



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CITY COUNCIL MEETING

May 14, 2013

7:00 p.m., Community Center, 3048 S. Atlantic Ave.
Daytona Beach Shores, FL 32118

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Council Meeting Hall. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

1. **PRESENTATIONS AND PUBLIC NOTICES:** Service Awards, Proclamation for Police Week
2. **APPROVAL OF THE MINUTES:** April 23, 2013, City Council Meeting
3. **CONSENT AGENDA:**
 - Approval to spend \$300 in Contraband for fishing tournament
 - Approval to waive 60 day notice for Sunoco banner

END CONSENT AGENDA

4. REPORTS OF THE CITY ATTORNEY:

5. REPORTS OF THE CITY MANAGER:

OLD BUSINESS:

6. **ORDINANCE 2013-07** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLES AND THE RENTAL OF BEACH EQUIPMENT CONDITIONAL USE; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX "G", CHAPTER 2 ENTITLED "DEFINITIONS;" AMENDING CHAPTER 14

ENTITLED "ZONING REGULATIONS," BY AMENDING SECTION 14-58 ENTITLED "SPECIAL EXCEPTIONS AND CONDITIONAL USES" TO PERMIT THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLES AND THE RENTAL OF BEACH EQUIPMENT AS A CONDITIONAL USE IN THE "GC-RD" GENERAL COMMERCIAL-REDEVELOPMENT DISTRICT; PROVIDING FOR DEFINITIONS; PROVIDING FOR DEVELOPMENT STANDARDS AND CONDITIONS; PROVIDING FOR PROHIBITIONS, ENFORCEMENT AND PENALTIES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Second Reading & Public Hearing.

This proposed ordinance will amend the LDC to allow the rental and sale of light recreational vehicles as a conditional use.

7. ORDINANCE 2013-08 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AMENDING CHAPTER 11 ½ OF THE *MUNICIPAL CODE OF ORDINANCES* RELATING TO ALARMS OF ALL TYPES AND NATURES AS DEFINED HEREIN (RECENTLY REVISED IN ORDINANCE NUMBER 2012-12); PROVIDING FOR REGULATIONS AND FEES AND CHARGES PERTAINING TO FALSE OR NUISANCE ALARMS; PROVIDING FOR ENFORCEMENT AND PENALTIES, THE ADOPTION OF ADMINISTRATIVE RULES AND IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Second Reading & Public Hearing.

This proposed ordinance amends the code as it pertains to false and nuisance alarms.

NEW BUSINESS:

8. Approval to spend \$35,000 from contingency for new bucket truck

9. Approval to cancel May 28th City Council meeting

10. Discussion on proposed new Racquet Club Building

11. COUNCIL COMMENTS:

12. AUDIENCE REMARKS:

13. ITEMS FOR THE NEXT AGENDA:

14. ADJOURNMENT:

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the City Council, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Please be advised that all City Council Meetings are recorded. Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at 2990 S. Atlantic Avenue, Daytona Beach Shores, FL 32118, or telephone 386-763-5364 at least seven working days prior to the meeting.

PRESENTATIONS AND PUBLIC NOTICES:

Service Awards:

Stephan Dembinsky – 15 years

Liz Ortman – 10 years

Proclamation for Police Week

MINUTES
CITY COUNCIL MEETING
April 23, 2013
3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118

Present: Mayor Harry Jennings, Vice-Mayor Peggy Rice, Council Member Billie Wheeler, Council Member Jennie Celona and Council Member Henry Fehrmann. Staff: *City Manager Michael Booker, City Clerk Cheri Schwab, City Attorney Lonnie Groot, Community Services Director Fred Hiatt, Finance Director Steve Whitmer, and Public Safety Director Stephan Dembinsky.*

1. **PRESENTATIONS AND PUBLIC NOTICES:** None.
2. **APPROVAL OF THE MINUTES:** April 9, 2013, City Council Meeting

CMBR FEHRMANN moved, seconded by CMBR WHEELER to approve the minutes of April 9, 2013

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: CouncilMember Billie Wheeler, Councilmember Henry Fehrmann, Councilmember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

CONSENT AGENDA:

3. **MONTHLY DEPARTMENTAL REPORTS**
4. **MONTHLY FINANCIAL REPORT**
5. **APPROVAL OF DONALD BAUKNECHT AS ALTERNATE TO CODE ENFORCEMENT BOARD**

END CONSENT AGENDA

CMBR CELONA moved, seconded by CMBR WHEELER to approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: CouncilMember Billie Wheeler, Councilmember Henry Fehrmann, Councilmember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

6. **REPORTS OF THE CITY ATTORNEY:** Attorney Groot reported that staff members had performed exceptionally well at the recent Code Enforcement and Board of Adjustments meetings.

7. **REPORTS OF THE CITY MANAGER:** The City Manager reported that the Port Orange pigging project on their water lines is expected to begin July 15th. They will need to do some preliminary work on the system prior to that to change out water valves. It will begin tomorrow and the condominiums will get advanced notification. There will also be a trial shutdown on the sewer force main tomorrow. Chief Dembinsky spoke on the recent bomb scares and suspicious packages. He stated it was unfortunate, but these calls begin to happen after an event like Boston. He advised the audience, to please call the department if they see anything suspicious. Do not investigate it yourself. These calls normally die down after a few weeks.

