

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, January 24, 2000**

**1:00 PM**

**City Hall Auditorium**

## **City Commission**

*Mayor Paula M. DeLaney (At-Large)  
Mayor-Commissioner Pro Tem Bruce L. Delaney (At-Large)  
Commissioner Edward L. Jennings, Sr. (District 1)  
Commissioner John R. Barrow (District 2)  
Commissioner Pegeen Hanrahan (District 3)*

## ROLL CALL

Present: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

## Invocation

### Dr. Robert W. Battles, Jr.; First Presbyterian Church

### Board of Trustees of the General Employees Pension Plan

*Commissioner John Barrow moved and Commissioner Ed Jennings seconded to approve the Board of Trustees of the General Employees Pension Plan Agenda. (5-0)*

#### 990998      **Extension of City of Gainesville General Employees' Pension Plan Contract for Custodian Bank Services with State Street Bank. (B)**

**RECOMMENDATION**      *The General Employees' Pension Plan Board of Trustees approve the three (3) year extension to the State Street Bank custodian services contract, and authorize the Trust Administrator to execute the requisite amendment subject to the approval of the City Attorney as to form and legality.*

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

**Votes:** Aye: Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

## Consent Agenda

### City Manager, Consent Agenda Items

#### 990999      **Purchase Order to Nelson's Engineering Services, Inc. (B)**

**RECOMMENDATION**      *The City Commission: 1) approve the issuance of a Purchase Order to Nelson's Engineering Services, Inc. in an amount not to exceed \$400,000 for the renovations of the Thelma Boltin Center; and 2) approve the transfer of \$4,000 into the Arts in Public Places Trust Fund.*

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

**991000            Extension of the City of Gainesville contract for actuarial services with Buck Consultants (B)**

**RECOMMENDATION**    *The City Commission approve a three (3) year extension to the Buck Consultants' contract and authorize the City Manager to execute the requisite amendment subject to the approval of the City Attorney as to form and legality.*

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

**991001            Interlocal Agreement with Alachua County for Purchase of EMS Equipment (B)**

**RECOMMENDATION**    *The City Commission authorize the City Manager to execute the Interlocal Agreement with the County, and any other necessary documents pending review by the City Attorney as to form and legality.*

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

**991002            State of Florida - Funding Application for Paynes Prairie/Sweetwater Project (NB)**

**RECOMMENDATION**    *The City Commission authorize the City Manager, or his designee, to submit grant applications for funding the Paynes Prairie/Sweetwater Project.*

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

**991012            Ironwood Clubhouse Construction Contingency (NB)**

**RECOMMENDATION**    *The City Commission appropriate \$30,000 from the Greenspace/Recreation Acquisition fund for the Ironwood Clubhouse Construction Contingency purposes and authorize the City Manager to approve appropriate change orders for this project.*

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

**City Attorney, Consent Agenda Items**

**990997            TELECOMMUNICATIONS CONSTITUTIONAL LITIGATION (B)**

**RECOMMENDATION**    *The City Commission authorize the City of Gainesville through special counsel to challenge the constitutionality of Chapter 97-197, Laws of Florida.*

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

## **Committee Reports, Consent Agenda Items**

### **Public Works Committee, Consent**

### **Personnel & Organizational Structure Comm, Consent**

### **Public Safety Committee, Consent**

#### **990531 Padlock, Licensing and Dance Hall Ordinances**

**RECOMMENDATION** *The City Commission remove this item from the Public Safety Committee's pending referral list, as these items are currently with the City Attorney's office for preparation/review*

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

## **Passed The Consent Agenda**

**A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Barrow, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Aye: Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney  
Absent: Pegeen Hanrahan

### **Audit & Finance Committee, Consent**

### **Recreation and Cultural Affairs Committee, Consent**

## **End of Consent Agenda**

## **Adoption of the Agenda**

- 1. File No. 990900 - Blue Ribbon Committee on Equal Opportunity/Affirmative Action/Charter Officer (Additional back-up submitted). Also move part of the Blue Ribbon Committee's report to after 6:00 PM.*
- 2. File No. 990974 - Brownfields Redevelopment Area (Additional back-up submitted).*
- 3. File No. 990985 - Dance Hall Regulations Ordinance, First Reading (moved to the end of the agenda).*

*First Motion: Commissioner Bruce Delaney and Commissioner Ed Jennings seconded to move item # 990985 Dance Hall Regulations Ordinance to the end of the agenda. (5-0)*

