

City of Gainesville

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



Meeting Minutes

Monday, July 22, 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 - 1:05 PM**ROLL CALL**

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

INVOCATION**Father Jim Wright, Holy Trinity Episcopal Church****CONSENT AGENDA**

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

(VOTE: 5-0, MOTION CARRIED)

CITY MANAGER, CONSENT AGENDA ITEMS**002584 Update on America Reads Program for Greentree Neighborhood (NB)**

RECOMMENDATION *The City Commission designate the remaining Greentree Neighborhood funds be used to start an America Reads Program at another location.*

This Matter was Approved as Recommended on the Consent Agenda.

020199 Modification to Purchase Order for Gainesville Police Department Uniform Purchase Contract with Service 1 Uniforms, Inc. (B)**...Explanation**

At the beginning of FY 2002, the City Commission authorized the issuance of a purchase order not to exceed \$75,000 to Service 1 Uniforms, Inc. Service 1 Uniforms, Inc. was awarded the contract to provide uniforms to the Gainesville Police Department on September 6, 2001.

As a result of the SW annexation and the hiring of a large number of new officers as a result of current vacancies, the Gainesville Police Department will exceed the currently approved purchase order by \$51,814.44. This agenda item serves as a request to modify the current purchase order by that amount.

...Fiscal Note

Funding for the uniform purchases is available in the Gainesville Police Department's FY 2002 budget.

...Recommendation

The City Commission authorize the modification of the purchase order issued to Service 1 Uniforms, Inc. of Orlando, Florida from \$75,000 to \$126,814.44, and to increase the amount authorized annually over the life of the agreement from \$75,000 to \$100,000.

RECOMMENDATION *The City Commission authorize the modification of the purchase order issued to Service 1 Uniforms, Inc. of Orlando, Florida from \$75,000 to \$126,814.44, and to increase the amount authorized annually over the life of the agreement from \$75,000 to \$100,000.*

This Matter was Approved as Recommended on the Consent Agenda.

020200**FY 2002-03 Annual Action Plan (Application) for Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funds. (B)**

RECOMMENDATION *The City Commission: 1) authorize the City Manager or designee to prepare and submit the FY 2002-03 Annual Action Plan (application), including all understandings and assurances contained therein, to the U.S. Department of Housing and Urban Development (HUD) for financial assistance under the Community Development Block Grant (CDBG) Program and HOME Investment Partnerships (HOME) Program and to act on behalf of the City of Gainesville in all matters pertaining to the CDBG and HOME Programs; and 2) authorize the City Manager to execute subrecipient agreements with those outside agencies that are designated to receive FY 2002-03 CDBG and HOME funding.*

This Matter was Approved as Recommended on the Consent Agenda.

020201**Contract with AMJ Inc. of Gainesville for Leasing Retail Space New City Parking Garage (B)**

RECOMMENDATION *The City Commission: 1) approve the ranking of the firms; and 2) authorize the City Manager or designee to negotiate and sign a contract with AMJ Inc., of Gainesville for retail property management for the commercial space in the new parking garage. If a contract cannot be successfully negotiated with AMJ Inc., of Gainesville, to then authorize negotiating a contract with Nautilus Realty, Inc.*

This Matter was Approved as Recommended on the Consent Agenda.

020202**Dissolution of the Consolidated Retirement Plan Advisory Committee (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the City Clerk to advertise an ordinance amending Section 2-602 of the Code of Ordinances to eliminate the advisory committee.*

This Matter was Approved as Recommended on the Consent Agenda.

020203 Change Order No. 4 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 #4 to the purchase order for the John C. Hipp Construction Equipment Company in the amount of \$44,185.63, increasing the total amount of the purchase order to \$1,557,543.53; and 2) authorize the City Manager or designee to execute the contract amendment.*

This Matter was Approved as Recommended on the Consent Agenda.

