

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, October 11, 2004**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Pegeen Hanrahan (At Large)  
Mayor-Commissioner Pro Tem Tony Domenech (District 3)  
Commissioner Warren Nielsen (At Large)  
Commissioner Rick Bryant (At Large)  
Commissioner Chuck Chestnut (District 1)  
Commissioner Ed Braddy (District 2)  
Commissioner Craig Lowe (District 4)*

*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 two business days in advance.*

**CALL TO ORDER - 1:05 PM****ROLL CALL**

Present: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**INVOCATION**

**Larry Dodd, Music & Youth Director, First United Methodist Church**

**CONSENT AGENDA**

*Mayor-Commissioner Pro Tem Domenech moved and Commissioner Chestnut seconded to adopt the Consent Agenda with the following modification:  
(VOTE: 7-0, MOTION CARRIED)*

*File # 040531 - New Consent Item - Name for City Parking Garage.*

**CITY MANAGER, CONSENT AGENDA ITEMS****040134 Sale of Surplus Properties at 418 NW 7th Avenue and 430 NW 7th Avenue (B)**

**RECOMMENDATION** *The City Commission award the bid to the highest bidders, as follows: 430 NW 7th Avenue (parcels 14434 and 14436) - Barbara J. Watson bid \$5,500; and 418 NW 7th Avenue (parcel 14431) - Lauren Howard bid \$3,100.*

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

**040135 Sale of Surplus Property at 1116 NW 6th Place (B)**

**RECOMMENDATION** *The City Commission award the bid to the highest bidder, Richard Schackow.*

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

**040506 Approval of Purchase Order to Asplundh Tree Expert Company (NB)**

**RECOMMENDATION** *The City Commission approve the issuance of a Purchase Order to Asplundh Tree Expert Company in an amount not to exceed \$37,000 for services required by the Recreation and Parks Department for FY 2005.*

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

**040531 Name for City Parking Garage (NB)**

**RECOMMENDATION** *The City Commission approve the staff selected name for the new parking garage, Southwest Downtown Parking Garage.*

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

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

**CITY ATTORNEY, CONSENT AGENDA ITEMS**

**040520 VINCENT RANDI v. THE CITY OF GAINESVILLE ALACHUA COUNTY  
CIRCUIT CASE NO.: 01-03-CA-3953 (B)**

**RECOMMENDATION** *The City Commission 1) approve the terms of the mediated settlement agreement; and 2) authorize the City Attorney to settle the claim of Randi v. City of Gainesville; Alachua County Circuit Case No. 01-03-CA-3953 on behalf of the City.*

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

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

**040505 City Commission Minutes (B)**

**RECOMMENDATION** *The City Commission approve the minutes of September 22, 24, and 30, 2004 (Special Meetings) and September 27, 2004 (Regular Meeting); as circulated.*

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

**040523 Special Meeting (NB)**

**RECOMMENDATION** *The City Commission schedule a joint meeting with the Gainesville Housing Authority on December 6, 2004 at 6:00 pm in the City Hall Auditorium.*

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

**EQUAL OPPORTUNITY DIRECTOR, CONSENT AGENDA ITEMS**

**COMMITTEE REPORTS, CONSENT AGENDA ITEMS**

**COMMUNITY DEVELOPMENT COMMITTEE, CONSENT**

**040060 Future Land Use of SW 34th Street Corridor Between Archer and Williston Roads (B)**

**RECOMMENDATION** *Community Development Committee to the City Commission: 1) Maintain the character of the corridor with the three distinct commercial/mixed use areas and outside those areas maintain the residential character (which might include condominium, apartment or extended stay motel uses), or consider land use changes only if they are truly mixed-use development; 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 Mayor-Commissioner Pro Tem Domenech, 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: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**COMMUNITY REDEVELOPMENT AGENCY, CONSENT ITEMS**

