

City of Gainesville

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



Meeting Minutes

Monday, March 12, 2001

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)*

CALL TO ORDER

The meeting was called to order at 1:05 PM.

INVOCATION

Reverend Robinsky A. Reed, Mount Pleasant United Methodist Church

ROLL CALL

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

CONSENT AGENDA

Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded to approve the Consent Agenda with the following modifications:

- 1. File No. 001040 - Golf Course Manager/Pro Negotiated Compensation Agreement - (modified back-up)*
- 2. File No. 001042 - Technology Enterprise Center Management and Operating Agreement - (modified back-up)*
- 3. File No. 001043 - RMC/Konover Trust Development Agreement - (modified back-up)*

(VOTE: 3-0) (Commissioner Pegeen Hanrahan and Commissioner Warren Nielsen - Absent)

CITY MANAGER, CONSENT AGENDA ITEMS

001040 Golf Course Manager/Pro Negotiated Compensation Agreement (B)

RECOMMENDATION *The City Commission authorize the City Manager to approve and execute the Golf Course Manager/Pro Negotiated Compensation Agreement based on original intent of the job offer.*

This Matter was Approved as Recommended on the Consent Agenda.

001041 Award Contract for Youth Sports Booking Agent (B)

RECOMMENDATION *The City Commission: 1) execute a contract with William P.*

Bonson through March 31, 2002, subject to the approval of the City Attorney as to form and legality; and 2) approve the issuance of a purchase order to William P. Bonson for Youth Sports Booking Agent services in an amount not to exceed \$30,000.

This Matter was Approved as Recommended on the Consent Agenda.

001042 Technology Enterprise Center Management and Operating Agreement (B)

RECOMMENDATION *The City Commission: 1) approve the Technology Enterprise Center Management and Operating Agreement with the Alliance for Economic Development, subject to the approval of the US Department of Commerce, Economic Development Administration,; and 2) authorize the City Manager to execute the agreement. (A complete copy of the agreement with attachments is on file in the Office of the Clerk. After March 12, 2001, a complete copy will be on file in the Economic Development Department.)*

This Matter was Approved as Recommended on the Consent Agenda.

001043 RMC/Konover Trust Development Agreement (B)

RECOMMENDATION *The City Commission approve the development agreement.*

This Matter was Approved as Recommended on the Consent Agenda.

001044 Civic Design Review Process for Cone Park Building (NB)

RECOMMENDATION *The City Commission appoint Len Buffington (landscape architect), Jack Hughes (Chair of the Public Recreation Advisory Board, Member of the Nature Centers Commission, and Executive Director of the Gainesville Sports Organizing Committee), Murray Wilson, neighborhood representative, Bernadette Woody, neighborhood representative, Jack Ponikvar (architect) Karl Thorne (architect), and EJ Bolduc (landscape architect, member of City Beautification Board) to serve on the ad hoc design committee for review of the building at Cone Park.*

This Matter was Approved as Recommended on the Consent Agenda.

001045 COPS More Grant Application for Improving Law Enforcement Technology (NB)

RECOMMENDATION *The City Commission authorize the City Manager to: 1) apply to the Department of Justice for the COPS More grant in the amount of \$500,000 and if awarded, 2) appropriate the City's required match of \$125,000 from the General Fund fund balances reserve; and 3) execute any grant documents.*

This Matter was Approved as Recommended on the Consent Agenda.

001046 Award Bid: Ornamental Fencing at Westside Park (B)

RECOMMENDATION *The City Commission: 1) award the bid for ornamental fencing at Westside Park to South Lake Fence; 2) authorize the City Manager or his designee to execute the contract on behalf of the City pending approval of the City Attorney as to form and legality; and 3) approve the issuance of a purchase order to South Lake Fence in an amount not to exceed \$25,616.*

This Matter was Approved as Recommended on the Consent Agenda.

001047 Sale of Surplus Property Located at 504 NW 8th Avenue (NB)

RECOMMENDATION *The City Commission: 1) accept the bid amount of \$37,000 from Mr. Peter Polshek for property located at 504 NW 8th Avenue; 2) authorize the City Attorney to prepare a Special Warranty Deed with utility reservations if required; and 3) authorize the City Manager to execute the deed and all other documents necessary to complete the conveyance.*

This Matter was Approved as Recommended on the Consent Agenda.

