

**CITY OF VERO BEACH, FLORIDA  
MAY 18, 2010 6:00 P.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 Richard Murphy/Holy Cross Catholic Church
- C. Pledge of Allegiance

**2. PRELIMINARY MATTERS**

- A. Agenda Additions, Deletions, and Adoption
- B. Proclamations
  - 1. Proclamation to be given to Mr. James Sammons – Requested by Councilmember Ken Daige
  - 2. Memorial Day – May 31, 2010
- C. Public Comment
- D. Adoption of Consent Agenda
  - 1. Regular City Council Minutes – May 4, 2010
  - 2. Regular City Council Minutes – April 20, 2010
  - 3. Fuel Oil Storage Tanks/Plant Stack Painting – Final Payment
  - 4. Monthly Capital Projects’ Status Reports

(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, instituting a one hundred eighty (180) day moratorium on the issuance of development orders to establish “Pain Clinics” or “Pain Management Clinics” within the City of Vero Beach to allow time for the City staff to further review regulatory options and formulate and adopt regulations for these Clinics; providing for severability; 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, expressing its opposition to Offshore Oil Drilling in Florida Waters as having a deleterious impact on Florida's Environmental and Economic Resources; directing the City Clerk to transmit a copy of this Resolution to various State and Federal Officials; providing for an Effective Date.

**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, requested by Vero Property Investment, LLC, to amend the Comprehensive Plan Future Land Use Map by Changing the Land Use Designation from C, Commercial (up to 15 Dwelling Units/Acre) to RH, Residential High (up to 15 Dwelling Units/Acre) for the property generally located East of the Northeast corner of the Intersection of 21<sup>st</sup> Street (US Highway 1) and 10<sup>th</sup> Avenue, including all of the replat of Henning's Subdivision that lies North of 21<sup>st</sup> Street (US Highway 1) and a portion of Block 1, Citrus Park, containing 1.76 acres, more or less, and providing for an Effective Date.
- B) An Ordinance of the City of Vero Beach, Florida, requested by Vero Property Investment, LLC, to amend the Official Zoning Map by Changing the Zoning Designation from C-1, Highway Oriented Commercial to RM-10/12 Medium and High Density Multiple-Family Residential District for the property generally located East of the Northeast corner of the Intersection of 21<sup>st</sup> Street (US Highway 1) and 10<sup>th</sup> Avenue, including all of the replat of Henning's Subdivision that lies North of 21<sup>st</sup> Street (US Highway 1) and a portion of Block 1, Citrus park, containing 1.76 acres, more or less, and providing for an effective date.

**6. CITY CLERK'S MATTERS**

**7. CITY MANAGER'S MATTERS**

- A) Award of RFP No. 170-10/PJW – Unit 5 Heat Recovery Steam Generator Superheater Retrofit
- B) Strategic Land Purchase
- C) Request for Council Approval – Electric T&D Reorganization
- D) Internship Program Policy

**8. CITY ATTORNEY'S MATTERS**

## **9. CITY COUNCIL MATTERS**

- A. Old Business
  - 1. [Times of City Council Meetings – Requested by Vice Mayor Abell](#)
  - 2. Reconsideration of date for presentation by Dr. Faherty and Glenn Heran – Requested by Councilmember Heady
  - 3. Still waiting for written answers from City Manager – Requested by Councilmember Heady
  - 4. OUC Contract – Requested by Councilmember Heady
  - 5. 50MM penalty – Requested by Councilmember Heady
  - 6. November Elections – Requested by Councilmember Heady
  - 7. Debate on Sale of Electric – Requested by Councilmember Heady
  - 8. 8/12/08 to be played and discussion to follow – Requested by Councilmember Heady
  - 9. Federal Lawsuit – Requested by Councilmember Heady
  - 10. Honest Services Fraud – Requested by Councilmember Heady
  - 11. Golf Course – Requested by Councilmember Heady
- B. New Business
  - 1. [Wreath Placement Ceremony – Requested by Councilmember Daige](#)
  - 2. Settlement of Lawsuit – Requested by Councilmember Heady
  - 3. Water and Sewer Discussion – Requested by Councilmember Heady
  - 4. [Policy for “Old Business” and “New Business” on Agenda – Requested by Councilmember Daige](#)

## **10. INDIVIDUAL COUNCILMEMBERS’ MATTERS**

- A. Mayor Kevin Sawnick’s Matters
  - 1. Correspondence
  - 2. Committee Reports
  - 3. Comments

- 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
  - A) Public Business in the public eye
  - B) Liars, Cheats and Thieves
  - C) Bad info, bad decisions, being prepared
  - D) Correspondence
  
- E. Councilmember Ken Daige's 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.