**END OF CONSENT AGENDA**

## ADOPTION OF THE REGULAR AGENDA

*Commissioner Bryant moved and Commissioner Braddy seconded to adopt the Regular Agenda with the following modifications:*

*(VOTE: 7-0, MOTION CARRIED)*

*1. File #040486 - Gainesville Regional Airport Authority - (Waive the Rules to hear immediately after Proclamations/Special Recognitions).*

*2. File #040474 Mayor Pegeen Hanrahan - Kennedy Homes - (Continue to the October 25, 2004 Meeting).*

*3. File #040532 - A New 401 Deferred Compensation Plan and a Payroll Deduction ROTH IRA through the ICMA Retirement Company - (New Item)*

*4. File #040533 - Orders Pertaining to Building Permit Fees and Procedures for Hurricane Related Repairs - (New Item)*

## CHARTER OFFICER UPDATES

## CLERK OF THE COMMISSION

## CITY MANAGER

### **040507 Interlocal Agreements with Alachua County for Distribution of Local Government Parks and Recreation Infrastructure Surtax (B)**

*Alachua County Manager Randy Reid and City Manager Wayne Bowers gave presentations.*

*FIRST MOTION: Commissioner Domenech moved and Commissioner Braddy seconded to amend the first draft Interlocal Agreement on page 3, paragraph 4, changing the word "ordinance" to "resolution".*

*(VOTE: 7-0, MOTION CARRIED)*

*Chair Hanrahan recognized Citizen Gabe Kaimowitz who spoke to the matter.*

*SECOND MOTION: Commissioner Nielsen moved and Commissioner Chestnut seconded to adopt the Interlocal Agreement (first agreement) with an amendment at the top of Page 3, after "Operation and Maintenance Trust Fund" insert after the word fund, "(20% of the total amount per year)".*

*(VOTE: 6-0, Commissioner Domenech - Absent, MOTION CARRIED)*

*THIRD MOTION: Commissioner Nielsen moved and Commissioner Bryant seconded to adopt the second Interlocal Agreement with the following amendments as listed by the City Attorney: 1) Last line of the title "Operation and Maintenance Funds"*

change to read "Operation and Maintenance Trust Fund"; 2) page 2, first paragraph, change "an operation and maintenance fund" to "The Operation and Maintenance Trust Fund"; 3) page 3, paragraph 1 change "operation and maintenance surtax" to Operation and Maintenance Trust Fund; 4) insert new paragraph 3 at the bottom of page 3 insert new paragraph as submitted by the City Attorney and renumber paragraphs; 5) after new paragraph 5, insert new paragraph 6, as submitted by the City Attorney; and 6) all changes in red in the edited interlocal agreement submitted by the City Attorney.

(VOTE: 7-0, MOTION CARRIED)

Chair Hanrahan recognized Citizen Walter Willard who spoke to the matter.

**RECOMMENDATION** The City Commission approve the two interlocal agreements for distribution of the surtax facilities and operation and maintenance funds.

**Approved, as shown above**

**040508 Update of the Gainesville Urban Reserve Area and Statement of Services (B)**

City of Gainesville Strategic Planner Karen Snyder gave a presentation.

**RECOMMENDATION** The City Commission: 1) hear a presentation from staff; 2) review the revised language for Gainesville's Statement of Services; 3) receive updated maps detailing the proposed changes to the Urban Reserve Area for Gainesville; 4) determine any additional desired changes to Gainesville's Urban Reserve Boundaries and/or Statement of Services; 5) adopt the modified document; and 6) authorize the City Manager to submit the revised City of Gainesville Statement of Services to Alachua County along with notification of any additional changes to the Gainesville Urban Reserve Area.

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**040411 Ironwood North - Neighborhood Housing & Development Corporation (B)**

City of Gainesville Community Development Director Tom Saunders and CDBG Manager Jim Hencin gave presentations.

Chair Hanrahan recognized Citizens Nancy Testa, Kevin Claney, Walter Willard, Odetta MacCleish-White, Gabe Kaimowitz and Attorney for NHDC Patrice Boyes who spoke to the matter.

