

**CITY OF VERO BEACH, FLORIDA  
NOVEMBER 5, 2013 9:30 A.M.  
REGULAR CITY COUNCIL MINUTES  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Reverend Scott Alexander from the Unitarian Universalist Fellowship of Vero followed by the Pledge of Allegiance to the flag.

**1. CALL TO ORDER**

**A. Roll Call**

Mayor Craig Fletcher, present; Vice Mayor Tracy Carroll, present; Councilmember Pilar Turner, present; Councilmember Jay Kramer, present; and Councilmember Richard Winger, 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. Kramer seconded the motion and it passed unanimously.

**B. Proclamations**

None

**C. Public Comment**

None

**D. Adoption of Consent Agenda**

Mrs. Turner made a motion to adopt the consent agenda. Mr. Kramer seconded the motion and it passed unanimously.

**3. PUBLIC HEARINGS**

**Quasi-Judicial Hearing –**

- A) **An Ordinance of the City of Vero Beach, Florida, requested by 703-725 17<sup>th</sup> Street, LLC to Annex 2.50 acres more or less into the City which property lies South of the City limits along the South side of 17<sup>th</sup> Street, East of US Highway 1 pursuant to the Voluntary Annexation provisions of Section 171.044, Florida Statutes; Providing**

**for Conflict and Severability; Providing for an Effective Date. – Requested by Applicant**

This is a quasi-judicial hearing. Mayor Fletcher followed the guidelines in conducting a quasi-judicial hearing. He read the Ordinance by title only and asked Council if they had any ex-parte communications. There were none. Mayor Fletcher asked the Clerk to swear in anyone testifying at today's meeting and noted that any exhibits from today's meeting will be in the custody of the City Clerk for 30 days until the time for an appeal has expired.

Mr. Tim McGarry, Planning and Development Director, referred to a supplemental report that he prepared for this Ordinance (on file in the Clerk's office). He said the specific legal and procedural requirements for this voluntary annexation are in compliance according to the Florida Statutes.

Mr. Joseph Schulke, of Schulke, Bittle & Stoddard, the applicant for this request, stated that he has been sworn in. He agreed with the supplemental report prepared by the Planning and Development Director and said that he was at today's meeting to answer any questions that Council might have.

Mayor Fletcher opened and closed the public hearing at 9:36 a.m., with no one wishing to be heard.

Mrs. Turner made a motion to approve the Ordinance. Mrs. Carroll seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. Kramer yes, Mrs. Turner yes, Mrs. Carroll yes, and Mayor Fletcher yes.

**4. RESOLUTIONS FOR ADOPTION WITHOUT PUBLIC HEARING**

None

**5. FIRST READINGS BY TITLE FOR ORDINANCES AND RESOLUTIONS THAT REQUIRE A FUTURE PUBLIC HEARING**

None

**6. CITY CLERK'S MATTERS**

None

**7. CITY MANAGER'S MATTERS**

Mrs. Carroll mentioned that Council has recently received some letters on the Old Diesel Plant. She asked the City Manager for an update.

Mr. Jim O'Connor, City Manager, reported the City signed a tolling agreement with B-B Redevelopment Team last week, which states that the Parties are exploring resolutions to solve the tolled claims that have been raised in connection with the lease agreement. Then on November 1<sup>st</sup> the City received a complaint filed with the local Circuit Court by the attorney for B-B Redevelopment Team regarding the City's Diesel Power Plant property and the lease between the City and the developer. The outside attorney handling this case will be Attorney Gene O'Neil. Mr. O'Connor said yesterday the City received a letter from Mr. Guy D'Amico, who is interested in purchasing the Old Diesel Plant (all documents are on file in the Clerk's office).

Mrs. Carroll noted that the site is designated as an historical piece of property. She asked if the person interested in the property wants it because of its historical designation.

Mr. O'Connor thought that the person was interested in the property because of the size of the building and the location. Mr. D'Amico is aware of the structural type of the building and the environmental issues. Mr. O'Connor felt if the City did put the property up for sale that they would receive more than just this one proposal.

