

**SPECIAL CALL CITY COUNCIL MINUTES
TUESDAY, AUGUST 13, 2013 9:30 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

PRESENT: Craig Fletcher, Mayor; Tracy Carroll, Vice Mayor; Pilar Turner, Councilmember; Jay Kramer, Councilmember and Richard Winger, Councilmember **Also Present:** Jim O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Vock, City Clerk

1. CALL TO ORDER

A. Roll Call

Mayor Fletcher opened the meeting at 9:30 a.m. and the Clerk performed the roll call.

B. Pledge of Allegiance

Mayor Fletcher led the Council and the audience in the Pledge of Allegiance to the flag.

2. PUBLIC COMMENT

Mr. Tony Young commented that the decisions Council makes today are important especially in regards to Crestlawn Cemetery because it is so important to the citizens of this community. He recalled that last month Council instructed staff to move forward with doing an RFP to sell the cemetery and he understands that will be reviewed in September. He went over a website that he designed which has dialogue for discussion for residents that are concerned about the cemetery. A survey poll was created by Mr. Mark Schuman, Inside Vero, which indicated that 85% of the respondents wanted to keep the cemetery as a City function. He said that this decision by Council should not be driven by financial reasons. He said that the cemetery is in the black and selling it is a philosophical argument. The City's FY Budget 2013-2014 for the cemetery is sound and no capital improvements are budgeted. He trusted that the Council would continue to provide perpetual care for their loved ones at Crestlawn Cemetery.

Mrs. Carroll asked Mr. Young what are his greatest fears if the cemetery was to be divested.

Mr. Young commented that there is trust that the residents of this community place on their elected officials and that is that the City will take care of their loved ones (referring to Crestlawn Cemetery). He said that the care that the City provides cannot be replicated by a business driven by economic margins.

Ms. Alma Lee Loy was at today's meeting in support of what Mr. Young had to say to Council and pointed out that Crestlawn Cemetery is one of the entities in Vero Beach that makes this City different from other cities and that was the desires of early settlers of this community. She recalled that three weeks ago, she heard some tapes that were made back in 1964. She hopes that the tapes will be available to the public. In those tapes, the leaders back then pointed out

in developing this City, that it would remain different from surrounding cities. Ms. Loy encouraged Council to delete any consideration of putting the cemetery out to bid. She wished them well for the rest of their meeting and reiterated that they needed to give serious consideration that the cemetery needs to be maintained and under the advisement of the City Council who are elected by this community.

Mr. Dan Stump referred to the second page of Mr. O'Connor's memo in their backup for today's meeting (attached to the original minutes), where they are discussing staffing and salaries. He noted that there was a decrease of 30 positions and then when doing his calculations, 13 positions have been restored. He asked what are the total number of positions that have been eliminated.

Mr. James O'Connor, City Manager, answered that there have been a total number of 30 positions eliminated and Attachment B of the document outlines what departments the positions will be eliminated from.

Ms. Cindy Lawson, Finance Director, added that originally the budget had a reduction 31 positions from the General Fund and 43 overall. However, now that number stands at 30 positions being eliminated after Council instructed staff to put back some of those positions in the budget. She said that this leaves a total number of 400 employees in the City of Vero Beach.

Mrs. Turner commented that she was still struggling with the staffing change and what is shown in the CAFR.

Ms. Lawson explained that the CAFR shows budgeted positions one year back and reflects the cuts that were made last year.

Mr. Mark Mucher asked if the public would be allowed to make comments on different items as they come up. Mayor Fletcher told him that the public would be allowed to make comments on individual items.

Mr. John Campani, 1392 West Island Square, wanted to talk to Council about the budget. His concern was about the Animal Control officer's position that is to be eliminated. He said that he was fortunate to live in Florida, but there are snakes and alligators who pose a danger to them and there are incidents where people have been injured by both of these animals. He hoped that Council would reconsider eliminating that position.

Mrs. Cornelia Perez, 2019 Cortez Avenue, spoke on behalf of retaining the Animal Control officer's position. She said for the past thirteen years, that position has been under Bruce Dangerfield and he has done a great job. She mentioned that raccoons, feral cats, snakes, etc, are a danger to residents of this community. Mr. Dangerfield has been able to help neglected and abused animals and locate lost pets. She recalled that a few years ago he was nominated

Animal Control officer of the year in the State of Florida. She asked Council to look carefully and decide what the real needs of this community are.

A speaker (name not clear on audio) from Date Palm Road complimented Mr. Dangerfield on the job that he has done for this community. Mr. Dangerfield has the ability to respond to individual situations and people trust him in this community. Mr. Mark Schumann conducted a poll in his on line newspaper and 93% of the respondents want Mr. Dangerfield's job saved.