*Second Motion: Commissioner Pegeen Hanrahan moved and John Barrow seconded to approve the agenda as modified. (5-0)*

## **City Commission Comment (If time available)**

### **Clerk of the Commission**

#### **991010 Greenways DRI (B)**

*Clerk of the Commission to schedule*

**RECOMMENDATION** *The City Commission discuss a Greenways of Gainesville DRI workshop.*

### **City Manager**

#### **991003 General Employees' Pension Plan and Disability Plan Actuarial Valuation Reports (B)**

*Chair Paula DeLaney recognized Mike Tierney who gave a presentation.*

**RECOMMENDATION** *The City Commission: 1) hear a presentation from Actuarial Concepts; 2) accept the General Employees' Pension Plan and the Disability Plan valuations as of September 30, 1998; 3) approve implementation of the recommended employer contribution rates retroactive to October 1, 1999, and; 4) suspend implementation of the recommended employee contribution rate for the General Employees' Pension Plan until the current bargaining process is completed or until September 30, 2000, whichever is earlier.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

#### **991004 Metropolitan Transportation Planning Organization (MTPO) (NB)**

*Chair Paula DeLaney recognized Public Works Director Teresa Scott who gave a*

*presentation.*

**RECOMMENDATION** *The City Commission hear a report from staff regarding the February 3, 2000 meeting of the Metropolitan Transportation Planning Organization (MTPO).*

**Heard**

**991005 Fellowship of Christian Athletes (B)**

**RECOMMENDATION** *The City Commission receive an update from staff.*

**Heard**

**General Manager for Utilities**

**City Attorney**

**City Auditor**

**Committee Reports (Pulled from Consent)**

**Public Works Committee**

**Personnel & Organizational Structure Committee**

**Public Safety Committee**

**Audit & Finance Committee**

**Recreation & Cultural Affairs Committee**

**990144 Recreational Center Funding (B)**

*Chair Paula DeLaney recognized Bill Richards and Bill Carr who gave presentations.*

**RECOMMENDATION** *The Recreation and Cultural Affairs Committee recommended the City Commission hear an update from Bill Richards and Bill Carr of Sports Planning Organization for Recreation and Training (SPORT) on the development of the multi-purpose recreational center.*

Heard

### Advisory Boards/Committees (Appointments/Reports)

#### 990950 Appeal - City Beautification Board (B)

*MOTION: Approve appeal*

**RECOMMENDATION** *The City Commission consider and take appropriate action on the appeal of Paul G. Yatsko, City Beautification Board and Penny Weber.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

#### 991011 Appeal - Nature Centers Commission (B)

*MOTION: Approve appeal*

**RECOMMENDATION** *The City Commission consider and take appropriate action on the appeal of Penny Weber, Nature Centers Commission.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

### Outside Agencies

#### 991013 FAA Grant - Amendment No. 1 (B)

**RECOMMENDATION** *The City Commission: 1) accept Amendment No. 1 to Grant Agreement for Project No. 3-12-0028-1697; and 2) authorize the Mayor and the Clerk of the Commission to execute the appropriate documents on behalf of the City of Gainesville, subject to approval by the City Attorney as to form and legality.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**991006 Police Community Committee Report (B)**

*Chair Paula DeLaney recognized Police-Community Committee members; Chair State Attorney Rod Smith, Police Chief Norman Botsford, Lt Sherry Scott, and Lt Ed Posey.*

**RECOMMENDATION** *The City Commission hear a presentation on the recommendations of the Police-Community Committee and the responses from the Police Chief.*

**Heard**

**990900 Blue Ribbon Committee on Equal Opportunity/Affirmative Action/Charter Officer (B)**

*Chair Paula DeLaney recognized Chair Rodney Long, City Attorney Marion Radson, Committee member Larry McDaniel who made presentations.*

*Chair Paula DeLaney recognized City Employee Union Attorney Paul Donnelly, Beverly Thomas, Communication Workers of America President Tom Bolduc, Kenneth Nunn, Jermaine Ferguson, D.J. Williams, Margaret Parrish, International Association of Firefighters President Jeff Lane, Larry McDaniel, Ruth Brown, Paula Stahmer, Dave Welch, Emily Browne, who spoke to the matter.*