**NOTE:** The Mayor directed the City Attorney to research and return as soon as

*possible with information regarding: 1) A City Commissioner being an NHDC Board Member; 2) legal implications of withholding CDBG/HOME funds; and 3) the issue of Florida Finance Corp/Requirement.*

**RECOMMENDATION** *The City Commission authorize the City Manager to negotiate and execute a development agreement with NHDC based on the terms contained in the September 30, 2004 letter from NHDC.*

**Continued**

**040509**

**Report on Options to the Combined Communications Center (B)**

*Gainesville Police Chief Norm Botsford, Corporal Art Adkins, Fire Chief Richard Williams, Director of Staff Services at the Sheriff's Office Al Weikel, Black on Black Crime Task Force Members Rosa B. Williams and Willie Osgood; and Combined Communications Center Coordinator Randy Kerr gave presentations.*

*Chair Hanrahan recognized Reverend Milford Griner, Kathy Meese and Crime Prevention Security Systems Representative John Pastori who spoke to the matter.*

**RECOMMENDATION** *The City Commission hear a report from staff on options to the Combined Communications Center.*

**Heard**

**021198**

**False Fire Alarm Ordinance (B)**

*Gainesville Assistant Fire Chief Tony Taylor and Fire Chief Richard Williams gave presentations.*

*Chair Hanrahan recognized Crime Prevention Security Systems Representative John Pastori, Kathy Meese and UF Environmental Health and Safety Director Dr. Bill Properzio who spoke to the matter.*

*MOTION: Approve the recommendation with the understanding that: 1) The implementation date of this ordinance is parallel with the County's; 2) continue to explore options with the University of Florida to find whatever common ground that we can; and 3) also that this ordinance be re-addressed after one calendar year of implementation by the Public Safety Committee.*

**RECOMMENDATION** *The City Commission: 1) hear a report from staff; and 2) authorize the City Attorney to draft, and the Clerk of the Commission to advertise, in substantially the same form, the proposed False Fire Alarm Ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**PUBLIC COMMENT ON HOMELESSNESS ISSUE FILE # 040187**

*Chair Hanrahan recognized Joe Jackson and Gabe Kaimowitz.*

**GENERAL MANAGER FOR UTILITIES**

**CITY ATTORNEY**

**CITY AUDITOR**

**EQUAL OPPORTUNITY DIRECTOR**

**COMMITTEE REPORTS (PULLED FROM CONSENT)**

**COMMUNITY DEVELOPMENT COMMITTEE**

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

**OUTSIDE AGENCIES**

**MEMBERS OF THE CITY COMMISSION**

**040474 Mayor Pegeen Hanrahan - Kennedy Homes (NB)**

*NOTE: Continued to the October 25, 2004 Regular City Commission Meeting.*

**RECOMMENDATION** *The City Commission hear an update on Kennedy Homes from Reverend Griner.*

**Continued**

**RECESS - 5:29 PM**

**RECONVENE - 5:53 PM**

**COMMISSION COMMENTS (if time available)**



## CITIZEN COMMENT

### **Kathy Meese - Springtree Homeowner's Association**

*Dangerous Dog Problem*

*See following referral item #*

#### **040547 Dangerous Dogs Issues (NB)**

**RECOMMENDATION** *The City Commission refer the broad issue of dangerous dogs to the Public Safety Committee.*

**A motion was made by Commissioner Chestnut, seconded by Commissioner Lowe, that this matter be Referred to the Public Safety Committee, due back on April 11, 2005. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