Mrs. Carroll asked when a piece of property is on the historical national register do the stipulations to purchase that piece of property continue.

Mr. McGarry explained this particular piece of property is both on the local and national registry so the property is tied to these historical designations.

Mr. O'Connor noted that if the City decided to put the property up for sale then they could put terms and restrictions in the agreement about the property being a designated historical site.

Mrs. Turner commented on the letter that Council received from the Finance Director informing them that the City is now able to accept credit cards in the Recreation Department and the Planning Department.

Mr. O'Connor said he is trying to make it universal throughout the whole City and Wells Fargo is working with the City in making that happen. He said it still would be a couple more months before the City can accept credit cards from their utility customers. He said a service fee is being charged to anyone paying with a credit card.

Mrs. Turner was happy they could provide this convenience to the citizens of this community.

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

None

## **9. CITY COUNCIL MATTERS**

**A. Old Business**

None

**B. New Business**

None

**10. INDIVIDUAL COUNCILMEMBERS' MATTERS**

**A. Mayor Craig Fletcher's Matters**

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

Mayor Fletcher recalled that some months ago he signed and sent a letter, along with State Representative Mayfield, to the Speaker of the House requesting a meeting to talk to him about the sale of the Power Plant to FPL. He received a call back from a representative for the Speaker of the House saying they could hold that meeting in January. He asked since he would not be Mayor in January did Council want the new Mayor to attend the meeting or would they like to ask Mrs. Turner to represent the City since she represents them on the Board for FMPA. Both Mayor Fletcher and Mrs. Carroll were in agreement that Mrs. Turner should attend the meeting. Mrs. Turner said that she would be happy to attend.

Mayor Fletcher reported on the Garden Club's 85<sup>th</sup> Anniversary.

**B. Vice Mayor Tracy Carroll's Matters**

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

Mrs. Carroll mentioned that the Treasure Coast Council of Local Governments are working strongly on the Lagoon issue. She said at their last meeting there were a number of presentations given from experts in this field. She reported on one of the presenters in attendance at that meeting.

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

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

Mrs. Turner complimented Mr. Frank Smiarowski, Lead Operations Specialist at the Airport, for winning a Statewide award for operations excellence. She also mentioned that there is a survey available for comments on the Airport Master Plan if anyone wants to take it. It is located on the City's website.

Mrs. Turner reported on the FMPA Board of Directors meeting she recently attended and the main thing to note was that there was no discussion of the City of Vero Beach selling their Power Plant to FPL.

Mrs. Turner urged everyone to get out and vote today. She also commented on an event she attended that was held at the Environmental Learning Center. On November 11<sup>th</sup> it will be Veterans Day and she urged everyone to take the time and honor their Vets. Girls night out will be tomorrow night and on Thursday the annual Samaritan Soup bowl day will take place.

- D. Councilmember Jay Kramer's Matters**
  - 1. Correspondence**
  - 2. Committee Reports**
  - 3. Comments**

None

- E. Councilmember Dick Winger's Matters**
  - 1. Correspondence**
  - 2. Committee Reports**
  - 3. Comments**

Mr. Winger thanked Council for signing the letter to the Florida League of Cities urging them to pursue the Lagoon as one of their priority items this year. He said that the League has come up with two priority statements. He read the statements: 1) The Florida League of Cities will support legislation that addresses water quality and quantity issues that affect local communities. Specifically, the League supports efforts to revitalize and protect Florida's springs, aquifers, surface waters and estuaries and 2) The Florida League of Cities supports financial and regulatory initiatives that prioritize and encourage users to move from septic tanks to centralized sewer systems, especially in areas that impact rivers, estuaries, first magnitude springs and impaired water bodies.

Mayor Fletcher encouraged everyone to go out and vote today. He said that this would be his last meeting as Mayor and thanked staff for all their help this year.

## **11. ADJOURNMENT**

Today's meeting adjourned at 9:55 a.m.

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