

City of Gainesville

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



Meeting Minutes

Monday, June 14, 1999

3:00 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)*

Invocation

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

Pastor Shirley Richards, Community Praise Center

Consent Agenda

With the following modifications: 1. File No. 990072 - Regulation of Title Loans - Back-Up Material Submitted

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, to Pass the Consent Agenda, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried unanimously.

City Manager, Consent Agenda Items

981452 Consulting Services, East Gainesville Sprout Project (981452)

RECOMMENDATION *The City Commission: 1) approve the ranking as recommended by the Selection Committee; and 2) authorize the City Manager, or his designee, to execute a contract in accordance with the State of Florida's Consultants' Competitive Negotiation Act for environmental and stormwater consulting services for the East Gainesville Sprout Project, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990073 Ratification of Contract for the Professional Fire Fighters of Gainesville Local 2157 of the International Association of Fire Fighters effective October 1, 1998 through September 30, 1999.

RECOMMENDATION *The City Commission ratify the Contract for the Professional Fire Fighters of Gainesville Local No 2157 of the International Association of Fire Fighters covering the period October 1, 1998 through September 30, 1999 between the City of Gainesville and the Professional Fire Fighters of Gainesville Local No 2157 of the International Association of Fire Fighters.*

This Matter was Approved as Recommended on the Consent Agenda.

990074 Award of Bid: Reconstruction of NE 18th Street.

RECOMMENDATION *The City Commission: 1) award the contract for reconstruction of NE 18th Street to John C. Hipp Construction Equipment Company; 2) authorize the City Manager, or his designee, to execute the contract, subject to approval of the City Attorney as to form and legality; and 3) authorize the issuance of a purchase order to John C. Hipp Construction Equipment Company in the amount of \$191,413.90.*

This Matter was Approved as Recommended on the Consent Agenda.

990075 First Amendment to the Special Needs Housing Agreement with Bridges of America - The Gainesville Bridge, Inc. (GBH)

RECOMMENDATION *The City Commission: 1) approve the amended grant award of \$60,000 (increasing the amount by \$20,000 from \$40,000 to \$60,000) to GBH for construction repairs at 1604 Southeast 3rd Avenue; 2) authorize the City Manager, or his designee, to execute the agreement between the City, Alachua County and GBH, subject to approval by the City Attorney as to form and legality; and 3) authorize the City Manager, or his designee, to transfer 50% of the grant award into the Special Needs Housing Trust Fund. (A copy of the Agreement is on file in the Clerk of the Commission's office. After June 15, 1999 a copy of the Agreement will be on file in the Community Development Department.)*

This Matter was Approved as Recommended on the Consent Agenda.

990076 Annual Contract with B & W Computer & Technologies, Inc., for Provision of PC's

RECOMMENDATION *The City Commission authorize the City Manager or designee to execute a contract with B & W Computer & Technologies, Inc., for the provision of microcomputers and miscellaneous components for various departments of General Government in amounts not-to-exceed the budgeted amounts for these systems, subject to final appropriation of funds for FY 99-2000.*

This Matter was Approved as Recommended on the Consent Agenda.

990077 Memorial Day Plaza Event Revenues

RECOMMENDATION *The City Commission: 1) authorize the City Manager or his*

designee to recognize revenues received from sponsors and to allocate those revenues for expenditure of Plaza Memorial Day "Salute to America" operating expenses; and 2) direct the City Manager and staff to incorporate all the related revenues and expenditures for this event into the next amendatory ordinance.

This Matter was Approved as Recommended on the Consent Agenda.

990078 Application to the Florida Department of Transportation for Local Agency Certification

RECOMMENDATION *The City Commission: 1) approve application to the Florida Department of Transportation for Local Agency Certification; and 2) authorize the Mayor to execute the application and other documents necessary to secure certification, subject to approval by the City Attorney as to form and legality.*

This Matter was Approved as Recommended on the Consent Agenda.

990079 Ordinance Amendment - Controlled Vehicular Parking Program and Permit Parking

RECOMMENDATION *The City Commission authorize the City Attorney to draft and the Clerk of the Commission to advertise an ordinance providing for the issuance of special central city district parking permits and revising Chapter 26, Article III, Division 4 to simplify the operation of controlled vehicular parking programs.*

This Matter was Approved as Recommended on the Consent Agenda.

