

# **City of Gainesville**

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



## **Meeting Minutes**

**Monday, August 14, 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**

## Roll Call

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

## Consent Agenda

*Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Chuck Chestnut seconded to approve the Consent Agenda.*

## City Manager, Consent Agenda Items

### **000243 Contract for Cellular Phone Services (B)**

**RECOMMENDATION** *The City Commission: 1) approve the selection of U.S. Cellular; and 2) authorize the City Manager or his designee to execute the contract subject to the approval of the City Attorney as to form and legality.*

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

### **000244 Award of Bid for Reconstruction of SW 3rd Street at Depot Avenue and Related Appurtenances (B)**

**RECOMMENDATION** *The City Commission: 1) award the contract for the reconstruction of SW 3rd Street at Depot Avenue and related appurtenances to John C. Hipp Construction Equipment Company; 2) authorize the City Manager, or his designee, to execute the contract subject to the 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 \$95,865.40.*

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

### **000245 Agreement Renewal - Keep Alachua County Beautiful (B)**

**RECOMMENDATION** *The City Commission authorize: 1) the City Manager to renew the contract with Keep Alachua County Beautiful in an amount up to \$15,000.00 in in-kind services for the "Florida*

*Great American Cleanup", subject to approval by the City Attorney as to form and legality; 2) \$15,000.00 for a membership with Keep Alachua County Beautiful, for the period beginning October 1, 2000 through September 30, 2001; and 3) \$10,000 for implementation of "The Beautiful Block Program."*

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

**000246 GIS/GPS Demonstration Project Program Grant (B)**

**RECOMMENDATION** *The City Commission: 1) authorize staff to submit an application to the ESRI and Leica State and Local Government GIS/GPS Demonstration Project Program Grant; and 2) authorize the City Manager to execute the application, agreements and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

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

**000247 Informal Science Education Grant Application (B)**

**RECOMMENDATION** *The City Commission: 1) approve the grant application to the Howard Hughes Medical Institute; and 2) authorize the City Manager to execute the application, contract and other grant-related documents, if awarded, subject to approval by the City Attorney as to form and legality.*

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

**000248 Residential Solid Waste, Yard Trash and Recycling Collection Rate Adjustment (NB)**

**RECOMMENDATION** *The City Commission authorize a rate adjustment for residential solid waste, recycling, yard trash, and bulk item collection services provided by Waste Management, Inc., using a formula derived from Spot Prices for Low Sulfur No. 2 Diesel Fuel as published by the U.S. Department of Energy.*

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

**General Manager for Utilities, Consent Agenda Items**

**000252 An Ordinance amending Appendix A, Section UTILITIES (5) NATURAL GAS,**

**of the Gainesville Code of Ordinances (B)**

**RECOMMENDATION** *The City Commission authorize the City Attorney to prepare and the Clerk of the Commission to advertise an ordinance amending Appendix A, Section UTILITIES (5) NATURAL GAS, increasing natural gas rates; providing for a repealing clause; providing for a severability clause; and, providing an effective date in accordance with the schedule provided herein.*

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

**000253 Restated and Amended Operating Agreements -The Energy Authority (NB)**

**RECOMMENDATION** *The City Commission 1) approve the Restated and Amended Operating Agreement dated as of August 1, 2000, (including Schedules 1 through 5 attached thereto) between and among The Energy Authority, Inc. (TEA), South Carolina Public Service Authority (Santee Cooper), JEA, and Municipal Electric Authority of Georgia (MEAG), Nebraska Public Power District (NPPD), City of Gainesville, Florida, doing business as Gainesville Regional Utilities (City), and City Utilities of Springfield, Missouri, substantially in the form of which is on file in the office of the Clerk, and 2) authorize the General Manager for Utilities to execute said agreement on behalf of the City, subject to approval by the City Attorney as to form and legality.*

