

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, November 25, 2002**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Tom Bussing (At-Large)  
Mayor-Commissioner Pro Tem Warren Nielsen (At-Large)  
Commissioner Chuck Chestnut (District 1)  
Commissioner Edward Braddy (District 2)  
Commissioner Tony Domenech (District 3)*

*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 - 1:07 PM****ROLL CALL**

Present: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

**INVOCATION****Reverend Alex Farmer, Saint Michael's Episcopal Church****CONSENT AGENDA**

*Commissioner Domenech moved and Mayor-Commissioner Pro Tem Nielsen seconded to adopt the Consent Agenda.*

*(VOTE: 4-0 - Commissioner Braddy - Absent, MOTION CARRIED)*

**CITY MANAGER, CONSENT AGENDA ITEMS****020659           Gainesville Police Department Uniform Purchase Contract with Gold Nugget Uniforms Inc. d/b/a Argo Uniform Company (B)**

**RECOMMENDATION**   *The City Commission rescind its approval of the "First Extension to Agreement for Provision of Police Uniforms" with Service 1 Uniforms Inc., authorize the City Manager to execute a contract with Gold Nugget Uniforms Inc. d/b/a Argo Uniform Co. of Hallandale, Florida, subject to the approval of the City Attorney as to form and legality, and authorize the issuance of a purchase order in an amount not to exceed \$100,000 annually, for the life of the agreement.*

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

**020660           Conveyance of Surplus Property Located at 112 SE 13th Street (B)**

**RECOMMENDATION**   *The City Commission authorize the Mayor to execute a Special Warranty Deed to convey the surplus property to Garry C. Richards.*

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

**020661           Asplundh Tree Expert Contract Extension (NB)**

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

*order in an amount not to exceed \$37,000 to Asplundh Tree Expert Company for tree services required by the Recreation and Parks Department.*

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

**020662 Funding for Gainesville Police Department Police Beat Television Show (B)**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order totaling \$41,500 to Diversified Broadcasting, Inc., d/b/a WCJB-TV 20, of Gainesville, Florida, for the continuation of funding of eleven episodes of the Police Beat television show, and authorize the City Manager or his designee to enter into an agreement with WCJB-TV 20 for the same.*

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

**GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS**

**020668 Approval of funds for the Asplundh Contract for Electric Distribution Line Clearance, Tree-Trimming, Right-of-Way Maintenance, Weed Control and Related Work (NB)**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Asplundh Tree Expert Company for the provision of electric distribution line clearance, tree-trimming, right-of-way maintenance and weed control services for fiscal year 2003 and for each subsequent fiscal year of the contract term in amounts not exceeding budgeted amounts for these services, subject to the final appropriation of funds for these services in each future fiscal year of the contract.*

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

**020669 Change Order for North Florida Reforestation Services, Inc. for Site Preparation and Replanting Efforts at Deerhaven Generation Station (NB)**

**RECOMMENDATION** *The City Commission approve a change order for additional expenditures to North Florida Reforestation Services, Inc. for tree planting/reforestation efforts at GRU's Deerhaven Generation Station for a new not to exceed amount \$65,500.*

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**020653 GREENSPACE PRESERVATION ASSOCIATION, INC.; GLEN SPRINGS PRESERVATION ASSOCIATION, INC.; TURKEY CREEK HOMEOWNERS ASSOCIATION, INC.; PAULA STAHMER; DIAN DEEVEY; DECEMBER MCSHERRY; EVERETT WILCOX; AND KAREN ORR VS. CITY OF GAINESVILLE AND DEPARTMENT OF COMMUNITY AFFAIRS; STATE OF FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS; CASE NO.: 02-4258GM 02-1ER-NOI-0104 (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to represent the City in the administrative case styled Greenspace Preservation Association, Inc.; Glen Springs Preservation Association, Inc.; Turkey Creek Homeowners Association, Inc.; Paula Stahmer; Dian Deevey; December McSherry; Everett Wilcox; and Karen Orr vs. City of Gainesville and Department of Community Affairs; State of Florida Division of Administrative Hearings; Case No.: 02-4258GM 02-1ER-NOI-0104.*

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

## **COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

### **CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**

**020613 Resignation - City Beautification Board (B)**

**RECOMMENDATION** *The City Commission accept the resignation of member Tami Micallef from the City Beautification effective immediately.*

