

City of Gainesville

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



Meeting Minutes

Monday, September 25, 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

Jane Huffman, Associate Pastor, Trinity United Methodist Church

ROLL CALL

The Meeting was called to order @ 1:11 PM.

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

CONSENT AGENDA

Note: Chair Paula M. DeLaney was not present at the beginning of the meeting and Mayor-Commissioner Pro Tem John R. Barrow assumed the gavel.

Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to approve the Consent Agenda with the following modifications.

- 1. File No. 000444 - Change Order # 2 for NW 38th Street Reconstruction from NW 8th Avenue to NW 16th Boulevard City Project (Withdraw from the Agenda)*
- 2. File No. 000446 - Amendment to Personnel Policies - (Add to recommendation: "effective October 1, 2000")*

CITY MANAGER, CONSENT AGENDA ITEMS

000441 First Extension of Ironwood Grounds Maintenance Agreement (B)

RECOMMENDATION *The City Commission approve the first extension to the contract with OneSource Landscape and Golf Services, Inc. for ground maintenance at the Ironwood Golf Course in the amount of \$415,849.56 for the period of October 1, 2000 through September 30, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

000442 Baseball Uniform Bid Extension (B)

RECOMMENDATION *The City Commission approve the first extension to the contract with Coleman's Sport Shop and the issuance of a purchase order for FY 2001 baseball uniforms in an amount not to exceed \$30,000, for the period of October 1, 2000 through September 30, 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

000443 Agreement with ATC/Intelitran, Inc. for ADA Services (B)

RECOMMENDATION *The City Commission: 1) approve the proposed services agreement with ATC/Intelitran, Inc.; and 2) authorize the City Manager to execute the agreement subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

000444 Change Order #2 for NW 38TH Street Reconstruction from NW 8th Avenue to NW 16th Boulevard City Project (B)

RECOMMENDATION *The City Commission: 1) approve the issuance of Change Order #2 to the purchase order for the John C. Hipp Construction Equipment Company in the amount of \$53,489.24, increasing the total amount of the purchase order to \$1,526,599.24; 2) authorize the City Manager, or his designee, to execute the contract amendment subject to the approval of the City Attorney as to form and legality.*

Withdrawn

000445 City-County Traffic Engineering Services Agreement for Fiscal Year 2000-2001 (B)

RECOMMENDATION *The City Commission authorize the City Manager to execute the Traffic Engineering Services Agreement between the City and Alachua County for traffic engineering services for the period of October 1, 2000 to September 30, 2001; subject to approval of the City Attorney as to form and legality (revenue to City of \$133,321.07).*

This Matter was Approved as Recommended on the Consent Agenda.

000447 Maintenance Contract for Thomas Center Gardens Grounds (B)

RECOMMENDATION *The City Commission: 1) award the bid for a three-year period and approve the issuance of a purchase order each year of the three-year period to Oasis Landscape Services, Inc. in an amount not to exceed \$25,752; and 2) authorize the City Manager to execute the contract on behalf of the City pending approval of the City Attorney as to form and legality and subject to final appropriation of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

000446 Amendment to Personnel Policies (B)

RECOMMENDATION *The City Commission approve the revised Personnel Policies, effective October 1, 2000.*

This Matter was Approved as Recommended on the Consent Agenda.

000448 Members of the Depot Use Team - Depot Building (NB)

RECOMMENDATION *Appoint Carol Velasques to the Depot Use Team.*

This Matter was Approved as Recommended on the Consent Agenda.

991149 Heritage Neighborhood Signs (NB)

RECOMMENDATION *The City Commission allow two additional neighborhoods to receive Heritage Neighborhood signs.*

This Matter was Approved as Recommended on the Consent Agenda.

GENERAL MANAGER FOR UTILITIES, CONSENT AGENDA ITEMS

000430 "Florida: Finding a Common Path" (B)

RECOMMENDATION *The City Commission authorize the Mayor to sign a letter of support for the three grants from the Gainesville Association of Creative Arts and Acrosstown Repertory Theatre to the Florida Humanities Council through the Florida "Finding A Common Path" initiative.*

This Matter was Approved as Recommended on the Consent Agenda.