Ms. Elka Daniel, Director of Animal Protection, commented that the Animal Control officer's position used to be that of a sworn officer and at that time, it was recognized that this position needs to be held by someone that is trained in this field. So in the 1980's, that position was added to the City of Vero Beach Police Department. In looking at the population for the City, if this position was cut, there would be a hardship for the County Animal Control to take over. The County has a population of approximately 140,000 residents and there are only four field officers for animal control. She asked Council that they reconsider reinstating this position.

Mrs. Carroll asked if, at the County, do the County Animal Control officers trap wild animals and take them somewhere else.

Ms. Daniel explained that the County doesn't have the officers trap animals because of the time that it takes. She also mentioned if the Police Officers had to take this position over again, that there would be public safety concerns for someone having to ride in a police officer's vehicle after an animal has been transported in it.

Mrs. Carroll asked if the City of Sebastain relies on the County for animal control. She was told yes, as well as the rest of the cities located in the County.

Mr. Kramer asked about reptile calls and the costs for the Animal Control officer to go out on those calls. Ms. Daniel explained that Mr. Dangerfield usually volunteers his time when going out on different reptile calls.

Mrs. Carroll commented that there are occasions where the Animal Control officer provides services to the County. Mr. O'Connor agreed that the Animal Control officer does respond to unincorporated areas on his own time. But when he is working on the City's time, he has to get approval to go out of the City on various calls.

Mr. Mark Mucher asked if they were talking about Mr. Dangerfield or a generic animal control officer position. He suggested keeping Mr. Dangerfield's position in the budget until he retires and then don't replace anyone in the position. He mentioned that City residents pay the same to the County for animal control that everyone else does in the County, which means City residents are paying twice. He said that they need to look at the facts and not deal with all the emotions involved.

Mr. Joe Simmons, Representative of the Little League, stated that Little League has a concern with the charge for the lighting of the baseball fields that may be taken out of the budget. He said that without lights, baseball cannot go on. The Little League cannot afford to run all of the different fields and all they are asking from the City is to cover the fee for the lights. He said that they have not been able to find any support from the County. The budgeted number is \$30,000 for all four Little League organizations. He asked the Council for any help that they could give. Mr. O'Connor clarified that the amount they were looking at is \$25,000.

Mr. Mike Banquish (spelling may not be correct) 445 45th Court, talked about Little League. He said that he has been involved with Little League since 2008. The organization goes out in the community and gets sponsorships in order for the kids to be able to play baseball and grow the game. He said that they can't let \$25,000 dictate whether they are going to be able to have Little League in this community. The Little League leases the field for Rosewood Magnet from the School Board. He asked for support from the City. He reiterated that they cannot lose Little League baseball in Vero Beach.

Mr. Ken Daige commented that this morning they have heard issues very dear to all of them in this community, beginning with the cemetery issue. He said that the cemetery is very dear to a lot of people in this community. He said that selling the cemetery or leasing it should not be on the table. Also, he said that the outside contractor that they are using for mowing various areas throughout the City is not working out very well. He felt that Council should consider protecting the cemetery and putting it in the Charter. He said that with all the years he has been involved with the City, he doesn't remember this discussion taking place. Also Councils' help is needed with the Little League and retaining the Animal Control officer. Council is hearing from the community and they are the policy makers and need to find a way to help with all of the concerns that they have heard mentioned today.

3. DISCUSSION OF FISCAL YEAR 13-14 PROPOSED BUDGET

Mr. O'Connor referred to his memo that outlines what was discussed in the July budget hearings and is reflected in the budget itself. One of the items that stands out is the restoration of the 4.62% pay cut for those employees making over \$70,000 as of October 1, 2011. During the two fiscal years prior to October 1, 2011, all City employees took a one day per month furlough, which had the effect of reducing annual pay for all employees by 4.62%. For FY 11-12, the Council voted to reinstate those furlough days as working days for all employees and to enact a \$4.62% pay cut on just those employees making greater than \$70,000. As a result, all employees under \$70,000 were restored to their former pay on October 1, 2011; all employees making greater than \$70,000 have had an additional two years of the 4.62% pay reduction. As proposed, this budget would bring these employees back to their salary rate from four years ago. He continued by saying that the proposed budget represents Council's direction to provide a balanced budget while reducing City positions and improving efficiencies in anticipation of the City's sale of the Electric Utility to FPL. The adoption of the prior year's tax rate enables them to insure that this year's proposed budget reflects the major changes to the organization that are required towards this goal. As a result, it would be anticipated that only

minor adjustments would be needed going forward, providing stability to the City's organization and service levels in the future. He said that if another hurricane should hit this area, that the City would not have the personnel to handle one like that they had in 2004-2005.