020204 Annual Contracts for Asphalt Services for FY 2002-2003 (B)

RECOMMENDATION *The City Commission: 1) approve the award of the annual asphalt contracts for FY 2002-2003 to John C. Hipp Construction Equipment Company, as primary supplier, and V. E. Whitehurst & Sons, Inc., as secondary supplier.; and 2) authorize the City Manager or designee to execute annual services contracts with John C. Hipp Construction Equipment Company, and V. E. Whitehurst & Sons, Inc.*

This Matter was Approved as Recommended on the Consent Agenda.

020205 Third Extension for Professional Environmental Engineering Services for FY 2002-2003 (B)

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute the Third Extension to the contract with Water & Air Research, Inc., for Professional Environmental Engineering Services, extending the term of the contract from October 1, 2002 to September 30, 2003, subject to final appropriation of funds for FY 2002-2003.*

This Matter was Approved as Recommended on the Consent Agenda.

020206 Annexation of the intersection of SW 34th Street and Archer Road (B)

RECOMMENDATION *The City Commission: 1) receive the petition for annexation and make findings that it contains the signature of the property owner; 2) direct the City Manager to analyze the area, and produce an Urban Services Report; and 3) 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.

020220 Second Extension to the Printing Services Contract (B)

RECOMMENDATION *The City Commission: 1) approve the Second Extension to Ameriprint for stationery, business cards and #10 envelopes and to PRIDE for miscellaneous forms; and 2) authorize the City Manager or designee to execute the contract extensions subject to the approval of 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

CITY ATTORNEY, CONSENT AGENDA ITEMS

020196 AMENDMENTS TO CODE ENFORCEMENT BOARD ORDINANCE (ARTICLE V, DIVISION 8) (B)

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an Ordinance amending Article V, Division 8, of the Code of Ordinance relating to the Gainesville Code Enforcement Board.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS

PUBLIC SAFETY COMMITTEE, CONSENT

000158 Prostitution Update (NB)

RECOMMENDATION *The City Commission remove this item from the Public Safety Committee pending referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMUNITY DEVELOPMENT COMMITTEE, CONSENT

001808 Board of Adjustment Fees (NB)

RECOMMENDATION *The Community Development Committee to the City Commission: remove this item from the referral list.*

This Matter was Approved as Recommended on the Consent Agenda.

Green Building Program (B)

RECOMMENDATION *The Community Development Committee to the City Commission: 1) authorize the City Attorney to prepare the ordinance; and 2) remove this item from the referral list.*

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

ADOPTION OF THE REGULAR AGENDA

Mayor-Commissioner Pro Tem Nielsen moved and Commissioner Chestnut seconded to approve the Regular Agenda with the following modifications:

- 1. File # 020233 - Modified Item - Ad Hoc Committee on University Neighborhoods - The City Commission schedule a workshop for August 27, 2002 or September 3, 2002 and schedule a special meeting on General Government Budget for August 7, 2002 @ 6:00 PM.*
- 2. File # 002006 - University Heights Special Area Plan - Withdraw from Agenda*
- 3. File # 020210 - Temporary Closing of 12th Avenue Northeast - Additional Back-up submitted.*
- 4. File # 020221 - Proposed Tentative General Government Financial and Operating Plan - Additional Back-up submitted.*

(VOTE: 5-0, MOTION CARRIED)

CLERK OF THE COMMISSION

020233 Ad Hoc Committee on University Neighborhoods (NB)

RECOMMENDATION *The City Commission schedule a workshop for Tuesday, September 3, 2002 at 6:00 PM regarding Ad Hoc Committees on University Neighborhoods and a Special Meeting regarding the General Government Budget for August 7, 2002 at 6:00 PM.*

A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem Nielsen, 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

CITY MANAGER

020207 Time Extension for Townsend Planned Development (B)

Townsend Planned Development Developer David Coffey gave a presentation.

RECOMMENDATION *Staff to City Commission: Approve the request for a six-month extension.*

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

020208 Leadership General Government IV (NB)

Leadership General Government Representative Candice Wood gave a presentation.