Purchase of Property at 920 NW 4th Street (NB)

RECOMMENDATION *The City Commission: 1) approve the purchase of Tax Parcel # 9650, located at 920 NW 4th Street, for the sum of \$37,000 and execute IRS forms acknowledging donation of property; 2) authorize the City Manager or his designee to prepare and execute the acquisition documents necessary to procure the property; and 3) authorize the City Manager or his designee to negotiate and execute a lease agreement with the Grove Street Neighborhood Association to use the subject property as a community garden.*

This Matter was Approved as Recommended on the Consent Agenda.

001049 Application for Five Star Restoration Challenge Grants (NB)

RECOMMENDATION *The City Commission: 1) authorize the City Manager to submit a grant application to the NFWF for a demonstration stream restoration project in the Hogtown Creek basin; and if awarded 2) authorize the City Manager to execute all documents required to accept any grant award.*

This Matter was Approved as Recommended on the Consent Agenda.

001063 Antique Style Street Signs (NB)

RECOMMENDATION *The City Commission approve street signs showing the historic street names for the Hibiscus Park Neighborhood.*

This Matter was Approved as Recommended on the Consent Agenda.

001069 Purchase of In-Car Video Systems for Gainesville Police Department's Marked Patrol Vehicles (B)

RECOMMENDATION *The City Commission authorize the City Manager or his designee to execute the purchase order to The Specialized Group in an amount not to exceed \$62,498.50 for the purchase of the in-car video cameras and associated equipment.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

001038 Release of Easement at Southwest Villas, 3700 blk. of SW 20th Avenue (B)

RECOMMENDATION *The City Commission: 1) approve the release of a public utilities easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, substantially in the form attached, subject to approval by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

001039 Release of Easement at Legacy Apartments (B)

RECOMMENDATION *The City Commission: 1) approve the release of a blanket public utilities easement; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, substantially in the form on file, subject to approval by the City Attorney.*

CITY ATTORNEY, CONSENT AGENDA ITEMS

001051 **Sandy Ficara Manning, f/k/a Sandy Ficara Hummel v. the City of Gainesville, Alachua County Circuit Court; Case No.: 2001-159-CA (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to represent the City in the case styled Sandy Ficara Manning f/k/a Sandy Ficara Hummel v. the City of Gainesville, Case No.: 2001-159-CA.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**PERSONNEL & ORGANIZATIONAL STRUCTURE COMM, CONSENT**

980442 **Bid Process & Local Companies (NB)**

RECOMMENDATION *The Personnel & Organizational Structure Committee request the removal of this item because this item should be addressed by the work being done on Living Wage.*

This Matter was Approved as Recommended on the Consent Agenda.

990793 **Ex Officio Members on Utility Committee (NB)**

RECOMMENDATION *The Personnel & Organizational Structure Committee request the removal of this item from the standing committee and continue to work issues through the local government committee.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT

000977 **Federal Law Enforcement Contraband Forfeiture Trust Funding for Computer Forensic Unit (NB)**

RECOMMENDATION *The City Commission authorize the Gainesville Police Department to appropriate and expend an amount not to exceed \$21,000 from the Federal Law Enforcement Contraband Forfeiture Trust Fund for the establishment of the*

Computer Forensic Unit.

This Matter was Approved as Recommended on the Consent Agenda.

DISABILITY REVIEW COMMITTEE, CONSENT

001064 Application for Disability Retirement (NB)

RECOMMENDATION *The City Commission approve the submitted application for disability retirement for Charles Baker, Lineworker, Electric Transmission and Distribution*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS

001050 City Commission Minutes (B)

RECOMMENDATION *The City Commission approve the minutes of January 16, 2001, January 22, 2001, January 26, 2001, January 29, 2001, February 6, 2001, February 12, 2001, February 19, 2001 and February 26, 2001 as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

001065 Resignation - Citizens' Advisory Committee for Community Development

RECOMMENDATION *The City Commission accept the resignation of member James L. Smith from the Citizens' Advisory Committee for Community Development effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor-Commissioner Pro Tem Barrow, 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, John R. Barrow and Paula M. DeLaney
Absent: Warren Nielsen and Pegeen Hanrahan

END OF CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

Mayor-Commissioner John R. Barrow moved and Commissioner Chuck Chestnut seconded to approve the Regular Agenda with the following modifications:

1. File No. - 001066 - Industrial Zoning District Moratorium (I-2 Zoning) - (moved to Scheduled Evening Agenda Items category)

2. File No. - 001060 - Affirmative Action Plan Update - (withdraw from the agenda)

(VOTE: 3-0) (Commissioner Pegeen Hanrahan and Commissioner Warren Nielsen - Absent)

CLERK OF THE COMMISSION

001068 **May 28, 2001 City Commission Meeting (NB)**

The City Commission meeting for May 28, 2001 was rescheduled to May 29, 2001.