General Manager for Utilities, Consent Agenda Items

990097 Gravity Sewer Rehabilitation Hogtown Creek Sewer Interceptor - NW 22nd Street, and Duck Pond Phase II Purchase Order (B)

RECOMMENDATION *The City Commission authorize the issuance of purchase order(s) to Insituform Southeast, Inc. for the rehabilitation of 928 linear feet of 21 inch and 1,312 linear feet of 12 inch gravity sewer main in the Hogtown Creek Sewer Interceptor, and for the rehabilitation of 2,036 linear feet of 8 inch gravity sewer main in the Duck Pond area and on NW 8th Street, in an amount not to exceed \$285,000.00*

This Matter was Approved as Recommended on the Consent Agenda.

990098 Approval of Contract and Issuance of a Purchase Order for Wood Pole Inspection and Groundline Treatment (B)

RECOMMENDATION *The City Commission authorize the General Manager or his designee to execute a contract with Osmose, Inc. for wood pole inspection and groundline treatment and approve the issuance of a purchase order to Osmose, Inc. in an amount not to exceed \$60,000.*

This Matter was Approved as Recommended on the Consent Agenda.

990099 Release of Easement to Florida Rock Industries, Inc. (NB)

RECOMMENDATION *The City Commission: 1) approve the release of a public utilities easement to Florida Rock Industries, Inc.; and 2) authorize the Mayor and Clerk of the Commission to execute the Release of Easement, subject to approval as to form and legality by the City Attorney.*

This Matter was Approved as Recommended on the Consent Agenda.

City Attorney, Consent Agenda Items

990070 Retention of the law firm of Coffman, Coleman, Andrews & Grogan

RECOMMENDATION *Authorize the City Manager through the Office of the City Attorney to retain the services of Coffman, Coleman, Andrews & Grogan to act as special counsel in providing legal counsel to the Gainesville Police Department relating to labor and employment issues.*

This Matter was Approved as Recommended on the Consent Agenda.

990071 Milton Garey, Jr. v. Mike Knezevich, Sgt. Roberts, and The City of Gainesville United States District Court, Northern District of Florida Case No.: 1:98CV109SPM

RECOMMENDATION *The City Commission authorize the City Attorney and/or Special Counsel, if insurance coverage is available, to represent the City of Gainesville, and Police Officers Mike Knezevich, Sgt. Roberts, in the case styled Milton Garey, Jr., Plaintiff v. The City of Gainesville, Florida, a Municipal Corporation; Mike Knezevich, in his official and individual capacities; and Sgt. Roberts, in his official and individual capacities; United States District Court, Northern District of*

Florida Case No.: 1:98CV109SPM.

This Matter was Approved as Recommended on the Consent Agenda.

990072 Regulation of title loans/request from Board of County Commissioners

RECOMMENDATION *The City Commission authorize the City Attorney to notify the County Attorney that the City of Gainesville wishes to be included in the County's title loan regulation ordinance.*

This Matter was Approved as Recommended on the Consent Agenda.

Advisory Boards/Committees

990087 Alachua County Transportation Disadvantaged Coordinating Board

RECOMMENDATION *The City Commission appoint Perry Maull to the Alachua County Transportation Disadvantaged Coordinating Board.*

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

Audit & Finance Committee, Consent

Legislative Committee, Consent

Regional Utilities Committee, Consent

Recreation and Cultural Affairs Committee, Consent

Clerk of the Commission, Consent Agenda Items

990084 City Commission Minutes of May 17, 24, and June 7, 1999

RECOMMENDATION *The City Commission approve the minutes as circulated.*

This Matter was Approved as Recommended on the Consent Agenda.

990088 Special Meeting

RECOMMENDATION *The City Commission schedule a special meeting on June 21st at 4:15pm to hold the First Reading of an ordinance relating to longevity pay, the City of Gainesville Employees Pension Plan, the City of Gainesville Police Officers and Firefighters Consolidated Retirement Plan, and the City of Gainesville Retiree Health Insurance Fund.*

This Matter was Approved as Recommended on the Consent Agenda.

