

City of Gainesville

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



Meeting Minutes

Monday, February 23, 2004

1:00 PM

City Hall Auditorium

City Commission

*Mayor Tom Bussing (At-Large)
Commissioner Warren Nielsen (At Large)
Commissioner Rick Bryant (At Large)
Mayor-Commissioner Pro Tem Chuck Chestnut (District 1)
Commissioner Ed Braddy (District 2)
Commissioner Tony Domenech (District 3)
Commissioner Craig Lowe (District 4)*

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 48 hours in advance.

CALL TO ORDER - 1:01 PM

NOTE: The meeting was called to order by Mayor-Commissioner Pro Tem Chestnut.

ROLL CALL

Present: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

INVOCATION**Dr. Scott McGregor, Hare Krishna Center****CONSENT AGENDA**

Commissioner Domenech moved and Commissioner Nielsen seconded to adopt the Consent Agenda with the following modification:

(VOTE: 5-0, Mayor Bussing and Commissioner Braddy - Absent, MOTION CARRIED)

1. File #030968 - City Commission Workshops RE: Energy Conservation- Add another meeting date to the recommendation (April 19, 2004 5:30 PM - Auditorium)

CITY MANAGER, CONSENT AGENDA ITEMS**030946 Bid Award for the Purchase of Digital Cameras and Equipment (B)**

RECOMMENDATION *The City Commission authorize the award of a bid in the amount of \$96,086.43 to Southern Computer for the purchase of digital cameras and equipment.*

This Matter was Approved as Recommended on the Consent Agenda.

020548 First Amendment to Recreation Centers Custodial Services Contract (B)

RECOMMENDATION *The City Commission: 1) approve the First Amendment to the Agreement for Custodial Services between the City of Gainesville and First Choice Cleaning Services to include the new Eastside Center; 2) authorize the City Manager or his designee to execute the First Amendment with First Choice Cleaning Services; and 3) approve a modification to the original contract and purchase order dollar amount from \$60,000 to a new not-to-exceed amount of \$65,000 for FY 04; and an amount not to exceed \$67,000 in FY 05 and*

subsequent years of the remaining contract.

This Matter was Approved as Recommended on the Consent Agenda.

030947 Fee Waiver for Use of the Martin Luther King, Jr. Center for Child Care Resources (B)

RECOMMENDATION *The City Commission approve the fee waiver for Child Care Resources' "Eighth Annual Rally for Children".*

This Matter was Approved as Recommended on the Consent Agenda.

030948 Settlement of Worker's Compensation Claim - Rick L. Watson (NB)

RECOMMENDATION *The City Commission authorize Special Counsel to prepare and execute the appropriate documents for a lump-sum settlement of the Worker's Compensation Claim of Rick L. Watson in the amount of \$105,000.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

030958 Amendment to Contract for Lease Uniforms (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager and City Manager, or their designees, to execute an amendment to extend the contract with Aramark Uniform Services, Inc. for two years for the lease and maintenance of uniforms, subject to the approval of the City attorney as to form and legality, and 2) approve the issuance of purchase orders in amounts not-to-exceed budgeted amounts for these services through February 2006, subject to the final appropriation of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

030957 ALBERT BARNES AND SHERLENE BARNES VS. CITY OF GAINESVILLE AND ALACHUA COUNTY BOARD OF COMMISSIONERS; ALACHUA COUNTY CIRCUIT COURT; CASE NO.: 01-04-CA-385 (B)

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Albert Barnes and Sherlene Barnes vs. City of Gainesville and Alachua County Board of*

*Commissioners; Alachua County Circuit Court; Case No.:
01-04-CA-385.*

This Matter was Approved as Recommended on the Consent Agenda.

