

City of Gainesville

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



Meeting Minutes

Monday, October 9, 2000

1:00 PM

City Hall Auditorium

City Commission

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

INVOCATION

Reverend Thomas A. Wright, Mount Carmel Baptist Church

ROLL CALL

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

CONSENT AGENDA

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

- 1. File No. 000489 - Change order # 2 for NW 38th Street Reconstruction from NW 8th Avenue to NW 16th Blvd. City Project (Withdraw from the Agenda)*
- 2. File No. 000490 - Technology Enterprise Center Lease Document - Move to the Regular Agenda with a new recommendation: 1) Approve parameters for the leasing of space within the Technology Enterprise Center substantially in the form of the draft lease; and 2) authorize the City Manager to negotiate and execute individual leases with prospective TEC tenants based on the policies, subject to approval by the City Attorney as to form and legality.*
- 3. File No. 000498 - Conveyance of License for Construction Staging to AMJ, Inc. of Gainesville - Move to the Regular Agenda and change recommendation to: Authorize the City Manager to execute a license for a construction staging area over a portion of Parcel 14714-1 to Gainesville Commerce Center Limited Partnership.*

CITY MANAGER, CONSENT AGENDA ITEMS

000440 Deed for San Felasco Park (B)

RECOMMENDATION *The City Commission authorize the Mayor to sign a quit claim deed to Alachua County for the San Felasco Park subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000487 Approval to Apply for Federal Grant Funds from the U. S. Department of Justice for Fifth Year Funding of the Weed and Seed Grant Program (NB)

RECOMMENDATION *The City Commission authorize the City Manager: 1) to apply to the Department of Justice for \$175,000.00 under this grant*

program, and if awarded, 2) to execute the grant award contract, pending approval by the City Attorney as to form and legality, and 3) to execute any additional documents that may be necessary.

This Matter was Approved as Recommended on the Consent Agenda.

000488 Interlocal Agreement for Transit Services between University of Florida and City of Gainesville (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Interlocal Agreement between the University of Florida and the City, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000489 Change Order #2 for NW 38TH Street Reconstruction from NW 8th Avenue to NW 16th Boulevard (B)

RECOMMENDATION *The City Commission: 1) approve the issuance of Change Order #2 to the purchase order for the John C. Hipp Construction Equipment Company in the amount of \$53,489.24, increasing the total amount of the purchase order to \$1,526,599.24; 2) authorize the City Manager, or his designee, to execute the contract amendment subject to the approval of the City Attorney as to form and legality.*

Withdrawn

000491 Settlement of Worker's Compensation Claim - Freddy L. Taylor (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 Freddy L. Taylor, in the amount of \$70,000.*

This Matter was Approved as Recommended on the Consent Agenda.

000492 Settlement of Worker's Compensation Claim - Mary Smith Fowler (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 Mary Smith Fowler, in the amount of \$125,000.*

This Matter was Approved as Recommended on the Consent Agenda.

000493 Retiree Health Insurance Actuarial Valuation Report (B)

RECOMMENDATION *The City Commission accept the Retiree Health Insurance Plan valuation and establish an employer contribution rate of 2.99% effective October 1, 2000.*

This Matter was Approved as Recommended on the Consent Agenda.

000494 Contract for Limerock (B)

RECOMMENDATION *The City Commission: 1) award a contract to Limestone Products, Inc. to provide limerock material for use in roadway base construction and stabilization; and 2) authorize the City Manager, or his designee, to execute the contract, subject to approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000495 Annexation of Rear of Magnolia Parke and Surrounding Property (NB)

RECOMMENDATION *The City Commission: 1) direct the City Manager to analyze the area, and produce an Urban Services Report; and 2) 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.

000497 Purchase of Video Editing Equipment for the Gainesville Police Department (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Purchase Order to Media Products, Inc. in an amount not to exceed \$35,000 for the purchase of video editing equipment.*

This Matter was Approved as Recommended on the Consent Agenda.

