



**COMMISSION MEETING ACTION SUMMARY
SESSION OF THE CITY COMMISSION TO BE HELD AT THE
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 N. CHURCH STREET KISSIMMEE, FL, 34741-5054
TUESDAY, JUNE 2, 2009
6:00 PM**

1. MEETING CALLED TO ORDER

"As a courtesy to others, please silence all electronic devices during the meeting."

"Citizens desiring to speak under Hear Audience shall submit a request form to the City Clerk prior to the meeting. Forms are available at the door or from the City Clerk."

2. INVOCATION AND PLEDGE OF ALLEGIANCE

A. INVOCATION

B. PLEDGE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

A. EMPLOYEE OF THE MONTH FOR JUNE - LINDA HANSELL

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

**A. PUBLIC HEARING - SECOND AND FINAL READING - PROPOSED
ORDINANCE NO. 09-15 LOCAL VENDOR PREFERENCE**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; FLORIDA, TITLE II ADMINISTRATION; CHAPTER 2-7 FINANCE; ADDING SECTION 2-7-50; PROVIDING FOR LOCAL VENDOR PREFERENCES FOR CERTAIN PROCUREMENT OF PRODUCTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE

This is a request to approve the second and final reading of a proposed ordinance establishing a local vendor preference program for the City.

Motion to adopt Ordinance # 2714 passed 5 – 0 (Smallwood/Ady).

B. PUBLIC HEARING – SECOND AND FINAL READING - COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT – PROPOSED ORDINANCE 09-02.

AN ORDINANCE ADOPTING THE CITY OF KISSIMMEE COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT IN ACCORDANCE WITH FLORIDA STATUTE 163.3191; DIRECTING THE CITY MANAGER TO TRANSMIT THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Approval to adopt and transmit the Comprehensive Plan Evaluation and Appraisal Report to the Florida Department of Community Affairs as required by Florida Statute 163.3191.

Motion to adopt Ordinance # 2715 passed 5 – 0 (Smallwood/Ady/Holland).

C. PUBLIC HEARING - FIRST READING – PROPOSED ORINANCE #09-10 LAND DEVELOPMENT CODE TEXT AMENDMENT (AMENDING THE TEMPORARY SIGN ORDINANCE).

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA TITLE XIV PLANNING AND ZONING CHAPTER 14-2-CITY OF KISSIMMEE LAND DEVELOPMENT CODE, AMENDING SECTION 14-2-158 TEMPORARY SIGNS - BY TEMPORARILY EXPANDING THE TIME ALLOWED FOR BANNERS AND WINDOW SIGNS; SUPPLEMENTING CURRENT ORDINANCES; PROVIDING FOR SUNSET OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Approval of the first reading of an ordinance amending the Land Development Code to extend the time period allowed for temporary balloon, banner and window signage.

Motion to approve Proposed Ordinance #09-10 and changing the expiration date to May 2010 passed 5 – 0 (Smallwood/Holland).

D. PUBLIC HEARING - SECOND AND FINAL READING - COMPREHENSIVE PLAN PUBLIC SCHOOLS FACILITIES ELEMENT - PROPOSED ORDINANCE # 07-43.

AN ORDINANCE AMENDING ORDINANCE NO. 1760 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; AMENDING THE PLAN BY ADDING CHAPTER 10 PUBLIC SCHOOL FACILITIES ELEMENT; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Approval of the second and final reading adopting an amendment to the City of Kissimmee Comprehensive Plan adding Chapter 10 Public Schools Facilities Element.

Motion to adopt Ordinance # 2716 passed 5 – 0 (Smallwood/Holland).

E. PUBLIC HEARING - SECOND AND FINAL READING - COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 7 INTERGOVERNMENTAL COORDINATION ELEMENT - PROPOSED ORDINANCE # 08-02.

AN ORDINANCE AMENDING ORDINANCE NO. 1760 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT BY REVISING A PORTION OF POLICY 1.3.1 REGARDING THE COORDINATION WITH PUBLIC SCHOOLS; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Approval of the second and final reading adopting an amendment to the City of Kissimmee Comprehensive Plan Chapter 7 Intergovernmental Coordination Element regarding coordination with public schools.