RECOMMENDATION *The City Commission re-schedule the meeting for Monday, May 28, 2001.*

CITY MANAGER

001052 **ARTSREACH Exhibits (NB)**

ARTSREACH Coordinator 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 on March 12, 2001.*

Heard

Site Plan Amendment Process - Hidden Lake (NB)

City of Gainesville Community Development Director Tom Saunders and Fire Chief Richard Williams gave presentations.

City of Gainesville Fire Chief Richard Williams made comments.

Chair Paula M. DeLaney recognized Citizens John Korb and Mrs. Bolton who spoke to the matter.

FIRST MOTION:

Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded that the Mayor send a formal letter to the developer of Hidden Lake Apartments Nathan Collier regarding the site plan amendment process. (VOTE: 3-0) (Commissioner Pegeen Hanrahan and Commissioner Warren Nielsen - Absent)

NOTE: Commissioner Pegeen Hanrahan entered the meeting room at 1:26 PM.

SECOND MOTION: Refer this issue to the Community Development Committee to review the follow up to the meetings at GHS with regard to a special area plan or other appropriate mechanisms to establish neighborhood protections and also to consider the questions that Dr. Wheeler has submitted with regard to the Comprehensive Plan, zoning and land development codes.

RECOMMENDATION *Hear a presentation from staff regarding the process.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Referred to the Community Development Committee, due back on September 12, 2001. The motion carried by the following vote:

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

001054**Public/Private Partnership Between RTS and Greyhound Bus Lines, Inc. (B)**

City of Gainesville Public Works Director Teresa Scott , Greyhound Bus Real Estate Manager Deanna Simsek and Attorney David Coffey gave presentations.

Chair Paula M. DeLaney recognized Citizens Nina Postlethwaite-Saive and Cindy Smith who spoke to the matter.

AMENDMENT: Simultaneously take the discussion to the various stakeholders regarding the project.

RECOMMENDATION *The City Commission authorize the City Manager to continue negotiations with Greyhound Bus Lines, Inc., regarding rehabilitation and reuse of the old GRU Engineering building.*

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

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

001055**Amendment to Campus Development Agreement between the Board of Regents, City of Gainesville, Alachua County and the University of Florida (B)**

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

Chair Paula M. DeLaney recognized Citizen Cindy Smith spoke to the matter.

FIRST MOTION: Commissioner Pegeen Hanrahan moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to approve the recommendation.

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

SECOND MOTION: Refer the issue of the design and other issues surrounding 26/26A to the Public Works Committee and authorize staff to put together a meeting with Joe Montalto, DOT, UF and MTPO staff.

RECOMMENDATION *The City Commission authorize the Mayor and the Clerk of the Commission to execute the Amendment to the December 30, 1998 Campus Development Agreement Between the Board of Regents, City of Gainesville, Alachua County, and the University of Florida upon approval of the City Attorney as to form and legality.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Public Works Committee, due back on September 12, 2001. The motion carried by the following vote:

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

001056 Interlocal Agreement between City of Gainesville and Alachua County for SR 26/26A (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Interlocal Agreement with Alachua County for the SR 26 and SR 26A projects.*

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, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney
Absent: Warren Nielsen

001057 Northeast Park Stormwater Task Force (B)

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

MOTION: Approve in concept the draft goals and objectives for the NE Park Stormwater Task Force as indicated in the back-up.

Chair Paula M. DeLaney recognized Friends of Northeast Park Representative Mark Frank, Citizens Mark Goldstein and Ken Popejoy who spoke to the matter.

RECOMMENDATION *The City Commission: 1) appoint representatives to the N.E Park Joint Stormwater Task Force: and 2) approve in*

concept the draft Goals and Objectives for the Task Force.

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

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

001058 Mid-Cycle Budget Update Process (B)

NOTE MEETING TIMES: July 11, 2001 - 10:00 AM; July 12, 2001 - 10:00 AM; July 16, 2001 - 10:00 AM and 6:00 PM.