RECOMMENDATION *The City Commission hear a presentation from Candice Wood representing Leadership General Government IV.*

Heard

020209 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Transportation Manager Brian Kanely gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the August 8, 2002 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

020224 South Main Street Beautification Project (B)

City of Gainesville Parks Manager Pat Byrne gave a presentation.

FIRST MOTION (MAIN MOTION): Commissioner Braddy moved and Commissioner Domenech seconded to defer this item to the August 7, 2002 Special City Commission Meeting.

(VOTE: 5-0, MOTION CARRIED)

Chair Bussing recognized Citizen Noel Lake who spoke to the matter.

AMENDMENT TO MAIN MOTION: Mayor-Commissioner Pro Tem Nielsen and Commissioner Braddy seconded to ask staff to include information from the FDOT regarding maintenance at the August 7, 2002 meeting.

(VOTE: 5-0, MOTION CARRIED)

ADDITIONAL MOTION: Commissioner Domenech moved and Commissioner Chestnut seconded to add this item to the next MTPO agenda.

(VOTE: 5-0, MOTION CARRIED)

RECOMMENDATION *The City Commission take action deemed appropriate.*

A motion was made by Commissioner Braddy, seconded by Commissioner Domenech, that this matter be Deferred for August 7, 2002. The motion carried by the following vote:

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

GENERAL MANAGER FOR UTILITIES

020197 Kanapaha Water Reclamation Facility (KWRF) Headworks Modification (B)

RECOMMENDATION *The City Commission: 1) authorize the General Manager or his designee to execute a contract with Adams Robinson Enterprises, Inc., for modification of the Kanapaha Water Reclamation Facility head works, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Adams Robinson Enterprises, Inc., in an amount not to exceed \$1,578,000.*

A motion was made by Commissioner Domenech, seconded by Mayor-Commissioner Pro Tem Nielsen, 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

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

COMMUNITY DEVELOPMENT COMMITTEE

002006 University Heights Special Area Plan (B)

RECOMMENDATION *The City Commission: 1) hear a presentation from staff; 2) provide direction on initiating a land use and zoning petition; and 3) remove this item from referral list.*

Withdrawn

002570 Safe Space Task Force (B)

Safe Space Task Force Representative Ray Washington, Community Development Block Grant Manager Jim Hencin, and Former Safe Space Task Force Member Ed Clark gave presentations.

MOTION: Commissioner Chestnut moved and Commissioner Nielsen seconded to ask the Mayor and the Clerk of the Commission to schedule a Special City Commission Meeting to deal with the Safe Space Task Force issue.

Chair Bussing recognized Citizens Debbie Martinez, Bob Casey, Arupa Freeman, Ed Clark, Doris Edwards, Ray Washington, and Sara Poll spoke to the matter.

NOTE: Commissioner Braddy requested to include contacting a representative from the Interfaith Hospitality Network to attend the Special City Commission Meeting; and also requested that Mr. Hencin to get an extended list of interested people, so they may be contacted in advance of the Special Meeting.

RECOMMENDATION *Community Development Committee to City Commission: The City Commission hear a report for presentation and redirection.*

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

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

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)

OUTSIDE AGENCIES

020210 Temporary Closing of 12th Avenue Northeast (B)

*FIRST MOTION (MAIN MOTION): Commissioner Domenech moved and Commissioner Braddy seconded to postpone this item until the first Regular City Commission Meeting in October (October 14, 2002).
(VOTE: 5-0)*

Public Works Transportation Manager Brian Kanely gave a presentation.

Chair Bussing recognized Citizen Germaine Ferguson who spoke to the matter.

Chair Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen.

*AMENDED MOTION: Mayor Bussing moved and Commissioner Chestnut seconded to amend the motion in order to hear public comment on the 12th Avenue temporary closing at this meeting, after the vote.
(VOTE: 4-1, Commissioner Domenech - No - MOTION CARRIED)*

Public Works Transportation Manager Brian Kanely gave a presentation.