Motion to adopt Ordinance # 2717 passed 5 – 0 (Smallwood/Holland).

F. PUBLIC HEARING - SECOND AND FINAL READING - COMPREHENSIVE PLAN AMENDMENT TO CHAPTER 8 CAPITAL IMPROVEMENTS ELEMENT - PROPOSED ORDINANCE # 08-03.

AN ORDINANCE AMENDING ORDINANCE NO. 1760 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; REPLACING POLICY 1.3.4 OF THE CAPITAL IMPROVEMENTS ELEMENT REQUIRING FISCAL COORDINATION WITH THE OSCEOLA COUNTY SCHOOL BOARD AND RENUMBERING ALL SUBSEQUENT POLICIES; REPLACING POLICY 1.6.3 REQUIRING THE OSCEOLA COUNTY SCHOOL BOARD PREPARE AND ADOPT AN ANNUAL AND FIVE YEAR CAPITAL WORK PROGRAM AND RENUMBERING ALL SUBSEQUENT POLICIES; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Approval of the second and final reading adopting an ordinance amending the City of Kissimmee Comprehensive Plan Chapter 8 Capital Improvements Element regarding school facilities.

Motion to adopt Ordinance # 2718 passed 5 – 0 (Smallwood/Holland).

5. PUBLIC HEARINGS

None.

6. HEAR AUDIENCE

None.

7. CONSENT AGENDA

The Consent Agenda is a technique designed to expedite handling of routine and miscellaneous business of the City Commission. The City Commission in one motion may adopt the entire Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual member, any item may be removed from the Consent Agenda and placed upon the Regular Agenda for debate.

A. CITY COMMISSION MINUTES APPROVAL - FEBRUARY 10, 2009

Request Commission approval of the February 10, 2009 Minutes.

Motion to approve passed 5 – 0 (Matthews).

B. CITY COMMISSION MINUTES APPROVAL - FEBRUARY 17, 2009

Request Commission approval of the February 17, 2009 Minutes.

Motion to approve passed 5 – 0 (Matthews).

C. CITY COMMISSION WORKSHOP MINUTES APPROVAL - FEBRUARY 24, 2009

Request Commission approval of the February 24, 2009 Workshop Minutes.

Motion to approve passed 5 – 0 (Matthews).

D. CITY COMMISSION MINUTES APPROVAL - MARCH 3, 2009

Request Commission approval of the March 3, 2009 Minutes.

Motion to approve passed 5 – 0 (Matthews).

E. INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE SCHOOL BOARD FOR THE CHAMBERS PARK COMMUNITY CENTER PRE-K PROGRAM

Approval of an interlocal agreement for the joint use of Chambers Park Community Center with the School Board of Osceola County.

Motion to approve passed 5 – 0 (Smallwood/Ady/Loubier).

F. DISPOSAL OF CITY ASSETS

The request is for Commission approval to dispose of the asset items detailed in the attached report.

Motion to approve passed 5 – 0 (Smallwood/Ady/Emory).

G. OAK STREET MITIGATION CREDIT PURCHASE AGREEMENT

The City Commission is requested to authorize the Public Works Director, or his designee, to sign the Mitigation Credit Purchase Agreement regarding the proposed construction of the Oak Street widening project. This agreement will be funded by Gas Tax in the amount of \$38,750.

Motion to approve passed 5 – 0 (Smallwood/Ady/Derrick).

H. RESOLUTION ADOPTING THE CITY OF KISSIMMEE HOUSING INCENTIVE STRATEGIES AND AMENDING THE LOCAL HOUSING ASSISTANCE PLAN

Approval to adopt a Resolution amending the City's Local Housing Assistance Plan (LHAP) to include the Housing Incentive Strategies recommended by the Housing Incentive Strategy Advisory Committee and modify the Down Payment Assistance Program, a strategy from the State Housing Initiative Program (SHIP).

Motion to approve Resolution #11-2009 passed 5 – 0 (Holland).

I. BANDEALY MEDICAL CENTER FINAL PLAT

Request City Commission approval of the Bandealy Medical Center final plat.

Motion to approve passed 5 – 0 (Derrick).