030876 EQUAL OPPORTUNITY DIRECTOR EMPLOYMENT CONTRACT (B)

RECOMMENDATION *The City Commission (1) approve the employment of Mr. Jimmie Williams as Equal Opportunity Director pursuant to the terms and conditions set forth in the attached Employment Agreement, and (2) authorize the Mayor to execute the Agreement on behalf of the City and the Clerk to attest thereto.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

030961 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of February 2, 2004 and February 5, 2004 (Special Meetings); and February 9, 2004 (Regular Meeting); as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

030962 Regular Member Appointment to the Art In Public Places Trust (NB)

RECOMMENDATION *The City Commission re-appoint Wendy P. Free to the Art in Public Places Trust for term to expire September 30, 2006.
Commissioner Braddy: Free
Commissioner Bryant: Free
Commissioner Chestnut: Free
Commissioner Domenech: Free
Commissioner Lowe: Free
Commissioner Nielsen: Free
Mayor Bussing: Free*

This Matter was Approved as Recommended on the Consent Agenda.

030963 Regular Member Appointment to the Board of Adjustment (NB)

RECOMMENDATION *The City Commission appoint Frederick P. Peterkin to the vacancy for the Board of Adjustment to expire November 1, 2005.*

*Commissioner Braddy: Peterkin
Commissioner Bryant: Peterkin
Commissioner Chestnut: Peterkin
Commissioner Domenech: Peterkin
Commissioner Lowe: Peterkin
Commissioner Nielsen: Peterkin
Mayor Bussing: Peterkin*

This Matter was Approved as Recommended on the Consent Agenda.

030964 Regular Member Appointments to the Citizens' Advisory Committee for Community Development (NB)

RECOMMENDATION *The City Commission appoint Karl M. Soderholm and Thomas M. Stark to the Citizens' Advisory Committee for Community Development for vacancies to expire November 1, 2004.
Commissioner Braddy: Soderholm, Stark and Willard
Commissioner Bryant: Soderholm, Stark and Readvertise
Commissioner Chestnut: Soderholm, Stark and Readvertise
Commissioner Domenech: Soderholm, Stark and Readvertise
Commissioner Lowe: Soderholm, Stark and Readvertise
Commissioner Nielsen: Soderholm, Stark and Readvertise
Mayor Bussing: Soderholm, and Readvertise*

This Matter was Approved as Recommended on the Consent Agenda.

030965 Regular Member Appointment to the Development Review Board (NB)

RECOMMENDATION *The City Commission appoint Laura L. Collopy to the Development Review Board for vacancy to expire November 1, 2005.
Commissioner Braddy: Collopy
Commissioner Bryant: Collopy
Commissioner Chestnut: Collopy
Commissioner Domenech: Collopy
Commissioner Lowe: Collopy
Commissioner Nielsen: Collopy
Mayor Bussing: Collopy*

This Matter was Approved as Recommended on the Consent Agenda.

030966 Regular Member Appointments to the Gainesville/Alachua County Cultural Affairs Board (NB)

RECOMMENDATION *The City Commission appoint Nona C. Collins and Deborah H. Howard to the Gainesville/Alachua County Cultural Affairs Board for terms to expire September 30, 2006.*

*Commissioner Braddy: Collins and Howard
Commissioner Bryant: Collins and Howard
Commissioner Chestnut: Collins and Howard
Commissioner Domenech: Collins and Howard
Commissioner Lowe: Collins and Howard
Commissioner Nielsen: Collins and Howard
Mayor Bussing: Collins and Howard*

This Matter was Approved as Recommended on the Consent Agenda.

030968 City Commission Workshops (NB)

RECOMMENDATION *The City Commission schedule workshops as follows:*

*New Haven/Norfolk Presentations - March 1, 5:30 PM;
Auditorium*

Future Electric Needs - March 10, 5:00 PM; Auditorium

Renewable Energy - March 22, 6:00 PM; Auditorium

Energy Conservation - April 19, 5:30 PM; Auditorium

This Matter was Approved as Recommended on the Consent Agenda.

EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS

030937 Commerce Project Loan Restructuring (B)

RECOMMENDATION *The CRA request the City Commission: 1) restructure the current Commerce Project Note to a fifteen year note that would carry an interest rate that represents a proxy of the borrowing cost of the City if it were to borrow funds on the open market; 2) that the note be paid from the total Downtown TIF, as proposed by Staff; and 3) authorize the Mayor to execute and the Clerk of the Commission to attest the appropriate documents.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

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

Votes: Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

Absent: Tom Bussing and Edward Braddy

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

NOTE: Mayor Bussing entered the meeting room at 1:03 PM and assumed the gavel.

Commissioner Domenech moved and Commissioner Bryant seconded to adopt the Regular Agenda with the following modifications:

(VOTE: 6-0, Commissioner Braddy - Absent, MOTION CARRIED)

- 1. File #030972 - Phi Beta Sigma - Remove from the Agenda.*
- 2. File # 030975 - Add Black History Month Proclamation.*
- 3. File # 030860 - Revised Goals and Objectives Based on February 16, 2004 City Commission Workshop - (Additional back-up submitted).*

CHARTER OFFICER UPDATES

CLERK OF THE COMMISSION

CITY MANAGER

030949 ARTSREACH Exhibits (NB)

ARTSREACH Coordinator Donna Born Drake gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs.*

Heard

030950 Ranking of Recreational Projects Under the Alachua County County-Wide Recreational Comprehensive Plan to be utilized in the New Half-Cent Sales Tax Initiative (B)

City of Gainesville Recreation and Parks Director Rodney Stokes gave a presentation.

MOTION: 1) Direct staff to forward these rankings to the RCC for inclusion in the County-Wide half-cent sales tax plan as is; and 2) also that operation and maintenance funds be included.

Chair Bussing recognized Alachua County's Recreation Coordinating Committee Chair Jack Hughes who spoke to the matter.

RECOMMENDATION

proposed project rankings from staff; and 2) direct staff to forward these rankings to the RCC for inclusion in the County-Wide half-cent sales tax plan.

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

Votes: Aye: Tom Bussing, Tony Domenech, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

Absent: Edward Braddy

030951 TAXABLE PENSION OBLIGATION BOND INTEREST RATE SWAP (B)

City of Gainesville Finance Director Mark Benton and David Moore of Public Financial Management, Inc. gave presentations.

RECOMMENDATION *The City Commission: 1) hear a presentation from the City's Financial Advisor, Public Financial Management, Inc., 2) authorize the City Manager or his designee to obtain professional services necessary to implement the swap transaction, and 3) authorize the City Manager or his designee, with the advice of the Financial Advisor, to negotiate and when market conditions justify, execute such an interest rate swap agreement.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

Absent: Edward Braddy

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

EQUAL OPPORTUNITY DIRECTOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

MEMBERS OF THE CITY COMMISSION

020567 Mayor Thomas D. Bussing - Quasi-Judicial Hearings: The Jennings Rule (B)

NOTE: Commissioner Braddy entered the meeting room at 2:54 PM.

MOTION: The City Attorney prepare and present to the City Commission a resolution to remove the presumption of prejudice from: 1) Oral ex parte communication with the City Commission; 2) written ex parte communication with the City Commission; and 3) site visits by the City Commission.

RECOMMENDATION *The City Commission take action, by ordinance or resolution, to remove the presumption of prejudice from ex parte communications.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030973 Annual Performance, Salary, and Benefits Review - General Manager for Utilities (NB)

MOTION: The General Manager for Utilities receive a 5% pay increase retroactive to his anniversary date.

RECOMMENDATION *As required by the General Manager for Utilities' employment agreement, the City Commission conduct the annual performance, salary, and benefits review.*

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

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe
Nay: Tom Bussing

COMMISSION COMMENTS

Mayor Tom Bussing

NE 9th Avenue Near Oak Park Facility

See following referral item #030976.

