

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, May 24, 1999**

**3:00 PM**

**City Hall Auditorium**

## **City Commission**

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

## Invocation

Present: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**Dr. Robert W. Battles, Jr.**

## Brd of Trustees of the General Employees Pension Plan

### Secretary

**990056**      **Board of Trustees Minutes of April 26, 1999**

**RECOMMENDATION**    *The Board of Trustees approve the minutes as circulated.*

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

### Trust Administrator

**990040**      **Allocation of 5% of the General Employees' Retirement Plan to a S & P 500 Index Fund**

*Pension Review Committee Member William J. Frazer III gave a presentation.*

**RECOMMENDATION**    *The General Board of Trustees approve the allocation of 5% of the General Employees' Retirement Plan to a S & P 500 Index Fund and authorize the City Manager as Trust Administrator to execute all related documents.*

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

**990041**      **Management of the S & P 500 Index Fund**

*Pension Review Committee Member William J. Frazer III gave a presentation.*

**RECOMMENDATION**    *The General Board of Trustees approve that State Street Global Advisors manage the 5% of the General Employees' Retirement Plan allocated to the S & P 500 Index Fund and authorize the City Manager as Trust Administrator to execute all related documents.*

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

**990042                      Management of the Large Cap Value Fund**

**RECOMMENDATION**    *The General Board of Trustees adopt the recommendation to replace Pilgrim Baxter Value Investors, Inc., with Barrow, Hanley, Mewhinney, & Strauss, Inc., as the Large Cap Value Manager for the General Employees' Retirement Plan and authorize the City Manager as Trust Administrator to execute all related documents.*

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

**990043                      Applications for Retirement**

**RECOMMENDATION**    *The Board of Trustees for the General Employees' Pension Plan approve the submitted applications for retirement for the below listed employees:*

- 1. Joseph B. Cheatham, Water Reclamation Facilities Manager, Water/Wastewater*
- 2. Wallace J. Breeden, Electric Lineworker I, GRU Energy Delivery*
- 3. Charles R. Dees, N/A, Vested Retirement*

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

**Consent Agenda**

**City Manager, Consent Agenda Items**

A motion was made by Commissioner Barrow, seconded by Commissioner Jennings, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

**990027                      Byrne Grant Application**

**RECOMMENDATION**    *The City Commission authorize the City Manager to: 1) apply to the Edward Byrne Memorial State and Local Assistance*

*Grant Program for \$32,120.00 in grant funds; 2) appropriate \$12,880.00 from the Fire Department Operating Budget for the match; and 3) execute the grant agreement and any other necessary documents, pending review by the City Attorney as to form and legality.*

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

**990029      Application for 1999 HUD Continuum of Care Homeless Assistance Program Funding**

**RECOMMENDATION**    *The City Commission: 1) authorize the City Manager or designee to apply for grant funding under the U.S. Department of Housing & Urban Development (HUD) Continuum of Care Homeless Assistance Program and to act on behalf of the City of Gainesville and in all matters pertaining to said program; and 2) if funding is awarded, authorize the City Manager to execute a subrecipient agreement with VETSPACE, Inc., if designated by HUD to receive funding through the Continuum of Care Homeless Assistance Program, subject to approval by the City Attorney as to form and legality.*

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

**990030      Evergreen Cemetery Grounds Maintenance Agreement**

**RECOMMENDATION**    *The City Commission: 1) award the contract for grounds maintenance at Evergreen Cemetery to Oasis Landscape Services, Inc. for a three-year period with the option of two one-year extensions; 2) authorize the City Manager or his designee to execute the contract, subject to the approval of the City Attorney as to form and legality; and 3) approve the issuance of a purchase order each of the three years of the contract in an amount not to exceed \$53,351.25, per fiscal year subject to the appropriation of funds in subsequent fiscal years.*

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

**990031      Ordinance Amendment, extending Residential Solid Waste Service Exclusion**

**RECOMMENDATION**    *The City Commission direct the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance revising Section 27-76, (f), (6) to extend the termination date of Residential Service Exclusions to September 30, 2004.*