Members of the City Commission**990082 Brownfield Sprout Project Referral**

RECOMMENDATION *The City Commission refer the Brownfield Sprout Project to the Public Works Committee.*

This Matter was Approved as Recommended on the Consent Agenda.

990101 Commissioner Pegeen Hanrahan

RECOMMENDATION *The City Commission approve the Mayor to send an invitation to the Mayors of Kfar Saba, Israel and Qalqilya, Palestinian National Authority for them to attend a Sister City Conference in Gainesville, Florida.*

This Matter was Approved as Recommended on the Consent Agenda.

Community Redevelopment Agency, Consent Items**End of Consent Agenda****Adoption of the Agenda**

The Agenda was adopted with the following modifications: 1. File No. 990081 - Springhills Development - Revised Explanation And Revised Back-Up Material Submitted - Explanation - Remove Last Sentence of 1st Paragraph - And Waive the Rules of the City Commission to Consider At A Time Certain of 4:30pm, if needed;

2. File No. 970964 - Traditional Neighborhood Development - Revised Explanation - Delete Third Paragraph of Explanation and Add "This Draft: June 1, 1999" to the end of the Fourth Paragraph; and 3. File No. 980731 - Petition - Land Use Change - 4200 Block of Newberry Road - Additional Back-Up Submitted (Letter from Attorney David Coffey)

Citizen Comment (3:00 PM - 3:30 PM)

990141 Robert Pearce - House Moving Request

Citizen Robert Pearce made comments.

SECOND MOTION: Commissioner Hanrahan moved and Commissioner B. Delaney seconded to direct Staff to make every reasonable effort to facilitate Sapphire Builders in helping their project come through on time (Vote 5-0).

RECOMMENDATION *The City Commission allocate \$4,500 out of the City Commission Contingency Fund to work with Mr. Pearce and other interested parties in using this particular house on SW 1st Avenue as a case study and to establish a formal program for assisting moving historical houses when the alternative is demolition.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Approved as Recommended. The motion carried unanimously.

990143 Thomas Jenkins - Life Community Center Health Fair

Citizen Thomas Jenkins made comments.

RECOMMENDATION *The City Commission co-sponsor the event to be held at the Martin Luther King, Jr. Center on August 21, 1999 from 10:00 am to 2:00 pm.*

A motion was made by Commissioner Jennings, seconded by Commissioner Hanrahan, that this matter be Approved as Recommended. The motion carried unanimously.

990144 Bill Richards - Multi-Purpose Recreational Center

Citizens Bill Richards and Bill Carr made comments.

RECOMMENDATION *The City Commission provide funding in the amount of \$25,000 for a feasibility study relating to a multi-purpose recreational center.*

A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Assigned to the Recreation and Cultural Affairs Committee, due back on December 14, 1999. The motion carried unanimously.

Ilene Kanely - Electronic Devices (NB)

City Commission Comment (If time available)

Charter Officer Updates

Clerk of the Commission

City Manager

990080 ARTSREACH Exhibits

ARTSREACH Coordinator Donna Born Drake gave a presentation.

RECOMMENDATION *The City Commission hear a brief presentation by Donna Born Drake, ARTSREACH Coordinator for the Department of Cultural Affairs, introducing the exhibitions of Art in City Hall, Art in the County Administration Building and Art in the Airport.*

This matter was Placed on File

990081 SpringHills Development of Regional Impact (DRI)

Traffic Engineer Brian Kanely and Linda Dixon gave presentations.

SpringHills DRI Representative Patrice Boyes, Cecilia Bonifay and Hank Fishkind gave presentations.

REFERRAL: Send the issue of considering adopting a maximum roadway intersection configuration for use within the City to the Public Works Committee.

SECOND MOTION: Commissioner B. Delaney moved and Commissioner Hanrahan seconded to agree that staff should to express the City's concerns, as expressed in the documents, at the Springhills DRI public hearing (Vote 5-0).

THIRD MOTION: Commissioner B. Delaney moved and Commissioner Hanrahan seconded to approve the proposed position statement, as submitted (Vote 5-0).

RECOMMENDATION *The City Commission 1) hear a report on the SpringHills DRI; and 2) take appropriate action.*

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the Public Works Committee, due back on December 14, 1999. The motion carried unanimously.

