

**CITY OF VERO BEACH, FLORIDA
JANUARY 19, 2016 6:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Pastor Billy McCloud of Central Assembly of God followed by the Pledge of Allegiance to the flag.

1. CALL TO ORDER

A. Roll Call

Mayor Jay Kramer, present; Vice Mayor Randy Old, present; Councilmember Pilar Turner, present; Councilmember Richard Winger, present and Councilmember Harry Howle, present **Also Present:** James O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Vock, City Clerk

2. PRELIMINARY MATTERS

A. Agenda Additions, Deletions, and Adoption

Mrs. Turner made a motion to adopt the agenda as presented. Mr. Howle seconded the motion and it passed unanimously.

B. Proclamations

1. Certificates presented to individuals who were instrumental in founding the Vero Beach Dog Park.

Mayor Kramer presented certificates to individuals who were instrumental in founding the Vero Beach Dog Park.

2. Mr. Tony Young, Veterans Council, to speak on the Silver Star Award Medal to be presented on January 30, 2016 at 1:00 p.m.

Mr. Tony Young, Veterans Council, invited everyone to the presentation of the Silver Star Award Medal, which will be presented to Cpl. Sylvester B. McIntosh on January 30, 2016 at Veterans Memorial Island Sanctuary.

C. Public Comment

1. Vero Beach Skate Park Alliance to give a presentation on a proposed Skate Park.

Mr. Jeff Matthews, Leisure Square Manager, stated that he was asked by the Recreation Director to look at what Leisure Square needs. He said there are a lot of maintenance projects that need to be done at Leisure Square, but they started looking outside the box.

They were approached by a small group of people that presented 700 names on a petition saying that Vero Beach needs a skate park. He said what a great place to have a skate park located at Leisure Square. He said it has been 25 years since the City purchased the building from the YMCA. The Vero Beach Skate Park Alliance started to get more organized on how this skate park would operate and be funded before taking it to the Recreation Commission and then to the City Council. He said the more this project was discussed the more people keep coming forward asking for the skate park. He said it is not just one (1) single demographic they are hitting. With skateboarding you are hitting the whole family. Skateboarders go well beyond teen years and some people 70 years or older are skateboarders.

Mr. Erik Toomsoo, Representative for Vero Beach Skate Park Alliance (VBSPA), gave a Power Point presentation (attached to the original minutes). A question and answer period took place during the presentation.

Mayor Kramer felt that the surrounding neighbors should be notified about this proposed project and then have it brought back to the City Council as an agenda item.

Mrs. Turner thanked Mr. Toomsoo and Mr. Matthews for their presentation tonight and looked forward to seeing this evolve.

Mr. Chris Warren stated that he lives very close to Leisure Square. He said there is more light pollution than night pollution. He said it will be great to have a skate park.

Mr. Howle asked what kind of attendance the Sebastian skate park has. Mr. Toomsoo did not know. Someone from the audience said that attendance is going down at the Sebastian skate park. Mr. Matthews felt that attendance at the Sebastian skate park has gone down because when they redesigned the park they made it smaller, which some skateboarders do not like. He will find out from Sebastian what their numbers are.

Mr. David Currey, Police Chief, added that as far as law enforcement goes, they don't oppose the skate park, they just want it to be safe. He expressed that skateboarding is not allowed in many places in the City.

Mr. Bob Soos stated that his first experience with skateboarding was at the Christmas Parade. It was the first time he was on a skateboard and he liked it. He hoped that Council would approve the skateboard park.

Mr. Jim O'Connor, City Manager, suggested that staff send out notices to the surrounding property owners informing them of the proposed project and then have the item back on the February 2nd City Council meeting agenda for discussion.

Mrs. Zeska Forresta (spelling may not be correct) felt that people in this community are aware of the proposed skate park. She said that she takes her children to other skate parks and there is not that much noise that is derived from skateboarding.

Mr. Ken Daige felt that the skate park was doable. He suggested going with a larger skate park if the money can be raised. He agreed that contacting the surrounding neighbors was a good idea. He visited the Sebastian skate park and was told in order to use the park you have to have a certified waiver on file. He asked how will the extra impact of competition and daily use affect onsite parking and traffic on 16th Street. He asked how many more employees will need to be hired. He suggested that VBSPA construct restrooms to accommodate competition and active use. The fee suggested is \$10.00 per month and the family fee for the pool is \$20.00 per month. He suggested a business model be prepared to show use, operational, and maintenance costs. He also suggested that the Recreation Director present his analysis on use, maintenance, and operational costs. He noted that there are gates around this area that are broken and should be fixed.