Mrs. Turner questioned if they were staffing for a crisis or peak periods. She said that they need to look at staffing for the normal workload.

Mr. Winger requested that they go through the budget book and address questions that Council may have.

Ms. Lawson commented that based on Council's direction, the budget represents a full year of the City operating their Electric Utility. The budgeted revenues and purchased power expenditures are based on the latest version of the Electric Utility rate sufficiency analysis (as of July 15, 2013). This will be updated based on final purchased power forecasts from the City's providers in September. The proposed budget also represents Council's direction to continue performing only necessary capital projects using electric utility cash rather than borrowing, pending the sale of the utility to FP&L. For FY 13-14, this will require \$3.4 million in cash transfers to the Electric Utility R&R fund.

Mrs. Turner questioned the pension fund, which Ms. Lawson addressed.

Ms. Lawson explained that the cost for the attorney hired to look at the City going from a defined benefit plan to a defined contribution plan will be taken out of the pension fund account.

Ms. Lawson stated that the proposed General Fund budget is balanced at the prior year's adopted millage rate of 2.0336. This is the "not to exceed" millage rate that was adopted by Council on July 12, 2013 and certified to the Indian River County Property Appraiser. She hopes that today's meeting will give staff some good direction on the budget that they will be bringing before Council on September 3rd, for the first of two public hearings.

Ms. Lawson explained that the proposed budget represents a decrease of 30 positions City-wide at October 1, 2013. Of this total, 19 of the positions were eliminated from the City's General Fund, resulting in final General Fund staffing of 183.5 positions. There has been one (1) full time cashier and three (3) permanent part time cashiers reinstated in the Finance Department. The cashier window will remain open at current hours pending completion of a six month plan to restructure or eliminate this function. One (1) full time Delivery Services Attendant was restored to the Warehouse Department. Ten (10) full time Police Department dispatchers were restored in the Police Department and one (1) full time lifeguard position was reinstated in the Recreation Department.

Ms. Lawson reported that very soon people wanting to use their credit cards to pay for functions involving Recreation and the Planning Department will be able to do so. As far as the utilities go, she said that they want to be careful in implementing this while selling the Electric

Utilities. She explained that the City has a very complicated utility billing system and one thing they are considering is having a simple utility billing system when they only have to deal with water and sewer billing. The City's ultimate goal is to allow utility customers to be able to pay their bills on-line.

Ms. Lawson covered the health insurance costs. She said that the proposed budget includes an estimated increase of 17.2% in health insurance rates, which is the current estimate; updated pricing will be available prior to the final budget adoption in September. This budget also assumes that the City's proposal is to eliminate the high tier plan and decrease the City's subsidy of the high plan is successfully implemented as part of the union negotiations.

Mrs. Turner looked forward to seeing more proposals concerning their health insurance.

Mr. O'Connor commented that the costs that they have brought forward are the costs reflected in the industry today.

Mr. Mark Mucher commented that they called out the health insurance at 17.2% as a major item for concern and then he noticed that the pension contribution went up 21%.

Ms. Lawson explained the situation is that they budget for next year's pension using last year's budget numbers. She said that hopefully soon they will not have to phase in the 2008 losses.

Ms. Lawson reported that the proposed Water & Sewer Utility budget shows a surplus of \$2.6 million. This does not, however, represent a typical full fiscal year due to the following FY 13-14 assumptions: The FY 13-14 debt service is \$1.1 million dollars lower than it will be in FY 14-15, due to refunding of the Series 2008 loan to the Series 2013 loan in summer 2013. This refinancing, and the application of additional principal, delayed the next principal payment until December 2014.

Mrs. Turner brought up that the FMPA power costs that exceed the rates of FPL continue to put them in a bind.

Mr. Kramer commented that they don't have to buy power from Stanton; they can buy from OUC, which is a cheaper rate.

Mrs. Carroll commented that she talks to a lot of people in the community and there are a lot of customers out there distressed by their utility rates/bills so Council needs to continue to keep in touch with the people in the community who are concerned about their utility rates and their bills.

Mr. Kramer commented that the focus of the community is not to get the rates down, but to sell to FPL.

Ms. Lawson reported on the Five Year Capital program. She said for all the funds, the Five Year Capital Program provides estimated cash/fund balances forward, as well as ending cash/fund balances in order to establish a complete overview of funding sources for multi-year projects, and to assist in leveling out the annual transfers from operating funds.