RECOMMENDATION *The City Commission approve the proposed meeting dates for the FY2002 Mid-Cycle Budget update process.*

A motion was made by Commissioner Chestnut, seconded by Mayor-Commissioner Pro Tem Barrow, 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

001059 2001-2002 City Commission Goals (B)

RECOMMENDATION *The City Commission approve the Goals and Objectives with the changes as suggested at the City Commission meeting of February 26, 2001.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, 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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY

CITY AUDITOR

COMMITTEE REPORTS (PULLED FROM CONSENT)

RECREATION AND CULTURAL AFFAIRS COMMITTEE

000539 Recreation Programs for Greentree Park (B)

City of Gainesville Recreation Manager Karen Snyder gave a presentation.

Mayor-Commissioner John R. Barrow moved and Commissioner Pegeen Hanrahan seconded to approve the recommendation and direct staff to continue working with the neighborhood association, the Action Task Force and Dr. Anderson regarding recommendations for the park.

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

SECOND MOTION: Refer the concept of free and reduced fees for the participants in the recreation program for Greentree Park to the Recreation and Cultural Affairs Committee.

RECOMMENDATION *The City Commission: 1) receive a report from staff regarding the status of the Greentree Park recreational programming; and 2) appropriate \$41,187 from City Commission contingency to establish a pilot after school recreation program and a summer playground program at Greentree Park.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Recreation and Cultural Affairs Committee, due back on September 12, 2001. The motion carried by the following vote:

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

COMMUNITY DEVELOPMENT COMMITTEE**EQUAL OPPORTUNITY COMMITTEE****001060 Affirmative Action Plan Update (B)**

RECOMMENDATION *The City Commission hear a presentation from the Affirmative Action Task Force.*

Withdrawn

ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)**OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****COMMISSION COMMENTS**

MAYOR - COMMISSIONER PRO TEM JOHN R. BARROW

Building Standards Downtown (Jack's Bar) - Refer to the City Manager

COMMISSIONER PEGEEN HANRAHAN

- 1. See following item: Florida Communities Trust*
- 2. See following item: Charter Amendment - EEO Charter Officer*

001078 Florida Communities Trust Land Acquisition Application (NB)

RECOMMENDATION *The City Commission refer this issue to staff for their recommendation.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Referred to the City Manager, due back on March 26, 2001. The motion carried by the following vote:

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

001080 Charter Amendment - EEO Charter Officer (NB)

NOTE: This item was approved at the November 5, 2002 Special Municipal Election.

RECOMMENDATION *The City Commission refer the issue of moving forward with the EEO Charter Officer Charter Amendment to the Equal Opportunity Committee.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the Equal Opportunity Committee. The motion carried by the following vote:

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

COMMISSIONER CHUCK CHESTNUT

Night Club at North 6th & 13th Street intersection (Old Dubs Building) - Referred to City Manager

MAYOR PAULA M. DELANEY

Future of Hogtown Greenway

Nature Operations Manager Steve Phillips made comments.

RECESS

The meeting recessed at 4:35 PM.

RECONVENE

The meeting reconvened at 5:33 PM.

CITIZEN COMMENT (5:30pm)

BENJAMIN HOY

See following item Re: Citizens Review Board for the Police Department

001081 **Citizens Review Board for the Police Department (NB)**

Chair Paula M. DeLaney recognized Fraternal Order of Police Chair Jeff McAdams, Reverend Tim Keyes, Citizen Steven Messer and Police Chief Norm Botsford who spoke to the matter.

NOTE: Commissioner Pegeen Hanrahan entered the meeting room at 5:41 PM.

RECOMMENDATION *The City Commission refer the issue of creating a citizens review board to the Public Safety Committee and agenda this item after the Grand Jury investigation is completed.*

A motion was made by Mayor-Commissioner Pro Tem Barrow, seconded by Commissioner Chestnut, that this matter be Referred to the Public Safety Committee, due back on September 12, 2001. The motion carried by the following vote:

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

REVEREND TIM KEYES

Comments on his City Commission meeting participation.

JIM KONISH

Deerhaven Emissions

DAVID CARR - See following item RE: Corridor Advocacy Group

See following item RE: "Old Florida Heritage Highway" Corridor Advocacy Group

001083 **"Old Florida Heritage Highway" Corridor Advocacy Group (NB)**

NOTE: This request was later rescinded.