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

**990032 Purchase of Mobile Lifts and Stands for the Fleet Management Department**

**RECOMMENDATION** *The City Commission approve the issuance of purchase orders to Heavy Duty Lift and Equipment, Inc. for the 16,000 pound mobile lifts and the 18 ton stands for a total of \$28,060 and to National Automotive Equipment, Inc. for a 9,000 and a 15,000 pound twin post lifts for a total of \$11,150.00*

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

**990033 Settlement of Worker's Compensation Claim - Karl W. Hoff, III**

**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 Karl W. Hoff, III, in the amount of \$116,250.*

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

**990034 Comprehensive Annual Financial Report for Fiscal Year 1998.**

**RECOMMENDATION** *The City Commission accept the City's Comprehensive Annual Financial Report for the fiscal year ended September 30, 1998.*

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

**990054 Summer Food Program Bid Award**

**RECOMMENDATION** *The City Commission authorize the City Manager or his designee to execute a contract with ARAMARK - University of Florida, for the Summer Food Service Program in an amount not to exceed \$88,016, subject to approval by the City Attorney as to form and legality.*

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

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

**990051 Purchase Order to Utility Translation Systems, Inc.**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase*

*order to Utility Translation Systems, Inc. for a revenue metering data translation software system and associated training in an amount not to exceed \$35,000.00.*

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

**990452 Purchase Order To S.D. Pitman, Inc.**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to S.D. Pitman, Inc. for the purchase of an easement crane in an amount not to exceed \$51,185.*

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

**990053 Reimbursement to Rath/Harper & Associates**

**RECOMMENDATION** *The City Commission authorize reimbursement to the Developer of the Bellamay Plantation Apartments, Rath/Harper & Associates, for oversizing of the wastewater collection system in an amount not to exceed \$41,000.00.*

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

**City Attorney, Consent Agenda Items**

**990023 Robert B. Strawder v. City of Gainesville; Case No. 99-1525-CA**

**RECOMMENDATION** *The City Commission authorize the City Attorney and/or Special Counsel, if insurance coverage is available, to represent the City of Gainesville in the case styled, Robert B. Strawder v. City of Gainesville; Case No. 99-1525-CA*

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

**990024 Waiver of Conflict of Interest for the Law Firm of Akerman, Senterfitt & Eidson, P.A.**

**RECOMMENDATION** *The City Commission authorize the City Attorney to execute a waiver of conflict of interest for the Law Firm of Akerman, Senterfitt & Eidson, P.A. in the Holloway Waste Oil Site.*

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

**Committee Reports, Consent Agenda Items**

## Public Works Committee, Consent

## Personnel & Organizational Structure Comm, Consent

**981423**      **Reclassify one Traffic Signal Technician II, CWA pay grade 18 (\$29,573-\$38,803) to Traffic Signal Technician III, CWA pay grade 21 (\$34,296-\$44,999)**

**RECOMMENDATION**      *Personnel & Organizational Structure Committee recommend the City Commission approve reclassification of one Traffic Signal Technician II, CWA pay grade 18 (\$29,573-\$38,803) to Traffic Signal Technician III, CWA pay grade 21 (\$34,296-\$44,999).*

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

**981424**      **Reclassify an Accounting Supervisor, professional pay grade 45 (\$33,695-\$49,868) to Accounting Manager, managerial pay grade 76 (\$42,721-\$64,243).**

**RECOMMENDATION**      *Personnel & Organizational Structure Committee recommend the City Commission approve reclassification of an Accounting Supervisor, professional pay grade 45 (\$33,695-\$49,868) to Accounting Manager, managerial pay grade 76 (\$42,721-\$64,243).*

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

**981425**      **Create a progression through training/certification plan for Plans Examiner involving addition of 3 positions to the Occupational Index to accommodate the progression.**