OLD BUSINESS: None.

NEW BUSINESS:

8. ORDINANCE 2013-07 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLE AND THE RENTAL OF BEACH EQUIPMENT CONDITIONAL USE; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX “G”, CHAPTER 2 ENTITLED “DEFINITIONS;” AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS,” BY AMENDING SECTION 14-58 ENTITLED “SPECIAL EXCEPTIONS AND CONDITIONAL USES” TO PERMIT THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLES AND THE RENTAL OF BEACH EQUIPMENT AS A CONDITIONAL USE IN THE “GC-RD” GENERAL COMMERCIAL-REDEVELOPMENT DISTRICT; PROVIDING FOR DEFINITIONS; PROVIDING FOR DEVELOPMENT STANDARDS AND CONDITIONS; PROVIDING FOR PROHIBITIONS, ENFORCEMENT AND PENALTIES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading.

CMBR Wheeler inquired about the stipulation of the owners/employees being required to park in the back of the building. Director Hiatt explained that it was a special requirement due to the nature of the retail items being sold at the business. This provision was included so there will be no confusion between outdoor displays and the merchandise.

CMBR RICE moved, seconded by CMBR WHEELER to approve Ordinance 2013-07 on first reading.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: CouncilMember Billie Wheeler, Councilmember Henry Fehrmann, Councilmember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

9. ORDINANCE 2013-08 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AMENDING CHAPTER 11 ½ OF THE *MUNICIPAL CODE OF ORDINANCES* RELATING TO ALARMS OF ALL TYPES AND NATURES AS DEFINED HEREIN (RECENTLY REVISED IN ORDINANCE NUMBER 2012-12); PROVIDING FOR REGULATIONS AND FEES AND CHARGES PERTAINING TO FALSE OR NUISANCE ALARMS; PROVIDING FOR ENFORCEMENT AND PENALTIES, THE ADOPTION OF ADMINISTRATIVE RULES AND IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading.

CMBR Wheeler inquired if notification of the new rules was sent to the condominiums. She questioned false alarms from burned toast, etc. Director Dembinsky stated those types of calls are not false alarms and would not be charged. It is due to calls from faulty equipment and those set off by wind.

CMBR FEHRMANN moved, seconded by CMBR WHEELER to approve Ordinance 2013-08 on first reading.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: CouncilMember Billie Wheeler, Councilmember Henry Fehrmann, Councilmember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

9B. APPROVAL FOR TECO GAS FRANCHISE AGREEMENT

CMBR CELONA moved, seconded by **CMBR WHEELER** to approve the Teco gas franchise agreement.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: CouncilMember Billie Wheeler, Councilmember Henry Fehrmann, Councilmember Jennie Celona, Mayor Harry Jennings, Vice Mayor Peggy Rice.

10. VCOG REPORT - Mayor Jennings reported that at the last two meetings there had been interesting presentations from Palmer College, Bethune Cookman, Stetson and ERAU. He felt our area was blessed to have these institutions here.

11. TPO REPORT – Mayor Jennings reported that mostly routine items were discussed. One item of controversy with local residents in the affected area is the proposed interchange of I-95 and Pioneer Trail.

12. COUNCIL COMMENTS: The City Council and the City Manager, all thanked the Culture & Entertainment Board and city staff who worked, for a wonderful job at the Taste of the Shores last Friday. CMBR Wheeler reminded the audience that Highway 40 would be performing a free concert Friday night in the pavilion. CMBR Rice addressed comments made by CMBR Fehrmann at the last meeting. She felt his comments were inappropriate as she did not feel the council was anti-business. She stated that she had legitimate questions on the proposed video contract and wanted clarification before voting to use tax dollars.

13. AUDIENCE REMARKS: Lowell Wynn questioned how the television commercial would be measured to see if it is successful in bringing people to the city. The City Manager answered that he doesn't yet know how to evaluate the ad. CMBR Fehrmann responded that the ad will be geared for the city to promote itself. The air time for the commercial will be paid by other businesses not the city.

John Ersland urged the city to consider changing the building height restrictions. He felt that having a cap at 110 feet is not allowing new development in the city.

14. ITEMS FOR THE NEXT AGENDA: None.

15. ADJOURNMENT: There being no further business to be considered, the meeting adjourned at approximately 7:33 pm.

MAYOR
HARRY H. JENNINGS

CITY MANAGER
MICHAEL T. BOOKER

ATTEST:

CITY CLERK, CHERI SCHWAB



**DAYTONA BEACH SHORES
DEPARTMENT OF PUBLIC SAFETY**

MEMORANDUM

To: Michael Booker, City Manager
From: Stephan Dembinsky, Public Safety Director 
Date: May 1, 2013
Re: contraband forfeiture
File: PS13-05-01

I would like the approval of council to use \$300. from the contraband forfeiture fund for the annual Daytona Beach Shores/South Daytona fishing tournament.



City of Daytona Beach Shores
Building & Codes Division
Department of Community Services
Telephone (386) 763-5377
Fax (386) 763-5370

MEMORANDUM
CS-2013-05-02

DATE: May 7, 2013
TO: Michael T. Booker
FROM: Fred G. Hiatt Jr., Community Services Director
SUBJECT: Banner for New Sunoco Station – 2530 S. Atlantic Ave

In all of our discussions with the Sunoco people, I failed to mention to them that if they needed a Grand Opening Banner the request would have to be submitted 60 days prior to the event. This restriction was written into the code and only applies to the GCRD zoning district (west side, north of Florida Shores). All the other commercial zoning districts just apply for a banner permit and they are issued administratively by staff.