*MOTION: Commissioner Pegeen Hanrahan moved that the City Commission adopt the Blue Ribbon Committee's revised proposed charter amendment as presented this evening by City Attorney Marion Radson as a "Bill" and also refer this proposed "Bill" to the City Attorney for advertisement and for the Legislative Delegation to hold a public hearing prior to the cut-off date for "Bill" drafting.*

**RECOMMENDATION** *The City Commission hear a report from the Blue Ribbon Committee on Equal Opportunity/Affirmative Action/Charter Officer and take appropriate action.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Nay: Paula M. DeLaney

## Members of the City Commission

## Commission Comments



**Citizen Comment (5:00pm)****Rev. Tim Keyes**

1.) File Number 991005 2.) Recycling Pick-up

1.) City Issues 2.) Daytona Roof Collapse 3.) Event Logistics 4.) Drinking Specials

**Debbie Martinez**

*Homeless in Downtown Gainesville*

**Pledge of Allegiance****Proclamations/Special Recognitions****991008 Non-Native Invasive Plant Awareness Week - January 30-February 5, 2000**

**RECOMMENDATION** *Florida Exotic Pest Plan Council Member Hillary Cherry, Florida Native Plant Society Co-Director Joe Durando and Gainesville Ecosystems at Risk Members Fran Winguard and Carol Wanta to accept the proclamation.*

**Placed on File**

**991009 National Patriotism Week - February 21-25, 2000 (B)**

**RECOMMENDATION** *Gainesville Elks Lodge No. 990 Exalted Ruler Vern Rayborne to accept the proclamation.*

**Placed on File**

**Public Hearings****Adoption Reading - ROLL CALL REQUIRED****990875 LAND USE CHANGE - ASSISTED LIVING FACILITY (B)**

**Ordinance No. 0-00-27, Petition No. 124LUC-99PB**

**An ordinance amending the City of Gainesville 1991-2001 Comprehensive Plan, Future Land Use Map; by changing the land use category of certain property from "Single Family (up to 8 units per acre)" to "Planned Use District";**

providing additional conditions; located in the vicinity of 1804 N.W. 34th Street; providing a severability clause; providing a repealing clause; and providing an effective date.

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney and John R. Barrow  
Absent: Paula M. DeLaney

## **Ordinances - 1st Readings- ROLL CALL REQUIRED**

### **990215 COMP PLAN AMENDMENT - CULTURAL AFFAIRS ELEMENT (B)**

**Ordinance No. 0-00-05; Petition No. 101CPA-99PB**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING THE CULTURAL AFFAIRS ELEMENT OF THE CITY OF GAINESVILLE 1991-2001 COMPREHENSIVE PLAN; REPEALING INEFFECTIVE, IRRELEVANT OR OBSOLETE POLICIES, PROVIDING FOR DEVELOPMENT OF A BROAD-BASED TOURISM PLAN, PROVIDING FOR PROMOTION OF DOWNTOWN GAINESVILLE AS AN ARTS AND ENTERTAINMENT DISTRICT AND PROVIDING FOR EXPANSION OF THE ART IN PUBLIC PLACES PROGRAM; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Chair Paula DeLaney recognized Chief of Comprehensive Planning Dean Mimms who gave a presentation.*

*Amendment: Substituting language for proposed Policy 2.2.1 of the Comprehensive Plan. This language is on Page 6, lines 4 - 7 of Ordinance 990215, submitted as a revision by the City Manager.*

**RECOMMENDATION** *The City Commission (1) approve Petition 101CPA-99 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

### **990216 COMP PLAN AMENDMENT - SOLID WASTE ELEMENT (B)**

**Ordinance No. 0-00-14; Petition No. 102CPA-99PB**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING THE SOLID WASTE ELEMENT OF THE CITY OF GAINESVILLE 1991-2001 COMPREHENSIVE PLAN; AMENDING POLICIES REGARDING LANDFILL DIVERSION PRACTICES SUCH AS RECYCLING, REUSE AND COMPOSTING; AMENDING POLICIES REGARDING HAZARDOUS WASTE AND HAZARDOUS MATERIALS MANAGEMENT; AMENDING THE LEVEL OF SERVICE STANDARD FOR DISPOSAL AND COLLECTION CAPACITY; UPDATING REFERENCES TO THE ALACHUA COUNTY SOLID WASTE DISPOSAL FACILITIES AND THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE COUNTY ON SOLID WASTE; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Chair Paula Delaney recognized Planner Jason Simmons who gave a presentation.*