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

**000254 Quarterly Financial Report as of March 31, 2000 (B)**

**RECOMMENDATION** *The City Commission receive the revised report for the period ended March 31, 2000.*

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

**000255 Gravity Sewer Rehabilitation Hogtown Creek Sewer Interceptor Phase VI (B)**

**RECOMMENDATION** *The City Commission authorize the issuance of purchase order(s) to Insituform Technologies, Inc. for the rehabilitation of 1,256 linear feet of 21 inch; 3,133 linear feet of 18 inch; 2,076 linear feet of 15 inch; 86 linear feet of 12 inch; and 1,647 linear feet of 8 inch gravity sewer main in the Hogtown Creek Sewer Interceptor in an amount not to exceed \$695,000.00.*

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

**000256 Purchase Order of Vacuum Excavators (B)**

**RECOMMENDATION** *The City Commission approve the issuance of a purchase order to Southern Sewer Equipment Sales for the purchase of two (2) vacuum excavators for the Water Distribution Department in the amount of \$61,045.*

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

**000257 Tower and Ground Space Lease Agreement - McMichen Substation Site (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager or his designee to negotiate and execute Tower and Ground Space Lease Agreements for the placement of communications equipment on the GRU McMichen Substation communication tower and site, subject to the approval of the City Attorney as to form and legality.*

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

**000258 Partial Release of Easement at 4006 NW 36th Terrace, Lot 32 of Wimberly Estates, Myrick's Addition (B)**

**RECOMMENDATION** *The City Commission: 1) approve a partial release of a platted public utilities easement to Mark Rayne and June Edith Swan; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, subject to approval by the City Attorney as to form and legality.*

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

**000259 Partial Release of Easement at 4507 NW 32nd Avenue, Lot 49 of Benwood Estates (B)**

**RECOMMENDATION** *The City Commission: 1) approve a partial release of a platted public utilities easement to Helen L. Mamarchev; and 2) authorize the Mayor and Clerk of the Commission to execute the Partial Release of Easement, subject to approval by the City Attorney as to form and legality.*

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

**000260 E-Source Information Services (NB)**

**RECOMMENDATION** *The City Commission authorize the General Manager, or his designee, to negotiate an agreement with E-Source( for as-needed energy and market information services for a one-year term, renewable for up to three years based on budgeted amounts, subject to approval of the City Attorney as to form and legality and subject to the appropriation of funds for these services in each fiscal year.*

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

**City Attorney, Consent Agenda Items****Committee Reports, Consent Agenda Items****Public Works Committee, Consent****Public Safety Committee, Consent****Personnel & Organizational Structure Committee****990354 Amendment of Personnel Policy #5 - Appointments (B)**

**RECOMMENDATION** *City Commission approve Personnel Policy #5 as revised.*

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

**990511 Request for Proposal for consultant to conduct an impact study for a proposed Living Wage Ordinance.**

**RECOMMENDATION** *City Commission approve distribution of a Request for Proposal to conduct an impact study for the proposed Living Wage Ordinance and request that Alachua County participate in the study.*

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

**Recreation and Cultural Affairs Committee, Consent****Clerk of the Commission, Consent Agenda Items**

**000228          Resignation - Bicycle/Pedestrian Advisory Board (B)**

**RECOMMENDATION**    *The City Commission accept the resignation of member Veronika Thiebach from the Bicycle/Pedestrian Advisory Board effective immediately.*

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

**000239          City Commission Minutes (B)**

**RECOMMENDATION**    *The City Commission approve the minutes for July 17, 2000 (2 sets), July 19, 2000, July 20, 2000, July 24, 2000, July 27, 2000 and July 31, 2000.*

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

**000242          Appointment - Local Emergency Planning Committee (LEPC) (NB)**

**RECOMMENDATION**    *The City Commission accept the appointment of Commissioner John R. Barrow as a member of the Local Emergency Planning Committee (LEPC). The appointment is by the State Emergency Response Commission (SERC) for Hazardous Materials.*

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

**Passed The Consent Agenda**

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

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

**End of Consent Agenda**

## Adoption of the Regular Agenda

*Mayor-Commissioner Pro Tem John R. Barrow moved and Commissioner Pegeen Hanrahan seconded to approve the Regular Agenda with the following modifications:*