**RECOMMENDATION**      *Personnel & Organizational Structure Committee recommend the City Commission approve redesign of the pay progression for Plans Examiner which will include the establishment in the Occupational Index of three additional levels of Plans Examiner for a total of four levels.*

*The new series will be Plans Examiner (Entry level), pay grade 40 (\$26,400-\$39,073); Plans Examiner I (Experience, plus one certification), pay grade 41 (\$27,720-\$41,026); Plans Examiner II (Experience, plus two certifications) Pay grade 42 (\$29,107-\$43,078); Plans Examiner III (Experience, plus all certifications) pay grade 43 (\$30,562-\$45,232).*

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

**Public Safety Committee, Consent**

**Audit & Finance Committee, Consent**

**Legislative Committee, Consent**

**Regional Utilities Committee, Consent**

**Recreation and Cultural Affairs Committee, Consent**

**Clerk of the Commission, Consent Agenda Items**

**990055 City Commission Minutes of May 6 and 10, 1999**

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

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

**990028 Gainesville Housing Authority**

**RECOMMENDATION** *The City Commission accept the resignation of member Frankie Y. Scott from the Gainesville Housing Authority effective immediately.*

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

**Community Redevelopment Agency, Consent Items**

**Outside Agencies Consent Agenda Items**

**990039 Appointment of Fifth Member to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan.**

**RECOMMENDATION** *The City Commission accept the recommendation and confirm the reappointment of George Ling as the fifth member to the Board of Trustees of the Consolidated Police Officers' and Firefighters' Retirement Plan.*

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

## End of Consent Agenda

## Adoption of the Agenda

*The Agenda was adopted with the following modifications: 1) 1. File No. 990057, New Item Submitted, Resolution, Bond Fairness and Protection Act; and 2) File No. 990035 - MTPO Update - Correct Meeting Date is June 10, 1999*

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

### Jeff Braswell - Kirkwood Neighborhood Streets (NB)

*Citizen Jeff Braswell asked the Commission not to go forward on the ballot question to the Kirkwood Neighborhood regarding the maintenance of streets until the whole neighborhood is informed of the plan and to continue to provide maintenance to the Kirkwood Neighborhood streets as agreed to in Resolution R-82-35.*

### Jane Burman-Holtom - Kirkwood Neighborhood Streets (NB)

*Citizen Jane Burman-Holtom also asked the Commission to continue the maintenance of Kirkwood Neighborhood streets as agreed to in resolution R-82-35.*

*City Attorney Marion Radson informed the Commission that he had a meeting scheduled with the Public Works Director and will report back to the City Commission.*

*Chair Pro Tem Bruce Delaney asked the City Manager (Public Works Director) to meet with Mr. Braswell on the ballot wording and report back to the City Commission.*

**990178**

### Frederick Peterkin - 911 Response Failures

*Citizen Frederick Peterkin made comments on possible 911 response failure in the future, sewer line near oak trees at the NW 31st Avenue development, and City Street Sweepers not stopping to remove trash from the road.*

*The City Manager and the General Manager for Utilities will review.*

**RECOMMENDATION**    *The City Commission hear comments.*

**This matter was Placed on File**

### Sarah Poll - Yard Waste, Noise and Notification of Citizens Change (NB)

*Citizen Sarah Poll told the City Commission that employees on a Waste Management's truck were throwing trash on the street.*

*She further stated that boom box noise definitely needed regulation.*

*Citizen Poll also stated she was against the reduction from 400 ft to 300 ft for notification of property owners of proposed development.*

**990060 Sarah Poll - Citizen Notification of Sewer Survey**

*Commissioner Hanrahan informed Citizen Poll that the next Regional Utilities Committee meeting where this item could be placed on the agenda was June 17, 1999.*

**RECOMMENDATION** *The City Commission refer the issue to the Regional Utilities Committee.*

**A motion was made by Commissioner Jennings, seconded by Commissioner Barrow, that this matter be Assigned to the Regional Utilities Committee, due back on November 24, 1999. The motion carried unanimously.**