As you may know, the new Sunoco recently received their Certificate of Occupancy and have now applied for a Grand Opening Banner Permit. In light of the foregoing, would it be possible to ask the City Council for a waiver of the 60 day requirement for the banner? The Sunoco group has done everything we've asked for and I'd hate to see them suffer because we didn't tell them about the requirement. Thank you.

Reports of the City Attorney

Reports of the City Manager



**STAFF REPORT FOR THE
PLANNING AND ZONING BOARD
APRIL 9, 2013**

ORDINANCE	Ord. 2013-07
SUBJECT:	Beach Rental Equipment & Light Recreational Vehicles
IMPACTED AREA:	GC-RD General Commercial Redevelopment District & Citywide (indirectly)
REQUEST ORIGIN:	Daytona Beach Golf Carts and Bicycle Rental: C/O Dewayne Mashburn & Louie Mathews
CONTACT:	Stewart Cruz, City Planner: Tel. (386) 763-5361
REQUEST:	<i>Approval of Ordinance 2013-07, which would amend sections 2-2 and 14-58 of the City's Land Development Code, entitled "General Definition and "Special Exceptions and Conditional Uses," respectively, to permit the rental of beach equipment & the sale/rental of light recreational vehicles in the GC-RD zoning District by means of conditional use approval.</i>
RECOMMENDATION:	Approval

A. BACKGROUND

Currently, the City's Code of Ordinances prohibits the rental or leasing of three-wheeled motor vehicles and motorized bicycles, including mopeds within City limits. In addition, the City's commercial zoning district regulations do not list rentals as a principal permitted use¹; therefore, rentals are prohibited pursuant to Sec. 14-10 of the City's Land Development Code (LDC).

On January 22, 2013, at the request of a prospective business, "Daytona Beach Golf Carts and Bicycle Rentals," the City Council directed staff to begin work on amending the City's Land Development Code to permit certain tourism rental businesses within City limits. However, due to the diverse nature and extent of the tourism rental industry some guidance was needed from the City Council. Therefore, on February 26, 2013 the Daytona Beach Shores City Council provided responses to a list of ordinance framing questions. Ordinance 2013-07 articulates the responses and intent of the City Council to permit and provide land development regulations regarding the sales and rental of light recreational vehicles and the

¹ Tourism rentals are currently permitted as an accessory use to principal permitted use. Therefore, a retail store whose primary business is the sale of surfboards may rent surfboards as an accessory use if the rental of surfboards is subordinate and customary to surfboard sales. There are three existing retail businesses known to provide tourism rentals. These businesses include Mad Dog Surf Shop (3634 S. Atlantic Ave), Blue Coast Shop (3110 S. Atlantic Ave) and Daytona Board Store (2044 S. Atlantic Avenue).

rental of certain beach equipment in the “GC-RD General Commercial Redevelopment District.”

According to the portfolio provided by the prospective business owner, the business establishment would be located in the vacant building at 2304 S. Atlantic Avenue, which is located in the GC-RD zoning district. The subject property has been vacant since 2005 and is just across from the Hawaiian Inn Beach Resort, where the prospective business owner currently holds a beach concession for similar rentals.

It should be noted that over the years, staff has fielded questions regarding establishing rental businesses within the City. Considering the aforementioned, the request made by “Daytona Beach Golf Carts and Bicycle Rentals,” and the direction given by the City Council, Ordinance 2013-07 was drafted for consideration.

B. PROPOSED ORDINANCE

The proposed regulations contained in Ordinance 2013-07 (attached) are consistent the City’s adopted Comprehensive Plan Update (2020). Among other things, the proposed ordinance would accomplish the following:

1. Define *beach rental equipment* and *light recreational vehicle*, which excludes those vehicles currently prohibited by the City’s Code of Ordinances, e.g. mopeds and three wheel motor vehicles. See **Exhibit A** for illustrative examples.
2. Providing specific requirements are met, permit as a conditional use in the GC-RD District (**Exhibit B**): (a) The rental of certain beach equipment; and (2) the rental/sales of light recreational vehicles. Existing structures may be used or new structures constructed to meet this end.
3. Create review criteria and regulations governing the establishment and operation of *beach rental equipment* and *light recreational vehicle* facilities in the GC-RD District.

If approved, the ordinance would not permit outdoor displays and storage as said uses are currently prohibited. The proposed ordinance would also prohibit variances from the regulations contained in the ordinance.

C. PLANNING AND ZONING BOARD

On April 9, 2013 the Daytona Beach Shores Planning and Zoning Board unanimously recommended approval of the draft Ordinance 2013-TR, which has now been renumbered Ordinance 2013-07.

D. RECOMMENDATION

Staff recommends approval of Ordinance 2013-07 as presented.