Council briefly discussed the reserve budget and agreed that they did not want to deplete their reserve budget and needed to keep some cushion in that fund. Ms. Lawson explained that she has initiated some budgetary controls and turned around the performance in looking at some past years.

Mr. Winger noted that looking at the ad valorem tax that Ms. Lawson put in for rate sufficiency and what she put in the budget is different.

Ms. Lawson explained that she budgeted for 95% of the actual tax money.

Mr. Winger felt that the ad valorem tax is conservative.

Ms. Lawson agreed and said that they would end up with a cushion of about \$60,000 at the end of the year.

Mr. Winger thought that the cushion would be more like \$100,000. His next question was on the utility tax and he thought that the \$75,000 budgeted was conservative. Ms. Lawson explained that this is estimated by the Florida Department of Revenue. Mr. Winger also said the Code Enforcement section needed to be changed and they needed to be more stringent with code enforcement. He didn't think that \$8,000 (referring to the budget) was enough. His view of government is if they have regulations then they should enforce them. Ms. Lawson explained that there are costs involved with code enforcement such as cleaning up property, demolition, etc.

Mr. Kramer brought up that there was a motion from the last meeting that was never voted on. It had to do with the City providing insurance to the City Council.

Mr. Coment explained that if Council wanted to change that, then the personnel rules would need to be amended.

Mayor Fletcher felt by disfranchising insurance, then they will have affected a lot of people who will not be able to run for City Council. By offering insurance to the City Council, it is a good draw for people to run for office.

Mr. Kramer agreed. His issue is fairness. Why is a Councilmember taking the insurance being paid more than the ones who do not take it. The fairness is what he has an issue with.

Mrs. Carroll felt that Council makes a choice whether or not to take the insurance which is offered to them.

Mr. Kramer withdrew his motion since there was not a second.

Mr. Winger brought up the City Clerk's budget. He did not think that the City Clerk was in a good position to eliminate one of her staff positions. He handed out a copy of the things that the Senior Administrative Assistant does for the office. He felt strongly that this position needed to be retained. He did not see this office functioning as well as it does without it. He asked Council that this position be retained.

Mrs. Carroll recalled at the budget hearings, they talked about relocating the City Manager's office down to the City Clerk's office and utilizing the City Manager's secretary. This would also eliminate the need for someone from the Clerk's office to fill in while the City Manager's secretary is on vacation.

Mr. Winger said that in order to retain the position in the City Clerk's office, it would not be necessary for Mr. O'Connor's office to move downstairs.

Mr. O'Connor commented that if his office was down in the Clerk's office that his secretary could help cover the day to day office duties, but she is not trained to do minutes.

Mrs. Turner felt that Mrs. Hawkins was a very delightful person but felt that the City Clerk's office could function with three employees.

Mrs. Carroll asked if it was a requirement that the City provide the minutes in written form and was a staff member required to be at a Committee meeting to take minutes.

Mr. Coment explained that the law requires notice of the meeting be given and minutes taken by a live person and not by a tape.

Mayor Fletcher agreed with retaining the position.

Mr. Kramer felt that it would be nice to have a floating concept. He was concerned with the legal department once Ms. Gerow retires.

Mr. Winger made a motion to retain the position in the City Clerk's office with the understanding that Mrs. Vock will help in the City Attorney's office.

Mr. O'Connor stated that his office would rely on the Planning Department to handle their office when his secretary is out of the office.

Mayor Fletcher seconded the motion and it passed 4-1 with Mrs. Turner voting no.

Council agreed that the idea of moving the City Manager's office downstairs was off the table.

Mayor Fletcher asked that Mr. Coment and Mrs. Vock work out who covers for who.

Mr. Coment commented that there is a specific skill set that a legal paralegal has and that will not happen with someone from the Clerk's office filling in. He said that Ms. Gerow has offered to stay for another year. He said that his office has to use more outside counsel because they have lost one attorney. He said that not having trained personnel with legal experience will be difficult for his office. He said that they would manage the best that they could, but it will raise the cost for outside counsel. Also, the different departments of the City will be effected on how quickly they receive things from his office.

Mrs. Carroll noted that last year, only 15 claims came in as litigation.

Mr. Coment explained that some litigation is continuous. He said that now Ms. McKenzie will have to do what Ms. Gerow does once she retires.

Mrs. Turner pointed out that the County has 140,000 people and the County Attorney's office only has three attorneys.

Mr. Coment clarified that the County Attorney's office has three attorneys and three support people in their office.

Mr. Kramer asked if Ms. Gerow would be willing to come in and work part time.

Mr. Coment said that could not be done because of the Ordinance that was passed saying that an employee could not return back to work at the City after 60 days of retiring.

Council moved on to the Police budget.