2. Mrs. Penny Chandler, Indian River County Chamber of Commerce, to talk about the recommendations for 17th Street (Old Postal Annex).

Mrs. Penny Chandler, Executive Director of the Indian River County Chamber of Commerce, read a prepared statement (please see attached).

Mr. Winger asked Mrs. Chandler if she was going to take this recommendation before the joint Recreation/Marine Commission.

Mrs. Chandler said that she would not. She attended the last joint meeting that they had and they were not receptive to her comments.

Mr. Winger wondered if this should fit in with the Vision Plan.

Mrs. Chandler agreed that the Vision Plan, which was done in 2004, needs to be reviewed. She said they needed to look at these two (2) parcels, which are located on the river and remember that riverfront property is very hard to find. She said that once the plan is established then you cannot go back. She hoped that they would use the Treasure Coast Regional Planning Council (TCRPC) in coming up with a plan. The Task Force felt strongly that this was the first step and a natural fit.

Mr. O'Connor suggested that this document be sent to the Recreation and the Marine Commission. He said these Commissions will be making their recommendations to Council. He felt that recommendations from their Commissions and the recommendations of the Task Force should be heard together. He would recommend using the TCRPC because of the work that they have done already in this City.

Mr. Old wondered if they should be contacting the consultant who did the original Vision Plan.

Mrs. Chandler felt that these were two (2) separate subjects. However, she said that the Chamber would be happy to be a part of reviewing the Vision Plan if Council would like them to.

Mr. O'Connor brought up the TCRPC and how impressed he is with them.

Mr. Old said that he is very impressed with TCRPC also, but was just wondering if updating the Vision Plan in conjunction with this project should be done all at once.

Mrs. Chandler understood that the City Council wanted the Task Force to look at these two (2) parcels in an expedient manner.

3. Mr. Charlie Wilson, Vero Beach Chamber of Commerce, to give their annual report and make a request for permits.

Mr. Charlie Wilson, Vero Beach Chamber of Commerce, gave a Power Point presentation (please see attached).

Mr. Bob McCabe introduced himself and said that he will be leading the Vero Beach Economic Development Council. He continued with the Power Point presentation, which explained the objectives of the Vero Beach Economic Development Council.

Mr. Jeffery Zachry, who works in the film industry, felt that this community is the perfect location for filming to take place. He said that the Vero Beach Chamber of Commerce will go and aggressively fight for this business. He said they are presently producing a short video for producers seeking filming locations.

4) Mrs. Barbara Hoffman, Executive Director of the Cultural Council, to give an update and status report on the Cultural Arts Village.

Mrs. Barbara Hoffman, Executive Director of the Cultural Village, read a prepared statement (please see attached).

5) Mr. Chris Runge, Chairman of the Tree and Beautification Commission, to give an update on what the Commission has planned for this year.

Mr. Chris Runge, Chairman of the Tree and Beautification Commission, went over the Tree and Beautification Commission's goals for 2016. He will challenge the Commission members to make an impact on the City of Vero Beach long term.

6) Ms. Carol Makris and Mrs. Sue Dinneno, Vero Beach Art Club, will be asking Council to select a rendering for a mural to be designed at the wall of the Racquet Club at Riverside Park.

Mrs. Sue Dinneno, Ms. Carol Makris, and Mrs. Rebecca Vancordt, appeared before the City Council. They announced that this was the Vero Beach Art Club's 80th Anniversary and to kick off their celebration they propose doing a new mural on the north side of the Riverside Park at the Racquet Ball Court/building. The Art Club selected Ms. Carol

Makris to be in charge of this project. They would like the Council to approve this soon so they can start the project while the weather is still cool.

Ms. Makris presented the Council with three different renderings to choose from.

Mrs. Turner fell in love with the waterfall rendering. She felt that painting would look beautiful in that space.

Mr. Winger commented that he visited that building today. He recalled the last time that a mural was done he received a lot of phone calls from the public. He said that he was not ready to choose a design today and asked that this be revisited at their next meeting giving the public time to be made aware of the project.