000450 Approval of Amendment to Contract and Issuance of Purchase Order for the GRU Customer Bulletin (NB)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute an amendment to extend the contract with Storter Childs Printing Company, Inc. for the printing of the GRU Customer Bulletin through FY 2001 and approve the issuance of a purchase order in an amount not-to-exceed \$65,000, subject to the final appropriation of funds for FY 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

CONSENT AGENDA

000451 Approval of Contract and Issuance of Purchase Orders for Infrared Inspection (NB)

RECOMMENDATION *The City Commission authorize the General Manager or his designee to execute a three-year contract with McCabe & Associates, as a specified source, for infrared inspection and approve the issuance of purchase orders to McCabe & Associates in amounts not exceeding budgeted amounts, subject to the final appropriation of funds for FY 2001.*

This Matter was Approved as Recommended on the Consent Agenda.

000452 Approval of Contract and Issuance of Purchase Order for #57 Stone (B)

RECOMMENDATION *The City Commission authorize the General Manager, or his designee, to execute a three-year contract with Florida Rock Industries, Inc. for #57 stone through and approve the issuance of a purchase orders in amounts not exceeding budgeted amounts, subject to the final appropriation of funds.*

This Matter was Approved as Recommended on the Consent Agenda.

000453 Amendment 4 to the Paynes Prairie Partnership Agreement (B)

RECOMMENDATION *The City Commission authorize 1) the General Manager and City Manager to negotiate and execute an amendment to the agreement with the St. Johns River Water Management District (SJRWMD), Florida Department of Environmental Protection (FDEP), and Alachua County, to perform a vegetative study on Paynes Prairie and assess water quality and stormwater issues in Sweetwater Branch, Bivens Arm, Little Hatchet Creek, Hogtown Creek, and Orange, Newnans, and Lochloosa lakes. The amendment will extend the agreement and increase funding; 2) the General Manager to issue a change order to an existing purchase order, increasing the not to exceed amount from \$57,945 to \$67,945; and 3) the City Manager to issue a change order to an existing purchase order, increasing the not to exceed amount from \$85,197 to \$107,947.*

This Matter was Approved as Recommended on the Consent Agenda.

000457 Extension of Elevator Maintenance Contract (NB)

RECOMMENDATION *The City Commission: 1) authorize the General Manager and the City Manager or their designees, to negotiate and execute a second amendment to the contract with Miami Elevator Company, extending the term of the contract for elevator and manlift maintenance services for a period of twelve months, subject to the approval of the City Attorney as to form and legality and 2) approve the issuance of purchase orders to Miami Elevator Company in amount not to exceed \$10,104.24 for General Government and \$17,466.36 for GRU to fund these services.*

This Matter was Approved as Recommended on the Consent Agenda.

CITY ATTORNEY, CONSENT AGENDA ITEMS**000454 DENISE HEALEY V. CITY OF GAINESVILLE (B)**

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City in the case styled Denise Healey v. City of Gainesville; Case No.: 01-00-CA-3107*

This Matter was Approved as Recommended on the Consent Agenda.

000455 TERENCE EVANICH V. CITY OF GAINESVILLE (B)

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel if insurance coverage is available, to represent the City in the case styled Terrence Evanich v. City of Gainesville, Alachua County Circuit Court, Case Number 01-00-CA-3077.*

This Matter was Approved as Recommended on the Consent Agenda.

COMMITTEE REPORTS, CONSENT AGENDA ITEMS**PUBLIC WORKS COMMITTEE, CONSENT****002441 Commercial Solid Waste Collection (B)**

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an amendment to the Gainesville Code of Ordinances, Article III, Solid Waste Disposal, Commercial Service & Construction & Demolition Debris Franchise, to reflect a \$1,500 franchise fee for each 10-wheel vehicle, a \$1,000 franchise fee for each 6-wheel vehicle, and a \$500 franchise fee for 4-wheel vehicles; and to reflect an increase from 8% to 10% for all other commercial franchise fees.*

This Matter was Approved as Recommended on the Consent Agenda.

000226

Archer Road Rail Trail (B)

RECOMMENDATION *The City Commission refer this item to the Bicycle Pedestrian Advisory Board for their input as to where in priorities the westerly extension of the Archer Rail Trail west of 23rd Terrace and the trail along SW 23rd Terrace south of Archer Road should be placed in the Bicycle Master Plan currently under development.*

This Matter was Approved as Recommended on the Consent Agenda.