990086 Final report from the Airborne Release Ad Hoc Committee

Gainesville Fire/Rescue Department Chief Richard Williams gave a presentation.

Chair P. DeLaney recognized BTP U.S.A. Director of Responsible Care Keith B. Baucom who spoke to the matter.

REFERRAL/MOTION: Authorize the Mayor to write a letter to the Alachua County Board of County Commissioners asking that relevant matters be discussed at their workshop on June 29, 1999.

RECOMMENDATION *The Mayor and Members of the City Commission hear a presentation from Richard F. Williams, Chair - Airborne Releases Ad Hoc Committee on: 1) the final report; and 2) the Committee's recommendations.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, that this matter be Assigned to the Public Works Committee, due back on December 6, 1999. The motion carried unanimously.

990102 Voting Delegate - 73rd Florida League of Cities Annual Conference

MOTION: Designated Mayor Paula M. DeLaney the voting delegate.

RECOMMENDATION *The City Commission designate one person to be the City's voting delegate at the 73rd Annual Conference of the Florida League of Cities scheduled for August 19-21, 1999.*

A motion was made by Commissioner Jennings, 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., John R. Barrow and Paula M. DeLaney
Absent: Bruce L. Delaney

General Manager for Utilities

990095 John R. Kelly Generating Station-CC1 Heat Recovery Steam Generator (HRSG) (B)

RECOMMENDATION *The City Commission authorize the General Manager or designee to negotiate a contract with Applied Thermal Systems, Inc.(ATS) for the purchase of an HRSG in an amount*

not to exceed \$8,500,000.00.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Barrow, that this matter be Approved as Recommended. The motion carried unanimously.

990096 John R. Kelly Generating Station-CC1 Generator Step-up Transformer (B)

Assistant General Manager for Utilities Darrell Dubose gave a presentation.

RECOMMENDATION *The City Commission authorize the issuance of a purchase order to Virginia Transformer for a generator step-up transformer in an amount not to exceed \$550,000.00.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, that this matter be Approved as Recommended. The motion carried unanimously.

City Attorney

City Auditor

Committee Reports (Pulled from Consent)

Public Works Committee

Personnel & Organizational Structure Committee

Public Safety Committee

Audit & Finance Committee

Legislative Committee

Regional Utilities Committee

Recreation & Cultural Affairs Committee

Advisory Boards/Committees (Appointments/Reports)

980218 Referral Response: Funding for Gainesville Community Band (980218)

RECOMMENDATION *Advisory Board to the City Commission: 1) provide a recommendation for funding a line item of \$10,000 in Fiscal Year 1999-2000 for the Gainesville Community Band; and 2) instruct the Clerk of Commission to remove this item from the pending referrals list.*

Staff Recommendation: The City Commission: 1) recognize the Gainesville Community Band (GCB) as the official band of Gainesville and Alachua County by presenting them with a proclamation at a future City Commission meeting; 2) request the GCB prepare an application for line item funding as a Professional Arts Producing Institution agency based on criteria approved by the City Commission on January 13, 1997; and 3) instruct the Clerk of the Commission to remove this item from the pending referral list.

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Hanrahan, that this matter be Assigned to the Recreation and Cultural Affairs Committee, due back on June 28, 1999. The motion carried unanimously.

Outside Agencies

Members of the City Commission

Commission Comments

Recess Until 6:00 PM

Pledge of Allegiance

Troop #332 & 924

Proclamations/Special Recognitions

Mayor P. DeLaney - Special Recognition of Dr. Lemuel Moore (NB)

Chair P. DeLaney recognized Dr. Lemuel Moore on his dedication and support of Cultural and Nature Facilities including Alfred A. Ring Park.

Public Hearings

Ordinances - 1st Readings- ROLL CALL REQUIRED

980874

Ordinance No. 0-99-28, Petition No. 225ZON-98PB

An ordinance of the City of Gainesville, Florida, rezoning certain lands within the City consisting of approximately 44.6 acres (M.O.L.) and amending the Zoning Map Atlas from "AGR: Agriculture district" to "I-2: General industrial district"; located in the 7600 block east of U.S. 441 and west of SR 121; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chair P. DeLaney recognized Citizen Ilene Kanely and Petitioner Agent Ralph Eng who spoke to the matter.