Chair Bussing recognized Citizen Ernestine Butler, Anita Heard, Mae Chisholm, Simon Harris, Edward Miles, Beverly Craig, Warren McCluney, Helen Harris,

Sinclair Holmes, Germaine Ferguson, Coretha Odom and Ruby Wimberly who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from residents living in Cedar Grove I reference the temporary closing of 12th Avenue Northeast.*

A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Postponed for October 14, 2002. The motion carried by the following vote:

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

020056 MTPO Citizen's Advisory Committee (B)

RECOMMENDATION *The City Commission refer the request of the MTPO Citizen's Advisory Committee to the Personnel and Organizational Structure Committee for consideration.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Nielsen, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on January 22, 2003. The motion carried by the following vote:

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

MEMBERS OF THE CITY COMMISSION

COMMISSION COMMENTS

Mayor Tom Bussing

- 1. Fire Merger Referendum - See following file # 020240.*
- 2. Solar Energy Panels at Gainesville Regional Airport*
- 3. Green Energy Loyalty Programs*

020240 Fire Merger Referendum (NB)

NOTE: Chair Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen.

Chair Pro Tem Nielsen recognized Citizen Bob Casey who spoke to the matter.

RECOMMENDATION *The City Commission inform the Supervisor of Elections that the City is no longer interested in taking a separate count of the City vote on the referendum regarding the Fire Services Merger.*

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

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

Commissioner Chuck Chestnut

Airport Authority - Comments

RECESS - 4:37 PM

RECONVENE - 5:35 PM

CITIZEN COMMENT (5:30pm)

Cecilia Thompson

School Board Elections

Heather Daine

School Board Elections

Eilene Roy

School Board Elections

Jon Reiskind

Sugarfoot Sink Preserve - Land Acquisition Funds

Sarah Poll

- 1. Tower Ordinance Language*
- 2. Charter Review Committee - Ballot Language - See following item # 020243*

020243 Charter Review Committee Ballot Language (B)

RECOMMENDATION *The City Commission hear comments from Sarah Poll and place back-up submitted on file.*

Placed on File

Debbie Martinez

Safe Space Task Force

D.J. Ferguson

Fire Merger

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

PROCLAMATIONS/SPECIAL RECOGNITIONS

020218 National Night Out 2002 (B)

RECOMMENDATION *City of Gainesville Community Resource Officer Elizabeth Ham to accept the proclamation.*

Heard

020219 Kazakstan Visitors' Day (B)

RECOMMENDATION *Teacher and chaperone Natasha Karapetyan to accept the proclamation.*

Heard

CITIZEN COMMENT - (Continued)

Dennis Egan

President of Historic Gainesville - HGI Award

Marcus Trobaugh

Ashton Homeowners Association - Traffic Calming Issues

John Carr

Bicycle/Pedestrian Safety

Gabe Kaimowitz

Equal Opportunity Charter Officer

Harold Saive

1. Charter Review Committee
2. Hidden Lake Apartments
3. Gate on 8th Street and 20th Avenue

Bob Casey

Charter Review Committee

See following item # 020241.

020241 Charter Review Committee Ballot Language (B)

RECOMMENDATION *The City Commission hear comments from Dr. Bob Casey and place back-up submitted on file.*

Placed on File

PUBLIC HEARINGS

020222 Resolution to Establish A Proposed Millage Rate (B)

A Resolution of the City Commission of the City of Gainesville, Florida; relating to the levy of general municipal purpose ad valorem taxes for the 2002-2003 fiscal year; establishing a proposed millage rate; establishing a public hearing; providing for notice to the Alachua County Property Appraiser; providing an immediate effective date.

City of Gainesville Office of Management and Budget Director Becky Rountree gave a presentation.

Chair Bussing recognized Citizen Sara Poll who spoke to the matter.