991052

Roadway/Pedestrian Lighting Along SW 2nd Avenue (B)

RECOMMENDATION *The City Commission: 1) approve the installation of 400 watt metal halide street lights (hockey pucks) on SW 3rd Street from SW 2nd Avenue north to West University Avenue; 2) approve installing "stub outs" for future installation of pedestrian luminaries on SW 2nd Avenue from SW 3rd Street to SW 10th Street, on SW 7th Terrace from SW 2nd Avenue to SW 4th Avenue and on SW 8th Street from SW 2nd Avenue to West University Avenue, but defer a decision on the type of pedestrian luminaries and on which street to install the pedestrian lighting until the City Commission has approved the new policy on pedestrian lighting; and 3) refer to the Downtown Redevelopment Advisory Board and the College Park University Heights Redevelopment Advisory Board the matter of installing 250 watt HPS black cobra head roadway luminaries on black octagonal concrete poles on SW 2nd Avenue from SW 3rd Street to SW 10th Street, on SW 7th Terrace from SW 2nd Avenue to SW 4th Avenue and on SW 8th Street from SW 2nd Avenue to West University Avenue.*

This Matter was Approved as Recommended on the Consent Agenda.

PUBLIC SAFETY COMMITTEE, CONSENT

991309 Limitation of Dogs Inside the City Limits (B)

RECOMMENDATION *The City Commission 1) authorize the City Attorney to draft and the Clerk of the Commission to advertise, an amendment to Section 5-2, of the Code of Ordinances relating to Public Nuisance Animals to allow for abatement of nuisances, and 2) authorize the City Manager to enter into an Interlocal Agreement with Alachua County to have Animal Services staff available as needed to remove any animals as may be ordered by the court.*

This Matter was Approved as Recommended on the Consent Agenda.

CLERK OF THE COMMISSION, CONSENT AGENDA ITEMS**000475 City Commission Minutes (B)**

RECOMMENDATION *The City Commission approve the minutes of September 7, 2000, September 8, 2000 and September 11, 2000 as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

000476 Resignation - Nature Centers Commission (B)

RECOMMENDATION *The City Commission accept the resignation of member Suzanne Nelson from the Nature Centers Commission effective immediately.*

This Matter was Approved as Recommended on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Commissioner Hanrahan, 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

COMMUNITY REDEVELOPMENT AGENCY, CONSENT AGENDA ITEMS**END OF CONSENT AGENDA**

ADOPTION OF THE REGULAR AGENDA

Commissioner Pegeen Hanrahan moved and Commissioner Warren Nielsen seconded to adopt the agenda. (4-0, Chair Paula M. DeLaney - Absent)

CLERK OF THE COMMISSION

000473 Airport Task Force (NB)

Note: Chair Paula M. DeLaney entered the meeting room @ 1:15 PM and assumed the gavel.

MOTION: The City Commission appointed Mayor Paula M. DeLaney and Commissioner Chuck Chestnut to the Airport Task Force.

Chair Paula M. DeLaney recognized Citizen Mark Goldstein who spoke to the matter.

RECOMMENDATION *The City Commission take action deemed appropriate.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, 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

000474 Charter Review Committee

Chair Paula M. DeLaney recognized Citizen Mark Goldstein who spoke to the matter.

RECOMMENDATION *The City Commission appoint Davin Woody (Commissioner Chestnut) and Joe Little (Commissioner Barrow) to the Charter Review Committee.*

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

000439 Quarterly Meetings with the Alachua County Commission (NB)

MOTION: The City Commission approved the following dates for next year's Joint City/County Commission Meetings:

1. January 26, 2001 - Jack Durrance Auditorium - 9:00 AM to 5:00 PM

2. April 20, 2001 - City Hall Auditorium - 9:00 AM to 5:00 PM
3. July 20, 2001 - Jack Durrance Auditorium - 9:00 AM to 5:00 PM
4. October 19, 2001 - City Hall Auditorium - 9:00 AM to 5:00 PM

RECOMMENDATION *The City Commission schedule four (4) joint meetings with the Alachua County Commission.*

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

000416 National League of Cities Meeting (B)

Note: Chair Paula M. DeLaney recommended bringing this item back to the October 9th City Commission Meeting on the Consent Agenda appointing the Commissioner's attending the National League of Cities Meeting.