**RECOMMENDATION** *The City Commission (1) approve Petition 102CPA-99PB, and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990731****COMP PLAN AMENDMENT - POTABLE WATER/WASTEWATER (B)****Ordinance No. 0-00-32; Petition No. 146CPA-99PB**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING THE POTABLE WATER/WASTEWATER ELEMENT OF THE CITY OF GAINESVILLE 1991-2001 COMPREHENSIVE PLAN; AMENDING POLICY 1.1.1 TO MORE CORRECTLY REFLECT MEASUREMENT OF STORAGE CAPACITY; DELETING THE LEVEL OF SERVICE STANDARD FOR THE UNIVERSITY OF FLORIDA FROM POLICY 1.1.2; AMENDING OBJECTIVE 1.2 TO LIST THE UPGRADES AND EXPANSIONS TO BE ACCOMPLISHED IN THE NEXT 5 YEARS; DELETING POLICIES 1.2.1 AND 1.2.2 REGARDING DEFICIENCIES THAT HAVE BEEN CORRECTED; AMENDING POLICY 1.2.3 TO SHOW UPDATED CAPACITY PLANS; DELETING POLICY 1.2.4 AND 1.2.5 REGARDING UPGRADES THAT HAVE BEEN COMPLETED; AMENDING POLICY 1.2.6 TO SHOW UPDATED CAPACITY PLANS; DELETING POLICY 1.2.7 REGARDING AN UPGRADE THAT HAS BEEN COMPLETED; AMENDING POLICY 1.3.1 TO REFLECT ALACHUA COUNTY COMPREHENSIVE PLAN POLICIES GOVERNING EXTENSION OF POTABLE WATER AND WASTEWATER FACILITIES; ADDING POLICY 1.4.6 TO REFLECT A PROGRAM ESTABLISHED FOR INSTALLMENT PAYMENTS OF CONNECTION CHARGES; AMENDING POLICY 1.5.1 CLARIFYING THAT A WATER**

**CONSERVATION PROGRAM IS AVAILABLE TO BOTH RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS; AMENDING POLICY 1.5.4 TO REFLECT THE AVAILABILITY OF VEGETATION LISTS; AMENDING POLICY 1.5.5 TO REFLECT THAT WATER CONSERVATION TECHNIQUES ARE INCLUDED IN THE CITY'S LANDSCAPING ORDINANCE; ADDING POLICIES 1.5.7 AND 1.5.8 THAT ENCOURAGE USE OF RECLAIMED WATER; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Chair Paula DeLaney recognized Planner Onelia Lazzari who gave a presentation.*

**RECOMMENDATION** *The City Commission (1) approve Petition 146CPA-99 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

990732

**COMP PLAN AMENDMENT - UNIVERSITY HEIGHTS NEIGHBORHOOD (B)**

**Ordinance No. 0-00-33; Petition No. 151CPA-99PB**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF GAINESVILLE 1991-2001 COMPREHENSIVE PLAN; PROVIDING THAT THERE WILL BE NO FLOOR AREA RATIO MAXIMUM FOR MIXED USE LOW INTENSITY, OFFICE, COMMERCIAL AND EDUCATION LAND USE CATEGORIES IN A SPECIAL AREA PLAN AND THAT THE URBAN DESIGN STANDARDS WILL PROVIDE OTHER CRITERIA TO DETERMINE INTENSITY OF USE FOR THOSE LAND USES; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

*Chair Paula DeLaney recognized Planning Manager Ralph Hilliard who gave a presentation.*

**RECOMMENDATION** *The City Commission (1) approve Petition 151CPA-99 PB and (2) adopt the proposed ordinance.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990861 LANDLORD PERMITS - CLARIFICATION (B)****Ordinance No. 0-00-26**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SECTION 14.5-1 OF THE CODE OF ORDINANCES RELATING TO LANDLORD PERMITS; CLARIFYING THAT FEES FOR LATE PAYMENT ALSO APPLY TO THOSE WHO FAIL TO FILE FOR INITIAL PERMITS WITHIN TIME GIVEN AND PROVIDING THAT AMOUNTS DUE FOR LANDLORD PERMITS MAY BE REFERRED TO A COLLECTION AGENCY; AMENDING APPENDIX A OF THE CODE OF ORDINANCES ; CLARIFYING THAT FEES FOR LATE PAYMENT ALSO APPLY TO THOSE WHO FAIL TO FILE FOR INITIAL PERMITS WITHIN TIME GIVEN; 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 Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Jennings, that this matter be Adopted on First Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**Ordinances - 2nd Readings- ROLL CALL REQUIRED****990866 URBAN SERVICES REPORT (KIDD) (B)****Ordinance No. 0-00-25**