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

020221 Resolution to Approve A Proposed Tentative General Government Financial and Operating Plan (B)

A Resolution of the City Commission of the City of Gainesville, Florida; relating to its General Government Budget for the 2002-2003 Fiscal Year; approving a Proposed Tentative General Financial and Operating Plan budget; providing an immediate effective date.

Chair Bussing recognized Citizen Sara Poll who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed resolution.*

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

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

000515 Public Hearing Transportation Mobility Element (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Bussing recognized Developer Mike Warren who spoke to the matter.

RECOMMENDATION *The City Commission hear a presentation from staff regarding possible text changes to the policies and schedule the final adoption hearing for August 12, 2002.*

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

002027 REZONING - YMCA PROPERTY (B)

ORDINANCE NO. 0-01-75, PETITION NO. 117PSZ-01PB

An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-2: 4.6 units/acre single-family residential district" to "PS: Public services and operations district"; to allow redevelopment of the existing recreation facility; approving a minor development plan; located in the vicinity of 1303 Northeast 23rd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission: 1) approve Petition No. 117PSZ-01PB with a minor development plan with conditions; and 2) adopt*

the proposed ordinance.

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

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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

001763 LAND DEVELOPMENT CODE AMENDMENT TO ALLOW "INDIVIDUAL AND FAMILY SOCIAL SERVICES" IN I-1 AND I-2 ZONING DISTRICTS (B)

ORDINANCE NO. 0-02-12; PETITION NO. 93TCH-01PB

An ordinance of the City of Gainesville, Florida, amending Section 30-69(c)(2) and Section 30-70(c)(2) of the Land Development Code by adding "Individual and Family Social Services" to the list of uses permitted by adding certain conditions and limitations on the special use permits in the "I-1: Limited industrial district" and "I-2: General industrial district"; 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.

Chair Bussing recognized Citizen Ed Clark who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

002675 PLANNED DEVELOPMENT AMENDMENT - NORTH FLA REGIONAL MEDICAL CENTER (B)

ORDINANCE NO. 0-02-28, PETITION NO. 34PDA-02PB

An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as "North Florida Regional Medical Center" located in the vicinity of 6440 Newberry Road; by amending City of Gainesville Ordinance No. 950702 by amending the square footage allowed in the three phases of the planned development; 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 Final Reading (Ordinance). The motion carried by the following vote:

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

RESOLUTIONS- ROLL CALL REQUIRED

020198 Resolution Requesting an Easement from the State of Florida (B)

RECOMMENDATION *The City Commission: 1) adopt a resolution, subject to approval by the City Attorney as to form and legality, requesting the State of Florida Department of Environmental Protection obtain authority from the Trustees of the Internal Improvement Trust Fund to grant an easement to the City of Gainesville; and 2) authorize the General Manager or his designee to execute and accept the easement document on behalf of the City of Gainesville, subject to approval as to form and legality by the City Attorney*

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, Edward Braddy, Chuck Chestnut, Warren Nielsen and Tom Bussing

PLAN BOARD PETITIONS

020132 Petition 4LUC-02 PB. Ricardo Cavallino, agent for Fredrick B. Arnold. Amend the City of Gainesville Future Land Use Map from PUD (parking lot) to RH (Residential High Density, 8-100 units per acre) on property located at 1220 and 1224 Southwest 1st Avenue. Related to Petition 3PDA-02PB and 5SPA-02PB (B)

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

RECOMMENDATION *City Plan Board to City Commission -The City Commission approve Petition 4LUC-02 PB. Plan Board vote 4-0.*

Staff to Plan Board - Approve

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

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

020131 Petition 3PDA-02 PB. Ricardo Cavallino, agent for Fredrick B. Arnold. A

Planned Development Amendment with associated development layout plan review for construction of a twenty-four (24) dwelling units apartment complex on 0.3 acres over an existing surface parking lot. Zoned: PD (Surface Parking Lot). Located at 1220 and 1224 Southwest 1st Avenue. Related to Petition 4LUC-02PB and Petition 5SPA-02PB. (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Bussing recognized Agent for the Developer Ricardo Cavallino and Sara Poll who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 3PDA-02 PB, with conditions. Plan Board vote 4-0*

Staff to Plan Board - The Planned Development Amendment with associated development layout plan be approved with staff conditions.