RECOMMENDATION *The City Commission select a voting delegate for the meeting if necessary.*

Discussed

CITY MANAGER

000461 ARTSREACH Exhibits (NB)

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 County Administration Building, and Art in the Airport.*

Heard

000429 Tree Trimming (NB)

City of Gainesville Arborist Meg Neiderhoffer and GRU Vegetation Maintenance Manager Tracy Maxwell gave presentations.

Chair Paula M. DeLaney recognized Citizens Mark Goldstein, Ruth Brown and Sara Poll who spoke to the matter.

MOTION: Refer to the Public Works Committee for further discussion with staff and policy direction.

RECOMMENDATION *The City Commission hear a report from staff regarding tree*

trimming in the 1600-2300 Block of NW 6th Terrace.

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

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

000463 SE 2nd Place Traffic Operations and Parking Changes (B)

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

Chair Paula M. DeLaney recognized Citizens Linda McGurn, Mark Goldstein and Reverend Tim Keyes.

RECOMMENDATION *The City Commission authorize converting SE 2nd Place from SE 1st Street to SE 3rd Street to one-way eastbound and install a parking bay/loading zone on the north side of the street.*

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 and Paula M. DeLaney
Nay: Pegeen Hanrahan and John R. Barrow

000464 2001 State Legislative Statement (B)

Chair Paula M. DeLaney recognized Citizens Rodney Long and Ruth Brown who spoke to the matter.

SECOND MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to refer the issue of establishing a legislative strategy for successful approval of our legislative requests to the Blue Ribbon Task Force and to the Legislative Committee.

(VOTE: 5-0)

RECOMMENDATION *The City Commission review the proposed 2001 State Legislative Statement and make any changes, additions, or deletions as deemed appropriate.*

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

GENERAL MANAGER FOR UTILITIES

CITY ATTORNEY**000459 VIRGINIA IRVING VS. CITY OF GAINESVILLE (B)**

City of Gainesville Litigation Attorney Elizabeth Waratuke gave a presentation.

RECOMMENDATION *The City Commission 1) approve the terms of the settlement; and 2) authorize the City Manager and the City Attorney's Office to settle the case styled Virginia Irving, individually and as parent and natural guardian of Kwandra Clayton, a minor, and Chantele Hadley, a minor, Plaintiffs, v. Dittrich Trucking, Inc., Robert John Napolitano, and the City of Gainesville, Defendants; Robert John Napolitano and Mary Napolitano, Third Party Plaintiffs v. City of Gainesville, Third Party Defendants; Case No.: 99-923-CA.*

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

CITY AUDITOR**COMMITTEE REPORTS (PULLED FROM CONSENT)****ADVISORY BOARDS/COMMITTEES (APPOINTMENTS/REPORTS)****OUTSIDE AGENCIES****MEMBERS OF THE CITY COMMISSION****PLAN BOARD PETITION (2:30 Time Certain)****000229 Petition 102LUC-00 PB. Protestant Episcopal Church (St. Michael's Church). Amend the City of Gainesville Future Land Use Map from O (Office) to MU-L (Mixed-use Low Intensity, 10-30 units per acre). Located at 4315 Northwest 23rd Avenue. (B)**

Mayor-Commissioner Pro Tem John R. Barrow declared a conflict of interest regarding this issue.

Chair Paula M. DeLaney recognized Attorney for Suburban Heights Homeowner's Association David Coffey; Citizens Beth Cousins, Jim Pollard, and Diane Stevenson; Attorney for the Petitioner Patrice Boyes; Citizens Mildred Russell, James Sunwall, Ralph Coryell, Rick Mulligan, Janice Ladd, Leslie Goble, Margaret Wagoner, Karen Welker, Debra Bateman, Erica Formisano, Ed Walcott and Rosemary Dreier who spoke to the matter.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 102LUC-00 PB. Plan Board vote 4-1*

Staff to Plan Board - Deny

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

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

000397 Annual Performance, Salary and Benefits Review - City Manager (NB)

MOTION: The City Manager receive a 5.65 percent raise retroactive to Anniversary date.

Chair Paula M. DeLaney recognized Citizen Reverend Tim Keyes.