- 1. Add - File No. 000261 - P & O Committee/Addition of Golf Course Short Order Cook to the Occupational Index (B)*
- 2. Move - File No. 000251 before File No. 000014.*

## Clerk of the Commission

### 000197      **Converting Conventional Shopping Centers into Walkable Town Centers (B)**

**RECOMMENDATION**    *The City Commission schedule a special meeting on converting conventional shopping centers into walkable town centers for October 12, 2000 at 6:00pm.*

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

## City Manager

### 000212      **Steering Committee on University Neighborhoods (B)**

*Community Development Director Tom Saunders gave a presentation.*

*Chair Paula M. DeLaney recognized Citizen Tom McKercher who spoke to the matter.*

*Note: The Clerk's office is to identify dates for Commissioner Nielsen, Commissioner Hanrahan and Commissioner Chestnut to meet in order to establish an Ad Hoc Committee to implement a vision for the University Neighborhoods.*

**RECOMMENDATION**    *Hear a brief presentation from staff and approve establishment of a committee to implement a vision for the University neighborhoods.*

**Postponed**

### 000063      **Members of the Depot Use Team - Depot Building (B)**



*Community Development Director Tom Saunders gave a presentation.*

*MOTION: Appoint the recommended members to the Depot Use Team, appointing Rob Johnson as a full member and Coni Gesualdi as staff liaison. No alternates were appointed.*

**RECOMMENDATION** *Appoint members to the Depot Use Team.*

**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

**000271 Award of bid for four (4) new fire pumpers and one (1) new 75 foot Quint (combination ladder and pumper) from Emergency One, Inc. (B)**

*City of Gainesville Fire Chief Richard Williams gave a presentation.*

**RECOMMENDATION** *The City Commission approve the purchase of four (4) new fire pumpers and one (1) new 75 foot Quint from Emergency One, Inc. of Ocala at a cost (net trade-in) not to exceed \$1,070,885.00 and authorize the City Manager or his designee to execute the purchase agreement subject to the 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 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

**RECESS - 2:04 PM**

**RECONVENE 2:15 PM**

**000209 Budget 2000-2001 and 2001-2002 (B)**

*POLICE DEPARTMENT BUDGET:*

*City of Gainesville Police Department Officer Jeff McAdams, Police Officer John Rouse, Police Corporal Dale Witt, Police Corporal Ray Weaver and Police Chief Norm Botsford gave presentations.*

*Chair Paula M. DeLaney recognized Assistant State Attorney Jean Singer and Citizen Jim Konish who spoke to the matter.*

*EAST GAINESVILLE DEVELOPMENT TASK FORCE BUDGET REQUEST:*

*Chair Paula M. DeLaney recognized East Gainesville Development Task Force Chair Sherwin Henry who spoke to the matter.*

**RECOMMENDATION** *The City Commission continue reviewing the proposed 2000-2001 and 2001-2002 budgets.*

**Heard**

**General Manager for Utilities**

**City Attorney**

**City Auditor**

**Committee Reports (Pulled from Consent)**

**Public Works Committee**

**Personnel & Organizational Structure Committee**

**000261 Addition of Golf Course Short Order Cook to the Occupational Index. (B)**

**RECOMMENDATION** *City Commission approve addition of Golf Course Short Order Cook to the Occupational Index.*

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

**Public Safety Committee**

**Legislative Committee**

**990185 Charter Change (NB)**

**RECOMMENDATION** *The City Commission appoint a Charter Review Committee at its September 11, 2000 City Commission meeting to*

*specifically address a Charter change regarding an increase of two Commissioners upon a population increase to 110,000, and a Charter change to create a new Charter Officer position entitled Equal Opportunity Director. The deadline for the Committee's recommendations will be the November 27, 2000 City Commission meeting. The Committee would be requested to make any other suggestions concerning the Charter but would not be authorized to develop any other Charter amendments unless first approved by the City Commission.*