991184 GRU Administration Building Parking Lot (B)

RECOMMENDATION *The City Commission: 1) authorize GRU to make the GRU employee lot at Southeast 3rd Street and 4th Avenue available for public parking on weekends and evenings, with signage to*

be funded from City Commission Contingency funds and coordinated by Public Works, towing inquiries to be handled by GPD and cleanup maintenance to be funded by the CRA; and 2) authorize General Government and GRU to enter into a letter agreement describing their respective responsibilities.

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

000500 The Energy Authority - Restated and Amended Electric Advance Agreement (NB)

RECOMMENDATION *Authorize the General Manager for Utilities to execute the Restated and Amended Electric Advance Agreement dated September 1, 2000, by and among JEA, Municipal Electric Authority of Georgia (MEAG), South Carolina Public Service Authority (Santee Cooper), Nebraska Public Power District (NPPD) and City Utilities of Springfield, Missouri (City Utilities), substantially in the form of that agreement which is on file in the office of the Clerk of the Commission.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT

000316 Reclassify and retitle RTS Transit Maintenance Supervisor to Transit Maintenance Manager (B)

RECOMMENDATION *City Commission approve reclassification and retitle of Transit Maintenance Supervisor pay grade 66 (\$30,802 - \$46,320) to Transit Maintenance Manager, pay grade 70 (\$35,947 - \$54,058).*

This Matter was Approved as Recommended on the Consent Agenda.

CITY PLAN BOARD, CONSENT

000506 Waiver of Probation for Robert Pearce (NB)

RECOMMENDATION *City Plan Board to the City Commission - approve the probation period waiver for Mr. Pearce.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

000512 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of September 25, and October 2, 2000 as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem 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 Paula M. DeLaney
Absent: Pegeen Hanrahan

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

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

- 1. File No. 000460 - Leadership General Government - (Withdrawn)*
- 2. File No. 000505 - Best Practices Awards - (Withdrawn)*

NOTE: Chair Paula M. DeLaney recognized Citizen Mark Goldstein who requested information regarding upcoming meetings.

SPECIAL PRESENTATION

Chair Paula M. DeLaney recognized Gainesville Area Innovation Network (GAIN) President Carl Ashley who presented an award to the City of Gainesville and Economic Development Director Conchi Ossa.

CLERK OF THE COMMISSION

000416 National League of Cities Meeting (B)

The City Commission appointed Commissioner Warren Nielsen as the voting delegate for the National League of Cities Meeting in Boston for December, 2000.

RECOMMENDATION *The City Commission select a voting delegate for the meeting if necessary.*

A motion was made by Mayor-Commissioner Pro Tem 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, John R. Barrow and Paula M. DeLaney
Absent: Pegeen Hanrahan

000518 Special Meetings (NB)

The City Commission approved the following dates for Special City Commission Meetings:

1) NW 17th Street Project: Neighborhood Traffic Issues Related to the Project Special Meeting - Monday, October 30, 2000 @ 7:00 PM - City Hall Auditorium.

2) University of Florida Campus Special Meeting - Thursday, November 2, 2000 @ 6:00 PM - UF Campus, McCarty Hall, Building A, Room G-186.

3) *Comprehensive Plan Elements Special Meeting - Tuesday, January 16, 2001@ 6:00 PM - City Hall Auditorium.*

4) *Annual Goal Setting Special Meeting - Monday, January 29, 2001 @ 10:00 AM*

City of Gainesville Public Works Transportation Planning Analyst Linda Dixon gave a presentation.

Chair Paula M. DeLaney recognized Citizens Arnall Downs and Mark Goldstein who spoke to the matter.

Note: Commissioner Pegeen Hanrahan entered the meeting room @ 1:20 PM.

RECOMMENDATION *The City Commission schedule a Comprehensive Plan special meeting, an Annual Goal Setting special meeting, a special meeting on the University of Florida campus and a special meeting on the 17th Street Project.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem 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 Paula M. DeLaney

CITY MANAGER

000460 Leadership General Government - Class II (NB)

RECOMMENDATION *The City Commission hear a presentation from Class II, Leadership General Government*

Withdrawn

000501 Downtown Community Plaza Events (NB)

City of Gainesville Cultural Affairs Director Lemuel Moore and Events Coordinator Laural DeWild gave presentations.