EXHIBITA

Beach Rental Equipment Examples



Surf Boards



Body Boards



Paddle Boards



Bicycles



Metal Detectors

Light Recreational Vehicle Examples



Scoters



Segways



"Street Legal Golf Carts": Source: <http://www.actiongolfcars.com/>



"Street Legal Golf Carts": Source: <http://www.actiongolfcars.com/>

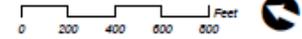
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Zoning Map

City of Daytona Beach Shores, FL

Daytona Beach Shores	Zoning Category	RMF-1	T-RMF-1	GC-1	P
Address Numbers	RSF-1	RMF-2	MXD	GC-2	
County Zoning	RSF-2	RMF-3	PUD	GC-RD	

Sheet 2 of 5



AFFIDAVIT OF AUTHENTICITY

This is to certify that this Official Zoning Map is accurate and represents the Official Zoning Map adopted on April 23, 2013 as part of Ordinance No. 2013-07 of Daytona Beach Shores, Florida.

By: _____
 Mayor

Attest: _____
 City Manager

(City Seal)

ORDINANCE 2013 -07

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLES AND THE RENTAL OF BEACH EQUIPMENT CONDITIONAL USE; AMENDING THE MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE; AMENDING APPENDIX “G”, CHAPTER 2 ENTITLED “DEFINITIONS;” AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS,” BY AMENDING SECTION 14-58 ENTITLED “SPECIAL EXCEPTIONS AND CONDITIONAL USES” TO PERMIT THE RENTAL AND SALES OF LIGHT RECREATIONAL VEHICLES AND THE RENTAL OF BEACH EQUIPMENT AS A CONDITIONAL USE IN THE “GC-RD” GENERAL COMMERCIAL-REDEVELOPMENT DISTRICT; PROVIDING FOR DEFINITIONS; PROVIDING FOR DEVELOPMENT STANDARDS AND CONDITIONS; PROVIDING FOR PROHIBITIONS, ENFORCEMENT AND PENALTIES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Daytona Beach Shores to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Section 163.3202, *Florida Statutes*, provides that the City of Daytona Beach Shores shall adopt and enforce land development regulations for the purpose of implementing its comprehensive plan and protecting the public health, safety, and general welfare; and

WHEREAS, the rental and sales of light recreational vehicles and beach equipment as a principal use may contribute to the economic vitality of businesses and the City of Daytona Beach Shores if conditionally permitted; and

WHEREAS, the rental and sales of light recreational vehicles and beach equipment as a principal use are currently prohibited within the City limits of the City of Daytona Beach Shores; and

WHEREAS, the City Council of the City of Daytona Beach Shores has directed staff to develop regulations that permit the rental and sale of light recreational vehicles and beach equipment; and

WHEREAS, the current economic state of the region dictates a multi-option set of development regulations to ensure the full economic capacity of the City of Daytona Beach Shores is realized and that the citizens of the City are benefited thereby; and

WHEREAS, the City Council of the City of Daytona Beach Shores finds it is in the best interests and welfare of the citizens and businesses of the City to enact this ordinance permitting and regulating the rental and sales of light recreational vehicles and beach equipment in the “GC” General Commercial District; and

WHEREAS, the City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, this Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Daytona Beach Shores*; and

WHEREAS, the recitals to this Ordinance (whereas clauses) are adopted as the legislative findings and intent of the City Council of the City of Daytona Beach Shores; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~struckthrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:

SECTION ONE: Section 2-2, *Land Development Code*, Chapter 2, Appendix “G”, *Code of Ordinances of the City of Daytona Beach Shores*, entitled “General Definitions,” is amended to read as follows:

Sec. 2-2. General Definitions

Beach Rental Equipment: means an individual piece or group of equipment, tools or non-motorized vehicles customarily used for recreation on a beach or in water sports. Beach rental equipment shall be limited to the following type of equipment: surf, body and paddle boards; bicycles; metal detectors and any other ancillary equipment associated with those specific types of equipment.

Light recreational vehicle: means a vehicle utilized for recreational transport which is not otherwise prohibited by the City for use. Light recreation vehicles shall be limited to the following types of motor vehicles: scooters and low speed vehicles as defined in Section

316.2068, Florida Statutes and permitted in Section 316.2122, Florida Statutes. Light recreation motor vehicles must be street legal (meaning that they must fall within the definition of the term “motor vehicle,” as defined in Section 320.01, Florida Statutes). In addition, light recreation vehicles shall also include and be limited to the Electric Personal Assistive Mobility Devices (as defined in Section 316.2068, Florida Statutes) that are the type commonly known as a “Segway®.”

SECTION TWO: Section 14-58, *Land Development Code*, Chapter 14, Appendix “G”, *Code of Ordinances of the City of Daytona Beach Shores*, entitled “Special exceptions and Conditional Uses,” is amended to read as follows:

Sec. 14-58. Special exceptions and Conditional uses

Sec. 14-58.2.1 Conditional Uses Permitted.

The following uses are permitted as conditional uses subject to the provisions of this Code.

14-58.2.1.A. Outdoor Dining.

14-58.2.1.C. Rental and sales of light recreational vehicles and/or beach equipment.

Any conditional use permit issued for rental and sales of light recreational vehicles and/or beach equipment shall be subject to the following criteria:

1. City Council Approval
 - a. Subsequent to a recommendation from the Planning and Zoning Board, the City Council shall review and decide on all conditional use applications concerning the rental and sales of light recreational vehicles and/or beach equipment.
 - b. Approvals shall be implemented by means of a development order in a form issued by the City.
 - c. Denials shall be implemented by a denial development order consistent with the provisions of Section 166.033, Florida Statutes, and other controlling law.
2. General Requirements
 - a. All businesses proposing the rental and sales of light recreational vehicles and/or beach equipment must be awarded a business tax receipt and a

Certificate of Use Permit by the City and must maintain such matters in current and good status.

