



City Commission Special Meeting
MINUTES

September 14, 2023, 1:00 p.m.
City Hall Auditorium
200 East University Avenue
Gainesville, FL 32601

Members Present: Mayor Ward, Commissioner Book,
Commissioner Chestnut, Mayor Pro
Tempore Duncan-Walker, Commissioner
Eastman, Commissioner Saco,
Commissioner Willits

A. CALL TO ORDER

The meeting was called to order at 1:00 p.m.

B. ADOPTION OF THE AGENDA

Moved by Commissioner Eastman

Seconded by Commissioner Book

Motion: The City Commission adopt the agenda.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut,
Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Absent (1): Mayor Pro Tempore Duncan-Walker

Approved (6 to 0)

C. ORDINANCES: FIRST READING - (Roll Call Required)

**1. 2023-622 Ordinance Amending the Code of Ordinances Relating to
the Sale, Dispensing, Possession and Consumption of Alcohol (B)**

Cynthia Curry, City Manager, introduced the item.

Andrew Persons, Special Advisor to the City Manager, spoke to the effect of passing Ordinance 2023-622.

Lonnie Scott, Sr., Police Chief, Gainesville Police Department, spoke to the item as to the level of severity for citations under the ordinance.

Dan Nee, City Attorney, spoke to the item regarding the motion putting forth the previous ordinance.

Mayor Pro Tempore Duncan-Walker joined the meeting at 1:45 p.m.

Public Comment: Debbie Martinez, Dotty Faibisy, Robert Mounts, Danny Hughes, Gregory Stetz, Jonny Law, Nora Rodriguez

Moved by Commissioner Saco

Seconded by Commissioner Eastman

Recommendation: The City Commission adopt the proposed ordinance.

Motion 1: Approve Ordinance 2023-622A for first reading by title only.

Aye (3): Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (4): Mayor Ward, Commissioner Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Failed (3 to 4)

Moved by Commissioner Book

Seconded by Commissioner Chestnut

Recommendation: The City Commission adopt the proposed ordinance.

Motion 2: Approve Ordinance 2023-622B for first reading with an effective date of January 1, 2024.

Aye (4): Mayor Ward, Commissioner Book, Commissioner Chestnut, and Mayor Pro Tempore Duncan-Walker

Nay (3): Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (4 to 3)

Moved by Commissioner Eastman
Seconded by Commissioner Willits

Motion 3: Direct staff to return with proposals that remove criminal penalties and give warning before issuing a civil citation for violations of this ordinance.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

Moved by Commissioner Willits
Seconded by Commissioner Eastman

Motion 4: Cancel the General Policy Meeting on October 26, 2023 and schedule a Special Meeting on October 26, 2023.

Aye (7): Mayor Ward, Commissioner Book, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Approved (7 to 0)

2. 2023-855 Open Containers of Alcoholic Beverages – Downtown Entertainment District (B)

Andrew Persons, Special Advisor to the City Manager, gave a presentation on the ordinance for an entertainment district.

Public Comment: Joe Courter, Jacob Larson, Robert Mounts, Danny Hughes, Natalie Goodman, Salil Bardekar, Quil Cauchon, Dotty Faibusy, Andrew Hovard, James Blythe, Johnny Law, Rick Fabiani, Jose Perugno, Phoenix Midnight

Moved by Commissioner Eastman
Seconded by Commissioner Saco

Recommendation: The City Commission adopt the proposed ordinance.

Motion: 1) Approve Ordinance 2023-855 with an effective date of January 1, 2024; 2) Renaming it the Arts, Culture, and Entertainment District; 3) Removing the bar drink limit; 4) Removing the approved container provision; 5) removing the prohibition of glass containers;

6) Simplifying the map; 7) Expanding to 4th Avenue; 8) Expanding to Grove Street; and 8) Extending the hours to 2:00 a.m.

Aye (6): Mayor Ward, Commissioner Chestnut, Mayor Pro Tempore Duncan-Walker, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Nay (1): Commissioner Book

Approved (6 to 1)

Meeting recessed at 3:45.

D. BUSINESS DISCUSSION ITEMS

1. 2023-570 GRU Governance - Outside Counsel Regarding House Bill 1645 (NB)

Meeting reconvened - 4:00 p.m.

Dan Nee, City Attorney, gave an update on the expenditures for outside counsel.

Cynthia Curry, City Manager, spoke to the item indicating that the General Government budget has the ability to cover these fees in FY 2023.

Public Comment: Jim Konish

Moved by Commissioner Chestnut

Seconded by Commissioner Book

Recommendation: The City Commission authorize an additional expenditure of a sum not to exceed \$250,000, for a total of \$500,000 authorized to date, payable in response to monthly billing invoices, for fees and costs related to legal service rendered by outside counsel providing legal advice in connection with analyzing and litigating the impact of HB 1645 on the City of Gainesville, and direct such funds to be sourced from the GRU utility system reserve funds or other appropriate funds.

Motion: Approve as recommended with the modification that the funds be sourced from General Government.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Absent (1): Mayor Pro Tempore Duncan-Walker

Approved (6 to 0)

2. 2023-866 Nuisance Abatement, Bottle Clubs, and Hookah Lounges Ordinances Revisions (B)

Andrew Persons, Special Advisor to the City Manager, spoke to the item regarding revising ordinances addressing nuisance abatement, bottle clubs, and hookah lounges.

Moved by Commissioner Book

Seconded by Commissioner Chestnut

Recommendation: The City Commission review and consider the memorandum prepared by staff and provide direction, as needed.

Motion 1: Direct staff to amend the Bottle Club Ordinance, Chapter 4, Article 2 and the Nuisance Abatement Ordinance, Chapter 16, Article 5, consistent with the recommendations staff provided.

Aye (6): Mayor Ward, Commissioner Book, Commissioner Chestnut, Commissioner Eastman, Commissioner Saco, and Commissioner Willits

Absent (1): Mayor Pro Tempore Duncan-Walker

Approved (6 to 0)

3. 2023-892 Commissioner Chestnut Discussion Item: City of Gainesville Holiday Parade Overview (B)

Commissioner Chestnut gave a presentation on the plans for a city-sponsored Holiday Parade in 2023.

Public Comment: Brenda Thomas, Jason Larsen

Moved by Commissioner Chestnut

Seconded by Commissioner Book

Recommendation: The City Commission receive the presentation that provides an overview of the holiday parade.

Motion: The City Commission endorse the holiday parade for December 2, 2023 and work with the Gainesville Chamber of Commerce in pursuing it.

Aye (5): Mayor Ward, Commissioner Book, Commissioner Chestnut, Commissioner Eastman, and Commissioner Willits

Nay (1): Commissioner Saco

Absent (1): Mayor Pro Tempore Duncan-Walker

Approved (5 to 1)

E. MEMBER COMMENT

Mayor Ward - Partner Appreciation Block Party at Community Foundation on September 14, 2023 at 5:30 p.m.

Commissioner Willits - Gives congratulations to Gainesville Housing Authority on receiving the federal housing grant.

Cynthia Curry, City Manager, thanked staff for assisting Gainesville Housing Authority in putting the application together for the grant.

F. ADJOURNMENT

Meeting adjourned at 5:31 p.m.

Kristen J. Bryant, Interim City Clerk