**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

**000221 Equal Opportunity - Charter Amendment (NB)**

**RECOMMENDATION** *The City Commission: 1) refer this Charter amendment to the Charter Review Committee for a recommendation back to the City Commission on November 27, 2000; 2) and continue submitting a Charter Amendment Bill to the Legislature.*

**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

**Recreation & Cultural Affairs Committee**

**990386 Update of the Art in Public Places Trust Ordinance, Chapter 5.5 of the City Code of Ordinances (B)**

*Art in Public Places Trust Chair James Wyman, Cultural Affairs Manager Coni Gesualdi, Facilities Management Director Larry Abbott and GRU Assistant General Manager for Energy Supply Darrell Dubose gave presentations.*

**RECOMMENDATION** *The Recreation and Cultural Affairs Committee recommended the City Commission: 1) hear a brief presentation by Art in Public Places Trust Vice Chair, Dr. James Wyman; 2) approve the changes to Chapter 5.5, Art in Public Places Trust; and 3) authorize the City Attorney to place the proposed amendments in ordinance form for advertising by the City Clerk*

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

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

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

## **Outside Agencies**

## **Commission Comments (if time available)**

**RECESS - 4:37 PM**

**RECONVENE - 5:37 PM**

## **Citizen Comment (5:30pm)**

### **Chuck Woods**

- 1. Lighting Issues - (see item 000282)*
- 2. MTPO - One Way Pairs*
- 3. Airfare Issues*

### **000282      Lighting Standards (NB)**

*Community Development Director Tom Saunders gave a presentation.*

*Chair Pro-Tem John R. Barrow recognized Citizen Jim Konish who spoke to the matter.*

**RECOMMENDATION**    *The City Commission refer the issue of offensive lighting to the Community Development Committee to organize a date for meeting to review Senior Planner Kathy Winburn's work on Lighting Standards with the Community Development Committee, the City Beautification Board, Representatives from Alachua County, GRU Electric and the Gainesville Police Department.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Referred to the Community Development Committee, due back on February 14, 2001. The motion carried by the following vote:**

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

**Reverend Tim Keyes**

*New Health Center and Wood Peckers*

**Jim Konish**

*GRU Rates*

**Commission Comments (if time available)**

**Pledge of Allegiance (6:00pm)**

**Troop #454, Scott Laraway, Assistant Scoutmaster**

**Proclamations/Special Recognitions**

**000262 Stop the Violence Rally Day - August 18, 2000 (B)**

**RECOMMENDATION** *Stop the Violence Rally Day Chair Reverend Karl Anderson to accept the proclamation.*

**Placed on File**

**Public Hearings**

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

**990442 COMMERCIAL BUILDING CODE (B)**

**Ordinance No. 0-00-07**

**An ordinance of the City of Gainesville, Florida, creating and adding Article III to Chapter 13 of the Code of Ordinances consisting of sections 13-201 through 13-214 inclusive, establishing a commercial building code; making findings of facts and a declaration of necessity; specifying the buildings covered by the commercial building code; resolving conflicts with other ordinance provisions; establishing standards for exterior property areas, exterior structure, exterior walls, door and window openings, roofs, and accessory and appurtenant structures; providing for compliance periods; providing for appeals of decisions; providing that properties covered by the commercial building code must continue to comply with applicable historic preservation ordinances; providing a right of entry; amending section 2-339 of the Code of Ordinances to allow**

enforcement of the commercial building code by the civil citation process; amending section 2-377(a)(8) of the Code of Ordinances to allow enforcement of the commercial building code by the Code Enforcement Board process; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an 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