RECOMMENDATION *As required by the City Manager's employment agreement, the City Commission conduct the annual performance, salary and benefits review.*

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

000479 New Process for Charter Officer Performance Evaluations (NB)

RECOMMENDATION *The City Commission refer the issue of Charter Officer Performance Evaluations to the Personnel and Organizational Structure Committee for ideas concerning a new form or process to guide the Commissioners in evaluating Charter Officers for pay raises in the future.*

A motion was made by Commissioner Chestnut, seconded by Commissioner Hanrahan, that this matter be Referred to the Personnel and Organizational Structure Committee, due back on March 26, 2001. The motion carried by the following vote:

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

COMMISSION COMMENTS (if time available)**RECESS - 4:33 PM****RECONVENE****CITIZEN COMMENT (5:30pm)****ROBERT PEARCE**

See following Legislative File # 000480.

000480 Robert Pearce - Improvements to Personally Owned Property (NB)

RECOMMENDATION *The City Commission have the Community Development Committee review: 1) The issue of state regulations requiring a Contractor's License for improvements on houses not occupied by the owner; and 2) look at rehab codes, i.e., "Smart Codes" as developed in other areas such as New Jersey and Maryland.*

A motion was made by Mayor-Commissioner Pro Tem Barrow, seconded by Commissioner Hanrahan, that this matter be Referred to the Community Development Committee, due back on March 26, 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

Clock Tower Comments

JACK HUGHES

See following Legislative File # 000481.

000481 Gainesville Sports Organizing Committee (NB)

RECOMMENDATION *The City Commission authorize the expenditure of up to \$2,150.00 for the United States Women's Paralympic Basketball Team from the City Commission Contingency Fund.*

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

COMMISSION COMMENTS (if time available)

MAYOR-COMMISSIONER PRO TEM JOHN R. BARROW

See the following Legislative File # 000483

991052 Sweetwater Park Area - Pedestrian Lighting (NB)

This item was given a new number 002002.

RECOMMENDATION *The City Commission refer the issue of pedestrian lighting in the Sweetwater Park area to the Public Works Committee.*

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

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

COMMISSIONER WARREN NIELSEN

17TH Street Project - Palm Trees vs. Shade Trees

PLEDGE OF ALLEGIANCE (6:00pm)

Pack #416

PROCLAMATIONS/SPECIAL RECOGNITIONS

000466 Five Points of Life Day - October 6, 2000 (B)

RECOMMENDATION *LifeSouth Community Blood Center President and Chief Executive Officer Nancy Eckert to accept the proclamation.*

Placed on File

000467 National Breast Cancer Awareness Month and National Mammography Day (B)

RECOMMENDATION *Alachua County Unit of the American Cancer Society President Laura Press to accept the proclamation.*

Heard

000468 Prostate Cancer Awareness Month - September 2000 (B)

RECOMMENDATION *Man to Man Prostate Cancer Support and Awareness Group Representatives Survivor Byron A. Dyce and Survivor Roy Cline to accept the proclamation.*

Heard

000469 Nurse-Midwifery Week - October 1-7, 2000 (B)

RECOMMENDATION *Gainesville Birthing Center Certified Nurse Midwife, Mary Ann Smith to accept the proclamation.*

Placed on File

000471 Fourteenth Annual Public Power Week - October 1-7, 2000 (B)

RECOMMENDATION *Gainesville Regional Utilities (GRU) Corporate Communications Director Kathy Viehe to accept the proclamation.*

Heard

000472 Gainesville Paralympian's Day - September 30, 2000 (B)

RECOMMENDATION *Gainesville Sports Organizing Committee Executive Director Jack Hughes to accept the proclamation.*

Heard

PUBLIC HEARINGS

000458 FINAL MILLAGE RATE RESOLUTION (B)

A Resolution of the City Commission of the City of Gainesville, Florida; Relating To the Levy of General Municipal Purpose Ad Valorem Taxes for the 2000-2001 Fiscal Year; adopting the Final Millage Rate; Directing The Transmittal Of

Certified Copies; Authorizing a Specified Adjustment To the Final Millage Rate; Providing for the Publication of Notice; 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 resolution.*

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

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

000366

GENERAL OPERATING AND FINANCIAL PLAN BUDGET (B)

Ordinance No. 0-00-95

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; Adopting the General Operating and Financial Plan Budget; and Providing an Immediate Effective Date.