Mr. Rob Slezak, Recreation Director, stated that the Recreation Department supports having the mural done because it will beautify that wall.

Mr. Winger asked if the Museum has been approached about having this mural done. Mr. Slezak did not think so. He noted that the Recreation Commission approved it unanimously.

Mrs. Turner stated that the reason they received so many phone calls when the last mural was done was because of the red base that was used.

Mr. Howle felt that all three (3) renderings were beautiful and he was prepared to choose one tonight. He asked Ms. Makris if there was one painting that might last longer than another one.

Ms. Makris explained that what needs to be done with whichever rendering is chosen is to have a clear coating painted over the mural about every three (3) years.

Mayor Kramer asked what color was the wall now. He was told that it is gray. Mayor Kramer was fine with bringing this item back and discussing it at their next City Council meeting.

Mrs. Dinneno questioned how the public will see the renderings. The Clerk was instructed to put the renderings on the City's website.

Mr. Winger didn't like the Council deciding on something without some notice and the public having a chance to see it.

Dr. Miles Conway stated that he lives in the unincorporated area of Vero Beach and would like to reside in the City of Vero Beach. He showed on the map where he lives and where two (2) of his other neighbors live who are also interested in becoming City residents. He said the value of all of these three (3) properties is close to six-million dollars. He has lived at this location for 24 years and has always been a good City utilities customer. He passed around an article entitled "South Beach Residents May

Look At Annexation,” which appeared in the Press Journal 23 years ago. He said between 2011 and 2013 he was doing work overseas and when he returned in late 2013 the area that he lives in what was transformed to an Indian River “rental” County without him knowing it. In 2015, Mr. Mark Schumann, with Inside Vero, published an article entitled “Annexation may be only hope for south barrier island residents.” Mr. Conway said that he had some problems with the County and how they were preserving neighborhoods and allowing transient boarding houses. He asked if the City would run the numbers on what their property taxes will be, their utilities, and all of the financial parameters that goes into annexing into the City so that the South Beach Homeowners can be approached about voluntarily annexing into the City of Vero Beach. He said now the County has formed a Term Rental Advisory Committee, which he feels is a trade industry lobbying group. He said for every one step forward the County takes two steps back. He felt that the City was a good place to live because they put people before profit.

Mrs. Turner commented that the City cannot go out and seek annexation.

Mr. Wayne Coment, City Attorney, explained there were various ways that annexation can be done. He said with voluntary annexation the majority of people will have to want it and it will have to be voted on by referendum. He said the Statute pertaining to voluntary annexation talks about doing an analysis. He said the City already provides electric utilities to this area, so the other things that Mr. Conway is asking for, the City Manager would need to provide him with.

Mr. Conway understood the voluntary annexation process and would handle getting the names on a petition and having a referendum. What he is asking for is if when moving into the City what his taxes will be.

Mr. Old did not think it would be a problem for those numbers to be provided.

Mr. O’Connor explained that he would not go to each house in the area, but would provide the numbers that would be general in nature and the analysis of what the average impact would be for a homeowner.

Mr. Winger said the taxes would go from 1.07 to 2.38, but the homeowners would no longer have to pay the 6% County franchise fee.

Mr. O’Connor showed a document that was done in 1987 when annexation by the South Beach Homeowners was being looked at.

Mr. Conway said that document would need to be updated if the homeowners chose to annex into the City. He has filled out the voluntary annexation application, which is the first step in moving forward.

Mr. Winger suggested to Mr. Conway that he give Mr. O’Connor five (5) properties in which he will run the numbers on to find out what impact there will be to those property owners.

Mr. Conway stated that he would take an increase in his taxes in order to eliminate transient boarding houses in his neighborhood.

Mr. Coment noted that the area has to be contiguous if someone wants to annex in the City. There can be no piece milling.

Mr. O'Connor said that he would provide Mr. Conway with the numbers.

Mr. Carter Taylor, Director on the South Beach Property Owner's Association, commented that back in 1992 they took a look at the annexation issue and the issues look pretty much the same. There will be some people who will reject the annexation, but he was not one of them. If the City does this study then he will bring it before the Association and let them determine if it is advantageous for them to pursue or not. He felt it was important to dispose these facts and have a fair hearing. One thing to consider in the analysis is the tax base would increase to the City of Vero Beach. The cost to serve South Beach is far less than the additional tax revenue that will be generated.

