

MINUTES
CITY COUNCIL MEETING
August 8, 2017
3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118

Present: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice. *Staff: City Manager Michael Booker, City Clerk Cheri Schwab, City Attorney Lonnie Groot, Community Services Director Fred Hiatt, City Planner Stewart Cruz, Finance Director Steve Whitmer and Public Safety Director Stephan Dembinsky.*

Mayor Jennings passed the gavel to ViceMayor Rice who called the meeting to order at 7:00 pm.

CMBR JENNINGS moved, seconded by CMBR GEIGER to remove item #14 from the agenda.

Vote: Motion passed (**summary: Yes = 3, No = 2**).

Yes: Council Member Lorraine Geiger, Mayor Harry Jennings, Vice Mayor Peggy Rice.

No: CouncilMember Mel Lindauer, CouncilMember Richard Bryan.

The gavel was passed back to Mayor Jennings.

1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES: None.

2. APPROVAL OF THE MINUTES: July 11, 2017 City Council Meeting

CMBR Bryan requested two additions to the minutes under the Council Comments section. Both were under his comments. The first was to add the word “increasing” before ROI and to add the word “some of” before the City’s significant debt.

CMBR GEIGER moved, seconded by CMBR LINDAUER to approve the minutes of July 11, 2017 with the two corrections.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

3. CONSENT AGENDA:

- Approval for Non-Exclusive Franchise ACET Recycling

CMBR RICE moved, seconded by CMBR GEIGER to approve the consent agenda.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

4. REPORTS OF THE CITY ATTORNEY: None.

5. REPORTS OF THE CITY MANAGER: The City Manager reported that the second reading and adoption hearing for the Comprehensive Plan amendment would be August 22nd. There were no objections from either the VGMC or the Florida Department of Economic Opportunity.

OLD BUSINESS: None.

NEW BUSINESS:

6. Ordinance 2017-08 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO BOAT HOUSES; AMENDING THE *MUNICIPAL CODE OF ORDINANCES, LAND DEVELOPMENT CODE*; AMENDING APPENDIX “G”, AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS,” BY AMENDING SECTION 14-37 ENTITLED “BOAT DOCKS AND BOAT HOUSES” TO INCREASE THE MAXIMUM PERMITTED HEIGHT OF BOAT HOUSES; PROVIDING FOR 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 RICE inquired if the height could be increased to 18 feet. City Planner Stewart Cruz explained that he had used the average maximum boat house height which was 15 feet. No one was opposed to using 18 feet.

CMBR RICE moved, seconded by CMBR GEIGER to approve Ordinance 2017-08 on first reading with the height being increased to 18 feet.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

7. Consideration of SPEX 12017006 Concession Parking Ancillary Facility

City Planner Stewart Cruz reported that the application had been submitted from Chuckles LLC, and the facility would be located behind the Winn Dixie Plaza. Due public notice was given. This is the only site in the city that would qualify. It would allow the owner to continue to use the existing facility for office use, non-hazardous dry storage and parking the concession vehicle. Staff recommended approval.

CMBR GEIGER moved, seconded by CMBR RICE to approve SPEX 12017006.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

8. Consideration of Nonconforming sign removal Incentive Grant Application – Beach Quarter’s Resort 3711 S. Atlantic Avenue

City Planner Stewart Cruz explained the current sign was damaged from Hurricane Matthew. All parameters for the incentive grant application were met. If approved, \$6,500 would be allocated. CMBR Lindauer inquired if the address numerals could be located on the top instead of at the bottom. Mr. Cruz stated that the sign vendor had provided a new rendering that evening making the recommended change.

CMBR RICE moved, seconded by CMBR GEIGER to approve the sign grant for Beach Quarter’s Resort.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

9. Consideration of Nonconforming sign removal Incentive Grant Application – Via Genovese Plaza 116 Dunlawton Avenue

City Planner Stewart Cruz explained the current sign was damaged from Hurricane Matthew. All parameters for the incentive grant application were met. If approved, \$6,461.50 would be allocated.

CMBR LINDAUER moved, seconded by CMBR GIEGER to approve the sign grant for Via Genovese.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

10. Appeal of SASP12017014 Denial Development Order for the Construction of an Off-beach Parking Lot

City Planner Stewart Cruz introduced the agenda item as the Appeal for SASP 12017014 Denial Development Order for the construction of an off-beach parking lot. The proposed location was 3167-3169 S. Atlantic Avenue. The Applicant is the County of Volusia who proposed to construct a parking lot with 116 spaces. On May 9th, city staff issued a Denial Development Order. The County sent a Notice to Appeal on May 17th, and an addendum on May 23rd. The Appeal hearing date was set on June 13, 2017, for today August 8th.