City of Gainesville Interim Office of Management and Budget Director Heidi Lannon and Administrative Services Director Glenda Currie gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance, as amended.*

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

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

000367

GAINESVILLE REGIONAL UTILITIES BUDGET ORDINANCE (B)

Ordinance No. 0-00-94

An Ordinance of the City Commission of the City of Gainesville, Florida; Relating to the Budget for the City of Gainesville Regional Utilities for the Fiscal Year Beginning October 1, 2000, and Ending September 30, 2001; Projecting Revenues and Adopting a Budget to Pay for Personal Services Expenses, Operating and Maintenance Expenses and Other Expenses, for Capital Outlay, and for Debt Service Requirements; and Providing an Immediate Effective Date.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

ORDINANCES, 1ST READING- ROLL CALL REQUIRED

990386 ART IN PUBLIC PLACES (B)

Ordinance No. 0-00-98

An ordinance of the City of Gainesville, Florida, amending chapter 5.5 of the Code of Ordinances relating to Art in Public Places; adding definitions including allowing architectural enhancements and landscape treatments to be considered as art; setting a cap of \$100,000 on the amount allocated to the purchase of art under the Art in Public Places program for any particular construction budget; providing for development of a Public Art Master Plan; providing procedural refinements; 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 Barrow, seconded by Commissioner Hanrahan, 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 John R. Barrow
Nay: Paula M. DeLaney

000055 CIVIL CITATIONS (B)

Ordinance No. 0-00-79

An ordinance of the City of Gainesville, Florida, relating to civil citations; amending section 2-339 of the Code of Ordinances adding various code provisions to the list of violations that can be enforced by civil citation; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Code Enforcement Manager Lisa Koehler gave a presentation.

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, John R. Barrow and Paula M. DeLaney

000199 LANDLORD PERMIT RENEWAL DATES (B)

Ordinance No. 0-00-99

An ordinance of the City of Gainesville, Florida, amending Appendix A of the Code of Ordinances to revise the due date for payment for renewal of a landlord permit and the dates that late fees are assessed; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date and a transition schedule.

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

000337 PET CHICKENS (B)

Ordinance No. 0-00-113

An ordinance of the City of Gainesville, Florida, relating to keeping of animals; amending the definition of "fowl" in section 5-1 of the Code of Ordinances to allow keeping of up to two chickens but no roosters as pets in a residential or mixed use zoning district; amending section 5-3 of the Code of Ordinances to clarify that livestock and fowl can not be kept as pets in residential or mixed-use zoning districts within the city; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Mayor Paula M. DeLaney recognized Citizen 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 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

ORDINANCES 2ND READING- ROLL CALL REQUIRED

000269 GENERAL GOVERNMENT BUDGET AMENDMENT FY 1999-2000 (B)**Ordinance No. 0-00-89**

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, 1999 and Ending September 30, 2000; Amending Ordinance No. 990417 as amended by Ordinance Nos. 991113 and 000015, 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 Commissioner Hanrahan, 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, Warren Nielsen, Pegeen Hanrahan, John R. Barrow and Paula M. DeLaney

000362 STORMWATER MANAGEMENT UTILITY FEE (B)**Ordinance No. 0-00-97**

An ordinance of the City of Gainesville, Florida, amending subsection 27-241(a) of the Code of Ordinances relating to the stormwater management utility changing the utility fee to \$5.75/ERU; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule herein.

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

000252 NATURAL GAS RATE INCREASE (B)**Ordinance No. 0-00-96**

An Ordinance Amending Appendix A, Section Utilities (5) Natural Gas of the Gainesville Code of Ordinances by Revising the Rates and Charges for Natural Gas; Providing a Repealing Clause; Providing a Severability Clause; and Providing an Effective Date in Accordance with the Schedule Provided Herein.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

980745 BOARDED BUILDINGS (B)

Ordinance No. 0-99-30

An ordinance of the City of Gainesville, Florida, amending section 6-20 of the Code of Ordinances relating to boarded buildings by providing that the City Manager or designee shall inspect all buildings being boarded and sealed to determine if they should be ordered demolished and providing for a fee for a board and seal permit; amending section 16-17 of the Code of Ordinances creating and adding definitions; amending section 16-20 of the Code of Ordinances relating to standards for repair of dangerous buildings, clarifying that boarding and sealing a building is temporary, providing for an order to demolish buildings that are not reasonable to repair, and providing that buildings ordered to be vacated may be ordered demolished if construction work does not begin within six months or ceases for two years and providing that buildings that are not reasonable to repair shall be ordered demolished; amending Appendix A of the Code of Ordinances specifying a fee for a board and seal permit; providing that a copy of this ordinance be provided to current holders of board and seal permits; 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 Hanrahan, seconded by Commissioner Nielsen, 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