**990710**

**REZONING - ASHTON ANNEXATION (B)**

**Ordinance No. 0-00-60, Petition No. 149ZON-00PB**

**An Ordinance of the City of Gainesville, Florida; rezoning certain lands within the City and amending the Zoning Map Atlas from the zoning categories of certain properties annexed into the City from the Alachua County zoning categories to City of Gainesville zoning categories as follows: 1) from "C-1, conservation district" to "CON: Conservation district" on Tax Parcel Nos. 06006-000-000, 06006-001-000, 06022-000-000, 06021-000-000 and 06023-003-001; 2) from "Agricultural districts" and "BA, BA-1, business, automotive" to "OF: General office district" on Tax Parcel Nos. 06022-002-000 and 06022-001-000; 3) from "R-1a, single-family, low density (one to four dwelling units per acre)" to "RSF-1: 3.5 units/acre single-family residential district" on Tax Parcel Nos. 06023-040-001 thru 074 inclusive; 4) from "Agricultural districts" to "ED: Educational services district" on Tax Parcel 06020-002-000; and 5) from "Agricultural districts" to "AGR: Agriculture district" on Tax Parcel No. 06023-003-002; consisting of approximately 367 acres, located in the vicinity of N.W. 43rd Street north of N.W. 53rd Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.**

**RECOMMENDATION** *The City Commission: 1) approve Petition No. 149ZON-99PB; and 2) adopt the proposed ordinance.*

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

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

**000053**

**SECONDHAND GOODS CHAPTER 22 (B)**

**Ordinance No. 0-00-35**

An ordinance of the City of Gainesville amending Chapter 22 of the Gainesville Code of Ordinances relating to secondhand goods and secondhand dealers; repealing the "Junk dealers" category; incorporating statutory definitions; deleting local regulations relating to pawnbrokers and requiring pawnbrokers to obey state law; providing for enforcement by civil citation; changing the record requirements of secondhand transactions; modifying the holding period for property; defining the right of the police to inspect records and premises; prohibiting purchases from minors; amending section 2-339 to provide for enforcement by civil citations; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

*City of Gainesville Police Detective Jorge Campos gave a presentation.*

**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

**000191****OCCUPATIONAL LICENSES RATE INCREASE (B)****Ordinance No. 0-00-85**

An ordinance of the City of Gainesville, Florida, replacing in total, section 25-51 of the Code of Ordinances, increasing rates for occupational licenses; providing a severability clause; providing a repealing clause; providing an implementation date; and providing an immediate effective date.

*Chair Paula M. DeLaney recognized Citizens Mark Goldstein, Reverend Tim Keyes and State Representative Bob Casey who spoke to the matter.*

**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

**000145****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.*

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

*(VOTE: 5-0)*

*Mayor-Commissioner John R. Barrow moved and Commissioner Chuck Chestnut seconded to remove this item from the table.*

*(VOTE: 5-0)*

*Chair Paula M. DeLaney recognized Citizens Joe Courter, Allison Carroll, Mark Piotrowski, Reverend Tim Keyes, Arnall Downs, Mike Podolsky and Dan Burger 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

**000240**

**EQUAL OPPORTUNITY POLICIES (B)**

**Ordinance No. 0-00-83**

**An Ordinance of the City of Gainesville, Florida; relating to Equal Opportunity; adopting the Policy Statement; adopting the Charter Officer's Duties Related to Equal Opportunity Policy; adopting the Discrimination, Harassment and Conduct Policy; adopting the Retaliation Policy, adopting the Disability Policy; and adopting the Equal Employment Opportunity Policy; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

*City of Gainesville Equal Opportunity Director Darrell Elmore gave a presentation.*

**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



**Ordinances - 2nd Readings- ROLL CALL REQUIRED****000048 SPECIAL NOISE PERMITS (B)****Ordinance No. 0-00-71**

**An ordinance of the City of Gainesville, Florida, amending section 15-4 of the Code of Ordinances relating to special noise permits; correcting a scrivener's error regarding certain events for which permits may be granted; adding provisions concerning processing of the application for permit and appeal of denial of permit; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

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

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

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

**000057 BUILDING INSPECTION FEE CHANGES (B)****Ordinance No. 0-00-72**

**An ordinance of the City of Gainesville, Florida, replacing the section entitled "BUILDINGS AND BUILDING REGULATIONS" in Appendix A (Schedule of Fees, Rates, and Charges) of the Code of Ordinances; revising certain fees for building permits, electrical permits, plumbing permits, gas permits, and mechanical permits for construction, additions and renovations of structures; clarifying when reinspection fees must be paid; adding certain fees; providing for renewal of contractor and craftsman certificates every two years; providing directions to the codifier; 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 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

