

City of Gainesville

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



Meeting Minutes

Monday, July 10, 2000

1:00 PM

City Hall Auditorium

City Commission

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

Invocation

Reverend Robinsky A. Reed

Roll Call

NOTE: Mayor Paula M. DeLaney was not present at the beginning of the meeting and Mayor-Commissioner Pro Tem John R. Barrow temporarily assumed the gavel.
Present: Chuck Chestnut, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

Consent Agenda

Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to approve the Consent Agenda with the following modification:

1. File No. 000136 Funding for the Satisfaction of a Vehicle Lien was removed from the Consent Agenda and placed on the Regular Agenda under City Manager.

(VOTE: 4-0, Mayor Paula M. DeLaney-Absent)

City Manager, Consent Agenda Items

000062 Additional Funding for Gainesville Police Department (GPD) Party Patrol (NB)

RECOMMENDATION *The City Commission approve the appropriation of \$3,600 from the Federal Law Enforcement Contraband Forfeiture Trust Fund and \$3,600 from the Commission Contingency to pay for the first six weeks of Party Patrol implementation.*

This Matter was Approved as Recommended on the Consent Agenda.

000134 U. S. Fire Administration Grant Application for Gainesville Fire-Rescue's Fire Safety Clown Program (NB)

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to FEMA for \$25,000.00 for the Fire Safety Clown Program under the U. S. Fire Administration's Fire Safety Grant Program, and if awarded 2) execute the grant agreement, pending review by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000135 U. S. Fire Administration Grant Application for Gainesville Fire-Rescue's Juvenile Firesetter Intervention Program (NB)

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to FEMA for \$25,000.00 for the Juvenile Firesetter Intervention Program under the U. S. Fire Administration's Fire Safety Grant Program; and, if awarded 2) execute the grant agreement, pending review by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000137 Annexation of Ironwood Golf Course and Surrounding Property (B)

RECOMMENDATION *The City Commission: 1) direct the City Manager to analyze the area and produce an Urban Services Report; and 2) authorize the City Attorney to prepare and the Clerk of the Commission to advertise ordinances relating to the adoption of an urban services report and annexation of the area.*

This Matter was Approved as Recommended on the Consent Agenda.

000138 Contract for the Purchase of Employee Uniforms (B)

RECOMMENDATION *The City Commission: 1) approve the selection of Lake's Uniforms; and 2) authorize the City Manager or designee to execute the contract subject to the approval of the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000139 Purchase of New and Upgraded Microcomputers and Accessories (NB)

RECOMMENDATION *The City Commission approve the First Extension to the contract for this year and upon continued satisfactory performance the issuance of a Second Extension for PC Pentium computer systems, upgrades and accessories to B & W Computer & Technologies, Inc. and approve the issuance of purchase orders to B & W Computer & Technologies, Inc. for the purchase of new and upgraded Pentium microcomputer systems and accessories in an amount not to exceed the budgeted amounts for Pentium microcomputer systems, upgrades and accessories for the remainder of FY 2000 and for FY 2001, subject to final appropriation of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

000140 Technology Incubator Grant Application (NB)

RECOMMENDATION *The City Commission: 1) authorize staff to develop the application to the U.S. Economic Development Administration for a grant in the amount of \$270,000; 2) authorize the Mayor, City Manager and the Clerk of the Commission to execute the proper documents associated with the grant application; and 3) authorize the Mayor, City Manager and the Clerk of the Commission to execute the grant documents if the grant is awarded, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000141 Extension of Contract for Public Education for Recycling and Waste Reduction at Commercially Serviced Properties (B)

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his designee to execute the First Extension of the contract with Group 5 & Associates, Inc. for the period October 1, 2000 through September 30, 2001, and upon satisfactory performance, to exercise the option to also extend for up to two additional one-year periods, subject to approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to Group 5 & Associates Inc., in an amount not to exceed \$30,000, for Fiscal Year 2000-2001 and in each subsequent year, for public education services for recycling and waste reduction at commercial properties and at residential properties serviced privately, subject to the appropriation of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

000142 Thomas Center Refundable Deposit (B)

RECOMMENDATION *The City Commission: 1) authorize the City Manager to change the Thomas Center A Building Use Agreement and the Thomas Center A Building Regulations and Fees terminology from "damage deposit" to "security deposit"; and 2) increase the deposit from \$200 to \$300, pending authorization by the City's 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**

000129 RESIDENTIAL SWIMMING POOL SAFETY REQUIREMENTS/NEW FLORIDA STATUTES (B)

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance amending Article VII of Chapter 6 of the Code of Ordinances relating to residential swimming pools to refer to the new state statutes on this subject.*

This Matter was Approved as Recommended on the Consent Agenda.