RECOMMENDATION *The City Commission (1) approve the petition, and (2) 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 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

980990

Ordinance No. 0-99-53; Petition No. 249TCH-98PB

A ordinance of the City of Gainesville, Florida, amending subsections 30-51(c)(1) (single-family residential districts), 30-52(c)(1) (residential low density districts), 30-53(c)(1) (multiple-family medium density residential districts), and 30-55(c)(1) (residential high density districts) to allow public schools other than institutions of higher learning as a use permitted by right; amending section 30-77(e)(2) regarding educational services district (ED) providing exemption from development plan approval for public school facilities when such exemption is required by state law; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Chief of Comprehensive Planning Dene Mimms gave a presentation.

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, 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

981306

Ordinance No. 0-99-52; Petition No. 47TCH-99PB

An ordinance of the City of Gainesville, Florida, amending section 30-62 regarding the automotive-oriented business (BA) district to allow home furniture, furnishings and equipment stores (MG-57) as a use permitted by right; providing directions to the codifier; providing a severability clause;

providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *The City Commission (1) approve Petition 47TCH-99PB, and (2) adopt the proposed ordinance.*

STAFF REPORT

The applicant is requesting an amendment to the "BA" zoning district (automotive-oriented business district) to add home furniture, furnishings, and equipment stores (MG-57) as a use by right. The zoning district presently allows a range of retail, office and light industrial uses in areas generally concentrated along North Main Street and Northwest 13th Street.

Many uses allowed in the BA zoning district, however, are also similar in type, impacts, and scale as those encompassed by Major Group 57. For instance, BA allows retail sale of building materials, hardware, garden supply, and mobile homes (MG-52) food stores (MG-54), and miscellaneous repair services (MG-76), which include electrical repair shops, watch and jewelry repair, and furniture reupholsters. These uses are conducted indoors primarily with some outdoor storage and typically generate less noise and air pollution impacts than the uses mentioned above.

The proposed text change will not add uses to the BA district that are more intensive in scale and operation nor will it generate traffic impacts on adjoining properties or the City's road network in excess of those already allowed. Thus, the petition is consistent with the zoning district.

The Plan Board recommends approval of this petition.

Public notice was published in the Gainesville Sun on March 30, 1999. Letters were mailed to all owners of property in the BA (automotive-oriented business district) on March 31, 1999. The Plan Board held a public hearing April 15, 1999. Planning Division staff recommended that the Plan Board approve the petition. The Plan Board recommended that the City Commission approve Petition 47TCH-99PB. Plan Board vote: 6-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two public hearings. If the Commission adopts the ordinance on first reading, the second and final reading will be held at the next regular commission meeting.

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, 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

990031

Ordinance No. 0-99-56

An ordinance of the City of Gainesville, Florida, amending section 27-76(f)(6) of the Code of Ordinances relating to the ability of owners of buildings containing two to four dwelling units to be excluded from residential solid waste service, extending the expiration of the exclusion to September 30, 2004; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Solid Waste Manager Steve Hiney gave a presentation.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem B. Delaney, 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

970964

Ordinance No. 0-99-42; Petition No. 37TCH-98BP

An ordinance of the City of Gainesville, Florida, creating and adding Division 5 to Article VII of the Land Development Code creating the Traditional Neighborhood Development zoning district; providing definitions, development criteria, a review and approval process, and procedures for variances; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Community Development Director Tom Saunders gave a presentation.

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

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Hanrahan, 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

980732

Ordinance No. 0-99-38

An ordinance of the City of Gainesville, Florida, amending the Land Development Code relating to replacement of transmitter towers; amending subsection 30-98(a)(5) to allow modified or replacement transmitter towers under certain conditions; creating and adding subsection 30-98(h) concerning abandonment of use of a nonconforming tower; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Planning Manager Ralph Hilliard and Consultant Gerald Muldowney gave presentations.