RECOMMENDATION *The City Commission hear a presentation from staff on the upcoming events at the Downtown Community Plaza.*

Heard

000503 College Park and University Heights Special Area Plan (B)

City of Gainesville Community Development Director Tom Saunders and Parks Division Manager Pat Byrne gave presentations.

Chair Paula M. DeLaney recognized College Park/University Heights Advisory Board Chair Arnall Downs and College Park University Heights Advisory Board Member Robert Pearce who spoke to the matter.

MOTION: Approve the College Parks University Heights Special Area Plan with the staff recommendations except for the modifications to the College Park Section as proposed by Ms. Arnall Downs.

RECOMMENDATION *The City Commission hear a presentation and direct staff regarding the final terms of these ordinances for second reading.*

A motion was made by Mayor-Commissioner Pro Tem Barrow, 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, John R. Barrow and Paula M. DeLaney
Nay: Pegeen Hanrahan

000504 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Transportation Planning Analyst Linda Dixon gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the October 12, 2000 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

991053 Off Leash Dog Parks (B)

City of Gainesville Parks Division Manager Pat Byrne gave a presentation.

REVISION: Change the wording in the first line of the Canine Codes of Conduct from "Dogs Must be Accompanied By An Adult" to "Dogs Must Be Accompanied By A Responsible Person".

RECOMMENDATION *The City Commission: 1) hear an updated report from staff; 2) determine whether to designate a portion of Northeast Park as an "Off Leash Pilot Program Area;" 3) provide first year costs from City Commission Contingency Fund; and 4) approve rules and responsibilities for users.*

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

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

000490 Technology Enterprise Center (TEC) Lease Document (B)

RECOMMENDATION *The City Commission: 1) Approve parameters for the leasing of space within the Technology Enterprise Center substantially in the form of the draft lease; and 2) authorize the City Manager to negotiate and execute individual leases with prospective TEC tenants based on the policies, subject to the approval by the City Attorney as to form and legality.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem 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 Paula M. DeLaney

000498 Conveyance of License for Construction Staging to AMJ, Inc. of Gainesville (B)

Gainesville Commerce Center Limited Partnership representative Scott Buchanon spoke to the matter.

RECOMMENDATION *The City Commission authorize the City Manager to execute a license for construction staging over a portion of Parcel 14714-1 to the Gainesville Commerce Center Limited Partnership.*

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

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

GENERAL MANAGER FOR UTILITIES**CITY AUDITOR****COMMITTEE REPORTS (PULLED FROM CONSENT)****PUBLIC WORKS COMMITTEE****PERSONNEL & ORGANIZATION STRUCTURE COMMITTEE****PUBLIC SAFETY COMMITTEE****RECREATION AND CULTURAL AFFAIRS COMMITTEE**

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS (if time available)****COMMISSIONER WARREN NIELSEN**

Parties in Residential Neighborhoods/Party Patrol

Chief of Police Norm Botsford gave a presentation.

COMMISSIONER PEGEEN HANRAHAN

1. Alarm Registration

2. Florida Communities Trust - Funding Update

MAYOR PAULA M. DELANEY**000543 Addition to Legislative Package - Vendors Licensed to Sell Beer and Malt Beverages near Primary and Secondary Schools (B)**

RECOMMENDATION *The City Commission add this item to the Legislative Package for submission to the Legislative Delegation and authorize the Mayor to write a letter to the Alachua County School Board and the Alachua County Commission asking them to include this item in their Legislative Package.*

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

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

RECESS - 3:40 PM**RECONVENE - 5:30 PM****CITIZEN COMMENT (5:30pm)**

REVEREND TIM KEYES

Alcohol and 2:00 PM Closing Issues

BILL RICHARDS - PUBLIC RECREATION BOARD CHAIR

See item #000538 below.

000538 Co-Sponsorship of the Gainesville Sports Organizing Committee (GSOC) Annual Recognition Banquet (NB)

RECOMMENDATION *The City Commission co-sponsor the Public Recreation Board to attend the Gainesville Sports Organizing Committee (GSOC) Awards Dinner by contributing: 1) \$300.00 for table sponsorship for the Public Recreation Board; and 2) \$200.00 to contribute to the actual cost of the awards; not to exceed \$500.00 from the City Commission Contingency Fund.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem 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 Paula M. DeLaney

DAVE HILL - FIRST ASSEMBLY OF GOD ACTION TASK FORCE

See item #000539 below.