Michael Rodriguez, Assistant County Attorney spoke on behalf of the County. He requested to combine both site plan appeals in order to expedite the hearing. There would be separate motions. The City Council and staff were in agreement. He requested an addition to the staff introduction that the City Manager recused himself from making a decision on the appeal which prompted the item coming before the City Council. He explained that the denial was based on the staff report which cited that the site plan was not consistent with the City’s Comprehensive Plan. County Exhibit A was distributed. Attorney Rodriguez referred to the case of *Pincrest Lakes, Inc. v Shidel* where the courts standard of review is “strict scrutiny” and they do not defer to the local government and its decision of what is or isn’t consistent. It is his opinion that based on the staff report provided and the evidence presented by the city in support of the denial based on inconsistencies, there is no competent substantial evidence to support that ruling. The seventeen conflicts that were noted by city staff were reviewed one by one. The first conflict

noted relates to Objective 1-1.1 managing future growth. Attorney Rodriguez felt there was no evidence provided, just an aspirational goal. Second conflict relates to Objective 1-1.2 future redevelopment activities shall take the form of replacing inefficient existing hotels. Exchanging hotel for parking lots is not consistent. County again felt there was no evidence, data or analysis provided, just an aspirational goal. Third conflict noted relates to Policy 1-1.1.2 a parking lot won't meet the required density. The County felt because a parking lot would be a public land use and the city had previously allowed the county building for lifeguard storage, it was a consistent use. Attorney Rodriguez argued that the comp plan allows P Public and quasi-public land use in all zoning districts in the city. County Exhibit B, a copy of the Development Agreement for 118 Dunlawton Avenue was submitted. The fourth conflict noted relates to Objective 1-1.4 land use inconsistent with the character and overall Future Land Use Plan shall be discouraged. A public parking lot is inconsistent and could be interpreted as an objectionable use. County felt no competent evidence for this opinion. The fifth conflict noted relates to Policy 1-1.4.2 the Comprehensive Plan and the list of land uses which city staff determined does not include stand-alone parking lots. Attorney Rodriguez requested the Council to look holistically at the county. The parking lot would service a public use facility, the beach. There are five miles of the beach within the city boundaries. He stated the parking lot would be an extension of the beach and part of the overall beach facility. He described the beach as being an Arts and Civic Facility. The sixth conflict noted relates to Policy 1-1.4.3 high intensity uses which city staff determined the proposed parking lot was inconsistent. The county felt there was no evidence to support that decision. It is a conclusory statement only. The seventh conflict noted relates to Policy 2-1.2.3 the City shall coordinate with the County relative to parking in association with future transportation projects. This Policy does not relate to beach access matters. The County felt the language does include parking for the beach, because beach access matters. The City and County did try to negotiate on this matter but were unable to come to a joint agreement. The eighth conflict noted relates to Policy 2-1.3.3 the City shall work with the County relative to parking. The City believes it does not relate to beach access matters, but Attorney Rodriguez stated it will provide parking for the overall county recreation program, the beach. He stated, for the record, that the City Council voted to deny the joint agreement earlier this year. The ninth conflict noted relates to Policy 2-1.4.1 city is obligated to engage in activities which promote public transportation. City believes a parking lot does not achieve this. The County felt there was no substantial evidence provided by the city for this decision. County staff stated that riders using Votran, Uber and Lyft could be dropped off at the parking lot and walk down to the beach. The tenth conflict noted relates to Policy 5-1.1.1 the city is to provide 500 off-beach parking spaces by 2015. The City determined it had met that goal. The County argued this is factually wrong because this was related to the CRA that is now disbanded. It was stated that the City only had 315 parking spaces and not 500. The County submitted Exhibit C correspondence from the City to the County requesting early termination of the CRA. He believed it was an aspirational goal of the city to provide parking. The eleventh conflict noted Policy 5-1.1.5 relates to both the city and county entering into an interlocal agreement for beach issues. County felt there was no evidence provided by the city. The County submitted Exhibit D, correspondence from the City on March 16, 2015, where the City Manager refers to off-beach parking and landscaping on the lot at 3167 S. Atlantic Avenue. The twelfth conflict noted relates to Objective 5-1.2 landscaping beach approaches which the County felt was an aspirational goal. The thirteenth conflict noted relates to Policy 5-1.2.3 the City shall not allow any use to be built on the east side of A1A that is not compatible with the recreation/aesthetic