000358 AD VALOREM TAX EXEMPTION FOR HISTORIC PROPERTY (B)

Ordinance No. 0-00-93

An ordinance of the City of Gainesville, Florida, finding that property at 306 NE 7th Street, Gainesville, Florida, qualifies for an ad valorem tax exemption for historic properties; granting an exemption from ad valorem tax on certain improvements beginning January 1, 2001, and continuing for 10 years; adopting the Historic Preservation Exemption Covenant between the applicant and the City by reference; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission (1) approve the "Part 2-Request for Review of Completed Work" application; (2) adopt the proposed ordinance; and (3) authorize the Mayor to sign a covenant executing the full exemption for 10 years, subject to approval by the City Attorney as to form and legality.*

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

000145

EXEMPTIONS TO PROHIBITIONS ON FLIERS (B)**Ordinance No. 0-00-81**

An ordinance of the City of Gainesville, Florida, amending section 17-2 of the Code of Ordinances, repealing exemptions to the prohibition on fliers; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

City of Gainesville Code Enforcement Manager Lisa Koehler gave a presentation.

Chair Paula M. DeLaney recognized Citizens Joe Courter, Ray Bennett, Tom Gable, Jenny Brown, Michael Geison, Jerry Mandiva, Jeanne Rochford, Gene Averkion, Ismael Moe Rodriguez, Mike Podolsky, Carolyn Kravath, Rob Ogman, Lisa Shirley, Mark Piotrowski, Alyson Carrel, Casey Newman, Reverend Tim Keyes, Glen Smerage, John Jade, Jeff Frank, David Cassidy, Dick Williams, Jason Tompkins, James Schmidt and Jim Konish who spoke to the matter.

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 Final 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

000478

Fliers - Referral to Community Development Committee (NB)

Chair Paula M. DeLaney recognized Citizens Reverend Tim Keyes, Glen Smerage, Jenny Brown, Jim Konish, Joe Courter, Jeanne Rochford, Mike Podolsky, Mark Piotrowsky, Michael Geison, Ray Bennett, David Cassidy, Casey Newman who spoke to the matter.

RECOMMENDATION *The City Commission refer to the Community Development Committee a mechansim for developing an "adopt a block" or "exemption" program for fliering on the concrete poles.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Nielsen, 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

991267 PLANNED DEVELOPMENT - WALNUT CREEK (B)

Ordinance No. 0-00-69, Petition No. 44PDV-00PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-1: 3.5 units/acre single-family residential district" to "Planned Development District"; located in the vicinity of 2500 block of Northwest 39th Avenue, south side, to be known as "Walnut Creek"; 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 Sr. Planner Carolyn Morgan, Community Development Director Tom Saunders and Planning Manager Ralph Hilliard who gave presentations.

Chair Paula M. DeLaney recognized Petitioner Waldemar Kissel, Citizen Glen Smerage and Mark Dunmore who spoke to the matter.

SUBSTITUTE MOTION: Continue to October 9, 2000 City Commission Meeting.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Continued (2nd Reading) for October 9, 2000. The motion carried by the following vote:

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

991381 UNDERGROUND UTILITIES (B)

Ordinance No. 0-00-77; Petition No. 67TCH-99PB

An ordinance of the City of Gainesville, Florida, amending the Land Development Code with respect to undergrounding utilities; creating and adding subsection 30-345(11) to require utility service to be installed underground as a general performance standard; amending section 30-187 to require underground utilities for both residential and non-residential subdivisions; amending section 30-189 to require a statement that utilities will be installed underground for all minor subdivision and lot split applications; amending section 30-160 to require a statement that utilities will be installed underground on all preliminary development plans; 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 Hanrahan, seconded by Commissioner Nielsen, that this matter be Approved (Petition) and 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

990733

UNIVERSITY HEIGHTS SPECIAL AREA PLAN (B)