**000129 RESIDENTIAL SWIMMING POOLS (B)**

**Ordinance No. 0-00-80**

**An ordinance of the City of Gainesville, Florida, amending Article VII of Chapter 6 of the Code of Ordinances relating to swimming pools and providing that residential swimming pools that pass final inspection after October 1, 2000 must meet the requirements of the State of Florida "Preston de Ibern/McKenzie Merriam Residential Swimming Pool Act"; 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 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

**Resolutions- ROLL CALL REQUIRED****000250 FDOT Service Development Grant Funds for Route 35 (B)**

**RECOMMENDATION** *The City Commission: 1) approve the resolution authorizing execution of joint participation agreement with Florida Department of Transportation; and 2) authorize the Mayor and Clerk of the Commission to execute the Resolution, 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 (Resolution). The motion carried by the following vote:**

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

**000265 Rules of the City Commission (B)**

**RECOMMENDATION** *The City Commission adopt the Rules of the City Commission.*

**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**

- 000150**      **Petition 93SUP-00 PB, Rory P. Causseaux, agent for Lil' Champ Food Stores. A special use permit with associated development plan review for demolition of the existing building and reconstruction of a convenience store with twelve fueling positions. Zoned MU-2 (mixed-use medium intensity district). Located at 4221 Northwest 16th Boulevard. (B)**

*City of Gainesville Senior Planner Carolyn Morgan gave a presentation.*

*Chair Paula M. DeLaney recognized agent for the petitioner Rory P. Causseaux who spoke to the matter.*

*Commissioner Pegeen Hanrahan disclosed a conflict of interest.*

**RECOMMENDATION**      *City Plan Board to City Commission - The City Commission approve Petition 93SUP-00 PB, with staff conditions, except allow the canopy height to be 17 feet. Plan Board vote 4-0*

*Staff to Plan Board - Approve, with staff conditions.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Chestnut, that this matter be Approved (Petition - Design Plat). The motion carried by the following vote:**

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

## **Development Review Board Petitions**

- 000251**      **Petition 90SUB-00DB. Brown & Cullen, Inc., agent for James D. Henderson, II. Vacation of southern 3.0 acres (more or less) of Lincoln Terrace Plat, including right-of-way, Northwest 12th Court and Northwest 7th Place (formerly Northwest 8th Terrace). Zoned: RMF-8 (8-30 units/acre multiple-family medium density district). Located at the northwest corner of Northwest 7th Avenue and Northwest 12th Street. (B)**

*City of Gainesville Community Development Director Tom Saunders, Planning Manager Ralph Hilliard and Planner Bedez Massey gave presentations.*

*Chair Paula M. DeLaney recognized agent for the petitioner Stuart Cullen and Citizen Mark Goldstein who spoke to the matter.*

*MOTION: The City Commission refer this item back to the Development Review Board: 1) for another review of the request to vacate a portion of the Lincoln Terrace Plat in coordination with the conceptual site plan review; 2) have a public hearing with the neighbors in an area broader than the 400 ft. that would routinely be included; and 3) come back to the City Commission with a recommendation from the DRB as to whether or not to vacate this portion of the Lincoln Terrace Plat.*

**RECOMMENDATION** *Development Review Board to City Commission - The City Commission approve Petition 90SUB-00DB, with the condition that the petitioner be responsible for providing the City Current Planning Division with four sets of recorded copies of the adopted resolutions, land descriptions and sketches for vacating a portion of the Lincoln Terrace Plat.*

*Staff to Development Review Board - Approve, with the condition that the petitioner be responsible for providing the City Current Planning Division with four sets of recorded copies of the adopted resolutions, land descriptions and sketches for vacating a portion of the Lincoln Terrace Plat.*

**A motion was made by Commissioner Nielsen, seconded by Commissioner Hanrahan, that this matter be Referred to the Development Review Board, due back on February 14, 2001. The motion carried by the following vote:**