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

**Charter Officer Updates**

**Clerk of the Commission**

**City Manager**

**981367 Property Lease - 211 Northeast First Street - Legislative File Number 981367**

*City Manager Wayne Bowers gave a presentation.*

**RECOMMENDATION** *The City Commission authorize the City Manager to sign the proposed lease on behalf of the City of Gainesville, subject to review and approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow  
Nay: Edward L. Jennings, Sr.  
Absent: Paula M. DeLaney

**981399 FCT Grant Applications**

*City Manager Wayne Bowers gave a presentation which included a recommendation*

*to exclude the stormwater management utility funds from the Glikes property and move the funds to the Depot project, if funded.*

*Chair Pro Tem B. Delaney recognized Citizens Jane Burman-Holtem, Phil Emmer and Sugarfoot Neighborhood Association Representative Susan Wright who spoke to the matter.*

*Commissioner Jennings moved and Commissioner Hanrahan seconded to direct the City Manager to meet with Phil Emmer regarding the offer of property, compare the two properties, and return to the City Commission (Vote 4-0).*

**RECOMMENDATION** *The City Commission approve the funding for the grant match and other grant related costs for the Depot Stormwater Park and Glikes property FCT grant applications.*

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

**990036 Architectural Design of the Gainesville Technology Enterprise Center (GTEC)**

*Economic Development Director Conchi Ossa and Architect Paul Stresing gave presentations.*

*MOTION: Indicate that the direction is acceptable and encourage the project to move forward.*

**RECOMMENDATION** *The City Commission hear a presentation from the incubator project team on the proposed building design and project budget and provide any input and direction that is appropriate.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Approved, as shown above. The motion carried unanimously.**

**990035 Metropolitan Transportation Planning Organization (MTPO)**

*Public Works Director Teresa Scott gave a presentation.*

**RECOMMENDATION** *The City Commission hear a report from staff regarding the June 10, 1999 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

**This matter was Placed on File**

**General Manager for Utilities**

**City Attorney**

**City Auditor****Committee Reports (Pulled from Consent)****Public Works Committee****Personnel & Organizational Structure Committee****Public Safety Committee****990026      State Law Enforcement Contraband Forfeiture Trust Fund (LECFTF) Funding for Joint Aviation Unit**

**RECOMMENDATION**    *The City Commission consider the appropriation of \$33,166.73 from the State Law Enforcement Contraband Forfeiture Trust Fund for the operation of the Joint Aviation Unit, and authorize the issuance of a purchase order for \$11,166.73 payable to the Alachua County Sheriff's Office for the installation and renovation of the Joint Aviation Unit office.*

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

**Audit & Finance Committee****Legislative Committee****Regional Utilities Committee****Recreation & Cultural Affairs Committee****Advisory Boards/Committees (Appointments/Reports)****990038      Art in Public Places Trust Update**

*Art in Public Places Trust Chair Lisa Auel gave a presentation.*

*MOTION: Refer the art for the Kelly Power Plant to the Regional Utilities*

*Committee.*

**RECOMMENDATION** *The City Commission hear a brief presentation by Art in Public Places Trust Chair Lisa Auel.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Assigned to the Regional Utilities Committee, due back on November 24, 1999. The motion carried unanimously.**

**990037                      Art in Public Places Trust Solar System Project Artists Ranking**

*Art in Public Places Trust Chair Lisa Auel gave a presentation.*

*Chair Pro Tem B. Delaney recognized Citizen Rev. Tim Keyes who spoke to the matter.*

*MOTION: Selected Elizabeth Indianos*

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation by Lisa Auel, Art in Public Places Trust Chair; 2) review the ranking of the top three artists in the order as recommended by the Trust; and 3) select one of the three artists for the purpose of awarding a contract for the Solar System project.*

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

**Votes:** Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow  
Nay: Edward L. Jennings, Sr.  
Absent: Paula M. DeLaney