Committee Reports, Consent Agenda Items

Public Works Committee, Consent

Public Safety Committee, Consent

Recreation and Cultural Affairs Committee, Consent

Clerk of the Commission, Consent Agenda Items

000133 Resignation - City Beautification Board (B)

RECOMMENDATION *The City Commission accept the resignation of member Derek A. Schroth from the City Beautification Board effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Agenda Items

991184 GRU Administration Building Parking Lot (B)

RECOMMENDATION *Community Redevelopment Agency to the City Commission: recommend 1) the GRU employee lot be made available for public parking on evenings and weekends; 2) staff investigate the cost of signage, the additional cost of insurance (if required), lot maintenance, and any other anticipated costs; and 3) bring costs and proposed terms back to the City Commission for further consideration.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

Absent: Paula M. DeLaney

End of Consent Agenda

Adoption of the Agenda

Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to approve the Regular Agenda with the following modifications:

- 1. File # 000014-Petition 60 PDV-00 PB Buffington Associates, P.A. (Additional back-up submitted).*
- 2. File # 000143 Proposed County Courthouse - move to the beginning of the 6:00 PM portion of the City Commission Meeting.*

(VOTE: 4-0, Mayor Paula M. DeLaney-Absent)

Clerk of the Commission

000132 Airport Authority (B)

Mayor-Commissioner Pro Tem John Barrow recognized Airport Authority Member Mac McEachern who spoke to the matter.

NOTE: The Clerk of the Commission will come back to the July 24, 2000 City Commission Meeting with finalized dates for this meeting.

RECOMMENDATION *The City Commission: 1) make a special announcement that Airport Authority applications are due on Monday July 17 at 4:00PM and that they require the use of a special application packet; and 2) the City Commission schedule a special meeting on the Airport Authority by selecting one of the dates proposed in the back-up material.*

Continued

000149 Appointment - Depot Use Team (B)

NOTE: Mayor Paula M. DeLaney entered the meeting room @ 1:20 PM and

assumed the gavel.

MOTION: The City Commission appoint Steve Schell to the Depot Use Team.

RECOMMENDATION *The City Commission make appointment(s) to the Depot Use Team.*

NOTE: One application on file at time of release of agenda.

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

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

City Manager

000144 Metropolitan Transportation Planning Organization (MTPO) (NB)

City of Gainesville Public Works Director Teresa Scott gave a presentation.

RECOMMENDATION *The City Commission hear a report from staff regarding the July 13, 2000 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

Heard

000145 Fliers on Utility Poles (B)

City of Gainesville Code Enforcement Manager Lisa Koehler and Public Works Director Teresa Scott gave presentations.

Mayor Paula M. DeLaney recognized Citizen Mac McEachern, College Park University Heights Chair Arnall Downs and Hippodrome Representative Mark Sexton who spoke to the matter.

ADDITIONAL MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded that the City Commission: 1) Refer the issue of proposed locations and/or additional locations for kiosks for flyers in the downtown area to the College Park University Heights Redevelopment Advisory Board, the Downtown Redevelopment Advisory Board, GDOT and the University Merchants Association for review and recommendations; and 2) refer to staff the issue of making the present kiosks and additional kiosks more aesthetic in a cost effective and timely manner.

(VOTE: 4-0, Warren Nielsen-Absent)

RECOMMENDATION *The City Commission: 1) hear a presentation from staff; 2) authorize the City Attorney to draft and the City Clerk to advertise an amendment to Section 17-2 of Code of*

Ordinances to prohibit fliers on utility poles and similar structures; and 3) appropriate \$15,120 from the Commission Contingency to cover the costs of the proposed comprehensive flier removal program.

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

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

000146 Revisions to the Regional Transit System Transit Center Project - (B)

Regional Transit System Director Jeff Logan gave a presentation.

RECOMMENDATION *The City Commission: 1) reallocate \$1,000,791 for the purchase of new buses and to repair existing buses; 2) authorize the RTS to apply for funding for the comprehensive operational analysis (COA); 3) determine the suitability of the site as a transit center based on recommendations of a COA of the Regional Transit System; and 4) retain the property that was purchased for the transit center pending completion of a COA.*

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

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

000136 State Law Enforcement Contraband Forfeiture Trust Fund Funding For the Satisfaction of a Vehicle Lien (B)

City of Gainesville Sr. Assistant Attorney Ron Combs and Police Chief Norm Botsford gave a presentation.