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

**020626 Resignation - Gainesville Human Rights Board (B)**

**RECOMMENDATION** *The City Commission accept the resignation of member Candy Barnhill from the Gainesville Human Rights Board effective immediately.*

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

**020615 Resignation - Nature Centers Commission (B)**

**RECOMMENDATION** *The City Commission accept the resignation of member Gregg Klowden from the Nature Centers Commission effective*

*immediately.*

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

**020652 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commissioner approve the minutes of the Special Meeting of November 4, 2002 and the Regular Meeting of November 12, 2002, as circulated.*

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

**Passed The Consent Agenda**

**A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem 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 and Tom Bussing  
Absent: Edward Braddy

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF THE CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chestnut seconded to adopt the Regular Agenda with the following modifications/additional back-up:  
(VOTE: 4-0 - Commissioner Braddy - Absent, MOTION CARRIED)*

### *REGULAR AGENDA - MODIFICATIONS*

- 1. File # 020674 - CITY MANAGER CATEGORY - Solid Waste Interfund Transfer- Withdraw from the agenda.*
- 2. File # 020666 - CITY MANAGER CATEGORY - Metropolitan Transportation Planning Organization - Withdraw from the agenda.*
- 3. File # 020675 - RESOLUTION CATEGORY - New Item submitted - Board of Canvassers for the City of Gainesville, Florida.*

### *REGULAR AGENDA - ADDITIONAL BACK-UP*

- 1. File # 020482 - CITY MANAGER CATEGORY - Downtown Parking Garage - Additional back-up submitted.*
- 2. File # 002471 - ORDINANCE 1ST READING CATEGORY - Sidewalk Requirements Amendments - Additional back-up submitted.*
- 3. File # 002561 - ORDINANCE 1st READING CATEGORY - Petition 30TCH-02PB - Amend the Land Development Code Sign Regulations - Additional back-up submitted.*

### *TIME CERTAIN ITEMS REQUESTED - 7:00 PM*

- 1. File # 002652 - Equal Opportunity Charter Officer Selection Process*
- 2. File #020673 - Combined Emergency Services Transition Board*

## CLERK OF THE COMMISSION

## CITY MANAGER

### **020555 ARTSREACH Exhibits (NB)**

*ARTSREACH Coordinator for the Department of Cultural Affairs 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, introducing the exhibitions of Art in City*

*Hall, Art in the Alachua County Administration Building and Art in the Airport.*

### Heard

#### 020482 Downtown Parking Garage (B)

*City of Gainesville Public Works Manager Emery Swearingen and Traffic Engineering Manager Brian Kanely gave presentations.*

*FIRST MOTION: Commissioner Chestnut moved and Mayor Commissioner Pro Tem Nielsen seconded to approve staff's recommendation which is the City's Lot 10 site. (NO VOTE)*

*Chair Bussing recognized Ken McGurn, Downtown Redevelopment Advisory Board Member Liz Fetty, Angela Pate, Stephen Boyes, Harold Saive, Tony Porter, and Downtown Redevelopment Advisory Board Chair Linda McGurn who spoke to the matter.*

*SUBSTITUTE MOTION: Commissioner Nielsen moved and Commissioner Chestnut seconded to ask the City Manager and Mr. McGurn to present an outline to the City Commission at the next regular City Commission meeting regarding points of agreement and uncertainty with respect to construction of the parking garage at the alternative site.*

*(VOTE: 4-0, Commissioner Braddy - Absent, MOTION CARRIED)*

**RECOMMENDATION** *The City Commission receive the City Manager's Report and a staff presentation concerning the parking garage cost and alternative site analysis.*

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

#### 020663 Living Wage Ordinance for City Contractors (B)

*City of Gainesville Human Resources Director Tom Motes, GRU Administrative Services Director Pat Moore and Minority Business Development Coordinator Arline Hampton gave presentations.*

*Chair Bussing recognized Citizens Tom Summers, Robert Brinkman, Mary Jo Hoffmeyer, Sonia Winters, Elsie Allen, Harriet Ludwig, Brent Christiansen and Sam Goforth who spoke to the matter.*

*NOTE: Commissioner Braddy entered the meeting room at 4:29 PM.*

*NOTE: The City Commission would like to see the County Report before First*

*Reading of the Ordinance.*

**RECOMMENDATION** *The City Commission authorize the City Attorney to prepare in final form an ordinance and the Clerk of Commission to advertise the new ordinance.*

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

**Votes:** Aye: Chuck Chestnut, Warren Nielsen and Tom Bussing  
Nay: Tony Domenech and Edward Braddy

**020664 Hogtown Creek Greenway Phase 1B Update (B)**

*City of Gainesville Nature Operations Manager Steve Phillips and Engineer for the Greenway Project Rory Causseaux gave presentations.*

*Chair Bussing recognized Greenspace Preservation Association Representative Francine Robinson, Bonnie O'Brien and Nature Centers Commission Chair Jack Hughes who spoke to the matter.*

*AMENDMENTS: 15 x 10 staging area instead of 20 x 20; and include some kind of barrier at 16th Avenue to discourage crossing.*

**RECOMMENDATION** *The City Commission: 1) hear a report from staff; 2) approve the conceptual site plan; and 3) instruct staff to proceed with the development.*

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

**020674 Solid Waste System Interfund Transfer (B)**

**RECOMMENDATION** *The City Commission hear a report from City staff.*

**Withdrawn**

**020666 Metropolitan Transportation Planning Organization (MTPO) (NB)**

**RECOMMENDATION** *The City Commission hear a report from staff regarding the December 12, 2002 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

**Withdrawn**

**CITY ATTORNEY**

**CITY AUDITOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**

**OUTSIDE AGENCIES**

**COMMUNITY REDEVELOPMENT AGENCY**

**020521 Recommendation on Parking Garage (NB)**

**RECOMMENDATION** *Downtown Redevelopment Advisory Board to the CRA: 1) From an aesthetic, budget, safety, and comfort point of view for people who are using the garage, DRAB supports the design with half railings and no solar screens; and 2) the Advisory Board is deeply concerned about design and cost issues related to the parking garage and recommends that the CRA step back and look at the garage as a whole.*

*Executive Director to the CRA: The CRA recommends the City Commission consider these comments at the City Commission meeting of November 25, 2002, in conjunction with it's consideration of the City Manager's report on these issues on that date.*

**Heard**

**MEMBERS OF THE CITY COMMISSION**

**COMMISSION COMMENTS (if time available)**

**RECESS - 5:08 PM**

**RECONVENE - 5:30 PM**

**CITIZEN COMMENT (5:30pm)**

**Carol Higman - Women for Wise Growth**

*Wetland policies.*

**James Higman**

*Wetland policies.*

**Officer Jeff McAdams**

1. *Law Enforcement Officers Gala - December 2, 2002 6:30 PM - Invitation.*
2. *GPD building mold - request environmental study.*

**Gabe Kaimowitz**

1. *Hearing Device - Withdrawing complaint.*
2. *Citizen Comment Issues - (Agenda Statement).*

**Debbie Martinez**

1. *Public Safety vs. Recreation & Parks.*
2. *Police Department Issues.*

**COMMISSION COMMENTS (if time available)**

**WAIVER OF RULES**

*Commissioner Domenech moved and Commissioner Chestnut seconded to waive the rules to hear the three items remaining from the afternoon agenda, immediately after the Pledge of Allegiance.  
(VOTE: 5-0, MOTION CARRIED)*

**PLEDGE OF ALLEGIANCE (6:00pm)**

**PROCLAMATIONS/SPECIAL RECOGNITIONS**

**CITY MANAGER - (Continued)**

**020665 Financial Information System Acquisition/Upgrade (B)**

*City of Gainesville Computer Services Director Les Auerbach gave a presentation.*

**RECOMMENDATION** *The City Commission hear a presentation from staff and authorize the City Manager or his designee to negotiate and execute a contract with American Management Systems for acquisition of version 3.0, including the requisite software,*

hardware, and professional consulting services. (A copy of the complete AMS Upgrade Analysis is on file in the Clerk's Office. After November 25, 2002, a copy will be on file in the Finance Department.)

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

## GENERAL MANAGER FOR UTILITIES

### 020670 Purchase of Additional Lands at Deerhaven Generating Station from Plum Creek Timberlands, L.P. (B)

*Gainesville Regional Utilities (GRU) Strategic Planning Engineer David Richardson gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) Hear a presentation from staff, 2) approve the purchase of property known as "Parcel B" located to the north and to the east of the Deerhaven Generating Station site from Plum Creek Timberlands, L.P., as negotiated by staff, 3) direct staff to continue their analysis of longer term land use and site buffer alternatives and 4) authorize the General Manager or his designee to execute all documents to complete the closing in accordance with the Option to Purchase Land and the Amendment to Option to Purchase Land, subject to the approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

### 020672 On-site Electric Generation Service (EGS) (NB)

*GRU Senior Accounts Representative Bill Shepherd gave a presentation.*

**RECOMMENDATION** *The City Commission 1) Authorize the General Manager, or his designee, to negotiate and execute a contract with Ring Power in amounts not to exceed budgeted amounts for the provision of EGS equipment and related services for the initial one-year as well as subsequent extensions, subject to the approval of the City Attorney as to form and legality and subject to the appropriation of funds in subsequent fiscal years for these services; and 2) Authorize the General Manager, or his designee, to negotiate and execute contracts*

*or issue purchase orders on an as-needed basis for installation and other services required to provide EGS.*

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

**Votes:** Aye: Tony Domenech, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

## **TIME CERTAIN ITEMS - 7:00 PM**

### **ADVISORY BOARDS/COMMITTEES - (Continued)**

#### **002652 Equal Opportunity Charter Officer Selection Process (NB)**

*Gabe Kaimowitz made comments.*

*Blue Ribbon Task Force Chair Rodney Long gave a presentation.*

*FIRST MOTION: Commissioner Chestnut moved and Mayor-Commissioner Pro Tem Nielsen seconded to approve the recommendation.*

*(No Vote)*

*SUBSTITUTE MOTION: Commissioner Domenech moved and Commissioner Braddy seconded that the City Commission: 1) Appoint an interim EO Charter Officer; 2) form a committee similar to the Charter Review Committee; and 3) sunset the Blue Ribbon Committee and thank them for their years of service.*

*(VOTE: 3-2, Commissioner Chestnut and Mayor-Commissioner Pro Tem Commissioner Nielsen - No)*

*Chair Bussing recognized Citizens Gabe Kaimowitz, Ruth Brown, Nkwanda Jah, Pegeen Hanrahan, CWA President Tom Bolduc, Vivian Filer, Officer Jeff McAdams, EO Director Jimmy Williams, and Ed Jennings, Jr. who spoke to the matter.*

*Note: Chair Bussing passed the gavel in order to make the following motion.*

*THIRD MOTION: Mayor Bussing moved to poll the Blue Ribbon Committee members to see if they wanted to continue to offer their service.*

*(No second)*

*FOURTH MOTION: Mayor Bussing moved and Commissioner Domenech seconded to offer the interim position of Equal Opportunity Charter Officer to Mr. Jimmie Williams.*

*(VOTE: 3-2, Mayor-Commissioner Pro Tem Nielsen and Commissioner Chestnut - No, MOTION CARRIED)*

*Chair Pro Tem Nielsen recognized Tom Bolduc, Vivian Filer, Ruth Brown, Pegeen Hanrahan, Officer Jeff McAdams and Ed Jennings, Jr., who spoke to the matter.*

**RECOMMENDATION** *The City Commission reaffirm its 4/22/02 referral to the Blue Ribbon Task Force to request that they: 1) assist the City Commission by serving as a citizen advisory committee in the hiring process for the Equal Opportunity Charter Officer and recommending a formal process for their participation; 2) assist the City Commission in developing a job description; 3) provide any additional feedback that they think would be helpful in identifying a top-notch candidate, in addition; 4) to hold in abeyance the hiring of the affirmative action officer until the selection of the new Charter Officer for Equal Opportunity; and 5) recommend that the Charter Officers work with the Blue Ribbon Committee to complete its charge.*

**A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Approved, as shown above (Substitute Motion). The motion carried by the following vote:**

**Votes:** Aye: Tony Domenech, Edward Braddy and Tom Bussing  
Nay: Chuck Chestnut and Warren Nielsen

## **OUTSIDE AGENCIES - (Continued)**

### **020673 Combined Emergency Services Transition Board (B)**

*Chair of the Alachua County Board of County Commissioners Rodney Long gave a presentation.*

*MOTION (MAIN MOTION): Commissioner Braddy moved and Mayor-Commissioner Pro Tem Nielsen seconded to reconstitute the Combined Emergency Services Transition Board.*

*(VOTE: 3-2, Commissioners Braddy, Nielsen and Chestnut, Yes; Commissioner Domenech and Mayor Bussing - No, MOTION CARRIED)*

*Chair Bussing recognized Citizen Mark Goldstein who spoke to the matter.*

*NOTE: Mayor Bussing passed the gavel in order to second the following motion.*

*SUBSTITUTE MOTION: Commissioner Domenech moved and Mayor Bussing seconded that shortly after the beginning of the year that the City Manager organize a series of workshops, at least two and no more than three, to do some analysis on the fire merger.*

*(VOTE: 2-3, Commissioner Domenech and Mayor Bussing - Yes; Commissioners Braddy, Chestnut and Nielsen - No, MOTION FAILED)*

*NOTE: Commissioner Chestnut moved to call the previous question.  
(No second)*

*City of Gainesville Fire Chief Richard Williams gave a presentation.*

*Chair Pro Tem Nielsen recognized Citizen Mark Goldstein who spoke to the matter.*

*SECOND SUBSTITUTE MOTION: Commissioner Domenech moved and Mayor Bussing seconded that the City Manager and the County Manager work out a process where the City provides services to the urban area of the County for fire/rescue services.*

*(VOTE: 2-3, Commissioner Domenech and Mayor Bussing - Yes; Commissioners Braddy, Chestnut and Nielsen - No, MOTION FAILED)*

*Chair Pro Tem Nielsen recognized Rodney Long and Mark Goldstein who spoke to the matter.*

*THIRD SUBSTITUTE MOTION: Commissioner Domenech moved and Mayor Bussing seconded to form a transition committee.*

*(VOTE: 2-3, Commissioner Domenech and Mayor Bussing - Yes; Commissioners Braddy, Chestnut and Nielsen - No, MOTION FAILED)*

**RECOMMENDATION** *The City Commission hear a report from Chair Rodney Long.*

**Approved, as shown above**

## **PUBLIC HEARINGS**

## **ORDINANCES, 1ST READING- ROLL CALL REQUIRED**

### **002471           SIDEWALK REQUIREMENTS AMENDMENT (B)**

**Ordinance No. 0-02-23; Petition No. 23TCH-02PB**

**An ordinance of the City of Gainesville, Florida, amending the Land Development Code, relating to sidewalk requirements along public and private streets; amending Section. 30-23, adding a definition; amending Section 30-160(d)(34) and Section 30-160(e)(18), providing that sidewalks meet the requirements of the Land Development Code; amending Sec. 30-188(e)(1), requiring new subdivisions in the Industrial, Agriculture, Airport Services, Conservation and Public Services districts to provide sidewalk only on arterial and collector streets; amending Sec. 30-188(e)(5), clarifying the effective date; amending Section 30-338, by requiring sidewalks for all lots and buildings except as provided or modified; providing for the dedication of property for sidewalks, and the criteria for modifications; providing directions to the codifier; 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 (1) approve Petition 23TCH-02 PB, and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**002561****SIGN REGULATIONS (B)****ORDINANCE NO. 0-02-30; PETITION NO. 30TCH-02 PB**

**An ordinance of the City of Gainesville, Florida, amending Article IX , Division 1, of the Land Development Code of the City of Gainesville, relating to sign regulations; eliminating redundancies and providing consistencies within the Land Development Code; amending sec. 30-23, adding a definition; amending sec. 30-315, providing clarification; amending sec. 30-316, providing that an application be filed with the city for banners; prohibiting banner signs; providing clarification; allowing signs for specific uses; providing for additional exemptions; amending sec. 30-317, allowing one on-site, non-illuminated wall or ground mounted sign at main entrance; amending sec. 30-318, providing for monument signs in and for single and multiple occupancy developments; amending sec. 30-319 relating to political signs by eliminating numerical restrictions on signs per lot; providing additional restrictions; amending sec. 30-322, providing that a permit is not required to erect a political sign; amending sec. 30-323, providing for clarification; amending sec. 30-324, adding limitations and removal of nonconforming signs; amending sec. 30-325, providing for clarification; amending sec. 30-326, providing for clarification; amending sec. 30-327, extending the time period for filing appeals; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Planner Jason Simmons, Planning Manager Ralph Hilliard and Community Development Director Tom Saunders gave presentations.*

**RECOMMENDATION** *The City Commission (1) approve Petition 30TCH-02 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**020628****ELECTION DISTRICTS (B)****ORDINANCE NO. 0-02-68**

**An ordinance of the City of Gainesville, Florida, Chapter 9, Elections; amending Section 9-1.1 of the Code of Ordinances by apportioning the City into four consecutively numbered election districts; by creating a fourth election district and amending the current election districts; making the districts ratably or equally proportioned as required by law; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*Chair Bussing recognized Robert Brinkman and Tom Fox who spoke to the matter.*

*NOTE: Commissioner Domenech moved and Commissioner Nielsen seconded to waive the rules to extend the meeting until 11:30 PM.*

*(VOTE: 3-1, Commissioner Chestnut - No, Commissioner Braddy - Absent, MOTION CARRIED)*

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

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**020654**

**ANNEXATION OF INTERSECTION OF ARCHER ROAD AND SW 34TH STREET (B)**

**ORDINANCE NO. 0-02-67**

**An Ordinance of the City of Gainesville, Florida, annexing a portion of the City of Gainesville Reserve Area Pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; making certain findings; including within the corporate limits of the City of Gainesville, Florida, that certain compact and contiguous area generally located north of the city limits, west of the city limits, south of the SW 34th Street right-of-way, and east of the city limits, more particularly the intersection of Archer Road and SW 34th Street; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.**

*City Manager Wayne Bowers gave a presentation.*

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

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**020655 RESCHEDULING OF RUNOFF ELECTION DATE (B)****ORDINANCE NO. 0-03-02**

**An ordinance of the City of Gainesville, Florida, relating to city elections; amending Ordinance No. 002644 by rescheduling the runoff election date for the 2003 city election to April 29, 2003; 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 Chestnut, seconded by Commissioner Domenech, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**020658 HISTORIC TAX EXEMPTION (B)****ORDINANCE NO. 0-03-01**

**An ordinance of the City of Gainesville, Florida, finding that property located in the vicinity of 221 S.E. 7th Street, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2003, and continuing for 10 years; authorizing the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant between the applicant and the City; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

**RECOMMENDATION** *The City Commission: (1) approve the "Part 2-Request for Review of Completed Work" application; (2) adopt the proposed ordinance; and (3) authorize the Mayor and Clerk of the Commission to sign the Historic Preservation Property Tax Exemption Covenant, subject to approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**ORDINANCES 2ND READING- ROLL CALL REQUIRED**

**020481 URBAN SERVICES REPORT FOR ST. ELIZABETH'S GREEK ORTHODOX CHURCH (B)****ORDINANCE NO. 0-02-66**

An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area known as St. Elizabeth's Greek Orthodox Church, generally located north of Hunters Glen Subdivision, west of the city limits, south of NW 53rd Avenue, and east of Hunters Glen Subdivision; in particular see attached Exhibit "B" for detailed property description; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability clause; and providing an immediate effective date.

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

**A motion was made by Mayor-Commissioner Pro Tem Nielsen, seconded by Commissioner Domenech, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**RESOLUTIONS- ROLL CALL REQUIRED****020667 Resolution for a Joint Participation Agreement for Commuter Assistance Program Funding (B)**

**RECOMMENDATION** *The City Commission approve the Resolution authorizing execution of a Joint Participation Agreement with the Florida Department of Transportation.*

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**020675 RESOLUTION ACCEPTING REPORTS OF THE BOARD OF CANVASSERS (B)**

A resolution of the City Commission of the City of Gainesville, Florida, accepting the reports of the Board of Canvassers for the City of Gainesville, Florida, special election held November 5, 2002; and providing an immediate effective date.

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

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

**Votes:** Aye: Tony Domenech, Chuck Chestnut, Warren Nielsen and Tom Bussing  
Absent: Edward Braddy

**PLAN BOARD PETITIONS**

**DEVELOPMENT REVIEW BOARD PETITIONS**

**SCHEDULED EVENING AGENDA ITEMS**

**UNFINISHED BUSINESS**

**COMMISSION COMMENT**

**CITIZEN COMMENT (If time available)**

**ADJOURNMENT - 11:14 PM**

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Kurt M. Lannon, Clerk of the Commission