**981474                      Blue Ribbon Committee**

*Commissioner Barrow appointment - Nkwanda Jah  
Mayor Paula M. DeLaney appointment - Larry Ellis*

*MOTION: Approve the appointments of Dr. Joseph Little, Ken Nunn, Larry McDaniel, Larry Ellis and Nkwanda Jah to the Blue Ribbon Committee.*

*The City Manager reported that the Clerk of the Commission's office would staff the Committee; and further, the City Manager (Equal Opportunity Department) would assist. Commissioner Hanrahan requested that City Attorney staff also have involvement in the Committee.*

**RECOMMENDATION** *Mayor Paula M. DeLaney and Commissioner John R. Barrow  
1) Appoint members to the committee and 2) City Commission  
select staff for this committee.*

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Approved, as shown above. The motion carried unanimously.

## Outside Agencies

## Members of the City Commission

### 990046 Southwest 13th Street

*Department of Urban and Regional Planning Representatives Dr. Ruth Steiner, Maria Sayoia and LaTanya Simms gave presentations.*

*Commissioner Hanrahan requested copies of the full presentation for the Community Development and Public Works Departments.*

*Chair Pro Tem B. Delaney recognized Citizen Rev. Tim Keyes who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a presentation concerning Southwest 13th Street from Ruth Steiner.*

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Assigned to the Public Works Committee, due back on November 24, 1999. The motion carried unanimously.

## Commission Comments

## Recess Until 6:00 PM

## Pledge of Allegiance

## Troop #1072

## Proclamations/Special Recognitions

### 990049 Memorial Day - May 31, 1999

**RECOMMENDATION** *Marine Corps League Gator Detachment Commander Scott Dupree and Junior Vice Commandant Bob Gache to accept the proclamation.*

**This matter was Placed on File**

**990050 Wireless Safety Week - May 24-30, 1999**

**RECOMMENDATION** *United States Cellular Gainesville Area General Manager Kevin Smith to accept the proclamation.*

**This matter was Placed on File**

**Public Hearings****Ordinances - 1st Readings- ROLL CALL REQUIRED****980732 Ordinance No. 0-99-38; Petition No. 213TCH-98PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to replacement of transmitter towers; amending subsection 30-98(a)(5) to allow modified or replacement transmitter towers under certain conditions; creating and adding subsection 30-98(h) concerning abandonment of use of a nonconforming tower; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Planning Manager Ralph Hilliard gave a presentation.*

*Chair Pro Tem B. Delaney recognized Citizens Mark Kane Goldstein, Frederick Peterkin, Rev. Tim Keyes and Agent James Malless who spoke to the matter.*

*The Commission agreed to notify residents within 400 feet that are affected.*

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

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

**Votes:** Aye: Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Nay: Pegeen Hanrahan  
Absent: Paula M. DeLaney

**980894 Ordinance No. 0-99-51**

**An ordinance relating to wastewater pretreatment; amending chapter 27 of the Gainesville Code of Ordinance, by amending sections 27-96, Definitions; 27-180, pretreatment program; creating sections 180.1, -.2, -.3, -.4, -.5, -.6 AND -.7 relating to prohibited substances, conditional requirements for specific discharges, permitting, monitoring, accidental discharge/slug prevention and enforcement; amending section 27-181 relating to graywater disposal facilities; amending section 27-182, private wastewater disposal systems; creating sections**

27-182.1 and -.2 requiring permits for private sewage disposal systems and regulating discharges therefrom; providing a repealing clause; providing a severability clause and an effective date.