**An Ordinance of the City of Gainesville, Florida; adopting an Urban Services Report which sets forth the plans to provide urban services to an area generally bounded on the north by the Gainesville city limits, on the east by SW 21st Street and SW 20th Street, on the west by the Gainesville city limits, and on the south by Williston Road; the area is proposed for annexation by the City of Gainesville pursuant to Chapter 90-496, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, known as the Alachua County Boundary Adjustment Act; providing directions to the City Manager, the City Attorney and the Clerk of the Commission; providing a repealing clause; providing a severability 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 Barrow, that this matter be Adopted on Final Reading (Ordinance). The motion carried by the following vote:**

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990898**                    **URBAN SERVICES REPORT (HOME DEPOT) (B)**

**Ordinance No. 0-00-24**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA; ADOPTING AN URBAN SERVICES REPORT WHICH SETS FORTH THE PLANS TO PROVIDE URBAN SERVICES TO AN AREA COMMONLY KNOWN AS HOME DEPOT, GENERALLY BOUNDED ON THE NORTH BY A BODY OF WATER CONTIGUOUS TO THE GAINESVILLE CITY LIMITS AND I-75, ON THE EAST BY CIRCUIT CITY (TAX PARCEL 6654-7), ON THE WEST BY TOWER CENTER (TAX PARCEL 6654-3) AND ON THE SOUTH BY THE PROPERTY LINE OF HOME DEPOT LOCATED APPROXIMATELY 300 FEET NORTH OF UNIVERSITY AVENUE; THE AREA IS PROPOSED FOR ANNEXATION BY THE CITY OF GAINESVILLE PURSUANT TO CHAPTER 90-496, AS AMENDED BY CHAPTER 91-382 AND CHAPTER 93-347, SPECIAL ACTS, LAWS OF FLORIDA, KNOWN AS THE ALACHUA COUNTY BOUNDARY ADJUSTMENT ACT; PROVIDING DIRECTIONS TO THE CITY MANAGER, THE CITY ATTORNEY AND THE CLERK OF THE COMMISSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990713**                    **REZONING (400 SE 25TH STREET) (B)**

**Ordinance No. 0-00-30, Petition No. 170ZON-99PB**

**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain lands within the City from "RSF-1: 3.5 units/acre single-family residential district" to "RMF-6: 10-15 units/acre multiple-family residential district" and "CON: conservation district" ; located in the vicinity of the 400 block of Southeast 25th Street, east of Southeast 24th Street; providing a severability clause; providing a repealing clause; and providing an effective date.**

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990714 PLANNED DEVELOPMENT AMENDMENT (NAYLOR PUBLICATIONS) (B)**

**Ordinance No. 0-00-31, Petition No. 171PDA-99PB**

**An Ordinance of the City of Gainesville, Florida; amending the Planned Development commonly known as the "Naylor Publications, Inc." as originally adopted by Ordinance No. 980213; by extending the time frame for obtaining a final development order for one additional year from December 10, 1999 to December 10, 2000; located in the vicinity of the 5900 block of Northwest 1st Place; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

*STAFF REPORT*

*The applicant has requested a one-year extension of the deadline for obtaining a final development order from December 10, 1999 to December 10, 2000. Approval of the one-year extension would afford Naylor Publications the necessary time to fully implement their plans for expansion.*

*Naylor Publications currently occupies a 20,000-square-foot office building, located at 5931 Northwest First Place, in Windsor Park. This office park is located along the east side of Northwest 62nd Street, just south of the Terwilliger Elementary School and east of the Oaks Mall.*

*Ordinance No. 980213 (Petition 117PDV-98PB), approved on November 9, 1998, authorized the rezoning of the subject property from "RSF-1" to "Planned Development." The application for rezoning was to allow Naylor to construct an office building and associated parking facilities in order to expand their facilities to accommodate the company's continued growth. However, due to the "lack of workforce currently available in the Gainesville area," Naylor has, to date, been unable to hire the "volume of personnel needed in association with an expansion."*