RECOMMENDATION *The City Commission authorize the Mayor to sign an agreement on behalf of the City of Gainesville accepting membership in the "Old Florida Heritage Highway" Corridor Advocacy Group (US 441).*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, 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

JEFF MCADAMS - FRATERNAL ORDER OF POLICE CHAIR

See following item Re: Fallen Officer - Scott Baird

001084 Designation of Roadway to Fallen Officer Scott Baird (NB)

RECOMMENDATION *The City Commission refer the issue of designating the roadway behind Gainesville High School to fallen officer Scott Baird to the City Manager.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Referred to the City Manager, due back on September 12, 2001. The motion carried by the following vote:

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

Absent: Warren Nielsen

SARA POLL

- 1. Handicapped Parking Spaces - Referred to the City Manager*
- 2. Cost of two more City Commissioners - Referred to Clerk of the Commission*
- 3. Citizen Comment (times)*
- 4. Noise Enforcement - N. Main & 23rd Avenue*

COMMISSION COMMENTS (if time available)

PLEDGE OF ALLEGIANCE (6:00pm)

Troops #332 and #924

PROCLAMATIONS/SPECIAL RECOGNITIONS

001034 Children's Day 2001 - March 16, 2001 (B)

RECOMMENDATION *Child Care Resources, Inc. Executive Director Barbara Ann Kelleher and Customer Services Team Leader Doris Martin to accept the proclamation.*

Heard

001035 Vetspace Day - March 16, 2001 (B)

RECOMMENDATION *Vetspace, Inc. President Ed Burford, Past-President/Co-Founder Ron Williams, Board Members Bill Mosby and John Kuldau, Benefactor Betty McMahon, and Grant Manager Robert Murphy to accept the proclamation.*

Heard

001036 American Red Cross Month - March 2001 (B)

RECOMMENDATION *Alachua County Chapter American Red Cross Executive Director Matthew Hamblen and Chapter Chair Ause Brown to accept the proclamation.*

Heard

001037 Year of the Peace Corps 2001 (B)

RECOMMENDATION *Returned Peace Corps Volunteer of Greater Gainesville President Ellen Huntley and Treasurer Mary Kilgour to accept the proclamation.*

Heard

PUBLIC HEARINGS**ORDINANCES, 1ST READING- ROLL CALL REQUIRED****000568 PLANNED DEVELOPMENT - MALLORCA (B)****ORDINANCE NO. 0-00-127, PETITION NO. 125PDV-00PB**

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "MU-1: 10-30 units per acre mixed use low intensity" to "Planned Development District"; located at 528 Northwest 39th Road; adopting a development plan report and development

plan maps; providing additional conditions and restrictions; providing for penalties; providing a severability clause; and providing an immediate effective date.

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

RECOMMENDATION *The City Commission: 1) hear a presentation from staff on the preliminary development plan; and 2) 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, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney
Absent: Warren Nielsen

000928 LIEN FORECLOSURE PROCEEDINGS (B)

ORDINANCE NO.: 0-01-13

An ordinance of the City of Gainesville, Florida; amending section 2-387 relating to lien foreclosure proceedings on any real property whenever the code violation fines exceed 50% of the property's value, or in the City Attorney's discretion make foreclosure appropriate; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

NOTE: Commissioner Pegeen Hanrahan left the meeting room at 7:40 PM.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Chestnut, 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, John R. Barrow and Paula M. DeLaney
Absent: Warren Nielsen and Pegeen Hanrahan

001018 GENERAL GOVERNMENT BUDGET AMENDMENT FY 2000-2001 (B)

Ordinance No. 0-01-12

An Ordinance of the City Commission of the City of Gainesville, Florida; Relating to its General Government Budget for the Fiscal Year Beginning October 1, 2000 and Ending September 30, 2001; Amending Ordinance No. 000366, Adopted September 25, 2000, by Making Certain Adjustments to the General Operating and Financial Plan Budget; and Providing an Immediate Effective Date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

000829 ART IN PUBLIC PLACES TRUST (B)

Ordinance No. 0-01-04

An ordinance of the City of Gainesville, Florida, amending chapter 5.5 of the Code of Ordinances relating to Art in Public Places to implement a consolidated City of Gainesville/Alachua County art in public places trust; providing for two appointees to the trust to be chosen by the Board of County Commissioners; providing a transition schedule; providing that the art in public places trust shall make recommendations to the Board of County Commissioners for art for county projects; providing directions to the codifier; 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 Mayor-Commissioner Pro Tem Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

