

**CITY OF VERO BEACH, FLORIDA  
JANUARY 5, 2010 9:30 A.M.  
REGULAR CITY COUNCIL MEETING  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**A G E N D A**

**1. CALL TO ORDER**

- A. Roll Call
- B. Invocation – Father Michael Goldberg/St. Augustine Episcopal Church
- C. Pledge of Allegiance

**2. PRELIMINARY MATTERS**

- A. Agenda Additions, Deletions, and Adoption
- B. Proclamations
  - 1. Plaques presented to Employees Retiring from the City
- C. Public Comment
- D. Adoption of Consent Agenda
  - 1. Regular City Council Minutes – December 1, 2009
  - 2. City Council Workshop Minutes – November 16, 2009
  - 3. Special Call City Council Minutes – December 8, 2009
  - 4. Solid Waste Franchise Agreement – Fletcher’s Hauling, Inc.
  - 5. SR A1A from St. Lucie/Indian River County Line to Coquina Lane – Landscape Maintenance Memorandum of Agreement
  - 6. Award of Bid No. 370-09/PW – Relay Testing Service Contract for the Power Plant and Electrical T&D
  - 7. Change Order and Final Payment for Televent Miner & Miner – ArcFM Implementation with Data Collection Services

(The matters listed on the consent agenda will be acted upon by the City Council in a single vote unless any Councilmember requests that any specific item be considered separately.)

**3. PUBLIC HEARINGS**

- A) An Ordinance of the City of Vero Beach, Florida, amending the definition of “Restricted Sales and Services” of Chapter 60, Appendix, Definitions, of Part III, Title VI, Vero Beach Code; limiting Retail and Personal Service Stores to 4,000 square feet of floor area; excluding stores with Warehousing, Health and Fitness Clubs, and Stores that sell Motor Vehicle Parts; excluding Hardware Stores with outdoor merchandise displays and laundry and dry cleaning stores with on-site cleaning and clothing repair services; excluding stores with Drive-In, Drive-Up, or Drive-Through Facilities and Stores that offer for sale predominately pre-packaged food products, beverages, and other frequently or recurring needed household items between the hours of 11:00 p.m. and 6:00 a.m., including deliveries between this same time period; providing for conflict and severability; providing for an effective date.
- B) An Ordinance of the City of Vero Beach, Florida, amending Chapter 72, Landscaping and Tree Protection, of the Code of the City of Vero Beach, relating to Landscaping Requirements, Tree Classification and Protection; providing for Tree Grades and Standards; providing for Tree Removal Permit Procedures; providing for Protection of Trees before and during Site Development; providing for Pruning Guidelines; providing for Enforcement and Penalties; providing for Conflict and Severability; providing for an Effective date.
- C) An Ordinance of the City of Vero Beach, Florida, amending Article III, Section 2-119, of the Vero Beach Code of Ordinances relating to Eligibility for Appointment to the Utilities Commission; providing for an effective date.
- D) An Ordinance of the City of Vero Beach, Florida, amending the Future Land Use Map by changing the Land Use Designation of Annexed Land from Indian River County Designation of C-2 (Conservation-2) to a Comparable City of Vero Beach Designation of ES (Environmentally Significant) for the property consisting of three separate parcels, located between the 45<sup>th</sup> Street and Gifford Dock Road along the Western Shore of the Indian River, including a portion of Government Lot 3 lying in Section 24, Township 32 South, Range 39 East, containing 16.7 acres, more or less; and providing for an effective date.
- E) An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the designation of annexed land from Indian River County designation of RM-6 (Multiple Family Residential) to a comparable City of Vero Beach designation of R-1AAA (Single Family Residential), for the property consisting of three separate parcels located between 45<sup>th</sup> Street and Gifford Dock Road along the Western Shore of the Indian River, including a portion of Government Lot 3 lying in Section 24, Township 32 South, Range 39 East, containing 16.7 acres, more or less; and providing for an effective date.