Mr. Winger made a motion to retain the position of the Animal Control officer. Mr. Kramer seconded the motion.

Mrs. Carroll was concerned that this position is assisting the County at the same time period that the City pays the Animal Control officer and the City is not being reimbursed. She said that there is a distinction when you are talking about life saving services provided for residents of the County. She suggested looking towards the methodology of getting some of those funds back.

Mr. O'Connor commented that they do have mutual aid with the Sherriff's Department.

Mrs. Turner was touched with the stories that they heard today. Her main concern was paying the County for a service and the City letting them off the hook.

The motion passed 4-1 with Mrs. Turner voting no.

Mr. Kramer brought up the elimination for the support person for the Police Department. He said that they won't see a lot of Police Officers on the streets because of the administrative work that they have to do.

Mr. O'Connor explained how many positions that there are in the Police Department.

Mr. Kramer expressed that there are a lot of officers having to do their own clerical work. He made a motion to add one more person in as support to make sure the Police Officers spend more time out on the road. Mr. Winger seconded the motion.

Mrs. Turner objected adding this position back in the budget without having substantial backup for doing it.

Mayor Fletcher agreed that Chief Currey knows how to run his department.

Mrs. Turner felt if there were some concerns about public safety, it would have been brought to the Council.

Mr. O'Connor commented that no one likes having to cut any positions. He said that there was a memo sent out on the impact cutting this position would have on the Police Department.

Mr. Winger made a motion to table the motion on the floor with the understanding that Chief Currey bring forward justification of keeping the position or lack of justification to keep the position. Mr. Kramer seconded the motion. The motion was voted to table this item and it was approved unanimously.

Mr. O'Connor said that he would have Chief Currey give some type of written response concerning this position.

Mrs. Turner referred to the Public Work's budget and noted the change in personnel for the streets department and the grounds maintenance department.

Mr. Winger referred to page 45 and wanted to add \$50,000 back in the budget for grounds maintenance. He said that the outside contractor that has been hired is not getting the job done in taking care of the grounds. He noted that, at Indian River Boulevard and 17th Street, the contractor left grass all over the street which is not good for the lagoon.

Mrs. Turner expressed that the outside contractor has just started taking care of the grounds. He needs to be given a chance.

Mrs. Carroll added that they are in the middle of the highest rain volume that they have seen in many years. She suggested going forward with what they have now and giving it a few months to see if they continue having this problem.

Mayor Fletcher agreed the contractor needed a little more time to work out the problems.

Mrs. Carroll noted that she understands that, with their own City staff, once they mow the grass, then the street sweeper comes and blows it off the street.

Mr. Monte Falls, Public Work's Director, explained that they are still working with the contractor for him to come into compliance with the contract that he entered into. He said that sometimes grass gets in the road but within an hour it is removed. He agreed that the performance of this contract has not been met regarding what the City has put in the specifications. He said that it has been a struggle. He told the contractor that the window for him to come into conformance was coming quick. The information that they received from the contractor this morning was that he was hiring additional manpower for the job. Mr. Falls recommended giving the contractor until the end of the month before they terminate his contract. The City received two low bids and he was still hopeful that this contractor will be able to perform as specified in the contract. However, he has spoken to the second low bidder and he is willing to move in if the City needs him to.

Mrs. Carroll made a motion to add \$15,000 in the budget if Mr. Falls needs to have a new contract with the second bidder.

Mayor Fletcher felt that this was a management problem. He said if the City Manager cannot make this work, then he will bring it back to Council.

Mrs. Carroll withdrew her motion (motion was never seconded).

Mr. O'Connor felt that based on recent conversations, the contractor was going to try to make it work and if it doesn't work, then they will enter into a new contract with the second bidder.

Mr. Falls added that the company is located out of Winter Park, but plan to open a local office on September 1st, which might help. He said that the second low bidder has a local office.

Mr. Ken Daige reported that he went on a tour with Mr. Winger and Mr. O'Connor showing the areas of concern (overgrown grass). He said in prior years, when there has been a wet season and the grass got to high someone could always call the City and they would come out and mow it. He said that when you agree to do a job, you come in and do the job according to the specs. If you can't do the job, then you are gone. He said that right now the way this is being handled has an adverse effect on neighborhoods.

Mrs. Carroll noted that there is a lot of mowed grass lying on the fields at some of the Parks because it was not being bagged. She said that the same thing would occur if the City was mowing the grass because they don't bag the grass either.

Mr. Falls told Mrs. Carroll that was correct. He said that he relayed to the contractor that the City Parks need to be mowed at least once every two (2) weeks this time of the year.

Mr. Winger moved on to dune restoration and said that he did not think the budgeted \$30,000 was enough.

Ms. Lawson commented that when looking at their history, \$28,000 has been the average except for the last five (5) years where it has been closer to \$60,000. She said that they could increase that number a little or have a fund amendment. She said for the last two (2) years they handled the budget amendment without any major impacts. They could designate a portion of fund balance for this and then replenish it.

Mr. Kramer agreed that dune restoration is a gamble.

Mrs. Turner would agree to look at increasing this line item, but would object to establishing a fund.

Mrs. Turner made a motion to increase the Dune Restoration Fund to \$45,000. Mr. Kramer seconded the motion and it passed unanimously.

Mr. Winger had some concerns with the Electric Fund. He said that on page 63, the operating revenue of \$91,854,500 is probably a little light. On page 74, Printing & Binding at a \$100,000 budget looks like a high number. He is not asking that anything be changed, but that the departments just look at the things that he is mentioning. On page 76, he asked that the Professional Services budget line item be looked at. With Machine Equipment, there has been nothing spent and software maintenance should be questioned. On page 77, in Schools & Meetings, there has not been much spent, but a lot has been budgeted. On page 78 with Schools & Meetings for T&D, the same question applies. He said on page 79, Vehicle Maintenance looks high. Ms. Lawson told him that amount gets allocated throughout all fleet management. He said on page 82, Professional Services is the cost for the legal expenses for the sale of the electric and he questioned whether that number was high enough for next year. In Other Contractual Services, nothing has been spent and he wondered if they need to have anything for this line item. Ms. Lawson explained since they no longer have a membership with FMEA, this would cover the costs if they had to ask for some mutual aide.

Council took a lunch break at 12:00 p.m. and reconvened at 1:00 p.m.

Mr. O'Connor answered some of the questions that came up earlier in the meeting about the staffing at the Police Department. He said that in 2005, positions started decreasing and there were some positions that became unfunded positions.

Mr. Winger referred to page 89 and said that Interest on Investments has been cut down in other funds but he feels that the number is too high.

Mrs. Carroll asked why there is a line item for Airport Land Rental and one also for Land Rental Airport.

Mr. Rob Bolton, Water & Sewer Director, explained that one of them is for the amount that the Water & Sewer Department has to pay to the Airport to have their facility there. He explained that the Environmental Cleanup Recovery is for the maintenance of the wells.

Mr. Winger asked why Contractual Services is needed.

Mr. Bolton explained that it is for sludge hauling and the cost varies from year to year.

Mr. Winger referred to page 97 and asked what Licensing Testing is.

Mr. Bolton explained that when the City did away with the lab, private lab licensing is being placed under that licensing.

Mr. Winger went to page 106 and asked in the line item for Gravity Mains and Latrils Maintenance, was there enough money allocated to this fund. Mr. Bolton thought that there would be. He said that this year they spent more out of this account because of a sinkhole that needed to be replaced.

Mrs. Carroll recalled that recently there was a neighborhood that was interested in going on the City sewer system and when the neighbors involved were polled, the number was very low. She asked if the City was going to create some sort of policy on how they could have someone hookup to the City sewer system to take septic tanks off of the river.

Mr. O'Connor explained that they have that now, but the customer must pay for the extension of the line, as well as pay for the sewer line. He said in the neighborhood that Mrs. Carroll referred to, there were fifteen customers and only three were in favor of having sewer.

Mrs. Carroll asked as a municipality, what powers do we have to require septic tanks to be removed from the waterfront.

Mr. O'Connor said that the City would have to do the extension of lines and then they could require people to connect. He said that you need to give notification and have powers to force someone to make a connection if that is on the books. He said that the Utilities Commission is reviewing this.

Mrs. Carroll then asked if the City pursued the requirements for someone to hook up, would the City cover the infrastructure costs or could a person be required to pay an incremental cost of the infrastructure.

Mr. O'Connor explained that the City would assess a lien on the property for the infrastructure that is put in.

Mrs. Turner agreed with looking into the situation of property owners who have septic tanks that were installed before the 1983 standards. They could also offer reuse water to have people consider hooking up to sewer systems.

Mr. Bolton recalled that at one time the State looked at implementing mandatory septic inspections from homeowners but it was not carried through because of the economy. He will work with the Utility Commission in looking at this.

The Council moved on to the Airport budget. Ms. Lawson noted that the only notable change in the Airport budget was to increase the capital funds as a result in some changes of grants.

Mrs. Carroll noted that there has been an increase in the budget for advertising.

Mr. Menger explained that the advertising will be done for the Air Show.

Mr. Winger felt that the Marina Enterprise Fund would do better than what has been projected. He also said that the house rental that the assistant used to live in and now will be rented out, should be adjusted.

Mr. Tim Grabenbauer, Marina Director, did not have a good number as to what the rent should be adjusted to.

Mr. Winger said that the location of the home is a good place to be, but the number needs to be in the budget. He felt that the projected diesel fuel sales is too high, as well as gas sales. He offered to help Mr. Grabenbauer with this.

Mrs. Carroll wanted to see a breakout of the numbers for the building where Mr. Waddell is renting from. She asked Mr. Grabenbauer if he was charging rent for all of the trailers. Mr. Grabenbauer answered yes.

Mr. Kramer asked what is the interest rate on the debt service for the building. Ms. Lawson said that it is 4.01% and the outstanding principle is \$4 million dollars. She is watching for opportunities when they can refund this and do it without penalty.

Mrs. Carroll wanted to see the numbers of renters that the City has in the dry storage facility.

Mr. Winger referred to the Recreation Department and did not believe that they would get the \$396,000 revenue that is projected. He also felt that the transfer of funds is about \$100,000 to low.

Mr. O'Connor mentioned the tennis court area. He said that the fees to use the tennis courts will have to be raised in order to pay for the Recreation Supervisor of the tennis facilities salary.

Mr. O'Connor recalled that Council sent a letter to the County Commission asking for assistance with funding the Little League, but they have not received any response back from the County.

Mr. Winger suggested picking a number and having the City help subsidize the program.

Mr. Kramer felt that it would be fair if the City pays for their portion and the County pays for their portion.

Mrs. Carroll thought that the numbers of people using the fields was 30/70 (30% City residents and 70% County residents).

Mr. Winger suggested helping them out and budgeting \$10,000.

Mr. Rob Slezak, Recreation Director, thought that accurate numbers were 75% County users and 25% City users; however, he said that this number can vary. He said that the overall cost for lighting the ball fields is around \$24,000. He said up to now, the City has been paying the utility bills and in return, they have received \$150 per Little League team. Mr. Slezak met with a representative from the County Recreation Department and some Little League Presidents to help plan for the Little Leagues future.

Mr. Slezak reported that he is looking at renting out the different pavilions in the Parks and collecting fees.

Mrs. Turner would be in favor of going with 30% of the users of the ball fields are City residents and allocating \$10,000 to continue helping the Little League.

Mrs. Carroll made a motion to support \$10,000 for Little League and then also continue having the \$6,000 coming in (\$150 per team). Mr. Winger seconded the motion and it passed unanimously.

Mr. Winger wanted to see in the future, the numbers with the transfers adequate in the Recreation budget.

Mrs. Turner added that in the capital plan the Recreation Department needs to start looking at improvements needed for Leisure Square and the Community Center. She said that there is no question that there are some issues that need to be addressed in those buildings.

Mr. Slezak reported that he is addressing each site and looking at what they need to do to improve the different facilities.

The Council moved on to Crestlawn Cemetery.

Ms. Lawson reported that they have projected an increase in revenues for the cemetery because of some modification to the fees presently being charged at the cemetery.

Mrs. Turner asked how many sales they are projecting at the cemetery.

Ms. Lawson noted that they budgeted \$100,000 and at the end of June they already had earnings of \$96,000 at the cemetery.

Mr. Falls added that he has started looking at some things to do at the cemetery to get more sales, such as reducing some of the fees charged for the columbarium spaces. Also offering some cremain spaces in the area closer to the columbarium and charge more for those cremain spaces than what is charged in the other areas. There are six (6) acres of undeveloped land at the cemetery and there may be some opportunities for revenue depending on what Council decides to do with the cemetery.

Mrs. Turner said that there needs to be a balance sheet and a business plan for the cemetery.

Mr. Winger said that there is a balance sheet in the General Ledger that comes out every month.

Mrs. Lawson went over the balance as outlined in the CAFR.

Mrs. Turner would like to have a plan for the cemetery and then they could look at different options. She said that the "system" is broken.

Mr. Winger disagreed that this system is not broken.

Mr. Falls said that he would bring a plan to Council.

Mr. Winger made a motion to table the RFP until Council has time to look at the plan.

Mrs. Carroll made it clear that, from a legal standpoint, issuance of an RFP does not require them to accept any bid.

Ms. Lawson pointed out that if they do an RFP, vendors do incur costs in getting their paperwork back to the City.

Mayor Fletcher suggested reviewing the plan and the RFP at the same Council meeting (September 3rd).

Mr. O'Connor cautioned Council that if they put an RFP out, then they need to be serious about it.

Mr. Kramer made a motion not do an RFP. Mr. Winger seconded the motion and it passed 3-2 with Mrs. Turner and Mayor Fletcher voting no.

At this time, Council took a break and the meeting reconvened at 2:45 p.m.

4. CHARTER OFFICER'S REVIEW

Mayor Fletcher reported that he did his Charter Officer's review for each of the Charter Officers and each of the Councilmembers should have received copies of his evaluations. He expressed how important it is to make sure that Council gives definitive instructions to the Charter Officers.

Mrs. Carroll said that she misunderstood the process and has her evaluations ready, but thought that they would be discussing them at this meeting.

The first Charter Officer discussed was the City Manager.

Mrs. Turner said that she has been impressed with Mr. O'Connor's representation of their City and that he does an exceptional job.

Mrs. Carroll complimented Mr. O'Connor for being a liaison in the community and said that some day he might need some help. She appreciated the hours and time that Mr. O'Connor gives to the exterior needs within their City.

Mr. Winger commented that Mr. O'Connor is trained as a micro-economist and he (Mr. Winger) is a detail person. His only comment to Mr. O'Connor would be to make sure that he knows the detail.

Mrs. Carroll commented that she has not heard a lot of feedback on how the employee appraisal process is working.

Mr. O'Connor reported that it has been very positive. He said that Department Directors sit down with their employees and talk about their shortcomings.

Mrs. Carroll brought up economic development and wanted to express to the City Manager that she wants to see the City continue to bring in new businesses into the City.

Mrs. Turner stated that the best thing that they can do is sell the Electric Utility to FPL and have smaller utility bills.

Mrs. Carroll just wanted to make sure that their City staff/Planning Department is not putting up any barriers for people who want to open businesses in the City.

Mr. O'Connor told Council that if they have any issues or concerns to please let him know.

Mr. Winger commented on how helpful it is to him to meet with Mr. O'Connor every Friday morning.

City Attorney

Mayor Fletcher stated that the only comment he has in regards to the City Attorney is with communication. He said that the City Attorney's subject manner has a particular challenge to him as an Engineer where he looks for a scientific yes or no answer. He said that his concerns are a product of his personal background. In the future, he will try to visit Mr. Coment more often with issues. He said that Mr. Coment's responses have always been done in a timely manner and Mr. Coment is always well prepared with backup material.

Mr. Winger mentioned that he speaks with the City Clerk and City Manager a couple times a week and he needs to speak with the City Attorney more often. He (Mr. Winger) believes in getting things done and problem solving. He thinks their job is to have their Code as good as it can be, but it is not their job to stay out of court in order to get things accomplished.

Mr. Coment explained that if there is a particular Code section that can't be supported by someone, then he cannot instruct someone to go against the Code. His job is to keep the City out of court. He also said that under State law, he cannot enforce code enforcement cases. He can help with the policy, but he cannot help with the enforcement.

Mrs. Carroll was not sure who in the City Attorney's office that they needed to go to if they had a problem or an issue to discuss. Mr. Coment said that they could go to him or Mrs. Lyon. She thanked Mr. Coment and Mrs. Vock for bringing forward the Ordinances on the new invocation and proclamation procedures. She was also happy to see that the City Attorney was working on a City Attorney's operations manual that has never been done before in that office.

Mrs. Turner was perplexed to see in Mr. Coment's memo dated July 11, 2013, under his general objectives that he deleted "Work with the City's retained outside legal counsel in those matters typically coordinated with the City Attorney's Office (e.g., litigation) including furnishing support services, providing cost savings to the City. Review and recommend approval of payment for services of such coordinated outside legal counsel". She was not sure why this was being deleted.

Mr. Coment explained because the only outside counsel that he deals with are with claims (defense counsel) and once the insurance takes over, he has no contract with those attorneys.

Mrs. Turner brought up the Transactional Attorneys that Council has hired for selling the utilities and reviewing their invoices.

Mr. Coment explained that he looks at the Transactional Attorney's invoices and then sends them to the City Manager because he does not know what they (Transactional Attorneys) are doing on a day to day basis.

Mrs. Turner felt that Mr. Coment could use his legal experience in reviewing the invoices that the rest of them don't have.

Mr. Kramer felt that Mr. Coment has done an excellent job and is always available when he needs him.

Mr. Coment told Council that if there is any Councilmember that wants to chat with him, to please let him know.

Mayor Fletcher added that his credibility in the City Attorney's office has taken a good step up.

City Clerk

Mrs. Turner told Mrs. Vock that her written goals should provide measurable standards.

Council complimented Mrs. Vock for the work that she was doing in the City Clerk's office.

5. ADJOURNMENT

Today's meeting adjourned at 2:50 p.m.

/tv