamation.*

Heard**CITIZEN COMMENT - (continued)****DIAN DEEVEY**

Comprehensive Plan Issues - Conservation Workshop Format

Paula Stahmer

1. *Comprehensive Plan Issues*
2. *Written Statement requested before Thursday's workshop.*

001645**Comprehensive Plan Request for Clarifying Statements (B)**

RECOMMENDATION *The City Commission hear a presentation from Paula Stahmer and place letter submitted on file.*

Placed on File

Jim Konish

1. *Environmentally significant land*
2. *Home Depot Annexation Issue*

David Welch

DOT Sediment Retention Basin/34th Street & Newberry Rd.

See following item# 001640.

001640**DOT Sediment Removal Basins (NB)**

RECOMMENDATION *The City Commission: 1) authorize the Mayor to write a letter to DOT District Two Secretary Aage E. Schroder, P.E. regarding the aesthetic impacts and tree cover impacts of sediment removal basins on Newberry Rd. and 34th Street; 2) ask DOT to work closely with City staff regarding these issues; and 3) possibly request a public meeting/and or delay in constructing these basins.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

Anne Barkdoll

Pine Beetle Issue

PUBLIC HEARINGS**001605 Proposed Use of U. S. Department of Justice Local Law Enforcement Block Grant Funds (B)**

City of Gainesville Police Chief Norm Botsford and Captain Sadie Darnell gave a presentation.

MOTION: Approve the City Manager's recommendations and authorize the City Manager to make application and sign the appropriate documents.

RECOMMENDATION *The City Commission: 1) hold a public hearing regarding the City's proposed use of funds awarded under the Local Law Enforcement Block Grants Program, established within the Bureau of Justice Assistance under the Fiscal Year 1996 Omnibus Appropriations Act (Public Law 104-134), 2) hear a report from staff on the City's proposed use of these funds, and 3) receive written and oral public input about the local government's entire budget and the relation of the grant to the entire budget.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**ORDINANCES 2ND READING- ROLL CALL REQUIRED****001385 GENERAL EMPLOYEES PENSION PLAN (B)****ORDINANCE NO. 0-01-36**

An ordinance of the City of Gainesville, Florida, amending Division 5 of Chapter 2 of the Code of Ordinances of the City of Gainesville relating to the General Employees Pension Plan; relating to final average earnings; 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 Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001462 BUDGET AMENDMENT FY 2000-2001 (B)

ORDINANCE NO. 0-01-31

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, 2000 AND ENDING SEPTEMBER 30, 2001; AMENDING ORDINANCE NOS. 000366 AND 001018, BY MAKING CERTAIN ADJUSTMENTS TO THE GENERAL FINANCIAL AND OPERATING PLAN BUDGET; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Nielsen, 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: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

RESOLUTIONS- ROLL CALL REQUIRED

001593 RESOLUTION TO ESTABLISH A PROPOSED MILLAGE RATE (B)

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 2001-2002 fiscal year; establishing a proposed millage rate; establishing a public hearing; providing for notice to the Alachua County Property Appraiser; providing an immediate effective date.

City of Gainesville Office of Management and Budget Director Becky Rountree gave a presentation.

NOTE: Millage Rate for 2001-2002 is 4.9416 mills.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001594 RESOLUTION TO APPROVE A PROPOSED TENTATIVE GENERAL GOVERNMENT FINANCIAL AND OPERATING PLAN (B)

A Resolution of the City Commission of the City of Gainesville, Florida; relating to its General Government Budget for the 2001-2002 Fiscal Year; approving a Proposed Tentative General Financial and Operating Plan budget; providing an immediate effective date.

City of Gainesville Office of Management and Budget Director Becky Rountree gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

CITY MANAGER ITEMS (continued)

001617 Update on Acquisition of MCB Oil Property for Proposed Depot Stormwater Park and RTS Parking (NB)

Rita Jameson of Santangini Appraisals gave a presentation.