- F) An Ordinance of the City of Vero Beach, Florida, amending the Future Land Use Map by changing the Land Use Designation of Annexed Land from Indian River County designation of C-2 (Conservation) to a comparable City of Vero Beach designation of CV (Conservation) for the property located along the Western Shore of the Indian River, South of 45<sup>th</sup> Street including Government Lot 1 and 2 together with the Northwest ¼ of the Southeast ¼ and the North ¼ of the Southeast ¼ of said Section 25 lying in Section 25, Township 32 South, Range 39 East, containing 124 acres more or less; and providing for an effective date.
- G) An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the designation of annexed land from Indian River County designation of RS-1 (Single Family Residential) to a comparable City of Vero Beach designation of P-1 (Park-Conservation) for the property located along the Western Shore of the Indian River, South of 45<sup>th</sup> Street including Government Lot 1 and 2 together with the Northwest ¼ of the Southeast ¼ and the North ¼ of the Southeast ¼ of said Section 25 lying in Section 25, Township 32 South, Range 39 East, containing 124 acres more or less; and providing for an effective date.
- H) An Ordinance of the City of Vero Beach, Florida, amending the Future Land Use Map by changing the Land Use Designation of annexed land from Indian River County of designation M-1, (Medium Density Residential-1) to a comparable City of Vero Beach designation of RM (Residential Medium) for the property North of the intersection of 33<sup>rd</sup> Street and 13<sup>th</sup> Avenue, including a portion of the Northeast Quarter of Section 35, Township 32 South, Range 39 East, containing 22.17 acres, more or less; and providing for an effective date.
- I) An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the designation of annexed land from Indian River County designation RM-6, Multiple Family Residential to a comparable City of Vero Beach designation of RM-8, Medium Density Multiple Family for the property North of the Intersection of 33<sup>rd</sup> Street and 13<sup>th</sup> Avenue, including a portion of the Northeast quarter of Section 35, Township 32 South, Range 39 East, containing 22.17 acres, more or less; and providing for an effective date.

#### **4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING**

- A) A Resolution of the City Council of the City of Vero Beach, Florida, releasing from all City Easements the Northeasterly 3 feet of Lot 3, Block 35; the Northeasterly and Southwesterly 3 feet of Lot 4, Block 35; and the Southwesterly 3 feet of Lot 5, Block 35, Royal Park Subdivision Plat No. 7.

#### **5. FIRST READINGS BY TITLE FOR ORDINANCES AND RESOLUTIONS THAT REQUIRE A FUTURE PUBLIC HEARING**

- A) An Ordinance of the City of Vero Beach, Florida, amending Chapter 77, Architectural Review, Section 77.04 by creating new paragraph (I); providing that

building elevations, construction of site plans, design drawings, or similar materials submitted as part of Architectural Review application be prepared by a State licensed design professional, if required by the Florida Statutes or Florida Building Code for submittal of a building or other development permit application; providing for conflict and severability; and providing for an effective date.

**6. CITY CLERK'S MATTERS**

**7. CITY MANAGER'S MATTERS**

**8. CITY ATTORNEY'S MATTERS**

**9. CITY COUNCIL MATTERS**

A. Old Business

1. Interview Process for the New City Councilmember – Requested by Mayor Sawnick

B. New Business

**10. INDIVIDUAL COUNCILMEMBERS' MATTERS**

A. Mayor Kevin Sawnick's Matters

1. Correspondence
2. Committee Reports
3. Comments

A) Pension & Insurance Plans to be reviewed by the Finance Commission

B. Vice Mayor Sabin Abell's Matters

1. Correspondence
2. Committee Reports
3. Comments

C. Councilmember Tom White's Matters

1. Correspondence
2. Committee Reports
3. Comments

D. Councilmember Brian Heady's Matters

1. Correspondence
2. Committee Reports
3. Comments

- E. Councilmember Matters
  - 1. Correspondence
  - 2. Committee Reports
  - 3. Comments

## **11. ADJOURNMENT**

Council Meetings will be televised on Channel 13 and replayed.

This is a Public Meeting. Should any interested party seek to appeal any decision made by Council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City's Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.