### **Marilyn Walker**

*Appreciation to the City and GRU for their services after the storms.*

### **David Miller - Gainesville Homebuilders Association**

*Appreciation to the City and GRU for their services after the storms.*

*Appreciation to Mr. Wayne Bowers.*

### **Gabe Kaimowitz**

*Homeless Issues/Race Relations*

### **AnnNeter Heard**

- 1. GPD Issues*
- 2. Cell Tower Issue*

*City Manager to report back on the GPD Issue.*

### **Ray Bennett**

*"Megan Adams Law"  
See following Referral Item #040548.*

**040548 Power Outage - Special Needs Law (Megan Adam's Law) (B)**

**RECOMMENDATION** *The City Commission refer the issue of creating an ordinance assisting people with special needs during power outages to the Regional Utilities Committee.*

**A motion was made by Commissioner Braddy, seconded by Commissioner Chestnut, that this matter be Referred to the Regional Utilities Committee, due back on April 11, 2005. The motion carried by the following vote:**

**Votes:** Aye: Peegen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**COMMISSION COMMENTS (if time available)****PLEDGE OF ALLEGIANCE (6:00pm)****PROCLAMATIONS/SPECIAL RECOGNITIONS****040480 Cora P. Roberson Day (B)**

**RECOMMENDATION** *Mrs. Cora P. Roberson to accept the proclamation.*

**Heard**

**040513 White Cane Safety Day (B)**

**RECOMMENDATION** *Mr. Jack Varnon, President, Alachua County Council of the Blind, to accept the proclamation.*

**Heard**

**040524 Delta Epsilon Chi (DECA) Week (B)**

**RECOMMENDATION** *Kyle Sander, John Wilson, Rachel Cheshire and Kaydee Currie to accept the proclamation.*

**Heard**

**OUTSIDE AGENCIES**

**040486 Gainesville Regional Airport Authority (NB)**

*Gainesville Alachua County Regional Airport Authority (GACRAA) Chairperson Dr. Jon Morris, GACRAA Director Rick Crider and City of Gainesville Economic Development Director Erik Bredfeldt, gave a presentation.*

**RECOMMENDATION** *The City Commission hear a presentation from the Gainesville Regional Airport Authority.*

**Heard**

**WAIVER OF THE RULES**

*Commissioner Lowe moved and Commissioner Chestnut seconded to waive the rules to finish the afternoon business before the Public Hearings.  
(VOTE: 7-0, MOTION CARRIED)*

**040090 Business Appreciation Proclamation Program (NB)**

*City of Gainesville Economic Development Director Erik Bredfeldt gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) hear a status report on the proposed Business Appreciation Proclamation Program and; 2) approve the Business Appreciation Proclamation Program.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech and Rick Bryant  
Absent: Craig Lowe

**040532 A New 401 Deferred Compensation Plan and a Payroll Deduction ROTH IRA through the ICMA Retirement Company (NB)**

*City of Gainesville Human Resources Director Tom Motes gave a presentation.*

**RECOMMENDATION** *Authorize the City Manager to initiate a new 401 plan and a payroll deduction ROTH IRA with the ICMA Retirement Corporation.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**040533 Orders Pertaining to Building Permit Fees and Procedures for Hurricane Related Repairs (B)**

**RECOMMENDATION** *The City Commission authorize the City Manager to issue orders effective September 25, 2004 and terminating November 1, 2004 to accept registered contractor licenses from surrounding counties, waive building permit fees, and exempt from permitting certain minor repairs resulting from damage caused by Hurricane Jeanne.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Edward Braddy

**040187 Community Wide Plan to End Homelessness (B)**

*CDBG Manager Jim Hencin made comments.*

*NOTE: Citizen Comment was taken on this item during the afternoon portion of the meeting.*

*Chair Hanrahan recognized Joe Jackson and Gabe Kaimowitz who spoke to the matter.*

*City of Gainesville Community Development Director Tom Saunders gave a presentation.*

*FIRST MOTION: (REFERRAL) Commissioner Lowe moved and Commissioner Chestnut seconded to approve the recommendation and refer the list of a proposed committee to the City Manager.*