Chair Tom Bussing recognized Citizen Jim Konish, MCB Oil Representative Diana Vogel, MCB Oil Property Owner Don McBride and Attorney Ralph McBride who spoke to the matter.

NOTE: This item was continued from the afternoon portion of the agenda.

RECOMMENDATION *The City Commission discuss the status of the negotiations and take appropriate action.*

Discussed

RESOLUTIONS- (continued)

001626 Eminent Domain - MCB Oil Property (B)

Chair Tom Bussing recognized Citizens Vivian Filer, Janet Krischer and Brad Guy who spoke to the matter

RECOMMENDATION *The City Commission: 1) approve the resolution authorizing condemnation of 13.69 acres of property located in the East Depot Avenue area and referred to as parcel number 99-12-01, a total of tax parcel numbers 15704-007-000 and*

15706-001-000; 2) authorize the City Manager or designee to execute any applications, agreements, or other related documents and take any action necessary to complete the eminent domain process; and 3) authorize the City Attorney to initiate and pursue eminent domain proceedings to acquire title to parcel 99-12-01 and take any other necessary legal action associated with or arising out of eminent domain proceedings, including authorization to accomplish the acquisition by settlement and compromise.

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, John R. Barrow and Tom Bussing
Abstain: Pegeen Hanrahan

PLAN BOARD PETITIONS

001606 **Petition 56SVA-01PB. (Quasi-Judicial) The City Commission of the City of Gainesville. Pursuant to Section 30-192(b), City of Gainesville Land Development Code, to close, vacate and abandon, that portion of Southwest 1st Street located between Southwest 2nd Avenue and Southwest 3rd Avenue and Southwest 2nd Place located between South Main Street and Southwest 2nd Street. (B)**

City of Gainesville Planning Manager Ralph Hilliard, Agent for the Petitioner Rory Causseaux and DLR Group Architect Michael LeBuff gave presentations.

Chair Tom Bussing recognized Citizen Melanie Barr who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 56SVA-01 PB, with conditions. Plan Board vote 5-0*

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Chestnut, that this matter be Approved as Recommended, with Conditions (Petition). The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001607 **Petition 57PDV- 01 PB, (Quasi-Judicial) Rory P. Causseaux, P.E., agent for Alachua County Board of County Commissioners. Rezone property from CCD (Up to 150 units/acre central city district) to PD (planned development district) with associated development layout plan review for construction of an Alachua County Courts Complex. Located between Southwest 2nd Avenue and Southwest 4th Avenue and between South Main Street and Southwest 2nd Street. (B)**

City of Gainesville Planning Manager Ralph Hilliard, Agent for the Petitioner Rory

Causseaux and DRL Group Architect Michael LeBuff gave presentations.

Chair Tom Bussing recognized Citizen Melanie Barr who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 57PDV-01 PB, with staff conditions. Plan Board vote 5-0.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001608

Petition 58SPL-01 PB. Rory P. Causseaux, agent for Alachua County Board of County Commissioners. Development plan review for construction of a criminal courthouse facility. Zoned: CCD (central city district). Located between Southwest 2nd Avenue and Southwest 4th Avenue and between South Main Street and Southwest 2nd Street.

RECOMMENDATION *City Plan Board to City Commission - The City Commission review the development plan for Petition 58SPL-01 PB in conjunction with Petitions 56SVA-01 PB and 57PDV-01 PB. Plan Board vote 5-0.*

Heard

001609

Petition 32ZON-01 PB. City Plan Board. Amend the City of Gainesville Land Development Code by overlaying the historic preservation/conservation district on property zoned RMF-5 (12 units/acre single-family/multiple-family residential district), RH-1 (8-43 units/acre residential high-density district), and MU-1 (10-30 units/acre mixed-use low intensity). Generally bounded on the north by Northwest 4th Avenue, on the east by Northwest 7th Street, on the south by Northwest 1st Avenue and on the west by Northwest 12th Drive. (B)

City of Gainesville Planning Manager Ralph Hilliard, Historic Preservation Planner Dee Henrichs and Community Development Director Tom Saunders gave presentations.

