

**\*Please Note: Meeting will adjourn at 5:00 p.m. for a 5:10 p.m. Public Hearing on the Budget. Then the Regular City Council meeting will reconvene at 6:00 p.m. to continue with the regular meeting.**

**CITY OF VERO BEACH, FLORIDA  
SEPTEMBER 4, 2012 4:00 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 – Pastor Russell Johnson/Redeemer Lutheran Church
- C. Pledge of Allegiance

**2. PRELIMINARY MATTERS**

- A. Agenda Additions, Deletions, and Adoption
- B. Proclamations
  - 1. Literacy Day – September 7, 2012
  - 2. Constitution Week – September 17-23, 2012
  - 3. Gift of Dodgertown Painting from Harry W. Walker III, Gilford B. Walker and Antoinette W. Hamner

C. Public Comment

- 1. [Ms. Nancy Wood will be talking about The Green Patrol.](#)

D. Adoption of Consent Agenda

- 1. [Regular City Council Minutes – August 16, 2012](#)
- 2. [Special Call City Council Minutes – August 7, 2012](#)
- 3. [Utility Easement #2012-EG-0114 – Chipotle/Aspen Dental Site – 5855 20<sup>th</sup> Street](#)
- 4. [The Tree and Beautification Commission is requesting permission to spend funds to purchase two Crape Myrtle Trees](#)

(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, abandoning all that part of the 20 foot wide alley lying between Lots 1 and 6 in Block 1, Bethel by the Sea Subdivision, and that part of the abandoned portion of Conn Way lying between the Northerly prolongation of the West line of lot 1, and the Northerly prolongation of the East line of Lot 6, in said Block 1, Bethel by the Sea Subdivision; retaining a utility easement; and Providing for an Effective Date.
- B) A Resolution of the City of Vero Beach, Florida, repealing Resolution 2009-04; adopting a Revised Building Permit Fee Schedule; and Providing for an Effective Date.
- C) An Ordinance of the City of Vero Beach, Florida, amending Article IV of Chapter 70 of the Code of the City of Vero Beach related to Municipal Public Service Tax; providing for an exemption equal to 50 percent of the Municipal Tax on Electrical Energy used in the Indian River County-Vero Beach Enterprise Zone by qualified businesses; Providing for Eligibility; Providing for Conflict and Severability; and Providing for an Effective Date.
- D) A Resolution of the City Council of the City of Vero Beach, Florida, Establishing certain Water and Sewer Utility Rates and Charges within the Indian River Shores service area; Providing for an Effective Date.
- E) A Resolution of the City Council of the City of Vero Beach, Florida, establishing Rates for Reclaimed Water; Providing an Effective Date.

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

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

- A) A Resolution of the City of Vero Beach, Florida, Establishing Rates and Fees for the Collection and Disposal of Solid Waste and Recyclable Material and Sale of Items used for Collection purposes; Repealing Resolution 2009-28; Providing for Conflict and Severability; Providing for an Effective Date.
- B) A Resolution of the City Council of the City of Vero Beach, Florida, determining that certain City-owned real property identified as "City Park" in Block 1 of Block Manor Subdivision is no longer needed by the City and may be sold subject to an access easement; Providing for Conflict and Severability; and Providing for an Effective Date.
- C) An Ordinance of the City of Vero Beach, Florida, amending the Code of the City of Vero Beach, Section 71.14, "Rights-of-Way required to be Improved;" Relating to Limitations on Improvements to Tree Canopy Streets and

Determination of Safety Hazards from Trees and Plants on such Streets;  
Providing for an Effective Date.

D) An Ordinance of the City of Vero Beach, Florida, Abandoning that Portion of the North one-half of Gayfeather Lane lying East of the West 45 feet of Lot 15, Block 2, Walter Kitching's Subdivision; Providing for Reversion under certain circumstances; Retaining an Easement; Providing for Conflict and Severability; Providing for an Effective Date.

**6. CITY CLERK'S MATTERS**

A) Commission/Board Appointments

**7. CITY MANAGER'S MATTERS**

A) MacWilliam Park Boat Ramp Reconstruction – Award Construction Contract to Wilco Construction, Inc., - COVB Public Works Project #2010-05-Bid No. 230-12/JV

B) Memorandum of Understanding among City of Vero Beach, Orlando Utilities Commission and Florida Power & Light Company

C) Electric Utility Sale – Impact on General Fund

**8. CITY ATTORNEY'S MATTERS**

**9. CITY COUNCIL MATTERS**

A. Old Business

B. New Business

1) Referendum on the Sale of the Electric – Requested by Councilmember Dick Winger

**10. INDIVIDUAL COUNCILMEMBERS' MATTERS**

A. Mayor Pilar Turner's Matters

1. Correspondence
2. Committee Reports
3. Comments

B. Vice Mayor Craig Fletcher's Matters

1. Correspondence
2. Committee Reports
3. Comments

C. Councilmember Tracy Carroll's Matters

1. Correspondence
  2. Committee Reports
  3. Comments
- D. Councilmember Jay Kramer's Matters
1. Correspondence
  2. Committee Reports
  3. Comments
- E. Councilmember Richard Winger'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.