

**CITY OF VERO BEACH, FLORIDA  
OCTOBER 4, 2016 9:30 A.M.  
REGULAR CITY COUNCIL MINUTES  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Bishop John Miller of Christ Church of Vero Beach 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 Bursick, City Clerk

**2. PRELIMINARY MATTERS**

**A. Agenda Additions, Deletions, and Adoption**

Mrs. Tammy Bursick, City Clerk, pulled item 2C-1) Mr. Schef Wright, Attorney, to discuss electric utility matters from today's agenda. She also asked that a Resolution declaring a local emergency be added to the agenda and heard as item 5-B).

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

**B. Proclamations and recognitions by Council.**

None

**C. Staff/Consultant special reports and information items.**

**1) Mr. Schef Wright, Attorney, to discuss Electric Utility Matters.**

This item was pulled from today's agenda.

**D. Presentation items by the public.**

**3. CONSENT AGENDA**

- 1. Regular City Council Minutes – September 20, 2016**
- 2. Special Call City Council Minutes – September 20, 2016**
- 3. Waiver of Special Assessment Lien Penalty/Staller – 2605 52<sup>nd</sup> Avenue**

**4. St. John's River Water Management District (SJRWMD) Cost-Share Agreement #28183**

Mr. Old made a motion to adopt the consent agenda as presented. Mr. Howle 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 located in the Veromar Subdivision south of Greytwig Road and east of Indian River Drive east is no longer needed by the City; authorizing the City Manager to offer said real property for sale subject to reservation of certain easements; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Public Works Director**

The City Clerk read the Resolution by title only.

Mr. James O'Connor, City Manager, recommended declaring this property as surplus and supports the sale of the property with an easement for municipal purposes being retained. The parcel is not a buildable lot and he would recommend offering it to the adjacent property owner.

Mayor Kramer opened and closed the public hearing at 9:34 a.m., with no one wishing to be heard.

Mrs. Turner made a motion to adopt the Resolution. Mr. Old seconded 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**

- A) A Resolution of the City Council of the City of Vero Beach, Florida, Abandoning a portion of the Utility Easement granted to the City over and across the southwest quarter of the southwest quarter of Section 19, Township 33 South, Range 40 East, situated in the vicinity of Old Dixie Highway southwest in Indian River County, Florida; Providing for an Effective Date. – Requested by Director of Utility Operations**

The City Clerk read the Resolution by title only.

Mr. O'Connor reported that the owner of this parcel has requested to release a blanket easement, which was granted over the entire parcel in 1955. As such, they are granting the City a new easement over their existing facilities.

Mayor Kramer opened and closed the public hearing at 9:35 a.m., with no one wishing to be heard.

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

**B) A Resolution declaring local emergency by the City Council of the City of Vero Beach, Florida.**

This item was added on to today's agenda. The City Clerk read the Resolution by title only.

Mr. Wayne Coment, City Attorney, reported that the Governor has declared a State of Emergency for the State of Florida. He said with Council adopting this Resolution it will activate the City's Emergency Management Plan. He said the City Manager is the City's Emergency Manager and this activates his authority of the Plan. This Resolution will be in effect for the next seven (7) days unless extended or it can be terminated sooner if need be. It is important to have this Resolution in place for reimbursement of things that FEMA will cover.

Mr. O'Connor went over how the City is preparing for the storm. He said he had a staff meeting a couple weeks ago where they went over the entire emergency storm plan. At that meeting it was discussed what FEMA will require for reimbursement. He said staff met this morning on hurricane preparations and will meet again tomorrow morning. There is a webinar scheduled at 10:00 a.m. this morning with the Florida League of Cities (FLOC) as to what is going to be necessary as they go through the storm. They have addressed the issue for housing for contractors that need to come in. The time will be set up in which they need to acquire food. They will wait until the County Emergency Operation Center (EOC) has opened to be given further directions. The EOC for the City will be set up at the Police Department. They will notice the public about the pickup of trash and whether or not it will be picked up on Thursday and Friday. One of the issues with this storm is that it could change direction at any time so they are trying to accommodate that same change with providing service to the community. He said they have received some calls from the public about the City providing sand bags. He said the City does not provide sand bags. He expressed to all the citizens of the community to continue following the weather forecast and recommended getting a weather app.