000539 Recreation Program for Greentree Park (B)

RECOMMENDATION *The City Commission refer the issue of developing a recreation program for the Greentree Park area to the Recreation and Cultural Affairs Committee, the Public Recreation Advisory Board and City of Gainesville staff.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut. The motion carried by the following vote:

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

JIM KONISH

GRU Billing Issues - Referred to the General Manager for Utilities Mike Kurtz

REVEREND EARL YOUNG

Fifth Avenue Issues - Referred to City Manager Wayne Bowers and Community Development Director Tom Saunders

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Pack #307

PROCLAMATIONS/SPECIAL RECOGNITIONS

000505 "Best Practices Awards" (NB)

RECOMMENDATION *Hear a presentation from Jim Walker, Senior Community Builder with HUD to Jackie Richardson of the City's Housing Division and Jim Hencin of Community Development Block Grant Management of the "Best Practices Awards" for the Cedar Grove II and Interfaith Coalition Against Poverty projects.*

Withdrawn

000508 White Cane Safety Day - October 15, 2000 (B)

RECOMMENDATION *Alachua County Council of the Blind President Jack Varnon and Vice President Carol Massey to accept the proclamation.*

Heard

000509 Lupus Awareness Month - October 2000 (B)

RECOMMENDATION *Gainesville Lupus Support Group Facilitator Patricia Davis to accept the proclamation.*

Heard

000510 National Arts & Humanities Month - October 2000 (B)

RECOMMENDATION *City of Gainesville Department of Cultural Affairs Manager Coni Gesualdi to accept the proclamation.*

Heard

000511 4-H Day (B)

RECOMMENDATION *4-H County Agent Bill Heltemes and Cedar Ridge 4-H Club Leader Shail Ramcharan to accept the proclamation.*

Heard

PUBLIC HEARINGS**000502 Proposed Use of U.S. Department of Justice Local Law Enforcement Block Grant Funds (B)**

City of Gainesville Police Chief Norm Botsford gave a presentation.

RECOMMENDATION *The City Commission: 1) hold a public hearing regarding the City's proposed use of funds awarded under the Local Law Enforcement Block Grant 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 Chestnut, seconded by Commissioner Hanrahan, that this matter be Approved as Recommended. The motion carried by the following vote:

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED**991383 PLANNED DEVELOPMENT - HANCOCK SQUARE (B)**

Ordinance No. 0-00-111; Petition No. 61PDA-00PB

An Ordinance of the City of Gainesville, Florida; amending and expanding the Planned Development commonly known as "Hancock Square Planned Development", located in the vicinity of 4000-4201 Northwest 22nd Drive; rezoning certain additional property from the zoning category of "MU-1: 10-30 units/acre mixed use low intensity" to "Planned Development District"; amending or repealing obsolete portions of City of Gainesville Ordinance Nos. 3022, 3190 and 3751 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.

City of Gainesville Senior Planner Carolyn Morgan gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

991309 ABATEMENT OF PUBLIC NUISANCE BY ONE OR MORE ANIMALS (B)

Ordinance No. 0-00-117

An ordinance of the City of Gainesville, Florida, relating to keeping of animals; amending section 5-2 of the Code of Ordinances to permit the City to file suit to abate a public nuisance caused by one or more animals kept in a dwelling unit and amending the list of animal behaviors that can constitute a public nuisance; 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 Hanrahan, seconded by Commissioner Chestnut, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:

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

000230 SPECIAL AREA PLAN FOR TRADITIONAL CITY (B)

Ordinance No. 0-00-114; Petition No. 119TCH-00PB

An ordinance of the City of Gainesville, Florida; related to the Traditional City Special Area Plan and overlay district; amending the Special Area Plan for Traditional City; providing minimum lot widths; regulating drive-throughs; applying build-to line standard along side streets of buildings; regulating the placement of stormwater basins; requiring screening walls along parking lots; prohibiting certain types of fencing; requiring bicycle parking spaces; clarifying grandfathering of surface parking lots; disallowing convenience stores with gasoline pumps; requiring windows on the sides of buildings; revising standards for parking structures; providing that there is no maximum building coverage; revising the building orientation standard; amending section 30-332 to require bicycle parking; amending section 30-341 to allow the AASHTO standard to apply to vision triangles; removing College Park and University Heights from the Traditional City Special Area Plan; adopting a revised map of the Traditional City Special Area; adopting a map of "A" Streets as defined and

regulated in the Special Area Plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

NOTE: Paula M. DeLaney left the meeting room and Mayor-Commissioner Pro Tem John R. Barrow assumed the gavel.

RECOMMENDATION *The City Commission (1) approve Petition 119TCH-00 PB, and (2) adopt the proposed ordinance.*

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

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

000234

COMP PLAN AMENDMENT - GREENWAYS OF GAINESVILLE (B)

Ordinance No. 0-00-116; Petition No. 120CPA-00PB

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville 1991-2001 Comprehensive Plan; amending policy 2.3.10(m) of the Future Land Use Element relating to the Gainesville North Community Activity Center, extending the period of time by which the zoning ordinance must be adopted to August 22, 2001; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

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

NOTE: Chair Paula M. DeLaney re-entered the meeting room.

Chair Paula M. DeLaney recognized Attorney for the Petitioner Ron Carpenter who spoke to the matter.

*Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to table this item.
(VOTE 5-0)*

*Commissioner Chuck Chestnut moved and Commissioner Pegeen Hanrahan seconded to take this item from the table.
(VOTE 5-0)*

Chair Paula M. DeLaney recognized NW Coalition of Homeowner's Association Peter Rebmann; Dr. Paul Wheeler; Turkey Creek Forest Homeowner's Association President Florence Clemmons; and Citizens Ann Losie and John Korb who spoke to

the matter.

*Original Motion: Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to approve the recommendation.
(NO VOTE)*

*Second Motion: Commissioner Pegeen Hanrahan moved to extend the meeting until item completed.
(NO VOTE)*

*Third Motion: Commissioner Chuck Chestnut moved and Commissioner Warren Nielsen seconded to move the previous question.
(VOTE: 3-2, Commissioner Pegeen Hanrahan and John Barrow - No MOTION FAILED)*

*Fourth Motion: Commissioner Pegeen Hanrahan moved and Commissioner John Barrow seconded to extend the meeting until 11:20 PM.
(VOTE: 5-0)*

*Fifth Motion: Mayor-Commissioner Pro Tem John Barrow moved and Commissioner Pegeen Hanrahan moved to continue this item to the October 23rd City Commission Meeting @ 6:00 PM or as soon thereafter as may be heard.
(VOTE: 5-0)*

RECOMMENDATION *The City Commission (1) approve Petition 120CPA-00 PB and (2) adopt the proposed ordinance.*

A motion was made by Mayor-Commissioner Pro Tem Barrow, seconded by Commissioner Hanrahan, that this matter be Continued (1st Reading) for October 23, 2000. The motion carried by the following vote:

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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

990386 ART IN PUBLIC PLACES (B)

Ordinance No. 0-00-98

An ordinance of the City of Gainesville, Florida, amending chapter 5.5 of the Code of Ordinances relating to Art in Public Places; adding definitions including allowing architectural enhancements and landscape treatments to be considered as art; setting a cap of \$100,000 on the amount allocated to the purchase of art under the Art in Public Places program for any particular construction budget; providing for development of a Public Art Master Plan; providing procedural refinements; 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 Hanrahan, seconded by Mayor-Commissioner Pro Tem 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 and John R. Barrow
Nay: Paula M. DeLaney

000055 CIVIL CITATIONS (B)

Ordinance No. 0-00-79

An ordinance of the City of Gainesville, Florida, relating to civil citations; amending section 2-339 of the Code of Ordinances adding various code provisions to the list of violations that can be enforced by civil citation; 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 Hanrahan, seconded by Commissioner Chestnut, 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 Paula M. DeLaney

000199 LANDLORD PERMIT RENEWAL DATES (B)

Ordinance No. 0-00-99

An ordinance of the City of Gainesville, Florida, amending Appendix A of the Code of Ordinances to revise the due date for payment for renewal of a landlord permit and the dates that late fees are assessed; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and a transition schedule.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

000337 PET CHICKENS (B)

Ordinance No. 0-00-113

An ordinance of the City of Gainesville, Florida, relating to keeping of animals; amending the definition of "fowl" in section 5-1 of the Code of Ordinances to allow keeping of up to two chickens but no roosters as pets in a residential or mixed use zoning district; amending section 5-3 of the Code of Ordinances to clarify that livestock and fowl can not be kept as pets in residential or mixed-use zoning districts within the city; 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 Barrow, seconded by Commissioner Chestnut, 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 Paula M. DeLaney

991267

PLANNED DEVELOPMENT - WALNUT CREEK (B)

Ordinance No. 0-00-69, Petition No. 44PDV-00PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-1: 3.5 units/acre single-family residential district" to "Planned Development District"; located in the vicinity of 2500 block of Northwest 39th Avenue, south side, to be known as "Walnut Creek"; adopting a development plan report and development plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard and Public Works Transportation Director Brian Kanely gave presentations.

Chair Paula M. DeLaney recognized Citizens Jon McBride and Dr. Paul Wheeler who spoke to the matter.

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

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

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

990733

UNIVERSITY HEIGHTS SPECIAL AREA PLAN (B)

Ordinance No. 0-00-88; Petition No. 152TCH-99PB

An ordinance of the City of Gainesville, Florida, imposing the Special Area Plan overlay zoning district for "University Heights" on certain property located south of NW 3rd Avenue, west of NW and SW 6th Street, north of SW Depot Avenue and east of NW and SW 13th Street; adopting a Special Area Plan for this property; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission continue the second public reading and hearing of this ordinance to October 23, 2000, at 6:00pm or as soon thereafter as may be heard.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Continued (2nd Reading) for October 23, 2000. The motion carried by the following vote:

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

990734 COLLEGE PARK SPECIAL AREA PLAN (B)

Ordinance No. 0-00-87; Petition No. 153TCH-99PB

An ordinance of the City of Gainesville, Florida, replacing Section 3 of Appendix A of the Land Development Code (the Special Area Plan for College Park); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission continue the second public reading and hearing of this ordinance to October 23, 2000, at 6:00pm or as soon thereafter as may be heard.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Continued (2nd Reading) for October 23, 2000. The motion carried by the following vote:

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

RECESS - 8:10 PM

RECONVENE - 8:20 PM

PLAN BOARD PETITIONS

000014 (Formal) (Quasi-Judicial) Petition 60PDV-00PB. Buffington Associates, P.A., agent for Aline B. Todd, Dorothy Boone, and Iris and Joseph Ryker. Rezone property from RSF-1 (3.5 units/acre single-family residential district) to PD (planned development district) with PD layout plan review for single-family,

detached homes. Located in the 5000 block of Northwest 8th Avenue, north side.
(B)

CLOSING STATEMENTS FROM AFFECTED PARTIES:

Chair Paula M. DeLaney recognized Dr. James Daly for Howard Underberger, Norman Pearson, John Reynolds and Jim Rocca who gave closing statements.

PUBLIC HEARING

Chair Paula M. DeLaney recognized Walter Tovkach, Bob Epting, Geraldine Daly, Dr. Paul Wheeler, Mary Jane Stewart, Andrew Kaplan, Mary Young, Mike Ryals, Zach Schinz, Dan McBride, Ann Koterba and Terry Rocca who spoke to the matter.

City of Gainesville Planner Bedez Massey, Community Development Director Tom Saunders, Planning Manager Ralph Hilliard, Transportation Director Brian Kanely and Professional Engineer Richard Melzer gave presentations.

AMENDMENT: Include the Design Guidelines in the ordinance as submitted by the Petitioner.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 60PDV-00 PB. Plan Board vote 2-2.*

Staff to Plan Board - Approve, with staff conditions.

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

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

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT - 11:25 PM

Kurt M. Lannon, Clerk of the Commission