*(VOTE: 6-0, Commissioner Nielsen - Absent, MOTION CARRIED)*

*ADDITIONAL MOTION: (REFERRAL) Commissioner Lowe moved and Commissioner Chestnut seconded to refer to the issue of limitations of the number of meals and beds provided at St. Francis House to the Community Development Committee.*

*(VOTE: 6-0, Commissioner Nielsen - Absent, MOTION CARRIED)*

*NOTE: This item was placed on the City Manager's Referral List and the Community Development Committee's Referral List.*

**RECOMMENDATION** *Community Development Committee to City Commission: Community-Wide Plan -- use guidelines and examples from the U.S. Interagency Council on Homelessness, the National Alliance to End Homelessness, and other sources, on developing local plans to end homelessness or chronic homelessness; and undertake a broad-based community effort*

*with a working group to develop such a local plan to end homelessness or chronic homelessness.*

**Approved, as shown above**

## **PUBLIC HEARINGS**

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

### **040459            EMERGENCY DECLARATION (B)**

#### **ORDINANCE NO.: 0-04-96**

**An ordinance of the City of Gainesville amending section 2-67 of the Gainesville Code of Ordinances by clarifying the mayor's source of authority for declaring a state of emergency; authorizing the mayor pro-tem to act if the mayor is unavailable; clarifying the penalties for violating provisions of emergency measures depending on the source of the authority; 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 Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Bryant, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

### **040521            CORRECTION OF MINOR SCRIVENER'S ERRORS TO ORDINANCE 031133, RELEVANT TO RMF-5 (12 UNITS/ACRE) RESIDENTIAL LOW DENSITY ZONING AND RC ZONING DISTRICTS (B)**

#### **Ordinance No. 0-04-85; Petition 65TCH-04 PB**

**An ordinance of the City of Gainesville, Florida, correcting minor scrivener's errors resulting from recent amendments to Section 30-52, Land Development Code, relating to residential low density districts; amending subparagraph (a) of paragraph (1) and Table 2, Accessory Uses, of section 30-52, Land Development Code, regarding residential low density districts (RMF-5, RC and MH); restoring day care centers as a use by right in RMF-5 (12 units/acre) residential low density zoning and RC districts; correcting rear yard setback for RMF-5, accessory uses portion of Table 2; 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 Commissioner Lowe, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

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

### **040406 DANCE HALL DEFINITIONS (B)**

#### **ORDINANCE NO.: 0-04-92**

**An ordinance of the City of Gainesville, Florida, amending section 14.5-101 by modifying the definition of dance hall; 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 Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Chestnut, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

## **RESOLUTIONS- ROLL CALL REQUIRED**

### **030956 Final plat approval of Meadows North Subdivision located in the vicinity of Northwest 28th Street and Northwest 26th Place, north side. (Petition 159SUB-03DB) (B)**

**RECOMMENDATION** *Planning staff to City Commission - The City Commission adopt the following resolution: A Resolution approving the final plat of "Meadows North", located generally in the vicinity of Northwest 28th Street and Northwest 26th Place; authorizing the Mayor and Clerk of the Commission to execute Surety Agreements to secure the construction of improvements providing directions to the Clerk of the Commission and providing an immediate effective date.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

**040522 Gainesville Regional Utilities \$100,000 for Economic Development Services (B)**

*City of Gainesville Economic Development Director Erik Bredfeldt gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) hear a brief presentation from staff regarding the proposed transfer of funds; and 2) approve the attached Resolution.*

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

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe  
Absent: Chuck Chestnut

**PLAN BOARD PETITIONS****001254 (Quasi-Judicial) Special Industrial Use Permit, Wellfield Special Use Permit, and development plan review for construction of an asphalt plant located at 7605 NW 13th Street. (Petition 30WSU-01CC) (B)*****STAFF PRESENTATIONS:***

*City of Gainesville Senior Planner Carolyn Morgan, GRU Director of Strategic Planning Ed Regan, City Litigation Attorney Elizabeth Waratuke and Planning Manager Ralph Hilliard gave presentations.*