RECOMMENDATION *The City Commission adopt the proposed ordinance.*

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

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

980894

Ordinance No. 0-99-51

An ordinance relating to wastewater pretreatment; amending chapter 27 of the Gainesville Code of Ordinance, by amending sections 27-96, Definitions; 27-180, pretreatment program; creating sections 180.1, -.2, -.3, -.4, -.5, -.6 AND -.7 relating to prohibited substances, conditional requirements for specific discharges, permitting, monitoring, accidental discharge/slug prevention and enforcement; amending section 27-181 relating to graywater disposal facilities; amending section 27-182, private wastewater disposal systems; creating sections 27-182.1 and -.2 requiring permits for private sewage disposal systems and regulating discharges therefrom; providing a repealing clause; providing a severability clause and an 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

980987

Ordinance No. 0-99-34, Petition No. 229PDA-98PB

An Ordinance of the City of Gainesville, Florida; amending Ordinance No. 960941 that adopted the Planned Development commonly known as "Magnolia Park" located in the vicinity of 4700-4900 block of N.W. 39th Avenue; amending the planned development to allow an eating place with a drive-through facility under certain terms and conditions; amending the planned development report to conform with the amendment; 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 Mayor-Commissioner Pro Tem B. Delaney, 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

981475

Ordinance No. 0-99-54

An ordinance of the City of Gainesville, Florida, setting the date for the 2000 regular city election; 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 Jennings, 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

Resolutions- ROLL CALL REQUIRED

981434

Request for Co-Sponsorship and Temporary Road Closing for the First Annual GatorBuzz SummerFest on July 24, 1999 (981434)

Events Coordinator Holly Peterson gave a staff presentation which included a recommendation not to co-sponsor the event and not to adopt the proposed resolution to close the road.

Chair P. DeLaney recognized GatorBuzz Representatives Jason Mays and Scott Feinberg and who spoke to the matter.

Chair P. DeLaney left the meeting room and Mayor-Commissioner Pro Tem B. Delaney assumed the gavel and temporarily chaired the meeting.

Chair P. DeLaney re-entered the meeting room (8:09 pm).

City Manager Bowers told the Commission he would meet further with the GatorBuzz Representatives and close the road administratively.

RECOMMENDATION *The City Commission: 1) adopt the proposed resolution, containing the request for a temporary closing of left turn lanes on State Road 26 and State Road 329 for the 1999 First Annual GatorBuzz SummerFest; and 2) instruct the Clerk of the Commission to remove this item from the pending referral list.*

This matter was Withdrawn

990083 **A resolution of the City Commission of the City of Gainesville, Florida authorizing the 457 Deferred Compensation Plan to permit loans to participants under certain circumstances; providing a repealing clause; and providing an effective date.**

RECOMMENDATION *The City Commission adopt the Resolution and authorize the City Manager or his designee to execute any documents necessary to permit loans under certain circumstances.*

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

990103 **Resolution authorizing the City Manager to execute a joint participation agreement with the Florida Department of Transportation (FDOT) to provide supplemental funding for the Southwest Gainesville Corridor Development Project.**

RECOMMENDATION *The City Commission approve the resolution and authorize the Mayor to execute the same after approval by the City Attorney for form and legality.*

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

981308 **Petition 38PDA-99 PB. J. Duston Wolters, agent for Mary Day Coker. Planned Development amendment to reduce required rear yard setback from ten feet to five feet for expansion of an existing single-family dwelling. Zoned PD (planned development). Located at 1701 Northwest 17th Lane.**

RECOMMENDATION *Plan Board to City Commission - The City Commission approve Petition 38PDA-99 PB, with staff conditions. Plan Board vote 6-0*

Staff to Plan Board - Approve Petition 38PDA-99 PB, with staff conditions.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Approved as Recommended (Petition). The motion carried unanimously.

990085 **Petition 76SUB 99PB, J. Duston Wolters, agent for Mary Day Coker. Design plat approval for Colony Park Lot 1, a re-plat of one lot on .29 acres more or less. Located at 1701 Northwest 17th Lane. Zoned PD. Related to Petition 38PDV-99 PB.**

Planning Manager Ralph Hilliard gave a presentation.

RECOMMENDATION *Plan Board to City Commission - The City Commission approve re-plat of Colony Park Lot 1, Petition 76SUB-99 PB. PB vote 6-0.*

Staff to Plan Board - The Design Plat is approvable.