3. Facility Requirements

- a. Facilities shall comply with the *Florida Building Code* and *National Fire Prevention Act* requirements.
- b. Facilities renting or selling light recreational vehicles shall have a minimum floor area of 4,000 square feet.

4. Location

- a. Facilities shall be located in the “GC-RD” General Commercial-Redevelopment District.

5. Minimum Lot Size:

- a. Lots or parcels containing buildings pre-dating the adoption of this chapter: five thousand (5,000) square feet.
- b. Newly constructed structures shall meet the minimum lot size requirement of the “GC-RD” General Commercial-Redevelopment District.

6. Minimum Lot width:

- a. Lots or parcels containing buildings pre-dating May 14, 2013, which is the adoption date of this chapter: fifty feet (50’).
- b. Newly constructed structures shall meet minimum lot width requirement of the “GC-RD” General Commercial-Redevelopment District.

7. Permitted Accessory Uses and Service Areas

- a. Accessory uses, including loading and unloading, equipment and vehicle returns, maintenance and servicing shall be conducted entirely indoor or in the rear of a property completely out of public view from adjacent rights-of-way.
- b. All accessory uses and service areas shall be identified in the application and located on the site plan to be approved by the City.
- c. All service areas shall be screened with an opaque solid fence or hedge that is six-feet (6’) in height.

8. Parking

- a. Off-street parking shall be consistent with Section 14-48.
- b. Employee/owner parking shall be in the rear of the property out of public view from adjacent rights-of-way.
- c. Rental equipment and light recreation vehicles for rent or sale shall not be parked, standing or placed in off-street parking areas.

9. Signage

- a. Signage on or through the windows of the principal building shall be limited to twenty-five percent (25%) of the total window area in an area to be approved by the Building Official.
- b. Notwithstanding the above, the use of the property for the rental or sales of beach equipment and light recreational vehicles shall not entitle the owner or occupant to additional signage.

10. Appearance Standards

- a. Each application for a conditional use permit in a structure that lawfully existed prior to the effective date of this Ordinance shall be accompanied with a photographic rendering of the proposed appearance of the structure upon being converted.
- b. Each application for a conditional use permit in a structure that lawfully existed prior to the effective date of this Ordinance shall be accompanied with a proposed landscape plan for the property which plan, upon approval, shall be included as a condition in the development order approving the use.
- c. Each application for a conditional use permit in a new structure subsequent to the effective date of this Ordinance shall meet the following standards:
 - i. The principal structure shall be fully treated consistent with a uniformed theme or architectural style approved by the City, based upon sound and generally accepted land use planning practices and principles, when elevation is visible from public right-of-way or residential district. The burden of proof shall be on the applicant to meet this requirement.
 - ii. Accessory structures including, but not limited to, fences, walls, detached buildings and dumpster enclosures shall be consistent with the approved architectural treatment and style of the principal building so as to create a uniform architectural style and appearance as determined by the City, based upon sound and generally accepted land use planning practices and principles. The burden of proof shall be on the applicant to meet this requirement.
 - iii. Accessory structures noted above and fronting the public right-of-way or a residential district shall be fully treated.

11. Lighting

- a. Neon lighting on buildings and structures are prohibited and unlawful.
- b. All lighting shall conform to the Volusia County Sea Turtle Lighting Standards.
- c. Glare and direct lighting shall not project into the right-of-way or into any residential district.

12. Outdoor activities

- a. Unless otherwise authorized by this code and permitted by the City, all work activities and storage shall take place in fully enclosed areas.

13. Outdoor Displays

- a. The display of any merchandise, rental equipment, light recreation vehicle or accessory outside the principal building is prohibited and unlawful.

14. Variances

- a. Variances from the requirements of this Ordinance are prohibited and the City shall not accept applications for such approval.

SECTION THREE: ENFORCEMENT AND PENALTIES.

(a). It is prohibited and unlawful for any person to fail to comply with the requirements of this Ordinance.

(b). The City may enforce the provisions of this Ordinance by any lawful means available to the City under the controlling provisions of State law.

(c). The penalties for violation of this Ordinance shall be as set forth in the code enforcement method asserted by the City under the *Code of Ordinances of the City of Daytona Beach Shores, Florida* or as may be available under the controlling provisions of State law.

SECTION FOUR: SAVINGS. The prior actions of the City of Daytona Beach Shores relating to the regulation of rental and sales of light recreational vehicles and/or beach equipment land uses are hereby ratified and affirmed.

SECTION FIVE: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Daytona Beach Shores, Florida* and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections Three, Four, Five, Six, Seven and Eight shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION SIX: CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION SEVEN: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION EIGHT: EFFECTIVE DATE. This Ordinance shall take effect immediately upon enactment.

CITY OF DAYTONA BEACH SHORES, FLORIDA

HARRY JENNINGS, MAYOR

MICHAEL T. BOOKER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

LONNIE GROOT, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2013.

Adopted on second reading this _____ day of _____, 2013.