Mayor Paula M. DeLaney recognized Citizens Mac McEachern and Mark Sexton who spoke to the matter.

RECOMMENDATION *The City Commission approve the appropriation and expenditure of an amount not to exceed \$12,100.00 from the State Law Enforcement Contraband Forfeiture Trust Fund for the satisfaction of a vehicle lien payable to SunTrust Bank, Central FL N.A.*

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

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

General Manager for Utilities

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

Recreation & Cultural Affairs Committee

Outside Agencies

Members of the City Commission

000127 Commissioner Warren Nielsen - Meetings on UF Campus (NB)

Mayor Paula M. DeLaney recognized College Park/University Heights Chair Arnall Downs who spoke to the matter.

AMENDMENT: Change recommendation 2 to read " Save some appropriate discussion on University Community related issues" instead of "Student related issues".

RECOMMENDATION *The City Commission: 1) Reserve appropriate auditorium type space and hold two meetings each year on University of Florida Campus(Fall and Spring Semesters); 2) Save some appropriate discussion on Student related issues until after these meetings each semester by having the Clerk of the Commission, the City Attorney and the City Manager schedule these items at these University meetings; 3) Hold these meetings from 6:00PM until 10:00PM with at least one hour provided for open citizen comment; 4) Videotape these meetings for future broadcast on TV12; 5) Have the Mayor*

write a letter to various University leaders encouraging their attendance and participation and 6) accept applications for regular advisory board and Committee openings at these meetings by providing narratives of the duties of these committees at these meetings.

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

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

Advisory Boards/Committees (Appointments/Reports)

000148 Solar Walk Project Update (B)

City of Gainesville Cultural Affairs Manager Coni Gesualdi gave a presentation.

Mayor Paula M. DeLaney recognized Art in Public Places Trust Chair James Wyman and College Park/University Heights Advisory Heights Chair Arnall Downs who spoke to the matter.

RECOMMENDATION *The City Commission 1) hear a brief presentation by APPT Chair James Wyman; and 2) review the Solar Walk Project proposal.*

Heard

Special Presentation - Update on Storm, Friday, July 7, 2000.

Gainesville Regional Utilities Assistant General Manager for Energy Delivery Dave Beaulieu gave a presentation.

Commission Comments (if time available)

Mayor-Commissioner Pro Tem John R. Barrow

- 1. Broken and Damaged Garbage Carts.*
- 2. Herbicides being sprayed in Sweetwater Branch.*

Commissioner Chuck Chestnut

Paving of NW 29th Rd.

Citizen Comment

Mark Sexton - Hippodrome

GRU Parking Lot

RECESS - 3:50 PM**RECONVENE - 5:39 PM****Citizen Comment (5:30pm)****Jim Konish**

Sewage Back-up on NE 1st Street and problem with Ordinance # 3754 Maintenance of Laterals (Section 27-178, Gainesville Code of Ordinances)

Mark Walker - Buchholz High School Band Representative

Request for funding. See following item.

000160 Buchholz High School Band - Request for Co-Sponsorship (NB)

RECOMMENDATION *The City Commission refer the request for Co-Sponsorship for the Buchholz High School Band to attend the Macy's Thanksgiving Day Parade to Recreation and Cultural Affairs staff for recommendations.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on August 14, 2000. The motion carried by the following vote:

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

Karl Hackenbrack

Board of Adjustment action - Protection of University Park Neighborhood

Mark Goldstein

Protection of single family neighborhoods - see following item.

000161 Protection of Single Family Neighborhoods (B)

This file is related to file No. 000115.

RECOMMENDATION

Codes Enforcement Committee.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Code Enforcement Committee, due back on January 10, 2001. The motion carried by the following vote:

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

Reverend Tim Keyes

1. *City Commission Salaries*
2. *Outdoor Alcohol Sales*

Mark Dunmore, Sr.

Protecting Single Family Neighborhoods

Commission Comments (if time available)**Pledge of Allegiance (6:00pm)****Boy Scout Troop 84****Proclamations/Special Recognitions****Public Hearings**

000014 (Formal) (Quasi-Judicial) Petition 60PDV-00PB. Buffington Associates, P.A., agent for Aline B. Todd, Dorothy Boone, and Iris and Joseph Ryker. Rezone property from RSF-1 (3.5 units/acre single-family residential district) to PD (planned development district) with PD layout plan review for single-family, detached homes. Located in the 5000 block of Northwest 8th Avenue, north side. (B)

Mayor Paula M. DeLaney recognized Citizens Geraldine Daily and James Paxson who spoke to the matter.