Ordinance No. 0-00-88; Petition No. 152TCH-99PB

An ordinance of the City of Gainesville, Florida, Imposing the Special Area Plan overlay zoning district for "University Heights" on certain property located south of NW 3rd Avenue, west of NW and SW 6th Street, north of SW Depot Avenue and east of NW and SW 13th Street; adopting a Special Area Plan for this property; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission continue the second public reading hearing of this ordinance to October 9, 2000, at 6:00pm or as soon thereafter as may be heard.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Continued (2nd Reading) for October 9, 2000. The motion carried by the following vote:

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

990734

COLLEGE PARK SPECIAL AREA PLAN (B)

Ordinance No. 0-00-87; Petition No. 153TCH-99PB

An ordinance of the City of Gainesville, Florida, replacing Section 3 of Appendix A of the Land Development Code (the Special Area Plan for College Park); providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION *The City Commission continue the second public reading hearing of this ordinance to October 9, 2000, at 6:00pm or as soon thereafter as may be heard.*

A motion was made by Commissioner Nielsen, seconded by Commissioner Hanrahan, that this matter be Continued (2nd Reading) for October 9, 2000. 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**000428 ALACHUA COUNTY CHARTER AMENDMENT (B)**

A Resolution of the City Commission of the City of Gainesville endorsing proposed County Charter amendments relating to Air and Water Pollution and Joint Planning; urging the electorate to vote in favor of these amendments on the November 7, 2000 General Election Ballot; and providing an immediate effective date.

Chair Paula M. DeLaney recognized Mike Byerly, Dr. Kathy Cantwell, Dick Williams, Jake Taylor and Mark Dunmore who spoke to the matter.

*ADDITIONAL MOTION: Commissioner Pegeen Hanrahan moved and Commissioner John Barrow seconded to authorize the Mayor to write a letter to the County Commission with a copy of Resolution 000428 endorsing the proposed Alachua County Charter Amendments.
(VOTE: 5-0)*

RECOMMENDATION *The City Commission adopt the proposed Resolution.*

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

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

000465 Petition 049SUB-00 CD, Robert F. Lanzillotti, agent for Charles R. Martin. Final single-lot replat approval of Lot 4, The Meadows, Replat. Located at 2135 Northwest 28th Street. Zoned: RSF-1 (B)

City of Gainesville Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *Planning Staff to City Commission - The City Commission adopt the following resolution: A resolution approving the final, single-lot replat of "Lot 4, The Meadows, Replat" located in the vicinity of 2135 Northwest 28th Street, Gainesville, Florida; and providing an immediate effective date.*

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

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

000470 Combined Communications Center Budget Approval (B)

RECOMMENDATION *The City Commission adopt the resolution approving the initial budget for the Combined Communications Center.*

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

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

PLAN BOARD PETITIONS**DEVELOPMENT REVIEW BOARD PETITIONS****991267 PLANNED DEVELOPMENT - WALNUT CREEK (B)**

Ordinance No. 0-00-69, Petition No. 44PDV-00PB

An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from "RSF-1: 3.5 units/acre single-family residential district" to "Planned Development District"; located in the vicinity of 2500 block of Northwest 39th Avenue, south side, to be known as "Walnut Creek"; 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 Sr. Planner Carolyn Morgan, Community Development Director Tom Saunders and Planning Manager Ralph Hilliard who gave presentations.

Chair Paula M. DeLaney recognized Petitioner Waldemar Kissel, Citizen Glen Smerage and Mark Dunmore who spoke to the matter.

SUBSTITUTE MOTION: Continue to October 9, 2000 City Commission Meeting.

RECOMMENDATION *The City Commission adopt the proposed ordinance as amended.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Chestnut, that this matter be Continued (2nd Reading). 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**UNFINISHED BUSINESS**

COMMISSION COMMENT

COMMISSIONER PEGEEN HANRAHAN

Long Range Transportation Plans

CITIZEN COMMENT (If time available)

JIM KONISH

GRU Issues:

- 1. Sandy Berg Consultation/Deregulation*
- 1. Commercial Rates*
- 2. Pollution Control/Deerhaven*

DR. PAUL WHEELER

- 1. Infill Policy*
- 2. YES - SET*
- 3. Development Issues*

REVEREND TIM KEYES

Pay Increases for Police and Fire Department Employees

MARK DUNMORE

- 1. Planned Development in East Gainesville*
- 2. Planned Development - File No. 000251 (City Walk Project)*

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

ADJOURNMENT - 11:04 PM

Kurt M. Lannon, Clerk of the Commission