ORDINANCE 2013-08

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AMENDING CHAPTER 11 ½ OF THE *MUNICIPAL CODE OF ORDINANCES* RELATING TO ALARMS OF ALL TYPES AND NATURES AS DEFINED HEREIN (RECENTLY REVISED IN ORDINANCE NUMBER 2012-12); PROVIDING FOR REGULATIONS AND FEES AND CHARGES PERTAINING TO FALSE OR NUISANCE ALARMS; PROVIDING FOR ENFORCEMENT AND PENALTIES, THE ADOPTION OF ADMINISTRATIVE RULES AND IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Daytona Beach Shores to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the City of Daytona Beach Shores finds that a high incidence of false alarms and nuisance alarms is detrimental to the public interest and detracts from the ability of emergency personnel to devote all of their efforts in addressing bona fide calls for emergency assistance; and

WHEREAS, the purpose of this Ordinance is to encourage property owners and alarm companies to be diligent in the prevention and minimization of false and nuisance alarms; and

WHEREAS, this Ordinance governs alarm systems of any type or nature, but specifically includes and regulates fire and burglar alarms, which alarm systems are intended to summon or cause to be summoned the City's emergency response and public safety personnel to properties and to ensure, to the maximum extent feasible, the loss of resources resulting from false or nuisance alarms; and

WHEREAS, the City Council of the City of Daytona Beach Shores recently took action in this area of the law by enacting Ordinance Number 2012-12 and the intent of this Ordinance is to further address the issues that arise and face the City, and costs that result to the City, as a result of nuisance alarms of any type or nature and not only false fire alarms; and

WHEREAS, the City Council of the City of Daytona Beach Shores finds it is in the best interest and welfare of the citizens of the City to enact this ordinance; and

WHEREAS, the City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, although not a land development regulation, this Ordinance is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Daytona Beach Shores* and advances the public health, safety and welfare; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute substantial additions to the original text, *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute deletions to the original text. The renumbering of provisions is not coded.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:

SECTION ONE: REGULATION OF FALSE ALARMS/AMENDMENT OF SECTION 11 ½ OF CITY CODE. Section 11 1/2, *Code of Ordinances of the City of Daytona Beach Shores*, as amended by Ordinance Number 2012-12, is hereby further substantially amended and renumbered to read as follows:

Sec. 11½-1. - Definitions.

For the purpose of this chapter, whenever any of the following words or terms are used herein, they shall have the meanings ascribed to them in this section:

Alarm: Any device which is used in a building or premises for the detection of unauthorized entry, burglary, fire, rescue, or any other emergency activity, and which, when activated, emits a sound, signal, or message to alert others, whether emitted on or off the premises or to the central office of an alarm business.

Alarm business: Any person engaged in the business of selling, leasing, monitoring, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm for any building, place, or premises.

Alarm system: Any device, mechanical or electrical, which is installed or used to warn or signal emergency response or public safety personnel of danger to persons or property.

Alarm user: Any person using an alarm or occupying and controlling a building or premises, or a portion of a building or premises, served by an alarm.

Class "A" alarms: All those alarms activated by entry in response to criminal activity, fire, rescue, and alarms activated solely by an act of nature, act of God, or act of a regulated utility company completely out of the control of the alarm owner or user and not contributed to by faulty design, maintenance, installation, or use.

False alarms: All activated alarms, responded to by the City, which do not qualify as class "A" alarms, including, but not limited to, alarms activated through inadvertence, neglect, accident, unannounced testing, and faulty installation, or maintenance. The term also means and includes an alarm signal eliciting notification to and a response by the City personnel, when there is no evidence of any activity that warrants a call for immediate assistance or response and no person who was on or near property or has viewed a video communication from the property and called for the City to dispatch

personnel to the scene or otherwise confirmed the need for City assistance. “False alarm” does not include alarms caused by an electrical storm, hurricane, tornado, or other act of God, where there is clear evidence of physical damage to the alarm system, alarms caused by the intermittent disruption of telephone circuits beyond the control of the alarm user, or alarms caused by electrical power disruption or failure in excess of two (2) hours beyond the control of the alarm user with it being the burden of proof for the owner to prove, by clear and convincing evidence, any such occurrence. False alarms are also known as *nuisance alarms* in that they detract from the ability of emergency services personnel to devote all of their efforts to addressing bona fide emergency situations and circumstances.

Persons: An individual partnership, association, or corporation.

Response: Arrival of City personnel at a location as a result of the activation of an alarm system at the location.

Unit of real property: Any contiguous lands within the City, which are under common ownership, or are devoted to a single use, whichever is greater. Common ownership shall include all entities from which the same natural or fictitious person or people have ultimate benefit. Contiguous lands shall include those separated by easements, sidewalks, alleys, rights of way, and water bodies.

Sec. 11½-2. - Alarm permit required.

It is prohibited and unlawful for a person to have an alarm installed to be operational, or use an existing alarm serving a building or premises, or portion thereof, occupied or controlled by such person, unless an alarm permit in the form of a decal in a form determined by the City Manager, or designee, has been issued hereunder, and is in force, authorizing the use of such alarm.

Sec. 11½-3. - Application for alarm permit.

(a) Applications for alarm permits shall be made to the City Manager, or designee, on forms provided by the City. The application shall be in a form approved by the City Manager, or designee.

(b) An amended application shall be filed within ten (10) days after any change in the information provided in the original application or the most recent amendment to the original applications.