*FIRST MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to continue this item.
(NO VOTE)*

*SECOND MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to table this item.
(VOTE 5-0)*

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

AMENDED FIRST MOTION: Continue this item to August 14th, 2000; with a deadline of August 7th, 2000 @ 5:00 PM for Exhibits to be submitted to the Clerk's Office.

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

Staff to Plan Board - Approve, with staff conditions.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Continued (Petition) for August 14, 2000. The motion carried by the following vote:

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

Scheduled Evening Agenda Items

000143 Proposed County Courthouse (B)

Mayor Paula M. DeLaney recognized Alachua County Manager Randy Reid, Alachua County Courthouse Consultant Michael Le Boeuf of the DLR Group of Orlando, Todd Orr of DLR Group, Alachua County Chair Penny Wheat, Citizens Gladys Perkins, DRAB Chair Liz Fetty, Frederick Peterkin, Linda McGurn and Janie Williams who spoke to the matter.

MOTION: Direct the City Attorney, City Manager and General Manager for Utilities to work with the appropriate County Staff to establish an Interlocal Agreement between the City and the County, covering the relevant issues of the new Courthouse within 30 days.

RECOMMENDATION *Hear a presentation from the County and take appropriate action.*

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

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

Ordinances - 1st Readings- ROLL CALL REQUIRED

000047 ADULT ENTERTAINMENT AND ESCORT SERVICES (B)

Ordinance No. 0-00-73

An ordinance of the City of Gainesville, Florida relating to licensing of adult entertainment establishments and escort services; amending section 14.5-63(b)(1)c. deleting the requirement that stockholders of a corporate applicant be identified; amending section 14.5-65(a) providing that if the City Manager does not act on an application for a license within 30 days the license shall be deemed granted; amending section 14.5-71(d) providing that a licensee whose license is revoked may continue in operation while appealing the decision in the court; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Police Chief Norm Botsford gave a presentation.

Mayor Paula M. DeLaney recognized Attorney for Trader South John Wagner and Reverend Tim Keyes who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

000054**STRIKING OR INTERFERING WITH LAW ENFORCEMENT ANIMALS (B)****Ordinance No. 0-00-70**

An ordinance of the City of Gainesville, Florida, creating a new section 17-11 related to striking or interfering with law enforcement animals, providing for penalties; providing directions to the codifier; providing for severability; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *City Commission adopt the proposed ordinance.*

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

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

000130**REGENCY OAKS APARTMENTS ANNEXATION (B)****Ordinance No. 0-00-62**

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 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 commonly known as Regency Oaks Apartments located in the vicinity of 3230 S.W. Archer Road; providing for inclusion of the area in Appendix I of the City Charter; providing for land use and zoning regulations; providing for persons engaged in any occupation, business, trade or profession; providing directions to the City Manager and Clerk of the Commission; providing a severability clause; and providing an immediate effective date.

City of Gainesville Interim Office of Management and Budget Director Heidi Lannon gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

000115 MORATORIUM ORDINANCE (B)

Ordinance No. 0-00-75

An Ordinance of the City of Gainesville, Florida; imposing a temporary moratorium on building permits, zoning permits, site plan approvals or any other official action of the City of Gainesville permitting or having the effect of permitting the development of certain residential structures within any single-family residential zoning district inside the University of Florida Comprehensive Master Plan 1994-2004 Context Area in the City of Gainesville; providing a procedure for appeal and extraordinary hardship; providing a severability clause; and providing an immediate effective date.

City of Gainesville Planning Manager Ralph Hilliard and Codes Enforcement Manager Lisa Koehler gave presentations.

Mayor Paula M. DeLaney recognized University Park Neighborhood Association President Karl Hackenbrack, Citizens Susan Carter, Mac McEachern, Frederick Peterkin, Arthur J. Camp, Jr., David Martin, George Ryschkewitsch, J.T. Frankenberger, Susan Wright, Della Wilson, Jean Chalmers, Architect Paul Portal, Former City Commissioner Bruce Delaney, Nina Postlethwaite-Saive, Jenny Streiff, Ann Haisley, Carole Martin, Arnall Downs, David Chalmers, Roney J. Mateu, Al Bacharach, Cindy Smith, John Mahon, Paul Urone, Juddy Carter, Marge Maligodi, Sam Harris, Joe Schmid, Mark Goldstein, Bill Gager, Linda Portal, Paula Stahmer, Jon Reiskind, Susan Grantham, Patrice Boyes, Rebekah Mateu, Michael Kuenstle, and Nancy Clark who spoke to the matter.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Ordinances - 2nd Readings- ROLL CALL REQUIRED