Chair Tom Bussing recognized College View Apartments representative David Materna, Citizens Ellen Smith, Robert Pearce, W.C. Woodbury, Bruce DeLaney, Tom McKercher, Reid Fogler, Trimark Properties representative John Fleming, Ricardo Cavallino, Bob Mitchell, Melanie Barr and Anita Heard who spoke to the matter.

NOTE: Items 001609 and 001610 were considered together

NOTE: Mayor-Commissioner Pro Tem Pegeen Hanrahan moved to extend the meeting until 11:15 PM. There was no objection from the Commission.

NOTE: The meeting was extended until 11:30 without objection.

RECOMMENDATION City Plan Board to City Commission - The City Commission deny Petition 32ZON-01 PB. Plan Board vote 4-2

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, that this matter be Continued (Petition) for October 8, 2001. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

001610

Petition 33ZON-01 PB. City Plan Board. Amend the City of Gainesville Land Development Code by overlaying the historic preservation/conservation district on property zoned RH-1 (8-43 units/acre residential high density district), RH-2 (8-100 units/acre residential high density district), OR (20 units/acre office residential district), OF (General office district) and MD (Medical services district). Generally bounded on the north by an alleyway located north of Southwest 1st Avenue, on the east by Southwest 9th Street, on the south by Southwest 7th Avenue and on the west by Southwest 12th Street. (B)

City of Gainesville Planning Manager Ralph Hilliard, Historic Preservation Planner Dee Henrichs and Community Development Director Tom Saunders gave presentations.

Chair Tom Bussing recognized College View Apartments representative David Materna, Citizens Ellen Smith, Robert Pearce, W.C. Woodbury, Bruce DeLaney, Tom McKercher, Reid Fogler, Trimark Properties representative John Fleming, Ricardo Cavallino, Bob Mitchell, Melanie Barr, and Anita Heard who spoke to the matter.

NOTE: Item 001609 and 001610 were considered together.

NOTE: Mayor-Commissioner Pro Tem Pegeen Hanrahan moved to extend the meeting until 11:15 PM. There was no objection from the Commission.

NOTE: The meeting was extended until 11:30 without objection.

RECOMMENDATION City Plan Board to City Commission - The City Commission deny Petition 33ZON-01 PB. Plan Board vote 4-2

A motion was made by Mayor-Commissioner Pro Tem Hanrahan, seconded by Commissioner Nielsen, that this matter be Continued (Petition) for October 8, 2001. The motion carried by the following vote:

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

001627 Time Extension for Industrial Moratorium (B)

RECOMMENDATION *The City Commission extend the moratorium deadline to December 13, 2001 and authorize the City Attorney to draft and the Clerk of the Commission to advertise the appropriate ordinance.*

A motion was made by Mayor-Commissioner Pro Tem 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, John R. Barrow and Tom Bussing

001604 Metropolitan Transportation Planning Organization (MTPO) (NB)

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

NOTE: The meeting was extended to 11:35 PM without objection.

RECOMMENDATION *The City Commission hear a report from staff regarding the August 2, 2001 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

001639 Federal LECFTF Funding for Juvenile Assessment Center (NB)

RECOMMENDATION *The City Commission approve the appropriation and expenditure of an amount not to exceed \$12,500 from the Federal Law Enforcement Contraband Forfeiture Trust Fund, payable to the Florida Office of the Department of Juvenile Justice, Juvenile Assessment Center, for the funding of Juvenile Assessment Center security services.*

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**001629 Appointment - Safe Space Task Force (B)**

MOTION: Readvertise for applicants for the Safe Space Task Force and include the 18 applicants that have already applied for consideration.

RECOMMENDATION *The City Commission appoint K. Richard Blount, Arupa Chiarini Freeman, Edwardd Clark, John F. (Jack) Donovan,*

Marie Gignilliat, Sallie Ann Harrison, Joe Jackson, Anne Orlando, Bill Richards, Donna Summerall and Ray Washington to openings on the Safe Space Task Force and select six additional applicants to serve.