function of the beach. The City felt a parking lot was not compatible. County staff felt the city left an open question as to its determination. The fourteenth conflict noted relates to Policy 5-1.4.3 city is to acquire “rights of ways” for pedestrian beach access and parking facilities. The city determined that county parking lots are not transportation facilities and thereby inconsistent. The County stated that nowhere on their site plan were the terms transportation facilities used. For both conflicts 15 and 16, Attorney Rodriguez explained that the city merely wrote the Policy 5-1.4.4 and Policy 5-1.4.5 verbatim with no evidence or comment listed. The final (17th) conflict noted is Policy 8-1.3.5 which states the City will coordinate with the County to provide solid waste disposal, emergency operations center, transit and roadways. The City stated that parking is not listed as one of the facilities of significance. The County felt this was an aspirational goal and not evidence. Community Services Director Fred Hiatt spoke on behalf of the City. He explained how to conduct a site plan review with the first test being, is it consistent with the comprehensive plan. If it isn’t, you don’t move on. He received the site plan submitted by the County and reviewed the allowed uses. Any use not listed is prohibited, unless a special exception is applied for and parking is allowed as a special exception. The initial site plan included amenities for a park but at a County Council meeting earlier this year, they voted to remove the amenities and add additional parking spaces. Director Hiatt also reviewed the 17 noted conflicts with the City’s Comprehensive Plan. The PowerPoint slides are attached for the record with the City’s rebuttal response listed on each slide. Director Hiatt submitted into evidence City Exhibit A which was an article from the Daytona Beach News Journal relating to trash after the July 4th holiday. In conclusion, Director Hiatt noted that the T/RMF1 zoning district does not permit parking lots or parks as a permitted use. Given the comprehensive plan and zoning conflicts, staff had no choice but to deny the site plan. Attorney Rodriguez provided rebuttal remarks stating the language to allow the parking lot is in the plan itself. Public and quasi-public land use is allowed in any zoning district. He described staff’s comments as anecdotal evidence and aspirational goals. In regards to the city’s growth potential, the County submitted Exhibit E, a chart showing population for the last 15 years. It was their interpretation, that the city’s growth was declining.

Audience member Victor Petrenko spoke in opposition of the parking lot. He owns the Sandcastle Motel which is next door to the southern lot. He would rather put his property up for sale and allow a developer to purchase both lots and build.

Director Hiatt rebutted the population chart, stating that was not evidence just because it shows the citizen count is down. At any given time, the city can have more people visiting with tourists and events. He reiterated not to use the agreement for the building at 118 Dunlawton because that does not set a precedent.

Vice Mayor Rice stated that the comprehensive plan does not mention the words parking lot in its Public or Quasi-Public use. Attorney Rodriguez had to agree.

Councilmember Geiger stated she had attended the county meeting in April where they voted to remove the amenities and increase the parking spaces.

Councilmember Lindauer felt the growth chart shown was very disingenuous. It seemed the County was making a big deal about parking on the east side of the street. To imply that people can’t walk across the street is wrong. Many residents living on the west-side of the street walk across it every day. If more handicap spots are needed, change existing spaces on the east side to be handicap only.

Councilmember Bryan inquired if the ruling was inconsistent with the comp plan such as the Pine Crest case, what would be the remedy. Attorney Rodriguez stated hypothetically speaking

if a developer went forward, “You can’t buy yourself out of a comp plan violation.” The city’s interpretation has changed, the language in the plan hasn’t. CMBR Bryan asked if the County Council had ever considered a compromise with parking and a building for residential use. Attorney responded that it was outside the scope of the appeal.

Mayor Jennings requested Attorney Rodriguez to define home rule. His response was that local government had the ability to govern pursuant to their comprehensive plan and the Land Development Code.

The Appeal hearing closed at 9:00 pm.