030976 NE 9th Avenue Traffic Calming (NB)

RECOMMENDATION *The City Commission refer the issue of traffic calming on NE 9th Avenue near the Oak Park facility to the Public Works Committee.*

A motion was made by Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Domenech, that this matter be Referred to the Public Works Committee, due back on August 23, 2004. The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

Commissioner Edward Braddy

- 1. Benchmarks and Baselines*
- 2. Housing Opportunity Index*
- 3. Travel Time Index*

RECESS - 4:04 PM**RECONVENE - 5:34 PM****CITIZEN COMMENT****Mark Goldstein**

Gainesville Police Department/Combined Communication Center Response Issues

Gabe Kaimowitz

Equal Opportunity Charter Officer

Alana Rush

UF Students Voting

Kevin Claney

Affordable Housing

Greg Norman

Affordable Housing

James Davis

Affordable Housing

COMMISSION COMMENTS

Commissioner Edward Braddy

Affordable Housing - Local Control

Commissioner Tony Domenech

Combined Communication Center - Timeline

City Manager to bring back a proposal.

Mayor Tom Bussing

Affordable Housing Issues

PLEDGE OF ALLEGIANCE (6:00pm)

Brownie Troop #315

PROCLAMATIONS/SPECIAL RECOGNITIONS

030952 Recognition of Albert "Ray" Massey Citizen Volunteer Award Recipients (B)

RECOMMENDATION *The City Commission recognize Sydney and Norma Homan of the Gainesville Association for the Creative Arts, Danny Drost of Williams Elementary School, and Greg Ahrens of the Gainesville Babe Ruth Baseball Boosters as the 2003 recipients of the Albert "Ray" Massey Citizen Volunteer Awards and present proclamations.*

Heard

030975 Black History Month (B)

RECOMMENDATION *Mayor Tom Bussing to present the Proclamation.*

Heard

030972 Phi Beta Sigma (NB)

RECOMMENDATION *The City Commission receive a presentation from The Phi Beta Sigma Fraternity Chapter.*

Withdrawn

Introduction of UF Students**PUBLIC HEARINGS****ADOPTION READING-ROLL CALL REQUIRED****030623 LAND USE - NORTH MAIN STREET (B)****ORDINANCE NO. 0-04-15, PETITION 157LUC-03PB**

AN ORDINANCE AMENDING THE CITY OF GAINESVILLE 2000-2010 COMPREHENSIVE PLAN, FUTURE LAND USE MAP; BY CHANGING THE LAND USE CATEGORY OF CERTAIN PROPERTY FROM "MIXED-USE MEDIUM-INTENSITY (12-30 UNITS PER ACRE)" TO "COMMERCIAL"; LOCATED IN THE VICINITY OF THE 2500 BLOCK OF NORTH MAIN STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition 157LUC-03PB; and 2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Chestnut, seconded by Commissioner Domenech, that this matter be Approved (Petition) and Adopted on Adoption Reading. The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Rick Bryant and Craig Lowe
Nay: Tom Bussing and Warren Nielsen

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**030624 REZONING - NORTH MAIN STREET (B)****Ordinance No. 0-04-16, Petition No. 158ZON-03PB**

An ordinance of the City of Gainesville, Florida, amending the zoning map atlas and rezoning certain properties within the city from the zoning category of "MU-2: 12-30 units/acre mixed use medium intensity" to "BA:

Automotive-oriented business district"; located in the vicinity of the 2500 block of North Main Street; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission: 1) approve petition no. 158ZON-03PB; and 2) adopt the proposed ordinance.*

A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Rick Bryant and Craig Lowe
Nay: Tom Bussing and Warren Nielsen

030621

REZONING - NORTHWOOD INDUSTRIAL PARK (B)

ORDINANCE NO. 0-04-14, PETITION NO. 135ZON-03PB

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING THE ZONING MAP ATLAS AND REZONING CERTAIN PROPERTIES WITHIN THE CITY FROM THE ZONING CATEGORY OF "CON: CONSERVATION DISTRICT" TO "I-2: GENERAL INDUSTRIAL DISTRICT"; LOCATED IN THE VICINITY OF 2339 NORTHWEST 66TH COURT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission: 1) approve petition no. 135ZON-03PB; and 2) adopt the proposed ordinance.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030625

LAND DEVELOPMENT CODE AMENDMENT - OFF-STREET PARKING (B)

Ordinance No. 0-04-17; Petition No. 154TCH-03 PB

An ordinance of the City of Gainesville, Florida, amending paragraph 30-56(c)(4) of the Land Development Code, amending off-street parking regulations in the University of Florida Master Plan Context Area to clarify and add additional requirements; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Neighborhood Planning Coordinator John Wachtel, Code Enforcement Manager Jim Garrett, Code Enforcement Officer Dave Watkins, Community Development Director Tom Saunders gave presentations.

Chair Bussing recognized Joe Schmidt of the University Park Neighborhood Association.

RECOMMENDATION *The City Commission (1) approve Petition 154TCH-03 PB and (2) adopt the proposed ordinance.*

A motion was made by Commissioner Domenech, seconded by Commissioner Lowe, that this matter be Approved (Petition) and Adopted on First Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030584 PANHANDLING RESTRICTIONS (B)

Ordinance No. 0-04-25

An ordinance of the City of Gainesville relating to panhandling; creating and adding Section 19-79 to the Code of Ordinances by providing legislative findings; amending Section 19-80 of the Gainesville Code of Ordinances by prohibiting panhandling, begging or aggressive begging in certain public places; providing directions to the codifier, providing a severability clause; providing a repealing clause; and providing an immediate effective date.

AMENDMENT: Page 4, Line 36, "h" should be "g", "i" should be "h"; and so on (scrivener's error).

Chair Bussing recognized Citizens Joe Jackson, John DeCarma, John Skelly, Mark Sexton, Linda McGurn, Todd Cooper and Brent Christiansen who spoke to the matter.

City of Gainesville Sergeant Keith Kameg gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

ORDINANCES, 2ND READING- ROLL CALL REQUIRED

020719 PLANNED DEVELOPMENT AMENDMENT - YMCA NORTHWOOD BRANCH (B)

ORDINANCE NO. 0-03-27, PETITION NO. 121PDA-02PB

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA; AMENDING THE PLANNED DEVELOPMENT COMMONLY KNOWN AS "YMCA NORTHWOOD BRANCH PLANNED DEVELOPMENT" LOCATED IN THE VICINITY OF 5200 N. W. 34TH STREET; BY AMENDING CITY OF GAINESVILLE ORDINANCE NOS. 4058 AND 3124 BY ADOPTING REVISED DEVELOPMENT PLAN MAPS AND A REVISED PLANNED DEVELOPMENT REPORT; AMENDING AND ADOPTING ADDITIONAL CONDITIONS AND RESTRICTIONS; PROVIDING FOR PENALTIES; 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 Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030626**COLLEGE PARK SPECIAL AREA PLAN (B)****Ordinance No 0-04-19 Petition No. 155TCH-03 PB**

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A OF THE LAND DEVELOPMENT CODE, RELATING TO THE COLLEGE PARK MASTER PLAN AND REGULATING PLAN FOR NEW CONSTRUCTION; AMENDING PARAGRAPH (2) OF THE SUBSECTION ON BUILDING HEIGHT FOR NEW CONSTRUCTION, DECREASING THE DISTANCE BETWEEN FLOOR AND CEILING HEIGHT FROM 16 TO 10 FEET; PROVIDING A MAXIMUM HEIGHT OF 65 FEET; AMENDING APPENDIX A, SECTION 3 OF THE LAND DEVELOPMENT CODE INCORPORATING A SPECIFIC CHANGE FROM TYPE IV (CIVIC) TO TYPE I (SHOPFRONT/OFFICE/APARTMENT) FOR TAX PARCEL 14907-000-000 IN THE MAP OF THE COLLEGE PARK SPECIAL AREA PLAN; 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 Nielsen, seconded by Mayor-Commissioner Pro Tem Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

RESOLUTIONS- ROLL CALL REQUIRED

030056 SOUNDMAKING DEVICES IN MOTOR VEHICLES (B)

A resolution of the City Commission of the City of Gainesville, Florida, supporting an amendment to section 316.008 F. S. to permit local governments to enhance the penalty for the second and subsequent violations of section 316.3045 F. S. related to soundmaking devices in motor vehicles; and providing an immediate effective date.