A motion was made by Commissioner Hanrahan, seconded by Commissioner Jennings, that this matter be Approved as Recommended (Petition). The motion carried unanimously.

980731 **Petition 212LUC-98 PB. Phil Emmer/Rory Causseaux, agents for Susan C. Glikes. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (single-family, up to 8 units per acre) to PUD (planned use district) on 19 acres to allow the following uses: commercial, office, residential and open space development. Located in the 4200 block of Newberry Road.**

Chief of Comprehensive Planning Dene Mimms and Community Development Director Tom Saunders gave presentations.

Petitioner Agents Jefferson Braswell, Rory Causseaux, Architect Billy Bramme and Phil Emmer gave presentations.

Chair P. DeLaney recognized Citizens Bruce Jennings, Rodolfo Valladares, Susan Carter, David A. Materna, David Tegeder, Clyde Kiker, Rick Howe, Calvin Greene, John Mahon, Ronald Cook, Barry Rutenberg, Reid Poole, Ken Davis, Julia Reiskind, Michael Wohl and Ray Bennett who spoke to the matter.

Commissioner Barrow moved and Commissioner B. Delaney seconded to continue this item until Thursday, June 17, 1999 at 7:00 pm; and further, establish another continued time at the end of that meeting (Vote 5-0).

On June 17, 1999 the following Citizens were recognized by Chair P. DeLaney: Judy Trotta, Jeannette Kramniller, Dr. Henry R. Lyons, Jorgia Pastore, James Darcy White, Jay Brown, Jan Blackmore, Maria E. Valladares, Charles Reid, Jon Reiskind, Marti McCann, Michael Whiting, Jodi Cullen, William B. MacGowan, Arthur J. Camp, Jr., Paula McCarty, Jenny Streiff, Paul Cardeilhac, Robert Graddy, Jean Crow, Tracy Wohl, Mark McGriff, Dorothy Zimmerman, Mrs. Faulkner, Randi Elrad,

Nancy Gildersleave, Ron Osteen, John Pastore, Mary Camp, Steven Noll, Max R. Langham, Barbara Reid, Mark Kane Goldstein, Sam McCarty, Michael Pitsenbarger and Jim Konish.

RECOMMENDATION *City Plan Board to City Commission - The City Commission deny Petition 212LUC-99 PB. Plan Board vote 3-1*

Staff to Plan Board - Approve, with conditions.

This matter was Continued (Petition) for June 28, 1999

Development Review Board Petitions

Scheduled Evening Agenda Items

Unfinished Business

Commission Comment

990147 Mayor Paula M. DeLaney - Gas Tax

Chair P. DeLaney made comments.

MOTION: Authorize the Mayor to draft a letter to the Alachua County Board of County Commissioners on the subject of the gas tax and circulate it to the rest of the City Commissioners for comment and editing.

Chair P. DeLaney recognized citizen Rev. Tim Keyes who spoke to the matter.

RECOMMENDATION *The City Commission hear comments.*

A motion was made by Mayor-Commissioner Pro Tem B. Delaney, seconded by Commissioner Barrow, that this matter be Approved, as shown above. The motion carried unanimously.

990148 Commissioner B. Delaney - Rave Event

Commissioner B. Delaney shared his experience attending a rave event.

RECOMMENDATION *The City Commission discuss the issue of raves and the impact of the extended bar hours on the community.*

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

C/Barrow - Portland Conference Trip (NB)

Commissioner Barrow asked if anyone else was going to attend the Portland Conference the end of July.

Community Development Director Tom Saunders informed the Commission that one staff member and one City Plan Board would be attending.

C/Hanrahan - Commission Fence Fund (NB)

Commissioner Hanrahan informed the Commission that she has donated \$200 from her campaign fund to the City for a fence replacement fund; and further, if not enough money is donated to use for fence replacement, then it could be used for the solar project.

Commissioner Jennings pledged \$100 from his campaign fund.

Citizen Comment**Rev. Tim Keyes - Appreciation to City Commissioners for Endurance (NB)**

Recessed: 12:50am 6/14/99; Reconvened: 7:14pm - 6/17/99; ADJOURNED: 9:35 pm

Kurt M. Lannon, Clerk of the Commission