It was the consensus of Council that staff just provide the financial numbers.

3. CONSENT AGENDA

- 1. Regular City Council Minutes – January 5, 2016**
- 2. Bid Number 280-15/JO – Resurfacing of Leisure Square Pool**
- 3. Indian River Farms Water Control District Permits and Interlocal Agreements (VB-2 through VB-9)**
- 4. First Amendment to Commercial Lease Agreement between the City of Vero Beach and WNC, Inc. – 3599 Indian River Drive East**
- 5. Award of Contract and Two Public/Private Partnership Agreements to Construct, Mark, Light West GA Apron, Phase III (FDOT #422489-1-94-01) (Bid #340-15/CSS)**
- 6. License and Construction Agreement – GoPlayVero, Inc., at Riverside Park**

Mr. Old referred to item 3-6) and thanked GoPlayVero for wanting to upgrade another playground in the City.

Mr. Slezak commented that GoPlayVero has announced that once they finish the upgrades to the playground at Riverside Park that they will move on to another playground and they are looking at either Charles Park or Troy Moody Park.

Mr. Winger pulled item 3-4) off of the consent agenda.

Mayor Kramer pulled item 3-5) off of the consent agenda.

Mrs. Turner made a motion to approve items 3-1), 3-2), 3-3), and 3-6). The motion was seconded and passed unanimously.

**4) Item pulled off the consent agenda
First amendment to Commercial Lease Agreement between the City of Vero Beach and WNC, Inc. – 3599 Indian river Drive East**

Mr. Winger pulled this item off of the consent agenda and asked how much the tenant would be leasing this property for.

Mr. Tim Grabenbauer, Marina Director, said that it will be leased for \$3,900 a month. Their leasee has requested to have two, five year renewals because he is replacing the roof on the building. He is also helping pay the debt service.

Mr. Winger made a motion to approve the lease agreement between the City and WNC., Inc. Mr. Old seconded the motion and it passed unanimously.

**5) Item pulled off the consent agenda
Award of Contract and Two Public/Private Partnership Agreements to Construct, Mark, Light West GA Apron, Phase III (FDOT #422489-1-94-01) (Bid #340-15/CSS)**

Mr. Eric Menger, Airport Director, reported that this project is Phase 3 of a 3-phase pavement construction project to complete the aircraft parking area along Taxiway C near the main runway at the Airport. This project is a public/private partnership so the amount required matching the State's grant funds will be covered by the two FBOs that benefit from this aircraft parking area improvement project. They hope to have this project completed by September 30, 2016.

Mayor Kramer made a motion to approve the Award of Contract. Mr. Winger seconded the motion and it passed unanimously.

4. PUBLIC HEARINGS

A) A Resolution of the City Council of the City of Vero Beach, Florida, determining that certain City-owned real property comprising 1.64 acres + located at the Northeast corner of 19th Place (State Road 60 Eastbound) and 12th Court in the City of Vero Beach, commonly referred to as the "Old Diesel Power Plant," with an address of 1139 19th Place, is no longer needed by the City and authorizing the City Manager to offer said real property for sale; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Council

The City Clerk read the Resolution by title only.

Mr. O'Connor reported that the Request for Proposals (RFP) are due back by the end of January.

Mr. Winger commented that what they were looking for with this building was the highest best use and not necessarily the amount of money that they receive for it.

Mr. O'Connor said that they are pushing two (2) primary issues with the piece of property. They are the selling price and the land use for the piece of property. He said sustainability is another issue.

Mayor Kramer opened and closed the public hearing at 9:06 p.m., with no one wishing to be heard.

Mr. Winger made a motion to approve the Resolution. Mr. Old seconded the motion.

Mrs. Turner asked what the status with the litigation was.

Mr. Coment reported that they are waiting for a Judge to be assigned to the case. He said that Judge Kanarek excused himself and they don't know if Judge Cox will keep the case or not. He was hoping that they would be going to trial this month, but it does not look like that is going to happen. He said that it will not hold up the sale of the property because the City does have possession of the property. He was hoping that all these things would have been resolved by now, but it looks like it will be taking a little longer before they go to Court.