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**980987**

**Ordinance No. 0-99-34, Petition No. 229PDA-98PB**

**An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 960941 that adopted the Planned Development commonly known as "Magnolia Park" located in the vicinity of 4700-4900 block of N.W. 39th Avenue; amending the planned development to allow an eating place with a drive-through facility under certain terms and conditions; amending the planned development report to conform with the amendment; providing a severability 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 Barrow, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**981475**

**Ordinance No. 0-99-54**

**An ordinance of the City of Gainesville, Florida, setting the due date for the 2000 regular city election; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Chair Pro Tem B. Delaney recognized Citizens Rev. Tim Keyes and Frederick Peterkin who spoke to the matter.*

*ADDITIONAL MOTION: Refer the issue of Charter Review to the Personnel and Organizational Structure Committee*

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**990064 Charter Review**

**RECOMMENDATION** *The City Commission refer the issue of City Charter review to the Personnel and Organizational Structure Committee.*

**A motion was made by Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Assigned to the Personnel and Organizational Structure Committee, due back on November 24, 1999. The motion carried unanimously.**

**Ordinances - 2nd Readings- ROLL CALL REQUIRED****980583 Ordinance No. 0-99-22**

**An ordinance of the City of Gainesville, Florida, amending the Conservation, Open Space and Groundwater Element of the City of Gainesville 1991-2001 Comprehensive Plan, adding provisions for removal of invasive vegetation; amending the Stormwater Element of the City of Gainesville 1991-2001 Comprehensive Plan, adding provisions for removal of invasive vegetation; amending the Recreation Element of the City of Gainesville 1991-2001 Comprehensive Plan, clarifying the description of the City's greenway network; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

**RECOMMENDATION** *The City Commission (1) approve the petition, and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**980873 Ordinance No. 0-99-27, Petition No. 224LUC-98PB**

**An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property consisting of approximately 44.6 acres (MOL) from "Agriculture" to "Industrial"; located in the vicinity of the 7600 block east of U.S. 441 and west of S.R. 121; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**980989 Ordinance No. 0-99-33; Petition 248CPA-98PB**

**An ordinance of the City of Gainesville, Florida, amending the Future Land Use Element of the City of Gainesville 1991-2001 Comprehensive Plan, adding public schools other than institutions of higher learning as allowed uses in the Single Family, Residential Low Density and Residential High Density land use categories and adding a policy to encourage collocation of public schools with public facilities such as parks, libraries and community centers; providing directions to the City Manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**981147 Ordinance No. 0-99-47, Petition No. 33ZON-99PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "OF: General office district"; located in the vicinity of 4039 Newberry Road; providing a severability clause; providing a repealing clause; and providing an effective date.**

*Chair Pro Tem B. Delaney recognized Sugarfoot Homeowners Association President Susan Wright, LifeSouth Representative Paul Grebe, and Citizen Cindy Smith who spoke to the matter.*

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**981148 Ordinance No. 0-99-44; Petition No. 10TCH-99PB**

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to tree removal permits; amending subsections 30-254(b) and (c) to not require separate tree removal permits for trees removed as part of an approved development plan; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

**RECOMMENDATION**    *The City Commission (1) approve Petition 10TCH-99PB, and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**981389**

**Ordinance No. 0-99-49**

An ordinance of the City of Gainesville, Florida, amending section 14.5-2 of the Code of Ordinances relating to requirements of the holder of a landlord permit, providing that adjudication of guilt or plea of no contest to violations of certain ordinances at the permitted property will subject the permittee to revocation of the permit; providing procedures for revocation of the permit; providing that the permittee will allow inspection of the property for violations of the housing code; providing for injunctive relief; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*Chair Pro Tem B. Delaney recognized Citizens Karl Hackenbrach, Bob Gaitainis, Jean Chalmers, Kevin Daly, Helen Hill, Della Wilson, Ben Techler, Mark Goldstein, Rev. Tim Keyes, David Chalmers, Joe Schmidt, Susan Wright, Laura Colopy, Ilene Kanely, Mark Haile, Kathleen Shiverik, Bill Gager, Alan Agresti, and Susan Carter who spoke to the matter.*

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

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

**Votes:** Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow  
Nay: Edward L. Jennings, Sr.  
Absent: Paula M. DeLaney