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

## Scheduled Evening Agenda Items

### Unfinished Business

### Commission Comment

### Citizen Comment

### Paul Wheeler

1. *DRB Process*
2. *Endangered Neighborhoods/Infill*

*Community Development Director Tom Saunders gave a presentation.*

**000014 (Formal) (Quasi-Judicial) Petition 60PDV-00PB. Buffington Associates, P.A., agent for Aline B. Todd, Dorothy Boone, and Iris and Joseph Ryker. Rezone property from RSF-1 (3.5 units/acre single-family residential district) to PD (planned development district) with PD layout plan review for single-family, detached homes. Located in the 5000 block of Northwest 8th Avenue, north side. (B)**

*Chair Paula M. DeLaney recognized Attorney for the Petitioner Patrice Boyes, Citizens Howard Underberger, Jim Paxson, and Mary Young who spoke to the matter.*

*MOTION: Commissioner Pegeen Hanrahan moved and Commissioner Chuck Chestnut seconded to waive the City Commission Rules in order to extend the meeting past 11:00 PM.  
(VOTE: 5-0)*

*MOTION: Commissioner Warren Nielsen moved and Commissioner Chuck Chestnut seconded to continue this meeting until Tuesday, August 15, 2000 @ 9:00 AM.  
(VOTE: 5-0)*

*RECESS - 11:20 PM*

*RECONVENE - 9:09 AM, August 15, 2000*

*NOTE: Commissioner Pegeen Hanrahan entered the meeting room @ 9:12 AM.*

*Announcement of formal participants: C. Norman Pearson, Jr.; John E. Reynolds; James R. Rocca; James J. Paxson; and Howard and Carol Underberger.*

*City of Gainesville Planning Manager Ralph Hilliard gave a staff presentation.*

*Mayor-Commissioner Pro Tem John R. Barrow and Commissioner Pegeen Hanrahan disclosed Ex-Parte communications.*

*The Clerk of the Commission swore-in the following expert witnesses:*

- 1. Mike Hemmen - Transportation Engineer*
- 2. Len Buffington - Landscape Architect/Planner*
- 3. Sergio Reyes - Civil Engineer*
- 4. Pattie Glenn - Realtor, Bosshardt Realty*
- 5. Brian Kanely - Traffic Engineer, City of Gainesville*
- 6. Richard Melzer - Professional Engineer, City of Gainesville*
- 7. Bedez Massey - Planner, City of Gainesville*
- 8. Ralph Hilliard - Planning Manager, City of Gainesville*
- 9. Aline B. Todd - Landowner*
- 10. Dorothy Boone - Landowner*

*Attorney for the Petitioner Patrice Boyes, Landscape Architect Len Buffington; Civil Engineer Sergio Reyes; and Realtor Pattie Glenn gave presentations.*

*RECESS: 10:32 AM*

*RECONVENE: 10:43 AM*

*Transportation Engineer Mike Hemmen gave a presentation.*

*Chair Paula M. DeLaney recognized Dorothy Boone and Aline Todd who spoke to the matter.*

*City of Gainesville Planner Bedez Massey and Professional Engineer Richard Melzer gave presentations.*

*The Clerk of the Commission swore in Joy Boone and William Patton.*

*Joy Boone and William Patton gave presentations.*

*Chair Paula M. DeLaney recognized Citizen Lola Shank who spoke to the matter under Citizen Comment.*

*MOTION: Commissioner Pegeen Hanrahan moved and Mayor-Commissioner Pro Tem John R. Barrow seconded to continue this meeting until Thursday, September 7, 2000 @ 7:00 PM.*

**RECOMMENDATION** *City Plan Board to City Commission - The City Commission deny Petition 60PDV-00 PB. Plan Board vote 2-2.*

*Staff to Plan Board - Approve, with staff conditions.*

**A motion was made by Commissioner Hanrahan, seconded by Mayor-Commissioner Pro Tem Barrow, that this matter be Continued (Petition) for September 7, 2000. The motion carried by the following vote:**

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

**ADJOURN - 12:09 PM, August 15, 2000**

---

Kurt M. Lannon, Clerk of the Commission