Mrs. Turner asked how the RFP was addressing the environmental issues on the site.

Mr. O'Connor explained that they have sent copies to anyone interested in the RFP the latest environmental studies from Ms. Sarah Whitaker's firm who followed up on Phase I and Phase II from their tenants. The document shows what they are doing and the plan for remediation.

Mr. Old asked if those things would affect the price that they might get for the property.

Mr. O'Connor said it could.

Mr. Coment commented that one thing that is important to keep in mind is that their expert, Ms. Sarah Whitaker, has said and will testify in Court that there is no reason why the property cannot be developed.

The Clerk polled the Council on the motion and it passed 5-0 with Mr. Howle voting yes, Mr. Winger yes, Mrs. Turner yes, Mr. Old yes, and Mayor Kramer yes.

5. RESOLUTIONS

None

6. PUBLIC NOTICE ITEMS

None

7. CITY CLERK'S MATTERS

None

8. CITY MANAGER'S MATTERS

A) Tentative Agreement between City of Vero Beach and the International Union of Police Association

Mr. O'Connor presented the Tentative Agreement between the City of Vero Beach and the International Union of Police Association. He said the tentative agreement will be a three-year collective bargaining agreement.

Mr. Jason Odom, Attorney for the City, commented that the agreement is for three years, which replaces the three year collective bargaining agreement that they have just completed with the Police Union. He said that three years provided labor peace and resulted in many benefits to the City and police officers. The collective bargaining agreement calls for a pay increase within the financial parameters established by City Council. The step plan previously in place has been modified to eliminate some of the steps. To ensure compliance with the Council's pay increase parameters, these increases do not take effect until January 1, 2016. There is no guaranteed wage increase of any kind in years two and three of this collective bargaining agreement, but rather a wage reopener provision. The agreement provides for the payment of an education incentive of \$25.00 bi-weekly for officers with a Masters Degree and there currently are two (2) in the unit. The payment of a \$10.00 bi-weekly incentive to officers trained as traffic homicide investigators. There are typically three (3) to five (5) such officers. This designation is determined by the Chief of Police. The agreement provides that officers selected to become a detective will maintain their five-percent increase if they serve five (5) years in the detective bureau, but will lose it upon promotion to corporal or higher rank. There are approximately 10 to 12 officers affected by this incentive. The City felt that these incentives constitute a small financial stake, but that the Police Department obtains a great value by having officers achieve these designations. There were no changes to the holidays, but they did give back the two (2) holidays that they had taken away from the police officers. He urged Council to approve this contract.

Mr. Winger asked what the dollar increase is.

Mr. Odom stated that the pay increase was \$74,000. He said the pay increase for FY 15/16 is within this \$74,000.

Mr. Winger referred to page 42, Article 32 Salaries, where it states *“Effective January 1, 2016 Employees will be placed into the closest step to their current base salary that gives them a pay increase. For Employees with four (4) consecutive years or more of unbroken service, their initial slotting must give them a minimum of a \$2,000 increase, otherwise the Employee will move up to the next step on the step plan.”* He asked what does this mean.

Mr. Odom explained what they were trying to accomplish was that these steps don't necessarily take into account issues like the lower end starting salary. He said there was a five or six year period where employees did not receive any pay increases. So there could be an officer who has been employed for five (5) years making the same salary as an officer who is just hired.

Mr. Winger referred to Attachment A: Step Plans. He said the starting pay for a police officer is \$36,982.40. He asked what was that number before this agreement.

Mr. Odom explained that the beginning pay has not changed. Mr. Winger asked if there was a change for the second year. Mr. Odom said that the second year did change, as well as all of the steps down to step 14. He said there is an approximate four percent increase between steps. He said while there is an automatic step plan, there is no movement until it has been negotiated by both parties.

Mr. Old asked about selling vacation days.

Mr. Odom explained the only change made to that provision was going to a rolling cap, which is what the City uses. Mr. Old was referring to Section 26.06 in the agreement. Mr. Odom said that Article has never been negotiated since he has been their negotiating attorney. He said it has not been an issue for City management. He explained employees that have a frozen bank for their vacation time and take vacation time out of it, that they cannot replenish it.

Mrs. Turner commented that in the negotiations she saw that there were some negotiations for an officer who had upper education or attended a training course. She noted that this was applied on a two week pay basis. She asked why it is done that way.