000796 ANNEXATION - RUSTLEWOOD AREA (B)

ORDINANCE NO. 0-00-131

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 generally bounded on the north by the Gainesville city limits, on the west by the extension of N.W. 51st Street, on the east by the Gainesville city limits and on the south by the Gainesville city limits; providing for inclusion of the area in Appendix I of the City Charter; providing for a referendum election; providing directions to the City Manager and Clerk of the Commission; providing ballot language; providing for land use plan and zoning regulations; providing for enforcement of

Alachua County land use plan, zoning and subdivision regulations; providing for persons engaged in any occupation, business, trade or profession; 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 Barrow, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:

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

RESOLUTIONS- ROLL CALL REQUIRED

001061 Downtown Connector Agreement (B)

RECOMMENDATION *The City Commission adopt a resolution authorizing the City Manager to execute the lease agreement by and between the Florida Department of Environmental Protection, Division of State Lands and the City of Gainesville.*

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

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

001062 Locally Funded Agreement with the Florida Department of Transportation for SR 26A Project (B)

RECOMMENDATION *The City Commission adopt the resolution authorizing execution of the State of Florida Department of Transportation Locally Funded Agreement with the Department of Transportation (FDOT) and the Memorandum of Agreement with the FDOT and the Department of Insurance.*

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

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

PLAN BOARD PETITIONS

SCHEDULED EVENING AGENDA ITEMS

001067 Status of Deregulation (NB)

GRU Strategic Planning Director Ed Regan, Florida Municipal Energy Association Executive Director Barry Moline, and Assistant General Manager for Energy Supply Darrell Dubose gave presentations.

MOTION: The City Commission take a public policy position to authorize the Mayor and/or the City Commission to respond to protect the City's municipal electric position in regards to any pending legislation.

RECOMMENDATION *The City Commission hear a presentation from staff on the status of deregulation.*

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

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

001066 INDUSTRIAL ZONING DISTRICT MORATORIUM (B)

Chair Paula M. DeLaney recognized Citizen Ilene Kanely who spoke to the matter.

Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded to table this item.

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

Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded to take this item from the table.

(VOTE: 3-0) (Commissioner Pegeen Hanrahan and Commissioner Warren Nielsen - Absent)

NOTE: Commissioner Pegeen Hanrahan re-entered the meeting room at 8:30 PM.

City of Gainesville Community Development Director Tom Saunders, Water and Air Research Representative Dr. Bill Zegel, Alachua County Environmental Protection Principal Planner John Musa, City of Gainesville Planning Manager Ralph Hilliard, Alachua County Environmental Protection Representative Gus Olmos gave presentations.

RECESS: The meeting recessed at 9:22 PM.

RECONVENE: The meeting reconvened at 9:42 PM.

Chair Paula M. DeLaney recognized the following citizens in favor of the moratorium: 1) Jim Konish; 2) Peter Rebmann; 3) Marilyn Walker; 4) Mark Goldstein; 5) Ilene Kanely 6) Rob Luna; 7) Barbara Stephenson; and 8) Tom Bussing.

Chair Paula M. DeLaney recognized the following citizens against the moratorium:

1) Andrew Seigel; 2) Elaine Ortiz; 3) Patrice Boyes - Attorney for Watson Construction; 4) Sergio Reyes - Eng, Denman and Associates;

5. Ken Hill - Universal Engineering and Sciences; 6) David Bare - Golder Associates, Inc.; 7) Steve Cullen - Koogler & Associates Environmental Engineer.

NOTE: The City Commission requested that the Clerk schedule a special evening meeting (6:00 PM) regarding this issue and notify interested parties of the date and time.

RECOMMENDATION *The Community Development Committee recommends that the City Commission: 1) discuss and consider imposing a moratorium for certain industrial uses in certain areas; 2) identify the uses and areas; and 3) direct the City Attorney to draft a moratorium ordinance.*

Postponed

UNFINISHED BUSINESS

COMMISSION COMMENT

CITIZEN COMMENT (If time available)

ADJOURNMENT

The meeting adjourned at 11:01 PM.

Kurt M. Lannon, Clerk of the Commission