*The Plan Board reviewed the petition and recommends approval.*

*Public notice was published in the Gainesville Sun on*

*November 2, 1999. Letters were mailed to surrounding property owners on November 3, 1999. The Plan Board held a public hearing November 18, 1999. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 171PDA-99 PB. Plan Board vote 7-0.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990805 NATURE CENTERS COMMISSION (B)**

**Ordinance No. 0-00-22**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING SECTION 18-58 OF THE CODE OF ORDINANCES RELATING TO THE DUTIES OF THE NATURE CENTERS COMMISSION, ADDING DUTIES CONCERNING ADVISING ON ACQUISITION OF REAL PROPERTY TO BE USED FOR PRESERVATION OF OPEN SPACE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Chair Paula DeLaney recognized Mike Castine of the Nature Centers Commission, and Citizen Nina Postlewaite-Saive who spoke to the matter.*

*NOTE: The Ordinance was passed using the Nature Centers Commission's recommendations.*

**RECOMMENDATION** *The City Commission (1) receive the comments of the Nature Centers Commission; and (2) adopt the ordinance either as adopted on first reading or as suggested by Mr. Mutch.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**Resolutions- ROLL CALL REQUIRED**

**990974 A resolution of the City Commission of the City of Gainesville, Florida, designating a Brownfields Redevelopment Area in the City of Gainesville to include the former Gainesville Manufactured Gas Plant and portions of the proposed Depot Avenue stormwater park, for the purposes of environmental**



remediation, rehabilitation, and economic development, authorizing the City Manager or his designee to notify the Florida Department of Environmental Protection of said designation, designating the East Gainesville Sprout Project Task Force as the advisory body required by the Brownfields Redevelopment Act; and providing for an effective date. (B)

*Chair Paula Delaney recognized Brownfields Coordinator Matt Dube who gave a presentation.*

**RECOMMENDATION** *The City Commission adopt the proposed resolution.*

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

**990996 Resolution Requesting an Easement from the State of Florida (B)**

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

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

**Votes:** Aye: Pegeen Hanrahan, Edward L. Jennings, Sr., Bruce L. Delaney, John R. Barrow and Paula M. DeLaney

## Plan Board Petitions

## Scheduled Evening Agenda Items

**990985 DANCE HALL REGULATIONS (B)**

**ORDINANCE 0-00-15**

**AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, CREATING AND ADDING ARTICLE V TO CHAPTER 14.5 OF THE CODE OF ORDINANCES TO BE TITLED "DANCE HALLS"; BY ADDRESSING THE**

**UNIQUE PROBLEMS ASSOCIATED WITH RAVES BY ADOPTING AND IMPLEMENTING DANCE HALL REGULATIONS FOR BOTH JUVENILE AND ADULT DANCE HALLS; PREVENTING DANCE HALL CONTACT BETWEEN JUVENILES AND ADULTS; PREVENTING AND REDUCING ILLICIT OR UNDESIRABLE JUVENILE INVOLVEMENT AND EXPOSURE TO ILLEGAL DRUGS AND DANGEROUS CRIMINAL ACTIVITY, AND PROTECTING BOTH JUVENILES AND ADULTS FROM CRIMINAL ACTIVITY; PROVIDING FOR PERMITS, FEES, HOURS OF OPERATION, AND INSPECTIONS; PROVIDING FOR REVOCATION OF THE PERMIT AND APPEALS; PROVIDING FOR EXISTING ESTABLISHMENTS; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

*Chair Paula DeLaney recognized Assistant City Attorney Ron Combs who gave a presentation.*

*Chair Paula DeLaney recognized citizens Jason Straw, Rev. Tim Keyes, Ted Kubisek and Adam Guillette who spoke to the matter.*

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

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

**Votes:** Aye: Edward L. Jennings, Sr., Bruce L. Delaney and Paula M. DeLaney  
Nay: Pegeen Hanrahan and John R. Barrow

## **Unfinished Business**

## **Commission Comment**

### **Commissioner Bruce Delaney**

*1. False Alarm Ordinance 2. Environmental Overlay Districts*

### **Commissioner Hanrahan**

*1. County Hazardous Materials Ordinance 2. City Commission Retreat Back-up*

### **Commissioner Jennings**

*Public Safety Meeting*

### **Commissioner Barrow**

*Speed Humps/Public Works Meeting*

**Citizen Comment**

**Marc Adler**

*Student Registration Drive*

**John Rand**

*Orange and Blue Newspaper*

**Adjournment (11:00 PM)**

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Kurt M. Lannon, Clerk of the Commission