Sec. 11½-4. - Term of permit; nontransferability; permit fees.

(a) Term. All alarm permits shall have a term of one (1) year from October 1 to September 30. Any permit issued after October 1 shall also expire on September 30, regardless of the date of issuance. No discount in fees shall be granted for any permit that is valid for less than one (1) year.

(b) Nontransferability. No alarm permit shall be transferable or assignable or cover more than one (1) building or premises.

(c) Permit fees. Permit fees shall be established by resolution adopted by the City Council.

Sec. 11½-5. - Decal posting required.

Each alarm permit holder shall be issued a numbered alarm decal and an expiration date sticker by the City, which shall be displayed in a visible location near the alarm panel. These decals shall have a serial number to identify the system and/or ownership shall indicate the name of the business, alarm company and emergency contact information and the permittee shall also post with the decal, the phone number of a person who may be contacted in the case of an emergency at the premises. It is prohibited and unlawful for any person to display any permit decal or expiration date sticker that has expired.

Sec. 11½-6. - Excessive false alarms declared a public nuisance.

The emission of more than three (3) false alarms within any three hundred sixty-five (365) day period of time is excessive and constitutes a serious public nuisance, and is hereby declared to be unlawful and a violation of this section.

Sec. 11½-7. - False alarm service charge; collection.

(a) For response to excessive false alarms by the City, the alarm user shall be charged a service fee by the City as established by resolution of the City Council for the first false alarm in excess of three (3) false alarms in any twelve (12) month period, and as established by resolution of the City Council for the second and each successive false alarm in excess of four (4) in any twelve (12) month period.

(b) If any person shall fail to appear and reset any such alarm within one (1) hour after being notified by the City to do so, then the owner or manager of the premises shall be charged a fee as established by resolution of the City Council for the first such occurrence, and a fee as established by resolution of the City Council for each succeeding occurrences, within twelve (12) months of the last failure to appear.

(c) The fees assessed in this Section shall be subject to the nuisance abatement special assessment provisions of this Code.

Sec. 11½-8. - Corrective action report.

For each response by the City to an alarm, the owner or manager of the premises shall, within five (5) working days, make a written report to the City Manager, or designee, on forms provided by the City, setting forth the cause of the alarm, the corrective action taken, the name and address of the service company, if any, by whom the alarm system has been inspected or repaired, and such other information as the City may require to determine the cause of the alarm, and what corrective action has been taken or may be necessary. After the receipt of the owner's report, the City will make a determination as to the alarm being class "A" or false, and notify the owner accordingly in writing. Failure to file a corrective action report shall result in assessment of an additional fee as established by resolution of the City Council.

Sec. 11½-9. - Interference with City's telephone trunk lines prohibited; alarm business central office required; identification required.

(a) No person shall use, or cause to be used, any telephone, or electronic device, communication networks or attachment that automatically selects a public primary

telephone trunk line of the City, and then, reproduces any prerecorded message to report any burglary, unauthorized entry, fire, rescue, or other emergency. No prerecorded messages shall report any burglary, unauthorized entry, fire, rescue or other emergency to the local dispatch center.

(b) No person shall provide a private alarm service system programmed to a central alarm reception office unless it shall have the central office staffed at all times, twenty-four (24) hours a day, including holidays.

(c) Any staff member of a private alarm service system reporting an alarm activation to which City response is requested shall identify himself and state the name and telephone number of the alarm business by which such response is requested.

Sec. 11½-10. - Audible alarms.

(a) All alarm sounders, which may be heard in any public place, shall be equipped and maintained to automatically cut off no longer than thirty (30) minutes after emitting audible sounds except for fire alarms, and any others required by a regulatory agency to sound longer.

(b) The City Manager, or designee, may require the external sounders of an alarm system, found to be a nuisance, disconnected, and the alarm permit revoked until the appropriate corrective action has been taken. A fee, in an amount established by resolution of the City Council, shall be assessed for any such action.

Sec. 11½-11. – Immunity of the City; Fees Resulting from Actions of the City.

Any person who summons, or in any way causes to be summoned, City personnel to a site by means of any alarm, or seeks an inspection of any premises, of whatsoever type or nature or for whatsoever reason, recognizes that the City shall not be liable for any resulting actions or events pertaining to the City's means or methods of responding to the alarm or conducting an inspection regardless of the circumstances, actual or perceived, at the site at the time of arrival at the site of the alarm or at the time of the inspection and regardless of processes, procedures or protocols that may have been pertinent to any particular event or circumstance. Said persons shall also be deemed to recognize that the provisions of the City's codes and ordinances relating to the payment of fees shall be applicable to their actions and to the costs and fees associated with false alarms.

Sec. 11½-12. - Exemptions.

This chapter shall not apply to motor vehicle alarms or to any alarm system located on premises occupied by an agency of the Federal, State, County or City government.

SECTION TWO: ENFORCEMENT, PENALTIES, ADMINISTRATIVE RULES, AND IMPLEMENTING ADMINISTRATIVE ACTIONS. A new Section of the *Code of Ordinances of the City of Daytona Beach Shores* is added to read as follows:

(a). It is prohibited and unlawful for any person to fail to comply with the requirements of this Ordinance or the provisions of any City code or ordinance related hereto.

(b). The City may enforce the provisions of this Ordinance or any City code or ordinance related hereto by any lawful means available to the City under the controlling provisions of State law.