**Resolutions- ROLL CALL REQUIRED**

*Commissioner Jennings left the meeting room (9:45pm).*

**990047**

**The Designation of First and Second Alternate Representative to the First**

**Florida Governmental Financing Commission.**

**RECOMMENDATION** *The City Commission adopt a resolution appointing Mark S. Benton as First Alternate and Becky Rountree as Second Alternate Representative to the First Florida Governmental Financing Commission.*

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

**Votes:** Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow  
Absent: Edward L. Jennings, Sr. and Paula M. DeLaney

**990048**

**Petition 45SUB-99 DB, George E. Tedder III and Mary C. Piazza. Final plat approval of Lot 13 of Mile Run Phase III, Unit G2 Subdivision, to implement setback modifications to the subject lot as approved by the Planned Development as amended, Petition 121PDA-98PB. Located at 6542 Northwest 37th Drive. Zoned PD Residential (Planned Development).**

*Planning Manager Ralph Hilliard gave a presentation.*

*Chair Pro Tem B. Delaney recognized Citizen George Tedder who spoke to the matter.*

**RECOMMENDATION** *Staff to City Commission: The City Commission adopt a resolution approving the replat of "Lot 13 of Mile Run Phase III, Unit G2 Subdivision" located at 6542 Northwest 37th Drive and providing an immediate effective date.*

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

**Votes:** Aye: Pegeen Hanrahan, Bruce L. Delaney and John R. Barrow  
Absent: Edward L. Jennings, Sr. and Paula M. DeLaney

**990057****Resolution - Bond Fairness and Protection Act (B)**

*Commissioner Jennings re-entered the meeting room (9:55pm).*

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

**Plan Board Petitions**

## Development Review Board Petitions

## Scheduled Evening Agenda Items

## Unfinished Business

## Commission Comment

### 990094 C/Jennings - Commissioner Appointment of Relatives to Advisory Boards

**RECOMMENDATION** *The City Commission refer the issue to the Legislative Committee.*

**A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Assigned to the Legislative Committee, due back on November 24, 1999. The motion carried unanimously.**

### C/Jennings - Commission Appointments (NB)

*Commissioner Jennings stressed the importance of appointing advisory board members from all areas.*

### C/Hanrahan - Alfred A. Ring Park Dedication (NB)

*Commissioner Hanrahan reminded the Commission of the dedication of the Alfred A. Ring Park.*

### C/Barrow - Advisory Board Appointments (NB)

*Commissioner Barrow asked for the deadline for advisory board applications. Clerk's Staff indicated 4pm, June 3, 1999.*

### C/Barrow - Hofer Letter Re: Boom Boxes (NB)

*Commissioner Barrow asked the City Manager for an update on the issue.*

### C/Hanrahan - City Manager's Police Committee (NB)

*Commissioner Hanrahan asked and the City Manager presented a brief update on the Police Committee.*

## Advisory Board Appointments & Vacancies (NB)

*Clerk's Staff read the list of vacancies on the Advisory Boards. The Commission requested a copy of the vacancies on advisory boards press release be given to all Commissioners, posted and brought to each City Commission regular meeting.*

*Commissioner Hanrahan asked when City Commission meetings are going to be re-broadcast.*

#### **990100 Better America Bonds**

*Commissioner Hanrahan suggested the letter be reviewed by Marion Turner in the City's federal lobbyists' office.*

**RECOMMENDATION** *The City Commission authorize the Mayor to write a letter of support to Senator Connie Mack for the Better America Bonds legislation.*

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

#### **C/Barrow - Historic Preservation Conference Update (NB)**

#### **Citizen Comment**

#### **Rev. Tim Keyes - Issues & Concerns (NB)**

*Citizen Rev. Tim Keyes apologized for misquoting a citizen relating to the Landlord Ordinance. He also stated that preliminary comments from City Commissioners should be heard before citizens comments on individual items. Rev. Keyes also stated that the laws in place should be enforced rather than create new laws (landlord ordinance).*

#### **Rev. Earl Young - NW 5th Avenue Arts Festival (NB)**

#### **Adjournment - 10:48pm**

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Kurt M. Lannon, Clerk of the Commission