

# City of Gainesville

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



## **Minutes - Draft**

**Wednesday, February 26, 2014**

**3:00 PM**

**City Hall, Ground Floor, Room 16**

## **Public Safety Committee**

*Commissioner Yvonne Hinson-Rawls, Chair  
Commissioner Lauren Poe, Member  
Commissioner Todd Chase, Member*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER****ROLL CALL****ADOPTION OF THE AGENDA**

Adopted as submitted.

**APPROVAL OF MINUTES****130728. Approval of December 12, 2013 Public Safety Committee Meeting Minutes (B)****RECOMMENDATION**

*The Public Safety Committee approve the minutes of the December 12, 2013 meeting minutes as submitted.*

Approved as Recommended

**DISCUSSION OF PENDING REFERRALS****130679. E-Cig and Clean Air (B)****RECOMMENDATION**

*The Committee hear a presentation and take action as appropriate.*

Kathy Nichols from the University of Florida gave a presentation on electronic cigarettes. The e-cigarettes came into existence in 2007 and continue to increase in popularity. There are wide range concerns regarding behavioral modification. People often believe there are no negative health effects, but the smokers are still receiving nicotine into their lungs and on their skin. Currently the e-cigarettes are not Federally regulated. The FDA attempted to prohibit the products from coming into the USA, but the attempt failed.

Alachua County recently passed a e-cigarette ordinance on the sale and use of e-cigarettes and liquid nicotine, specific to the unincorporated areas of the county. The County Ordinance specifies 1) sale of e-cigarettes to minors is prohibited; 2) use of an e-cigarette where smoking is prohibited; and 3) self-service merchandising is prohibited.

The Public Safety Committee discussed mirroring the County's Ordinance on e-cigarettes. Police Chief Tony Jones recommended adding wording to cover minors who are found in possession of the e-cigarettes, not just the purchase; "sale and possession by minors."

The Committee voted 2-1 to forward their recommendation to the full City Commission and to request approval to move forward in authorizing the City Attorney's Office to draft wording to reflect the County's Ordinance regulating e-cigarettes, adding the language request by Chief Jones.

**130521. Noise Permits in Residential Areas (NB)**

**RECOMMENDATION**

*The Public Safety Committee discuss whether the City Noise Ordinance should be amended to restrict noise permits being issued in residential neighborhoods.*

Assistant City Manager Paul Folkers and GPD Lieutenant Brian Helmersen have been working with businesses and residents in the entertainment districts to get their input and questions regarding enhancing the City's Noise Ordinance to create a balance with both sides of the issue. Issuing special permits for any event does not keep the event from being cited or shut down because of the noise. Among the suggestions by City staff are extending the distance the noise can be heard from 200 feet to 300 feet and shortening the hours of operation from 2:00 a.m. to 1:30 a.m.

The City will need to consider when citizens apply for special permits, should we restrict them in neighborhoods. The Ordinance currently restricts over 7 decibels and a 1:00 a.m. close time. The current Noise Ordinance is under review for other issues at this time.

Assistant City Attorney Lee Libby stated that there are no special permits for private parties in residential areas. They must have access to the public or on public property.

It was agreed that GPD will no longer issue special permits in residential areas; and as the amendments to the Noise Ordinance are made, wording will be added to address residential areas. An additional meeting with residents and businesses is being scheduled for mid-March.

This item will be kept in Committee pending an update from staff as appropriate.

**130499. Strategic Initiative 3.6 - Address need for violence prevention and mental health services (B)**

**RECOMMENDATION**

*The Public Safety Committee receive an update on GPD efforts on this Strategic Initiative.*

Police Chief Tony Jones gave an update on the initiative he has put into place for officers to receive mental health training. All GPD officers will receive the training in the coming months. As officers advance in rank, they receive more advanced training to enable them to handle situations with suspects with mental health issues in a more knowledge manner.

**130730. Review Outstanding Referrals (B)**

**RECOMMENDATION**

*The Public Safety Committee review the pending referral list for the Committee and discuss the timeline for discussion of the items.*

A brief update was given by Assistant City Manager Paul Folkers on each item on the Public Safety Committee referral list.

The members of the Committee voted 3-0 to request removal of the following items from the Public Safety Committee referral list: 1) 130679 - E-Cigarettes and Clean Air; 2) 120508 - Creating Buffer Zones Around Medical Clinics; 3) 120510 - Speeding on NW 31st Drive; 4) 120349 - Vehicles Speeding in Neighborhoods; 5) 110382 - Outdoor Concerts; and 6) 110683 - Alcohol Sales



and Consumption Outdoors Downtown.

These items will be submitted to the Clerk of the Commission's Office during the next Referral Update.

## **MEMBER COMMENT**

Commissioner Chase expressed concern about the issues some law enforcement agencies are having with their tasers. He asked the status on GPD's tasers. GPD Lieutenant Brian Helmerson said that GPD bought their tasers from the original taser company and have the full backing of that company. There are no issues with GPD tasers.

Commissioner Chase stated the City Commission has received emails from Ultimate Towing regarding their attempt to sell the company. Assistant City Attorney Lee Libby informed the Committee that the attorney for Ultimate Towing wants the City to give them legal advise, which they cannot give. The individual is buying the roam towing part of the towing company.

Commissioner Chase asked for clarification on the COPS Grants and the hiring of five officers for the North Florida Regional Medical Center's new Mental Health Facility. He does not consider this a good use of the City's hiring freeze if vacancy positions are available within the department. Chief Jones said this would help fill the deficit gap for 2015 his department will experience. We hire good officers with good training and they are sought by other agencies, so we will always have vacancies. GPD will lose many positions soon with officers coming out of the DROP. For both GPD and GFR the lag time between hiring a public safety employee and the time the employee is solo is nine months. Deputy Fire Chief Jeff Lane commented that GFR has 9-11 frozen positions at this time. They have to fill the lapse with overtime in order not to affect public safety service levels. Commissioner Chase plans to ask the City Manager for a five year attrition study and possibly discuss whether the City Commission needs to develop a policy to hiring public safety positions when they are vacant. Mr. Folkers stated that hiring freezes are used to close financial gaps. Public Safety doesn't usually take hits, but may have to this year. GPD is estimated to have a \$1 million deficit in 2015 and GFR \$500,000.

Commissioner Chase also asked Chief Jones about gang initiatives. Chief Jones said there is an increase in gang activity in the city. There are 900 known gang members recorded, with 4 known gang groups in the city and 6 in the county. Gang activity has picked up in schools, with the latest at the Horizon School where 12 kids were arrested. GPD's Gang Unit received a request to assist UPD with gang issues at P.K. Young. He is currently going in to neighborhoods and meeting with churches, community leaders, and citizens about the gang situation. Gangs recruit new members by forcing them with fear of being beaten up if they refuse to join. They use very aggressive tactics.

Commissioner Hinson-Rawls asked about programs such as Pop Warner Sports. Many youth sports and school after school activities have been cut due to budget cuts.

## **CITIZEN COMMENT**

None.

### **NEXT MEETING DATE**

The next scheduled meeting is **March 26, 2014 at 3:00 P.M.**

### **ADJOURNMENT**

The meeting adjourned at 5:15 p.m.