(c). The penalties for violation of this Ordinance or any City code or ordinance related hereto shall be as set forth in the code enforcement method asserted by the City under the *Code of Ordinances of the City of Daytona Beach Shores, Florida* or as may be available under the controlling provisions of State law.

(d). The fees and charges which are assessed under the provisions of this Ordinance as well as the fees and charges assessed under any existing City code or ordinance related hereto are determined to be reasonable fees to address nuisance abatement and the service provided to property owners in responding to alarms which originate on their properties. Upon failure of the owner, lessee or manager of the property to pay the false alarms fee(s), the unpaid fee(s) may be assessed as a lien upon the real property where the alarm system is installed in accordance with City special assessment lien processes and procedures. The City may enforce its lien against said real property and maintain in personam action against the property owner, lessee or manager to recover the unpaid fee(s) and any interest accrued thereon. In any action brought by the City for the collection of unpaid fee(s) or liens(s), the City shall be entitled to recover all costs including attorney's fees. The City Manager is hereby delegated all decision-making authority necessary to implement the provisions of this Section using reasonable discretion after consultation with the City Attorney.

(e). Whenever a fee is established for a City activity related hereto, yet the amount of that fee has not been established by the City Council, the City Manager is hereby empowered to establish an interim fee that will be in effect until action is taken by the City Council.

(f). The City Manager, or designee, is hereby delegated the authority to adopt any necessary administrative rules to implement the provisions of this Ordinance as well as any existing City code or ordinance related hereto.

(g). The City Manager, or designee, is hereby delegated the authority to implement the provisions of this Ordinance as well as any existing City code or ordinance related hereto.

SECTION THREE: SAVINGS. The prior actions of the City of Daytona Beach Shores relating to the regulation of alarms and the assessment of fees and costs, as well as any and all related matters, are hereby ratified and affirmed.

SECTION FOUR: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Daytona Beach Shores, Florida* and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however,

that Sections Three, Four, Five, Six and Seven shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance as deemed appropriate. It is recognized that the section numbers set forth in Ordinance Number 2012-12 were erroneous in certain respects.

SECTION FIVE: CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION SIX: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall take effect immediately upon enactment.

CITY OF DAYTONA BEACH SHORES, FLORIDA

HARRY JENNINGS, MAYOR

MICHAEL T. BOOKER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

LONNIE GROOT, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2013.

Adopted on second reading this _____ day of _____, 2013.



City of Daytona Beach Shores

Building & Codes Division

Department of Community Services

Telephone (386) 763-5377

Fax (386) 763-5370

MEMORANDUM

CS-2013-05-1

DATE: May 7, 2013

TO: Michael T. Booker, City Manager

FROM: Fred G. Hiatt Jr., Community Services Director

SUBJECT: Vehicle #31 – 1983 Ford F600 Bucket Truck

We use the smaller bucket truck referenced above for all of our low level work. The majority of the low level work involves the banner bracket and banner install/take down on our decorative poles. We also use it for trimming palms, pressure cleaning, painting and many other tasks.

Recently we've received numerous complaints from employees about the exhaust fumes this vehicle emits. I've had complaints of dizziness, headaches and not feeling well. We've had it checked and tested several times. The results haven't been conclusive, but the complaints continue to persist. The problem is the truck has no emission controls and is thirty years old. Our mechanics are not optimistic that the exhaust fume problem can be corrected. For the safety of our employees, we feel it is best to take this truck out of service immediately. If we do this we'll be left with a big problem as this truck gets used every day.

Both Brian and I feel we could get a newer (used) bucket truck that will serve our needs for approximately \$35,000 or less. In the last 30 years, trucks with the same capabilities as our existing truck have improved in design and are smaller and more efficient.

Based on the foregoing, I respectfully request approval of up to \$35,000 from contingency, for the purchase of a replacement bucket truck. If approved we plan to search the used equipment market, as well as the equipment auctions for our best deal. If you need any further information, please let me know.

Approval to cancel May 28th City Council meeting



CITY OF DAYTONA BEACH SHORES

"Life Is Better Here"

OFFICE OF THE MAYOR

Phone (386) 763-5373 Fax (386) 763-5360

*Cheri,
FTE
H*

MEMORANDUM

DATE: April 29, 2013

TO: Members, City Council
City Manager

FROM: Harry Jennings, Mayor

SUBJECT: Notes on Meeting Re New Racquet Club Building

- Two year project, more particularly:
 - Planning Committee – 3 to 6 months
 - Staff review of the work of the planning committee – 3 months
 - Architectural drawings, site plan, permitting, etc., - 6 months
 - Construction – 6 months
- Estimated Cost: \$3 to 5 million

The following citizens have been recommended to serve on the Planning Committee. The Committee is charged with the responsibility of identifying functions that will be found in the facility.

Mary Custureri	Mel Lindauer
Sandy Dembinsky	John Schmitz
Gene Duffy	Richard Sparks
John Johnston	Nancy Weekley
Don Large	Lisa Ledewitz

Feel free to share your thoughts at the next meeting of the City Council.

NOTE:

1. No one has been asked to serve as yet. The above names are only recommendations.
2. The Planning Committee may need seed money to conduct surveys and to visit facilities in other cities.

Council comments

Audience remarks

Items for the next agenda