Mr. Odom explained one of the reasons for doing it that way is because some of these incentives an employee may not have for the duration of their employment. He gave some examples of why it is applied that way.

Mrs. Turner referred to Section 25.06 where it states *The City and the Union agree that all premium tax revenues received from the date of this Agreement into the future shall be used to fund current benefit levels and offset the City's contributions toward the retirement plan.* Mr. Odom explained that is part of the share plan. He said there was a change to the pension statutes dealing with the police officers dealing with premium tax revenues. If an agreement had not been made regarding these premiums then it would be split by half going to the employees and the other half going to the City. For the City

their agreement would be that those dollars will be used for funding benefits and no other purpose.

Mr. Winger made a motion to approve the agreement between the City and the International Union of Police Association. Mr. Old seconded the motion. The Clerk polled the Council and it passed 5-0.

Mrs. Turner referred to an article that appeared in the Press Journal on Sunday concerning canine units. She said the “barking budget” did not put Vero Beach in a very good light. The article states that the average cost for Vero Beach’s canines is \$3,900, Indian River County \$2,700, and Sebastian \$750 per dog. She thought there must be an accounting error.

Chief Currey stated that the number for Vero Beach is accurate. As of October 1, 2015, this year’s budget for their canine dogs went from just over \$5,600 to \$7,500. This is because they added \$2,000 for the additional canine that they trained last year. He said their canine budget covers a number of things. It covers the vet bills, the dog’s food, equipment, narcotic certifications, homes sprayed for flees, and boarding of dogs if the police officer goes on vacation. He said that Sebastian’s budget is \$3,000 for their four (4) dogs. He explained that Sebastian has a private donor who donates between \$5,000 and \$30,000 a year that they utilize for their canine dogs and they don’t have a need to budget any more money. He said that Sebastain probably spends around \$15,000 or more on their four (4) dogs. He was not sure about the number given by Indian River County.

Mrs. Turner thanked Chief Currey for explaining this and felt that it was important for the public to know that the City was being very responsible in taking care of their dogs.

Mr. Kramer noted that there was also an article concerning the fountain at Royal Palm Pointe.

Mr. O’Connor talked about the fountain located downtown and said that the Rotary Club has volunteered to handle the operation and maintenance of that fountain. With the fountain at Royal Palm Pointe the repair work should be completed within 30 to 45 days. They had the work done this time of the year because of the cool weather and knowing not too many people would want to use the fountain. He said once the whole project is completed the City probably will spend close to \$100,000 on the entire project.

9. CITY ATTORNEY’S MATTERS

Mrs. Turner brought up the Utilities Commission and mentioned that under their existing Ordinance it reads *all regular voting and alternate members shall reside within the City utility service area*. She brought this up for discussion with the Council to see if Council would consider modifying this Ordinance to have the intent of it being that any regular voting member would be a customer of the City utilities. She said the reason for this is because Mr. Scott Stradley, who has served on the Utilities Commission for five (5) years and just nominated as Chair, has notified the City that he has moved out of the Vero

Beach service area. She said that Mr. Stradley is a CPA and well respected in the community and it would be a significant loss to the City if they had to lose his expertise on this Commission. She thought that the intent of the Ordinance was that the member be a utility customer, whether it be a business or residential customer. She wanted to see if there was consensus on the Council to ask the City Attorney to make this modification.

Mr. Old brought up what happens if you want to be on the Finance Commission and you don't live in the City, but you have a business in the City.

Mrs. Turner commented that the Utilities Commission is different because the City services outside of their City limits (the unincorporated area).

Mr. Winger was not in favor of changing the Ordinance. He said you either live in the City or you don't live in the City. Mr. Old agreed with Mr. Winger's comments.

Mayor Kramer stated he was thinking about the abuses of having the Ordinance restructured. He said someone could come in and rent a lock box and get utility services. However, he said this is an advisory service. He would be okay with the member just being a customer if the number of City voters was reinstated. He said there has to be a mix to prevent any abuse. He didn't have a problem with Mrs. Turner working with Mr. Coment to come up with some language.

Mr. Coment asked how do they determine when someone is a customer. He asked if the individual needed to be the owner of the business. Council said these are some things that needed to be looked at.