***PETITIONER'S PRESENTATIONS:***

*Attorney for the Petitioner Dick Jones, Water and Air Research Engineer Bill Zegel, APAC Representative Catherine Sutton, APAC Representative David Church, Dr. Randy West, Dr. Roger Wayson and Engineering Consultant Ralph Eng gave presentations.*

***MOTION:*** *Approve the petition with staff conditions and findings in the report.*

***THE MAYOR ASKED FOR DISCLOSURE OF EX PARTE COMMUNICATIONS:***

- 1. Commissioner Chestnut disclosed ex parte communications.*
- 2. Mayor Pegeen Hanrahan disclosed ex parte communications.*

***PUBLIC COMMENT:***

*Chair Hanrahan recognized Northwest Gainesville Coalition of Homeowner's Association Representatives Ted LaCombe, Peter Rebmann and Marilyn Walker; and Citizens Ray Bennett, Tom Bussing, Virginia Johns and Lisa Albertson who spoke to the matter.*

***RECESS - 10:18 PM***

***RECONVENE 10:27 PM***

**RECOMMENDATION** *Planning Staff to City Commission - The City Commission*

*approve the petition.*

**A motion was made by Commissioner Braddy, seconded by Mayor-Commissioner Pro Tem Domenech, that this matter be Approved (Petition) with Staff Conditions and Findings in the report. The motion carried by the following vote:**

**Votes:** Aye: Warren Nielsen, Edward Braddy, Tony Domenech and Rick Bryant  
Nay: Pegeen Hanrahan, Chuck Chestnut and Craig Lowe

## DEVELOPMENT REVIEW BOARD PETITIONS

### WAIVER OF RULES

*Commissioner Chestnut moved and Commissioner Lowe seconded to waive the rules to extend the meeting to 11:30 PM.  
(VOTE: 7-0, MOTION CARRIED)*

#### **040511 Design replat approval of Lot 14 of Ridgewood Park located at 2811 Northwest 10th Place. (Petition 95SUB-04 DB) (B)**

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

**RECOMMENDATION** *Development Review Board to City Commission - The City Commission approve Petition 95SUB-04 DB, with staff conditions. DRB vote 4-0*

*Staff to Development Review Board - The Design Plat is approvable with conditions.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Bryant, that this matter be Approved (Petition) with Staff Conditions. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

#### **040512 Design Plat approval of Sorrento Subdivision, Phase 3 located in the vicinity of Northwest 21st Drive and Northwest 53rd Avenue, south side. (Petition 126SUB-04DB) (B)**

*City of Gainesville Planner Gene Francis and Agent for the Petitioner Rory Causseaux gave a presentation.*

*Chair Hanrahan recognized Citizen Joe Gessiness who spoke to the matter.*

**AMENDMENT:** *With the exception of the 5 lots that do not meet the set back requirement.*



**RECOMMENDATION** *Development Review Board to City Commission - The City Commission approve Petition 126SUB-04DB, with staff conditions.*

*Staff to Development Review Board -The Design Plat is approvable with conditions.*

**A motion was made by Mayor-Commissioner Pro Tem Domenech, seconded by Commissioner Bryant, that this matter be Approved (Petition) with Staff Conditions, as Amended. The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Warren Nielsen, Chuck Chestnut, Edward Braddy, Tony Domenech, Rick Bryant and Craig Lowe

## **SCHEDULED EVENING AGENDA ITEMS**

## **UNFINISHED BUSINESS**

## **COMMISSION COMMENT**

### **Mayor-Commissioner Pro Tem Tony Domenech**

- 1. Flood Data Tracking System - City Manager to come back with a report.*
- 2. Airport Industrial Park Property (20-30 acres of unplatted land) - City Manager to come back with a report.*

## **CITIZEN COMMENT**

### **Estelle Herget**

*Moving to a new city.*

## **ADJOURNMENT - 11:11 PM**

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Kurt M. Lannon, Clerk of the Commission