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

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

002468

Petition 14WSU-02 CC (Quasi-judicial). Rory P. Causseaux, PE, agent for North Central Florida YMCA, Inc. A special use permit for wellfield protection for storage of pool chemicals. Zoned RSF-2 (single-family residential, 4.6 dwelling units per acre). Located at 1303 Northeast 23rd Avenue. Related to Petition 118SPA-01CD. (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

Chair Pro Tem Nielsen recognized Citizen Sara Poll and Agent for the YMCA Robert Walpole who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 14WSU-02 CC, with conditions. Plan Board vote 7-0.*

Staff to Plan Board - Approve Petition 14WSU-02 CC and approve Petition 118SPA-01CD with conditions.

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

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

002469

Petition 21TCH-02PB - An amendment to the City of Gainesville Land Development Code to add compatibility regulations for new medium and high

density multi-family development when abutting properties are designated single-family on the Future Land Use map (B)

City of Gainesville Senior Planner Oneila Lazzari, Community Development Director Tom Saunders and Planning Manager Ralph Hilliard gave presentations.

*FIRST MOTION: Commissioner Chestnut moved and Commissioner Braddy seconded to approve the recommendation.
(NO VOTE)*

Chair Bussing recognized Citizens Sara Poll and Robert Pearce who spoke to the matter.

*SUBSTITUTE MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to refer this item back to the Plan Board.
(VOTE: 3-2, Mayor Bussing, Commissioner Chestnut - No - MOTION CARRIED)*

Mayor Bussing passed the gavel to Mayor-Commissioner Pro Tem Nielsen.

*AMENDMENT TO SUBSTITUTE MOTION: Mayor Bussing moved and Commissioner Chestnut seconded to make an amendment to the substitute motion to approve Item 1 and 2 of the recommendation; and item 3, delete the word "setback" in the last paragraph of the explanation.
(VOTE: 2-3, Commissioner Braddy, Commissioner Chestnut, Commissioner Domenech - No - MOTION FAILED)*

*Commissioner Braddy moved and Mayor Bussing seconded to waive the rules to extend the meeting until 11:10 PM.
(VOTE: 5-0)*

Chair Pro Tem Nielsen recognized Anita Heard and Sara Poll.

Chair Bussing re-assumed the gavel to call for another vote on the previously accepted substitute motion:

*SUBSTITUTE MOTION (MAIN MOTION): Commissioner Domenech moved and Commissioner Braddy seconded to refer this item back to the Plan Board.
(VOTE: 4-1, Commissioner Chestnut - No - MOTION CARRIED)*

RECOMMENDATION *City Plan Board to City Commission -The City Commission approve Petition 2ITCH-02 PB with the following two amendments: 1) Amend Sec. 30-56(4) to add a provision to remove the requirement for a masonry wall if buildings are 200 or more feet from abutting single-family properties; and 2) amend Sec. 30-55(9) to read, "These buildings shall have architecturally interesting roof types, including gabled, hipped, shed, mansard, arched or flat, as appropriate." Plan Board vote 4-1.*

Staff to Plan Board - Approve

A motion was made by Commissioner Domenech, seconded by Commissioner Braddy, that this matter be Referred to the City Plan Board, due back on January 22, 2003. The motion carried by the following vote:

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

DEVELOPMENT REVIEW BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT

Anita Heard

Noise Complaints - 5th Avenue Area

WAIVER OF RULES

*Commissioner Chestnut moved and Commissioner Domenech seconded to waive the rules for five additional minutes in order to hear the next citizen comment.
(VOTE: 5-0)*

Debbie Martinez

Homeless men downtown - Safe Space Task Force

ADJOURNMENT 11:12 PM

Kurt M. Lannon, Clerk of the Commission