Mrs. Turner stated that she would bring this back to Council as an agenda item.

10. CITY COUNCIL MATTERS

- A. Old Business**
 - B. New Business**
- 1. Discuss changing Public Comment to a different place on the City Council Agenda – Requested by Mayor Jay Kramer**

Mr. Kramer recalled that at their last meeting they talked about moving Public Comment to the end of their meetings. He suggested having Public Comment right before City Council Matters is heard.

Mr. Coment explained that right now the agenda format is in the Ordinance. He said some time back they proposed turning that into a Resolution and just saying that Council will approve their order of business by Resolution. He said this would be easier to change rather than codifying an Ordinance. He brought up tonight's agenda and noted how many presentations they heard. He said if you look at the County agenda, early in

the meeting they do allow presentations and then general public comments are heard after all of the business has been completed.

Mr. Winger felt that if someone speaks to the Clerk about being on the agenda then they should be first on the agenda. He has heard 30 negative comments about their last couple of meetings and how disruptive the meetings were. He was in favor of Mayor Kramer's proposal.

Mayor Kramer suggested having a Resolution come back to Council at their next meeting to be voted on.

Mr. Coment explained that if they want to do this by Resolution then he can do a Resolution setting up the procedures that Council wants to adopt and then he would do an Ordinance taking this part out of the Ordinance and saying that it will be done by Resolution. He will work with Mayor Kramer on this.

Mr. Howle said if they do pass a Resolution and they have a group come like they had tonight these people could get tired of waiting through the whole meeting to be heard.

Mr. O'Connor suggested having an item in the beginning of the meeting for presentations.

Mr. Howle explained that the pitfall that he wants to watch out for is the Clerk getting a call from different people saying they want to make a presentation. He wants to avoid that from happening.

Mr. Winger recalled that two (2) years ago there was a rule that if someone wanted to be on the agenda that the Clerk had to get one of the five (5) Council members to sponsor this person being on the agenda.

Mayor Kramer will work with the City Attorney in bringing something in writing back to the Council.

10. INDIVIDUAL COUNCILMEMBERS' MATTERS

A. Mayor Jay Kramer's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mayor Kramer reported that he presented Mr. Sam Kieffer with a Proclamation for receiving the Eagle Scout Award. He also attended the Yacht Club's 90th Anniversary and has been attending a lot of meetings concerning the proposed skate park. He toured the Brackett Theater located downtown and hoped that they will be able to get the building completely restored, which would bring more businesses to the downtown area.

B. Vice Mayor Randy Old's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Old participated via telephone in a meeting concerning the selection process for a new CEO for FMPA.

C. Councilmember Pilar Turner's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mrs. Turner reported that House Bill 579 proposed by Representative Mayfield to try to make FMPA more accountable and provide more data made it through the subcommittee. She said there were quite a few people from other places in the State lobbying for the Bill.

Mrs. Turner attended a fundraiser for the Boy Scout Troop 567 where she served as a Chef and was honored to be able to help them out. She reminded the public that this weekend Art by the Sea will be taking place at the Museum and for everyone to mark their calendar for January 30, 2016 to attend the Silver Star Award service at Veterans Memorial Island Sanctuary.

D. Councilmember Richard Winger's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

Mr. Winger reported that he attended two (2) meetings regarding the Indian River Lagoon Coalition. He said there is an opportunity to get some grant money. He said \$750,000 would be available and they are hoping to get some requests in. He will ask Dr. Dwane DeFreese, Director for the Indian River County Lagoon Coalition, to speak at one of their future Council meetings to give an update.

Mrs. Turner commented that she understood that the due date to get the proposals in for the grant money was January 22, 2016. Mr. Winger told her that was correct and that Mr. Rob Bolton and Mr. Monte Falls were hoping to get requests in and meet the deadline. He felt that they had a chance in doing that.

Mrs. Turner understood that money for the Indian River Coalition has been expended for staff. Mr. Winger told her that was correct. He said money has been spent on office space and staff. He said the first year the two-million dollars will not all be going to the Lagoon.

E. Councilmember Harry Howle's Matters

- 1. Correspondence**
- 2. Committee Reports**
- 3. Comments**

None

11. ADJOURNMENT

Tonight's meeting adjourned at 9:48 p.m.

/tv