MOTION: Adopt the Resolution and forward to the Florida League of Cities and the Legislative Delegation.

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

A motion was made by Commissioner Braddy, seconded by Commissioner Nielsen, that this matter be Adopted (Resolution) and approved as shown above. The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030953 Resolution on State Revolving Funds for Depot Park and Presentation on Stormwater Alternatives (B)

City of Gainesville Stormwater Management Utility Engineer Stewart Pearson gave a presentation.

FIRST MOTION: Commissioner Chestnut moved and Commissioner Lowe seconded to select the Depot Park Stormwater Alternative as the preferred alternative. (VOTE: 7-0, MOTION CARRIED)

RECOMMENDATION *The City Commission: 1) select the Depot Park Stormwater Alternative as the preferred alternative; and 2) adopt the Resolution authorizing the City Manager to make application and authorize the proper City officials to sign all documents related to the SRF funding of the Depot Park project estimated in an amount not to exceed \$16,000,000, subject to the approval of the City Attorney as to form and legality.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Bryant, that this matter be Adopted (Resolution) and approved as shown above. The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030954 Final Plat approval of Sorrento Subdivision, Phase II, Located in the Vicinity of Northwest 21st Drive and Northwest 53rd Avenue. Petition 117SUB-03DB (B)

City of Gainesville Planner Gene Francis gave a presentation.

NOTE: See file # 030860 for further information.

RECOMMENDATION *Planning staff to City Commission - The City Commission adopt the resolution.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

030955 A Resolution of the City of Gainesville Endorsing the Lifequest Wellness and CARE Programs for the City Spirit Award from the Florida League of Cities (B)

City of Gainesville Fire Chief Richard Williams gave a presentation.

RECOMMENDATION *The City Commission adopt the resolution to submit a nomination to the Florida League of Cities for the CARE and LifeQuest programs.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

PLAN BOARD PETITIONS

DEVELOPMENT REVIEW BOARD PETITIONS

030956 Quasi-Judicial - Design Plat approval of Meadows North Subdivision Located in the Vicinity of Northwest 28th Street and Northwest 23rd Avenue (B)

City of Gainesville Planner Gene Francis, President of Albemarle Development Corporation Tom Spain, and Stuart Cullen of Brown and Cullen Engineering gave presentations.

Chair Bussing recognized Citizen Frederick Peterkin, Bill Stasiewicz and Norman Bowman who spoke to the matter.

RECOMMENDATION *Development Review Board to City Commission - The City Commission approve Petition 159SUB-03DB, with staff conditions.*

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

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

Commissioner Tony Domenech

Commissioner Domenech requested to be removed from the Canvassing Board.

See following file # 030978.

030978 Canvassing Board Ordinance (NB)

*ADDITIONAL MOTION: Commissioner Chestnut moved and Commissioner Domenech seconded to schedule this ordinance for first reading at the March 15, 2004 regular City Commission meeting and the second reading be scheduled for a special City Commission meeting on March 18, 2004 at 6:00 PM.
(VOTE: 7-0, MOTION CARRIED)*

RECOMMENDATION *The City Commission ask the City Attorney to bring back an ordinance to deal with the fallback mechanisms in case of Canvassing Board vacancies.*

A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem Chestnut, that this matter be Referred to the City Attorney, due back on March 15, 2004. The motion carried by the following vote:

Votes: Aye: Tom Bussing, Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen, Rick Bryant and Craig Lowe

Commissioner Edward Braddy

Plan Board Meetings - Numerous Petitions

Community Development Director Tom Saunders stated that many of the items were continued.

CITIZEN COMMENT

Moria Green

Traffic Problems at T. B. McPherson Park and Lincoln Middle School.

City Manager to report back.

Mayor Tom Bussing

Continuation of City Commission Retreat - Goals and Objectives

The Clerk of the Commission to look for dates in the afternoon.

ADJOURNMENT - 9:23 PM

Kurt M. Lannon, Clerk of the Commission