J. REQUEST TO ADVERTISE AN ORDINANCE ESTABLISHING DEVELOPMENT STANDARDS FOR PUBLIC AND PRIVATE UTILITIES

Request approval to advertise an ordinance amending the Land Development Code to establish new utility standards for public and private developments.

Motion to approve passed 5 – 0 (Smallwood/Holland).

K. HURRICANE HOUSING RECOVERY PROGRAM CONTRACT FOR HOUSING REPLACEMENT

Approval of a contract with Showcase Homes to demolish and replace an unsafe home per the guidelines of the Hurricane Housing Recovery Program.

Motion to approve passed 5 – 0 (Holland).

L. APPROVAL TO PURCHASE E-MAIL AND WEB SECURITY SYSTEM

This request is to approve the purchase of Cisco's IronPort e-mail and web security system from Coleman Technologies utilizing the GSA Schedule 70 contract #GS-35F031. The total cost is \$57,851.95 and is budgeted in the Sales Tax Fund.

Motion to approve passed 5 – 0 (Ady/Sousa).

M. AUTHORIZATION TO TRANSFER AND EXPEND FUNDS FROM THE STATE LAW ENFORCEMENT TRUST FUND FOR CRIMINAL INVESTIGATIONS

The Police Department is requesting authorization to transfer and expend funds from the State Law Enforcement Trust Fund for criminal investigations. The Department requests \$20,000 be allocated to purchase controlled substances and purchase other items or services needed to further criminal investigations.

Motion to approve passed 5 – 0 (Smallwood/Ady/Iwanski).

8. DISCUSSION ITEMS

A. DISCUSSION ON TRANSPORTATION IMPACT FEES

Commissioner Gemskie has requested to discuss Transportation Impact Fees being charged when there is a change of use on an existing building.

Commission consensus was to make changes and advertise for 1st reading.

B. REQUEST APPROVAL OF A RESOLUTION ESTABLISHING THE FIRE SPECIAL ASSESSMENT RATE.

Request approval of a resolution establishing the fire special assessment rate.

Motion to approve Resolution #12-2009 and approve the Public Hearing date of July 28, 2009 passed 5 – 0 (Smallwood/Ady).

C. ANNUAL ADVISORY BOARD APPOINTMENTS

Request the Commission make appointments to fill vacancies on all Advisory Boards whose member terms expire May 31, 2009.

Motion to reappoint William Harbal to the Board of Adjustment passed 5 – 0 (Durbin).

Motion to appoint Sandi Mulrooney to the Historic Preservation Board passed 5 – 0 (Durbin).

Motion to reappoint Roy Oddo to the Parks and Recreation Advisory Board passed 5 – 0 (Durbin).

Motion to appoint Kelly Jeck to the Historic Preservation Board passed 5 – 0 (Durbin).

Motion to appoint Valerie Novak to the Parks and Recreation Advisory Board passed 5 – 0 (Durbin).

Motion to appoint John Wilder to the Board of Adjustment passed 5 – 0 (Durbin).

9. HEAR CITY OFFICIALS AND COMMISSIONERS

A. CITY MANAGER

CITY MANAGER DURBIN

City Manager Durbin requested Commission direction on the scheduling of the CRA/Commission Joint Workshop stating that the Chair of CRA Board would not be available on June 22nd.

Commission consensus was to move forward with scheduling for a later date when all would be available.

B. CITY ATTORNEY

C. CITY COMMISSION

COMMISSIONER GRIEB

Commissioner Grieb reported to the Commission that Congress and regional leaders are talking about the mobility fee and looking for dedicated funding sources. She stated that as information becomes available she will bring it back to the Commission.

COMMISSIONER IRIZARRY

Commissioner Irizarry asked for City Manager Durbin to place the Thacker Avenue Shoe Repair business on next week's agenda.

Commissioner Irizarry stated that two months ago the Public Information started a program that allows each Commissioner to explain different services available

to our residents and businesses. If you have a category that you would like to discuss, please call the office.

COMMISSIONER OTERO

Commissioner Otero stated that the first meeting of the 2010 Census Committee was held on June 2, 2009 and encouraged all residents to participate when contacted by the Census Bureau.