991042 PLANNED DEVELOPMENT - VILLAS ON THE LAKE (B)

Ordinance No. 0-00-51, Petition No. 5PDA-00PB

An Ordinance of the City of Gainesville, Florida; amending a portion of the Planned Development previously adopted and approved by Alachua County and to be commonly known as the "Villas on the Lake"; adopting a new development plan report and development plan maps; providing for additional conditions; located in the vicinity of 4700 Block of Northwest 24th Boulevard, west side; repealing the Alachua County approved plans; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

Resolutions- ROLL CALL REQUIRED

Plan Board Petitions

000017 (Quasi-Judicial) Petition 54WSU-00 PB, Randy Bart, Agent for Archimica. A Wellfield Protection Special Use Permit with associated development plan review to allow construction of a new secondary containment area, pipe rack and fire protection system building in the Tertiary Zone Layer of the Murphree Wellfield Area. Zoned: I-2 (General Industrial District). Located at 5002 Northeast 54th Place. (B)

City of Gainesville Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 54WSU-00 PB, with conditions - Plan Board vote 4-0.*

Staff to Plan Board - Approve, with conditions.

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

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

991384

(Quasi-Judicial) Petition 059WSU-00 CC, Gary Dounson & Associates, Inc., agent for Gene Bush. A Wellfield Protection Special Use Permit with associated development plan review for construction of a limited automotive center and "Other Uses" (transmission repair). Zoned: MU-2 (mixed-use medium intensity district). Located at 2525 North Main Street. Related to Petition 131SPC-89CD and 197SPL-89PB. (B)

City of Gainesville Chief of Current Planning Lawrence Calderon gave a presentation.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 59WSU-00 CC, with development plan conditions. Plan Board vote 4-0.*

Staff to Plan Board - Approve, with development plan conditions.

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

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

991266

(Quasi-Judicial) Petition 39PDV-00 PB, Brown and Cullen, Inc., agent for Olinger and Holden. Rezone property from RMF-5 (12 units/acre residential low density district) to PD (planned development) with PD layout plan review for a religious based student center and associated activities. Located at 2026 and 2038 W. University Avenue. (B)

City of Gainesville Senior Planner Carolyn Morgan gave a presentation.

Mayor Paula M. DeLaney recognized Agent for the Petitioner Stewart Cullen, Citizens Jim Konish, Karl Hackenbrack, Mark Goldstein and Sam Harris who spoke to the matter.

*Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to wave the Rules of the City Commission to extend the meeting to complete the Agenda by 11:30 PM.
(VOTE: 5-0)*

AMENDMENT: *The City Commission approve the Plan Board recommendation with*

the Petitioner's recommended amendment to Condition 8; with a recommendation that staff and the Petitioner work out agreeable language for Condition 7 by the first reading of the ordinance.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 39PDV-00 PB, with conditions. Plan Board vote 4-0.*

Staff to Plan Board - Approve, with conditions.

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

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

991383

(Quasi-Judicial) Petition 61PDA-00 PB, Eng, Denman and Associates, Inc., agent for Equilease Limited Partnership. A planned development amendment for an additional building and to expand the eastern boundary of the PD for parking. Zoned PD (planned development district). Located at 4000-4201 Northwest 22nd Drive (B)

City of Gainesville Senior Planner Carolyn Morgan and Planning Manager Ralph Hilliard gave presentations.

Mayor Paula M. DeLaney recognized Agent for the Petitioner Ralph Eng and Petitioner Tom Mowry who spoke to the matter.

NOTE: Commissioner Pegeen Hanrahan disclosed an Ex Parte' communication regarding this issue.

AMENDMENT: An alcoholic beverage establishment would be disallowed and an eating place or retail establishment would be allowed.

RECOMMENDATION *City Plan Board to City Commission - The City Commission approve Petition 61PDA-00 PB, with staff conditions, except #6 was amended as requested. Plan Board vote 4-0.*

Staff to Plan Board - Approve with conditions.

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

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

Unfinished Business

Commission Comment

Citizen Comment

Reverend Tim Keyes

- 1. Outside Alcohol Sales*
- 2. Code Enforcement Issues on the East side of town*

Adjournment - 11:38 PM

Kurt M. Lannon, Clerk of the Commission