Commissioner John Barrow - K. Richard Blount, Arupa Chiarini Freeman, John F. (Jack) Donovan, Marie Gignilliat, Sallie Ann Harrison, Joe Jackson, Anne Orlando, Bill Richards, Mary C. Schunk, Jean A. Strating and Donna Summerall

Commissioner Chuck Chestnut - Readvertise

Commissioner Warren Nielsen - K. Richard Blount, Arupa Chiarini Freeman, Edward Clark, John F. (Jack) Donovan, Marie Gignilliat, Sallie Ann Harrison, Joe Jackson, Debbie Martinez, Anne Orlando, Bill Richards and Ray W. Washington

Washington

Mayor Commissioner Pro Tem Pegeen Hanrahan - K.

Richard Blount, Arupa Chiarini Freeman, Edward Clark,

John F. (Jack) Donovan, Marie Gignilliat, Sallie Ann

Harrison, Joe Jackson, Anne Orlando, Bill Richards, Jean A.

Strating and Ray W. Washington

Mayor Tom Bussing - Edward Clark, John F. (Jack) Donovan,

Sallie Ann Harrison, Joe Jackson, Debbie Martinez, Anne

Orlando, Bill Richards, Geralyn Ryan, Mary C. Schunk,

Donna Summerall and Ray W. Washington

A motion was made by Mayor-Commissioner Pro Tem 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, John R. Barrow and Tom Bussing

001630

Appointment - University Ad-Hoc/Code Enforcement (B)

The City Commission appoint Lynn DeBusk to the University Ad-Hoc/Code Enforcement Committee.

RECOMMENDATION

The City Commission make an appointment to an opening on the University Ad-Hoc/Code Enforcement Committee.

Commissioner John Barrow - Lynn DeBusk

Commissioner Chuck Chestnut - Sal J. Locascio

Commissioner Warren Nielsen - Lynn DeBusk

Mayor Commissioner Pro Tem Pegeen Hanrahan - Lynn DeBusk

Mayor Tom Bussing - Lynn DeBusk

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

Votes: Aye: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Tom Bussing

AUDIT AND FINANCE COMMITTEE**001622 Water/Wastewater Connection Fee Surcharge (NB)**

NOTE: The meeting was extended to 11:40 without objection.

RECOMMENDATION *The City Commission: 1) Authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Chapter 27, of the Gainesville Code of Ordinances by adding language to apply a surcharge equal to twenty-five (25) percent to water and wastewater connection charges on new development connecting to the city's water or wastewater system outside the corporate limits of the City; providing for a repealing clause; providing for a severability clause; and, providing an effective date in accordance with the schedule provided herein; and 2) designate that half of the revenues from the surcharge on water and wastewater connection charges be accounted for in General Government funds for the purpose of assisting in the expansion of water, wastewater and reclaimed water facilities in the incorporated areas of the City of Gainesville within Gainesville Regional Utilities service area.*

A motion was made by Mayor-Commissioner Pro Tem 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, John R. Barrow and Tom Bussing

COMMUNITY REDEVELOPMENT AGENCY**001090 Third Amendment to the Commerce Project Development Agreement (B)**

Community Redevelopment Agency Manager Karen Slevin and Public Works Transportation Manager Brian Kanely gave presentations.

NOTE: Commissioner John R. Barrow declared a conflict of interest.

NOTE: The meeting was extended to 11:45 without objection.

RECOMMENDATION *The CRA to the City Commission: Approve the amendment to the Commerce Project Development Agreement.*

A motion was made by Mayor-Commissioner Pro Tem 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 Tom Bussing
Abstain: John R. Barrow

COMMISSION COMMENT

CHUCK CHESTNUT

Florida League of Cities - Florida State Retirement System - Referred to the City Manager

WARREN NIELSEN

See following item # 001641.

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:51 PM

Kurt M. Lannon, Clerk of the Commission