CMBR RICE moved, seconded by CMBR GEIGER to affirm the denial order SASP12017014 by city staff.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

11. Appeal of SASP12017015 Denial Development Order for the Construction of an Off-beach Parking Lot

CMBR RICE moved, seconded by CMBR LINDAUER to affirm the denial order SASP12017015 by city staff.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

12. Ordinance 2017-09 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ASSIGNING THE “P” PUBLIC/QUASI PUBLIC DISTRICT ZONING CLASSIFICATION TO THE PROPERTY LOCATED AT 3167 AND 3169 S. ATLANTIC AVENUE, SHORT TAX PARCEL ID 5335-01-01-0010 AND 5335-01-01-0030; PROVIDING MODIFICATION OF THE OFFICIAL ZONING MAP; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. First Reading.

Both Ordinance short titles were read together by Attorney Groot as the presentation was combined for items 12 and 13. There were separate motions.

Director Hiatt gave a few introductory comments. Due to the site plan being the same as the appeal that was just finished, he asked to incorporate the PPT and all comments and rebuttal from staff into the record. The county was in agreement with this request. Director Hiatt stated that at the recent Planning & Zoning meeting on August 1, 2017, the county submitted a letter from May 24, 2012, to County Manager Jim Dineen from the City Manager Michael Booker. The letter was read for the record. In 2013, he and the City Manager met with County Attorney Jamie Seamans and County Councilmember Doug Daniels to review a map with potential sites shown despite having received the letter earlier. They were informed at that meeting that the city did not support the purchase as it was not allowed under the comprehensive plan. The same 17 conflicts from the previous appeal were submitted for the record. As previously stated, if the proposed site plan is inconsistent with the Comprehensive Plan there is no need to go further into the zoning criteria. The review ends there. When this application was submitted, the 17 conflicts were noted. After discussions with the county, staff did the entire zoning analysis that

will be presented shortly. Director Hiatt showed a second PPT for the rezoning. It is attached to the minutes for the record. He read the purpose and intent of P Public/Quasi Public land use verbatim. He felt the county had taken the position that the phrase entire community in the definition referred to them. Director Hiatt provided an example of the City of Port Orange purchasing land in our city, for a parking lot, for the strict use of their residents only. This would not be permitted. The definition of special exception was read for the record. He explained with the council's previous ruling that affirmed his decision on the site plan, this action is not necessary. The project stops at this point. At this point the City Council decided to forgo listening to the city staff report from the City Planner on the rezoning. County Attorney Rodriguez explained that the rezoning request does not tie in with the site plan submitted. They would like the property to be considered independent and have the zoning designation changed. He introduced Clay Ervin Director of Growth and Resource Management. Director Hiatt pointed out that the site plan for the parking lot was submitted with the rezoning application and were reviewed together. Attorney Rodriguez stated they weren't looking for approval on the site plan, just the approval for the new zoning designation on the property. Attorney Groot determined the City Planner would need to make his presentation to the City Council followed by the county's presentation.

A short break was taken at approximately 9:20 pm.

City Planner Stewart Cruz began his presentation with a review of the 14 criteria pursuant to Section 14-66 of the Land Development Code. The first criteria was found to have met the requirements. The second criteria was not met as the proposed zoning would have an unfavorable impact on economy. Both taxes and potential jobs would be lost. The third and fourth criteria were met. The fifth criteria was not met as the potential development of 97 residential units was removed. The sixth criteria was not met as the proposed zoning was not consistent with the comprehensive plan. The seventh criteria was not met as the conditions on the property had not changed. The eighth criteria was not met as there was not a mistake in the original zoning. The ninth criteria was not met as it would have a de-stabilizing effect on the surrounding area. The tenth criteria was not met as it would create spot zoning. The eleventh criteria was not met because it would single out a parcel of land. The twelfth criteria was partially met as the zoning change was not solely for the benefit of the owner and the detriment of the community. The thirteenth criteria was not met in regards to the applicants own special purpose. The final criteria, fourteen was also not met. The rezoning could diminish the value of the surrounding properties due to negative secondary effects with off-beach parking lots. City staff recommended denial of the rezoning application.

Clay Ervin, Director of Growth and Resource Management spoke to the Council. He stated some quick points of clarification. The letter from May 2012 did not state that parking on the east side was prohibited. He complimented city staff for the many hours of discussion during the process. He did state he felt staff hadn't provided clarity on the specific process they needed to follow. They weren't aware of the special exception process. In regards to Exhibit C & D on the exhibit list which were emails to and from Attorney Jim Morris regarding the properties, Mr. Morris was never hired by the county to speak on their behalf. The first time they saw them was in the exhibit. Mr. Ervin began to review the criteria for rezoning. The first criteria he agrees with the city that the criteria was met. The second criteria is the impact on the economy and while the properties would come off the tax roll, the county felt it would increase demand

