

Submitted by  
Jane Burman-Holtom  
5/24/99

980721

May 24, 1999

Mayor Paula M. Delaney  
Mayor Pro Tem, Bruce L. Delaney  
City Commissioners Pegeen Hanrahan, Edward L. Jennings Sr., John R Barrows  
City of Gainesville

Dear Mayor and City Commissioners:

APPEAL FOR IMMEDIATE ENFORCEMENT OF RESOLUTION R-82-35 RELATING TO THE CITY OF GAINESVILLE AGREEING TO MAINTAIN THE STREETS OF KIRKWOOD SUBDIVISION TO THE EXTENT NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

On behalf of the residents of Kirkwood, we are **requesting compliance with the City Commission Resolution R-82-35 passed on April 12, 1982 (copy attached)**. This Resolution assured street maintenance at the level "necessary to protect the public health, safety and welfare." However, road maintenance has been neglected since the Fall of 1997/Spring 1998, although requests have been made for resumption of road maintenance.

On April 21, the current Chairman/President of KEIA, Inc. (the neighborhood association which holds the deeds to the roads) asked for a written response from the City as to what statutes, ordinances, or resolutions since 1982 make the Resolution null and void. We would like a written response to this request. To our knowledge, no communication or action by the City Commission, independently or in interaction with KEIA, Inc. is of a nature to supercede the 1982 Resolution.

At this juncture, communication within and between the City and KEIA, Inc. has become so muddled (deficient and confusing) that both organizations need more time to explore alternative solutions and their long term consequences.

It is imperative that the accelerating deterioration of the streets be stopped now, while both parties devote themselves to a higher level of trust, cooperation, and communication.

Cordially,



Jane Burman-Holtom  
Chairman/President, KEIA, Inc.

701 SW 23<sup>rd</sup> Place  
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JBHFL@bigfoot.com

RESOLUTION R-82-35

PASSED April 12, 1982

A RESOLUTION RELATING TO THE CITY  
OF GAINESVILLE AGREEING TO MAINTAIN  
THE STREETS OF KIRKWOOD SUBDIVISION  
TO THE EXTENT NECESSARY TO PROTECT  
THE PUBLIC HEALTH, SAFETY AND WELFARE

WHEREAS, Kirkwood Subdivision is located immediately between State Road 25 (also known as US 441 and Southwest 13th Street) and State Road 329 (also known as South Main Street); and

WHEREAS, due to its location the streets in the subdivision are frequently used by the public as a means of traversing from one state road to another; and

WHEREAS, the City Commission finds that it would serve a municipal function and public purpose to maintain the streets in Kirkwood Subdivision in a safe condition because of such public use;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. That upon receiving evidence that the owner of such streets has no objection, the City of Gainesville shall maintain the streets in the Kirkwood Subdivision to the extent necessary to protect the public health, safety and welfare.

Section 2. This Resolution shall become effective immediately upon its adoption.

DATED this 12th day of April, A.D.,  
1982.

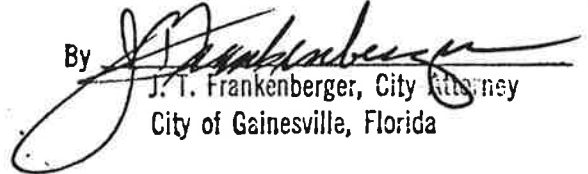
  
MAYOR-COMMISSIONER

ATTEST:

  
CLERK OF THE COMMISSION

APR 14 1982

Approved as to form and correctness

By   
J. T. Frankenberger, City Attorney  
City of Gainesville, Florida

Monday, April 12, 1982 - 7:00 P.M.

Commissioner Junior moved to adopt the following Resolution:  
(R-82-35)

A RESOLUTION RELATING TO THE CITY OF GAINESVILLE AGREEING TO MAINTAIN THE STREETS OF KIRKWOOD SUBDIVISION TO THE EXTENT NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

ROLL CALL

Commissioner	Goldstein . . . . .	Aye
	Junior . . . . .	Aye
	Kline . . . . .	Aye
	McEachern . . . . .	Aye
Chairman	Collier . . . . .	Aye

Ayes - 5

Nays - 0

ADOPTED

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Resolution Relating to Wire Transfer of State Revenue Sharing Funds

(NOTE: There was no written communication submitted with this item; however, this resolution was prepared pursuant to Commission instruction at the April 5, 1982 meeting.)

Commissioner Junior moved to adopt the following Resolution:  
(R-82-36)

A RESOLUTION APPROVING AND AUTHORIZING THE DEPARTMENT OF BANKING AND FINANCE OF THE STATE OF FLORIDA IN ACCORDANCE WITH S 17.075, FLORIDA STATUTES, AND THE FLORIDA DEPARTMENT OF REVENUE IN ACCORDANCE WITH RULE 12-10.09 (F.A.C.), AND THE BANK DESIGNATED BY THE DEPARTMENT OF REVENUE TO RECEIVE THE REVENUE SHARING STATE WARRANT TO WIRE TRANSFER SAID REVENUE SHARING FUNDS TO A BANK DESIGNATED BY THE CITY OF GAINESVILLE TO RECEIVE SUCH FUNDS; AND FURTHER TO AUTHORIZE THE BANK DESIGNATED BY THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA TO DEDUCT THE COST OF THE WIRE TRANSFER FROM THE AMOUNT RECEIVED FOR TRANSFER.