Mrs. Laura Moss, Chairwoman of the Utilities Commission, thanked Mr. O'Connor for this information. She said as a candidate in this year's election, she will be picking up some of her political signs and will be encouraging the other candidates to do the same thing.

Mr. Tony Young thanked Mr. O'Connor for his organizing efforts. He asked how public relations were being managed between the City and the County.

Mr. O'Connor explained that the City will have someone at the County EOC building to keep informed of what is going on. He will be the Public Information Officer (PIO) for the City of Vero Beach and will be working from the City Police Department's EOC.

Mr. Young asked what about noticing road closures. Mr. O'Connor said that this information will be on the City's website. He said they will try to keep the website up to date and current with the information that comes in.

Mayor Kramer closed the public hearing at 9:49 a.m., with no one else wishing to be heard.

Mayor Kramer commented that they need to make it clear to the public how dangerous it is for someone to touch a power line.

Mrs. Turner made a motion to adopt the Resolution. Mr. Howle seconded 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.

## **6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING**

None

## **7. CITY CLERK'S MATTERS**

### **A) Lien Reduction Request – 1555 14<sup>th</sup> Avenue, Apt. 117**

Mr. David Currey, Police Chief, discussed the requested lien reduction from Mr. James Bryan Schlitt for property located at 1555 14<sup>th</sup> Avenue, Apartment 117. He said that this property has been in violation for over a year. Once Mr. Schlitt took over the property he did secure it. The total lien including recording and miscellaneous fees are based on the following: Initial Civil Penalty - \$50.00, Continuing Civil Penalties - \$11,300.00 and Cost of Prosecution - \$47.28, which totals \$11,397.28 plus recording and administration fees to release the lien at \$114.65, with a total cost of \$11,511.93. His recommendation would be a lien reduction from \$11,511.93 to \$5,861.93. This amount is half of the lien amount owed and includes the initial civil penalty, half of the continuing civil penalties, cost of prosecution, and recording and administration fees to release the lien.

Mrs. Turner asked Chief Currey to explain his reasoning for reducing the fine by half of what is owed.

Chief Currey expressed that he felt this was a fair offer. He said that the City will recoup their costs and he is assured that Mr. Schlitt will fix up the property.

Mrs. Turner asked if Mr. Schlitt was aware of this lien when he purchased this property.

Chief Currey said that Mr. Schlitt was aware of the lien and that he purchased the property for \$10.00.

Mrs. Turner asked if there was extra police patrol involved with this property. Chief Currey said there was, but he did not include that expense with what he has recommended.

Mayor Kramer opened and closed the public hearing at 9:55 a.m., with no one wishing to be heard.

Mr. Howle agreed that the 50% reduction was fair. He was happy when they could see property like this one being fixed up in the City.

Mayor Kramer wanted to know if the property owner was in agreement with this recommended adjustment to the lien amount owed.

Mrs. Bursick noted that Mr. Schlitt did receive notification of today's meeting.

Mrs. Turner commented that she felt that by reducing the cost in half the City was not recovering all of their costs for this piece of property. She said that she is all for fixing up property in the City and receiving revenue from taxes and improving the area.

Mr. O'Connor did not want to downplay the importance of code enforcement in their community. He said there needs to be a penalty enforced if someone is violating their Code.

Chief Currey expressed that he worked with the Code Enforcement Officer in preparing his recommendations. He agreed that bottom line this was a decision of the City Council. He doesn't believe that just because there is a new owner taking over a piece of property that prior fines in place should not be paid.

Mr. Howle commented that they didn't want to create any situations to keep people from purchasing property and making improvements to the property.

Mayor Kramer made a motion to accept Chief Currey's recommendation (reducing the fine to \$5,861.93).

Mr. Howle asked Mr. Coment that because he served on the Code Enforcement Board before being elected to the City Council and is familiar with this case, is there any problem with him voting on it today. Mr. Coment said that there was not.

Mr. Howle seconded the motion and it passed unanimously.

Chief Currey informed the Council that National Night Out has been cancelled because of the storm.

## **B) Reappointments to City Commissions**

### **AIRPORT COMMISSION**

Mr. Buck Vocelle's term on the Airport Commission expires on November 15, 2016 and he would like to be reappointed.

Mayor Kramer made a motion to reappoint Mr. Buck Vocelle to the Airport Commission. Mr. Winger seconded the motion and it passed unanimously.

### **ECONOMIC DEVELOPMENT ZONE ADVISORY COMMISSION**

Mr. Terry Torres's term on the Economic Development Zone Advisory Commission expires on November 15, 2016 and he would like to be reappointed.

Mr. Winger made a motion to reappoint Mr. Terry Torres to the Economic Development Zone Advisory Commission. Mayor Kramer seconded the motion and it passed unanimously.

### **MARINE COMMISSION**

Mr. Dan Thomas, Mr. Robert Snyder, and Mr. Clinton Lanier's terms on the Marine Commission expire on October 15, 2016. All three (3) members wish to be reappointed to the Marine Commission.

Mr. Winger made a motion to reappoint Mr. Dan Thomas, Mr. Robert Snyder, and Mr. Clinton Lanier to the Marine Commission. Mr. Old seconded the motion and it passed unanimously.

## **8. CITY MANAGER'S MATTERS**

Mr. O'Connor referred to the letter that they received from Mr. Schef Wright concerning his meeting with the Indian River Shore's Attorney (please see attached). He said at this point they were just waiting for the actual order from the Public Service Commission (PSC) before Indian River Shores (IRS) will decide how to proceed.

Mrs. Turner commented that she has been concerned with the costs that they continue to incur with their outside Counsel. She said in reviewing Mr. Wright's letter it states that currently there is no pending court action. She asked what his scope of work was for the City.

Mr. O'Connor explained that Mr. Wright's scope of work is to review any transmission of information. He said if IRS does do a filing he would be following that and respond accordingly on the City's behalf if a response is necessary. He said that Mr. Wright is also looking towards working through any potential litigation, such as if they have to

prepare for the Supreme Court. He said IRS has a 21-day window in order to decide if they want to take their case back to the PSC or go to the Supreme Court.

Mrs. Turner noted that in Mr. Wright's letter he said that he estimated hearing back from the PSC on issuing their order around October 3<sup>rd</sup>. She asked if the City has received anything.

Mr. O'Connor said that he did not see anything posted on the PSC website as of yesterday.

Mrs. Turner commented that there have been continuous delays with the PSC. She asked Mr. O'Connor what Mr. Wright's hourly rate was. Mr. O'Connor said that Mr. Wright charges \$225.00 an hour. Mrs. Turner asked when Mr. Wright appears before Council, does he know what the actual cost is. Mr. O'Connor said that he could not give an average cost because it depends on what the issue is. He said when Mr. Wright appeared before the Council on April 4<sup>th</sup> they were charged \$2,765.06, which included his travel, lodging, food, hours spent in preparation of the meeting and the hours he was at the meeting. Mr. O'Connor explained if Mr. Wright attends a Finance and Utilities Commission meeting the cost is about \$1,125.00. He said on May 19<sup>th</sup> when they were discussing the rate and power supply issues the cost was \$4,047.00. However, this did not cover all of the costs in negotiating with OUC.

Mr. Howle asked what they have paid Mr. Wright's law firm to date. Mr. O'Connor did not have that information with him.

Mrs. Turner brought up the memo that was received from Mr. Mark Mucher about people calling their attorneys and the City is being billed for those calls. She said this is a cost that is being paid by the taxpayers. She felt that if someone needs any information that the public records request should go to the City Clerk or directly to the City Manager. She said the public should not be calling their attorneys or consultants. She said that is totally unacceptable.

Mr. O'Connor recalled that this practice goes back to when they were being accused of hiding things. So they opened it up and anyone had access to their attorneys and consultants. He said this was sort of a non-written policy. He said that whenever their attorneys or consultants spend time with someone from the public then the City is being charged. He said if they want to stop that practice in that any questions from the public either goes to the City Clerk or the City Manager he has no problem with that.

Mrs. Turner commented that her concerns are ratepayers/taxpayers are being charged \$225.00 an hour for Mr. Wright's time. She said if someone wants to call Mr. Wright directly and is willing to pay his hourly cost then that is fine. She did not feel that their ratepayers should be picking up those costs.

Mr. O'Connor stated that he would be very happy to institute this as a policy, excluding the five (5) Councilmembers who would have access to their attorneys and consultants.

Mr. Coment asked them to keep in mind if the attorney or consultant did receive a call from the public they would not be able to bill that specific person that is calling them.

Mrs. Turner stated if they can't recover the costs then they should not be talking to this person.

Mr. Coment said the City would have to be reimbursed for the expense.

Mr. Old asked if someone had a legitimate question, then how would that person's question would be answered.

Mr. O'Connor said the request would either come to his office or the Clerk's office and then they would send it off to their attorney or consultant to get the answer.

Mr. Winger commented that this also needs to include their Commission members also. The only exception to the rule is for the five (5) City Councilmembers.

Mr. Howle said if Mr. Wright receives a phone call from the public concerning questions being asked about the City of Vero Beach then he needs to tell that person that he cannot help them because of a fiduciary responsibility and refer them back to City staff.

Mr. O'Connor commented that one of the issues that comes up when talking to the press is they create additional questions as they are talking. He wanted Council aware of some of the complications that could go along with this.

**A) Discussion of Main Street taking over the Holiday Decorations Downtown**

Mr. Winger asked what they are doing here. He asked if they were giving up ownership of the lights (holiday decorations).

Mr. O'Connor reported that the City does not have ownership, what they do now is lease the lights. They have a contract with someone to put lights up for them. He said instead of having their contractor put up the lights they are shifting it and agree to allow Main Street to install the lights at the same budgeted amount that the City budgets for the lights.

Mr. Winger asked who will own the lights.

Mr. O'Connor said that it would be Main Street. He said Main Street has found a vendor through the Charter School who will actually purchase the lights and the Charter School will help maintain those lights. The contractor will install the lights and Main Street will be the grant recipient from the City. He said Main Street will have to show that they have a purchase order and that the liability insurance is carried by them (Main Street).

Mr. Winger brought up where he would like to continue seeing lights displayed.

Mr. O'Connor commented that he has been told that there have not been lights on route 60 for the last four (4) years.

Mrs. Turner asked if this could affect the holiday lighting in other parts of the City, such as Royal Palm Pointe and Ocean Drive.

Mr. O'Connor recalled that a couple of years ago, Council discussed Main Street taking over the holiday decorations. He said at that time the Oceanside Business Association was not interested in handling the decorations because they felt the lighting could get a little complicated. He said the only thing the City is doing is the same thing they have done historically and that is contracting out. He said if the City wants to control where the lights go then they need to do it under their contractual agreement and continue what they are doing. He said otherwise they are relinquishing their rights.

Mrs. Turner referred to the memo that they received from Main Street saying that the lights would be installed before Thanksgiving and remain up until mid-June. She said these lights are clearly not just for Christmas decorations.

Mr. O'Connor explained that the lights would reflect the color of the season.

Mr. Howle asked if the \$6,795 that the City spends on decorations for this is too much for what Main Street is doing. Mr. O'Connor said no, that the lighting proposal with lights and a Christmas tree comes to \$7,345 and Main Street will need to raise the additional funds.

Mr. Winger said that it would have been nice if someone from Main Street was at today's meeting to explain this.

Mr. Ken Daige passed out a prepared memo, which he read into the record (please see attached).

Mrs. Turner commented that this is a capital improvement to Main Street. It has been explained that these lights will be used throughout the year.

Mrs. Elaine Jones, Main Street Executive Director, explained that they are called holiday lights because they will be used in lieu of the decorations that they used last year in the downtown area. These lights will stay up throughout the year, except for the three (3) months that the lights come down for maintenance. These lights will belong to Main Street. She said that she talked to both the Electric Department and the Police Department on the proposed lighting. The Police Department is in favor of the lighting because of safety issues. The Police Department has also volunteered to turn the lights off at 2:00 a.m.

Mr. Winger said that he wanted to have holiday decorations. He felt that this is a discussion that should have come before the Council during the budget hearings.

Mrs. Jones explained that included in this is a large 25-foot led Christmas tree that will be in the Park. She said the students at the Charter School will be decorating the poles with customized lights, which is at no cost to them.

Mrs. Turner commented that this was taking taxpayers money and giving it to Main Street. She thanked Mr. Daige for his thorough analysis. She felt that this was a lovely idea and something that should be funded by Main Street.

Mrs. Jones explained that this money is the money that is allocated for the holiday decorations downtown. She said so instead of getting the holiday decorations that they had before they are utilizing the funds a different way.

Mrs. Turner explained that those funds were never a grant to Main Street. Those funds were designated as part of the City budget and the City would install the holiday decorations. The funds were never given to Main Street.

Mayor Kramer recalled that they made an agreement with Main Street and the Oceanside Business Association that if they wanted to take on that responsibility that they would let them. He said they have a company that leases them these holiday decorations for the season. He would imagine that these lights would last more than one year. He said they could look at having lights put up along State Road 60 next year, which would increase the amount of decorations that they would have. He feels they are going to spend the money one way or the other. He said they could get the decorations from the leasing company and not have anything to show for it or use these lights and see what happens. He suggested trying it for a year and if it doesn't work then they don't have to do it next year.

Mr. Howle commented that they have already done a lot to kill Christmas and not used as many lights as in years past and he would like to see the holiday lights back as they were traditionally. He would rather see the City spend the \$6,795 on what they have done historically, which is to lease the lights and have the contractor install them.

Mrs. Turner commented that this is an interesting project, but should be handled independently and if Main Street wants to take it on as their project that is fine.

Mrs. Jones stated that the lights put up by the leasing company have not always worked in the past.

Mr. Howle agreed that if Main Street wants to do this project then they need to move forward and do some fundraising to make it happen. He doesn't want to see lighting up for seven (7) more months that doesn't have anything to do with the holiday and was not budgeted for.

Mayor Kramer commented that Council had already agreed to let Main Street make a decision on this. He asked Mr. O'Connor if he was still able to lease the decorations or has the time frame to notify the company expired.

Mr. O'Connor explained there is still time to notify the company that they lease the decorations from and ask them to include decorations for Downtown.

Mrs. Jones suggested allowing Main Street to try this for one (1) year and see how it goes.

Mr. Howle asked who will be paying the electricity for the seven (7) months that these lights are up.

Mrs. Jones understood that the cost is low and the City would be paying the electricity.

Mrs. Turner made a motion to retain their current system for holiday decorations. Mr. Winger seconded the motion and it passed 3-2 with Mr. Old and Mayor Kramer voting no.

#### **B) Third Quarter Fiscal Year 15-16 Electric Utility Rate Sufficiency**

Mr. O'Connor reported that this is the third quarter analysis of the Electric Utility rate sufficiency for FY 15-16. He said based on the analysis, staff is recommending that the Purchased Power Cost be decreased from \$63.15 per 1,000 kWh to \$61.65 per 1,000 kWh effective with billing read dates beginning October 15, 2016. This represents a decrease of 1.3% on a typical 1,000 kWh residential bill, from the current monthly amount of \$117.58 to a new amount of \$116.08. He said there is no action needed by the City Council on this item.

Mrs. Turner referred to Attachment A where the yearend summary shows a surplus of an estimated \$2 million. She asked if the emergency power switches needed for the hospital were included in this. Mr. O'Connor explained that they were not included in the third quarter, but it was calculated to expenditures going forward.

Mrs. Turner commented that their transfer R&R is at \$5 million and asked Mr. O'Connor if he was comfortable with the R&R transfer. Mr. O'Connor said they are very comfortable with it. He said that you cannot do more R&R than the manpower you have to do it.

Mr. O'Connor indicated that they will put something on the electric customer's bill or include a flyer with the bill saying that this is a rate decrease.

Mrs. Turner commented that she felt it was great to be able to do this latest rate reduction, but if they look at FPL's rate structure it is at \$89.54 in comparison with their rates. She agreed they were doing the most that they could and as efficient as possible, but it is still the basic structure of their electric utility.

Mr. Peter Gorry, Chairman of the Finance Commission, put some things in perspective. He talked about Duke Power and Gulf Power and said that Vero Beach is \$18.00 less than these regulators. He explained how their rates are calculated and said that their costs were legitimate.

Mrs. Turner commented that she was looking at Duke Power and it is showing \$108.00. Mr. Gorry told her that he gets his information from Duke Power's website.

Mr. Winger commented that Fitch affirms Vero Beach's electric revenue bonds as A+ and the outlook as stable. The report that they have received are from August 16<sup>th</sup>. He read excerpts from the report. He said that Fitch recognizes that they are making progress on the system.

Mrs. Turner commented that she was glad that Mr. Winger brought up the Fitch report. She said there were a couple of things in that report that the public needs to be aware of. She said although they are saying that Vero Beach has a favorable debt profile and that the system continues to fund from a vast majority of the capital needs from cash flow, which is great, but they are now looking at some significant capital projects over the next five (5) years and their cash fund will be challenged. In particularity as their revenue is decreasing because of conservation. She said in reviewing the report under financial performance it says the coverage of full obligations including adjusted purchase power and annual transfers made to the City has trended similarly, but at one point it remained slightly below the median ratio. She continued reading where it stated annual transfers to the City budget at 6% (projected growth revenues) are slightly higher than the median percentage of 5.1% for similar systems.

Mr. Winger explained the point he was making was that they are making progress. He said the right solution would be to sell the entire utility, but they have not been able to do that and Fitch is recognizing that.

Mrs. Laura Moss, Chairwoman of the Utilities Commission, expressed her hope that at some point the rates are low enough that when the customer opens their utility bill they will know that their utility bill is lower and a flyer would not need to be included. She hopes that day will come.

Mr. Winger requested in the future that Ms. Cindy Lawson, Finance Director, give a report to the City Council on the future utility billing system (report recently given to the Finance Commission). He announced that Ms. Lawson recently achieved the Award of Certificate for excellent financial recording and expressed what a wonderful job that she does.

Mrs. Turner brought up the letter the Mayor received about notification that the Comprehensive Plan amendment package has been withdrawn (please see attached letter).

Mr. O'Connor explained he was told by the Planning and Development Director that this is going to be an amendment that will go into their Comprehensive Plan. The City is beyond the required 180 days, but by State law and policy they are allowed to put this amendment into the Plan itself and they will be covered.

Mrs. Turner asked why they are beyond the 180 days on this. Mr. O'Connor explained that they have not had the manpower and man hours needed to get it completed. Mrs. Turner realized that there are a lot of changes that have to be made to the Comprehensive Plan, but was disappointed that it was not made a priority. Mr. O'Connor reassured Council that there is no impact to the City as a result of receiving this letter.

## **9. CITY ATTORNEY'S MATTERS**

None

## **10. PUBLIC COMMENT**

Mr. Tony Young invited everyone to attend the annual Veteran's picnic at Gifford Park on October 15, 2016.

Mrs. Turner commented on what a great event this is for those who have never attended.

Mr. Tim McGarry, Planning and Development Director, clarified the letter that they received from the Florida Department of Economic Opportunity concerning the Comprehensive Plan. He explained that he has notified the State that the City was going to update their Comprehensive Plan so therefore he took the alternative and put the amendment in the Comprehensive Plan and it will be taken care of.

Mr. Charlie Pope wanted to speak about the STEP program. He showed Council the pump used for the STEP program that removes the water.

Mrs. Judy Orcutt stated that she thinks this program is awesome. However, there has been some confusion in the neighborhoods where the STEP system program is taking place. She said when people are seeing Reliable signs in people's yard they think that the person is having septic problems not knowing that they are a part of the STEP program. She is suggesting signs be put out in the yards of people that are engaged in the STEP program. She passed out the proposed wording that could go on the signs. She said that Mr. Bolton has money in his budget to pay for the signs and asked Council for their approval. She said when the contractor is doing the work he would take the sign with him and get the property owner's approval before putting it in their yard. There are 60 people who have gone on the septic system because of this program and there are 40 people on the waiting list. She said they could ask these 40 people if they would like signs in their yard while they are waiting to be hooked up to the septic system.

Mrs. Turner asked if they have any quantitative data on how the STEP program is working and how it is improving the Lagoon.

Mr. Rob Bolton, Water and Sewer Director, commented that yesterday he was a part of a Committee interviewing different engineering firms for the City to contract with. He was told by a few of these firms that they are putting in devices to monitor this. He agrees that they need to be looking at this now since the program is new.

Mrs. Turner suggested on the signs that they should say join your neighbors in connecting to the STEP system.

Mr. O'Connor said that they would allocate \$2,000 for the purchase of the signs coming out of the Water and Sewer budget.

Mrs. Orcutt then passed out a memo entitled "Here's why your septic tank is a problem." She said that in the near future, Mr. Bolton would be mailing letters out informing the community about the STEP program. She requested permission to include this generic letter to help the public better understand septic tanks.

Mr. Pope commented that he has heard some of the Youth Sailing students ask if it is safe to be in the water. He wanted to express what an important issue this is.

Mr. O'Connor said that they would include this letter in the mailing that is sent out. He told Council if they wanted to see any changes made to the letter to either let him or Mr. Bolton know.

## **11. CITY COUNCIL MATTERS**

### **A. Old Business**

None

### **B. New Business**

None

## **12. INDIVIDUAL COUNCILMEMBERS' MATTERS**

### **A. Mayor Jay Kramer's Matters**

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

Mayor Kramer requested that Mr. O'Connor proceed with filling out the grant application offered by the Indian River Lagoon Coalition so that the oyster mat program could continue.

Mr. Winger said that he would bring this forward to the Indian River Lagoon Coalition, if Mr. O'Connor would proceed with filling out the grant application.

Mr. O'Connor made it clear that the City was applying for the grant, but the CCA would be implementing the program. Mayor Kramer said yes the CCA, would be implementing what the Legislation did last year. He said they want to see this program continue so the City would be putting their name on the grant application.

**B. Vice Mayor Randy Old's Matters**

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

Mr. Old hoped that everyone was taking this storm seriously.

**C. Councilmember Pilar Turner's Matters**

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

Mrs. Turner reported that Senator Jack Latvala is saying that he is hoping to bring forward a Bill that would put municipal electric companies under the PSC or some sort of regulation. She said that this goes along with the discussion they had at the last City Council meeting on whether or not the PSC should review their rates. She said this may be coming forward courtesy of the Legislature.

Mrs. Turner thanked Mr. O'Connor for arranging to bring the Clydesdale horses to Vero Beach again. She said they will be here on Saturday, December 17<sup>th</sup>.

Mrs. Turner reminded everyone of the United Way Day of Caring. She was not sure if the event was going to take place on Saturday because of the storm, but hoped that everyone would support United Way and the many worthwhile projects they do for this community.

**D. Councilmember Richard Winger's Matters**

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

Mr. Winger stated that he would like to see the PSC regulate municipalities.

**E. Councilmember Harry Howle's Matters**

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

Mr. Howle encouraged everyone to prepare for the storm. He recalled that a couple of meetings ago he talked about signage and some safety concerns that he had. He said that he would be working with Ms. Vicky Gould on this and talking to other people who have the same concerns.

**13. ADJOURNMENT**

Today's meeting adjourned at 11:09 a.m.

/tv