for other vacant properties. They agree with the city on criteria three and four. Michael Disher, Planner III for the county spoke on criteria five and six which relates to adequate housing. He stated a survey by the US Census showed a housing surplus in the city of almost 2000 units. He also reviewed the proximity of homes to employment and reported that the city's commute time was 25 minutes which matched the commute time for the county. Criteria six dealt with the comprehensive plan which they feel should be met as the city's policy had not changed since 1990. They felt city staff is now interpreting the plan very differently. The county bought the property to improve beach access and provide handicap accessibility. Curt Ostracka, Planner with VHB in Orlando spoke. He is here to represent the expert opinion of Jim Salon who had health issues and couldn't attend. He was asked to provide an expert third party opinion regarding the consistency with the comprehensive plan. It was Mr. Salon's opinion the proposed application should be considered because the classification of P (public) is permitted in all zoning districts. Mr. Ervin spoke on criteria seven. The staff felt the area had changed with the real estate market demand down. They felt the parking demand for the beach had increased. Mr. Ervin explained about the aerial photograph taken on Memorial Day weekend that showed over 1,900 cars parked in the area. The eighth criteria regarding was there a mistake in the original zoning designation. Mr. Ervin talked about the difference in upper case P Public land use category with very specific criteria and lower case p public use which is a description of uses. The ninth criteria is if the change will have an effect on the area. The county staff believes the value of property around the lots have stabilized since their purchase. Mr. Ostracka spoke on the tenth criteria which is spot zoning. Due to the fact that the P classification is allowed in all districts, their opinion is there is no prohibition for parking on the east side. The eleventh criteria relates to singling out land which they felt was allowed since the P Public classification was allowed in all districts. Mr. Ervin spoke on the twelfth and thirteenth criteria which determines if the owner will benefit solely from the change. The county felt they would as the county holds land in public trust for the benefit of the public. The final criteria, number fourteen, asks if the change would materially diminish the surrounding properties and they feel it does not. Mr. Ervin referred to their beach management plan that includes parks and parking lots.

Audience member Chuck Pula intended to speak but Attorney Groot advised against. Mr. Pula is a member of the Planning & Zoning Board and another item may come before the board.

Director Hiatt reiterated that the P Public use was for the city only. When the county initially purchased the properties, they were not distressed. They could have been redeveloped. The city has no obligation to change the zoning for the county.

Mr. Ervin explained that the county was not trying to blanket the city with parks. They own the property and are entitled to their rights.

CMBR Lindauer stated that the word permitted does not mean mandated and saw no benefit to rezone the property. CMBR Bryan inquired if a use was normally submitted with a rezoning application. Attorney Rodriguez replied traditionally you don't need a use and the applicant may or may not submit a conceptual plan. Director Hiatt responded that the county attached the site plan early on, but now they don't want considered. CMBR Bryan inquired why the county changed from a park to a parking lot. They weren't able to provide a clear answer.

Mayor Jennings closed the public hearing at 10:19 pm.

Attorney Groot asked the City Planner if his staff report was applicable to the attached site plan and he responded affirmatively. The City Attorney informed the council that separate motion would be needed for each ordinance.

CMBR RICE moved, seconded by CMBR LINDAUER to deny the rezoning application based on the city's staff report.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

13. Ordinance 2017-10 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ASSIGNING THE "P" PUBLIC/QUASI PUBLIC DISTRICT ZONING CLASSIFICATION TO THE PROPERTY LOCATED AT 3621 S. ATLANTIC AVENUE, SHORT TAX PARCEL ID 6302-05-03-0110; PROVIDING MODIFICATION OF THE OFFICIAL ZONING MAP; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. First Reading.

CMBR GEIGER moved, seconded by CMBR RICE to deny the rezoning application based on the city's staff report.

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

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Vice Mayor Peggy Rice.

14. Discussion of height limits/potential alternatives

This item was removed from the agenda.

15. COUNCIL COMMENTS: CMBR Geiger announced there would be a mid-month concert on Friday night. Mayor Jennings complimented both the county and city staff on their professionalism during the hearings.

16. AUDIENCE REMARKS/PUBLIC COMMENTS: None.

17. ITEMS RECOMMENDED FOR THE NEXT AGENDA: 2nd reading of comp plan amendment

18. ADJOURNMENT: The meeting ended at 10:28 pm.

**MAYOR
HARRY H. JENNINGS**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB