

**CITY OF VERO BEACH, FLORIDA
FEBRUARY 2, 2016 9:30 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Mr. Philip Katrovitz of the Humanist of the Treasure Coast 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. Tammy Vock, City Clerk, pulled item 2C-1) off of the agenda at the request of the applicants.

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

B. Proclamations

1) Proclamation honoring Cpl. Sylvester B. McIntosh

Mayor Kramer read and presented the Proclamation.

C. Public Comment

1) Patricia Holm and B.J. McClure to be speaking on murals.

This item was pulled off of the agenda at the request of the applicants.

2) Mr. Ron Ellingsworth to discuss placing yard signs on City Street corners.

Mr. Ron Ellingsworth explained that he is promoting a website and would like to have signs posted in his friend's yards and has been informed by the Planning and Development Department that the signs cannot be posted on public property. He agrees there is a need to keep Vero Beach beautiful. On his website he is putting together philosophies and ideas that have worked for years. He has been a member of this

community for over 30 years and was surprised to find out that private citizens are not allowed to put signs on their own lawns.

Mr. Jim O'Connor, City Manager, explained that this is considered commercialization in promoting a business, which is what Mr. Ellingsworth's website is.

Mrs. Turner asked if there was a limit on what the size of the signs can be. Mr. O'Connor answered yes.

Mr. Ellingsworth commented that he will continue standing on street corners and holding up his signs. Mr. O'Connor stated that standing on street corners and holding up signs is not a problem.

Mr. Kramer felt that Council needed to see what this entails.

3) Request from the Sunrise Rotary Club to serve alcohol at the Annual Craft Brew and Wing Fest.

Mr. Jay Burklew, Sunrise Rotary Club, thanked the City workers for helping the Rotary Club with their annual Brew and Wing Fest. This will be their fifth year to have the event and every dime raised goes back into the community. He said that the Brew Fest has been rated the top five (5) brew fest events in the State of Florida. He requested permission from the Council to be able to sell beer in the public Park.

Mrs. Turner made a motion to approve this request. Mr. Old seconded the motion and it passed unanimously.

Mr. Brian Heady commented that he visited the fountain at Royal Palm Pointe with some out of town guests and noted that the area needs to be cleaned up. He said that there was mold and mildew on the sidewalks, etc.

Mr. Rob Slezak, Recreation Director, reported that the work on the fountain is just about completed. He will ask the Public Works Department to clean up the mold and mildew on the sidewalk.

Mr. Heady continued by saying that at an earlier Council meeting he told Council that the Veterans Council were in need of \$10,000 so that budget cuts would not occur and he was told by Mayor Kramer that he would take care of this. He noted that this is in the purview of what the City Manager is allowed to spend. He then was fired by the Veterans Council for daring to come to this Council to ensure that their veterans would have rides to their medical appointments. He heard earlier when the Proclamation was presented to Cpl. Sylvester McIntosh that the Veterans Council would welcome donations. He said anyone wanting to make donations should talk to him first. He had some concerns with this organization firing someone whose job was to make sure that veterans were given a ride to their medical appointments.

Mr. Heady brought up changing the agenda by moving Public Comment to the end of the meeting. He said nothing needs to be done. Council just needs to listen to people who come to the podium to speak. He then went back to his job position with the Veterans Council and was told that the program is paid by County taxpayers. The Veterans Council said they need to be "kicking money back to the County Commissioners," he asked Mr. Kramer if he could provide information on what they meant by that. He has a personal stake in this. He had a family member who was exposed to chemicals in the Vietnam War and died because of it. The last thing that needs to happen is someone getting fired for driving veterans to their medical appointments. He said that is outrageous. He thought that it was wonderful to hand out medals to deserving veterans, but the public needs to know what else is happening with this Veterans Council and it is awful.

Mrs. Laura Moss, Utility Commission member, commented that this community cannot drink the water today. She said this is the most serious breach that can occur for a public official. Their existence in society depends on water. She knew that Council would be discussing how to assemble and release City news later on in the meeting, which she felt was important. One of the goals of the Utilities Commission is that they receive quarterly reports on the number of outages that have occurred. She was surprised this was not already being done. She spoke to Mr. Rob Bolton, Water and Sewer Director, about attending the next Utilities Commission and discussing the water quality. She said Mr. Bolton agreed to be at the meeting. She invited the public and business owners who had to close their establishments because of this water issue and incurred financial losses because of it to attend the Utilities Commission meeting on February 9th at 9:00 a.m. in the City Hall, Council Chambers. She said public comments and questions are always welcome at their meetings. For someone that cannot be at the meetings, the minutes and videos of the meetings can be found on the City's webpage. She said in terms of approaching the community when emergencies like this occurs there could be trucks with bullhorns announcing the boil water advisory or the residents could receive robo calls. Her point was that the community needs to be informed. She asked if there was a backup system for maintaining water quality.

Mr. O'Connor explained that there is. He said the generator at the Water Plant came on, but the water pressure dropped below an acceptable level during the electric outage. He said the City put out a Water Advisory Notice the same night this occurred, as well as putting it on their website to get the word out. He said by State policy they have to put out a boil water order, but no bacteria/contamination has been found in the water.

Mrs. Moss asked if this was the first time this has happened. Mr. O'Connor said that since he has been employed by the City this is the first time that the Plant has shut down. He said that whenever there is a breach in the line it has to be closed off and the City notifies the State and the State decides if a boil water notice has to be issued. Mrs. Moss wondered if there was anything that could be changed in the future so that this does not occur again. Mr. O'Connor said they are looking at the situation. Mrs. Moss again invited the public to the Utilities Commission meeting on February 9th where an update will be given on this matter.

Mr. O'Connor passed around a picture that displays why the problem occurred (on file in the Clerk's office).

Mr. Joseph Guffanti asked if there were any tanks left at the Power Plant that have fuel oil in them. Mr. O'Connor told him that there was and that a Request for Proposal (RFP) was going out so that the City can receive bids from people interested in removing the oil from the tanks. He thought there was just one tank that was half full. Mr. Ted Fletcher, Utilities Director, clarified that there was 287,000 gallons of oil in that tank. Mr. Guffanti asked what they do with the oil. Mr. O'Connor explained they will hire a company who will give them a price for payment of the oil. He said the sludge at the end of the tanks will have to be removed and the tanks will have to be cleaned. It will cost the City some money, but they hope the sale of the oil will minimize that cost. Mr. Guffanti asked why wasn't the oil generated and used before the system was shut down. Mr. O'Connor explained that it was much cheaper to use gas.

Mr. Guffanti recalled the last time he was here he mentioned the problems with synchronizing the traffic light at Royal Palm Pointe. He said if someone can't do something as minor as synchronizing a traffic light then how could they run a Power Plant or Water Plant. He said someone doesn't need an engineering degree to set up a traffic light.

Mayor Kramer informed Mr. Guffanti that the County handles the timing of the traffic lights.

Mr. Guffanti was aware of that. He said the City hires the County to handle the traffic lights. He would be glad to meet Mayor Kramer at the traffic light location and show him the problem. He brought up the agenda item of changing where Public Comment is located on the agenda. He commented that "you can run, but you cannot hide."

Mr. Ken Daige addressed the water issue. He said this was a pretty serious situation that resulted from the blackout that occurred. He heard that 50% of the electric customers without were power and then the situation with the water being contaminated and some people didn't even know about it. He agreed that having robo calls may be a good idea to look at in the future. He spoke to some of the older people in the area and they get nervous when the lights go out. Some of the residents didn't hear anything about the situation or the need to boil water. He felt better communication was needed.

Mr. Howle asked Mr. Bolton to come forward. He asked him if the water had been tested and if there was bacteria in the system.

Mr. Rob Bolton, Water & Sewer Director, explained that there is no reason to believe that the water is contaminated. He said when the pressure dropped the standard operating procedure is to issue a precaution notice to boil water. He said that doesn't mean that the water is contaminated. He said if they knew the water was contaminated then they would have mandatory notices issued and that has not been done. They took samples at

all of the sites yesterday and the results will come in this afternoon and he will let the public know once he receives the results. He said after two (2) full days have passed and there is no presence of anything in the water then the notice will be lifted. He said they probably could lift the notice in one (1) day, but he does not feel comfortable doing that. The concerns when there is a drop in water pressure is that you could have occurrences of back flow.

Mr. Old wondered if there was a better way of informing their citizens when something like this happens. He wondered how other utility companies handle it. He said that he received a lot of telephone calls and had a hard time explaining what had happened.

Mr. Bolton felt that social media was probably the way to go. He suggested getting the word out on facebook and maybe creating an app.

Mr. O'Connor added that another means is by twitter, which the Police Department does have. He said the City does have a facebook site and the boil water notice was put there. He said reaching everyone is a challenge. Luckily in this case it was just a precautionary notice to boil water and not mandatory.

3. CONSENT AGENDA

- 1. Regular City Council Minutes – January 19, 2016**
- 2. Bill of Sale of Utility Facilities – Catalina Street Expansion**
- 3. Municipal Elections Agreement**
- 4. License Agreement for Use of City Real Property – Postal Annex Property License (Temporary Vehicle Parking) - #2015-LA-263**

Mr. Old asked that a sentence break be included in the minutes where the discussion of South Beach annexation started.

Mr. Winger made a motion to adopt the agenda. Mr. Howle seconded the motion and it passed unanimously.

Ms. Christine Hobart attended tonight's meeting concerning the license agreement for temporary parking at the Postal Annex property. She thanked Council for approving the request. She said the event at McKee Garden will be held on February 13th and they need to use that lot for the overflow parking.

4. PUBLIC HEARINGS

None

5. RESOLUTIONS

- A) A Resolution authorizing the City of Vero Beach, Florida, to enter into a Supplemental Joint Participation Agreement with the State of Florida,**

**Department of Transportation to Construct, Mark, Light West GA Apron,
Phase III (FDOT #422489-1-94-01). – Requested by the Airport Director**

The City Clerk read the Resolution by title only.

Mr. O'Connor reported that passage of this Resolution allows the City to accept \$200,000 FDOT money for this apron project.

Mayor Winger opened and closed the public hearing at 10:27 a.m., with no one wishing to be heard.

6. PUBLIC NOTICE ITEMS

Public Hearing to be held on February 16, 2016

- A) **An Ordinance of the City of Vero Beach, Florida, amending Section 2-51 of the Code of the City of Vero Beach relating to the Order of Business for City Council meetings; Providing for Conflict and Severability; Providing for Codification; and Providing for an Effective Date. – Requested by Mayor Jay Kramer**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on February 16, 2016.

Public Hearing to be held on February 16, 2016

- B) **An Ordinance of the City of Vero Beach, Florida, amending Sections 2-102 and 2-105 in Article III, "Commissions and Boards," of Chapter 2, "Administration," of the Code of the City of Vero Beach, relating to City Commissions and Boards; Providing for Transition; Providing for Codification; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by Councilmember Pilar Turner**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on February 16, 2016.

7. CITY CLERK'S MATTERS

- A) **Appointments to Commission/Boards**

Historic Economic Development Zone Advisory Committee

Mr. Charles Williams submitted an application to serve on the Historic Economic Development Zone Advisory Committee. There were no other applications on file.

Mr. Winger made a motion to appoint Mr. Charles Williams as a full member on the Historic Economic Development Zone Advisory Committee. Mr. Old seconded the motion and it passed unanimously.

Code Enforcement Board

Mr. Eric Price submitted an application to serve on the Code Enforcement Board. There were no other applications on file.

Mr. Winger made a motion to approve Mr. Eric Price as an alternate member on the Code Enforcement Board. Mr. Old seconded the motion and it passed unanimously.

Mrs. Vock reported that Mr. Winger appointed Mr. John Smith to the Finance Commission as his appointee on that Commission.

8. CITY MANAGER'S MATTERS

Mr. O'Connor reported that they received the Preliminary Report for the Stormwater Utility Study (on file in the Clerk's office). He said that the report will go before the Utilities and Finance Commission for their consideration.

Mrs. Turner commented that within the scope of work in the report there was a considerable amount of funds (hours) included for community outreach of the stormwater utility. She asked Mr. O'Connor to tell them how much that is.

Mr. O'Connor did not know. However, he knew that was a heavy emphasis and they were told to provide that heavy emphasis on public outreach in order to explain pervious and impervious and the difference between the different land uses. Also, to be able to explain why there is not just a standard rate that everyone will pay.

Mrs. Turner asked Mr. O'Connor to provide Council with that information. She also wanted to know how much money has been expended to date. She said for the public this is a study that has been undertaken without any budgeted funds.

Mr. O'Connor stated that approximately \$51,000 has been spent so far.

Mr. Winger brought up All Aboard Florida and said that he thought there was some drop dead dates in February that may be imposed on them as far as quiet zones go.

Mr. O'Connor commented that there are State dollars where you can apply for quiet zones. He is hesitant to do that because it might be construed as they are in favor of the railroad. The City still has not received the 90% drawings yet and probably will not receive them by the deadline in February to apply to the State. He said it would be difficult without reviewing the 90% drawings to determine if they want to make applications for quiet zones. He said this would be the policy of the City Council if they wanted him to pursue quiet zones in the City. He said there are pros and cons in having them. He personally feels that All Aboard Florida is going to do considerable work towards quiet zones and he wouldn't want the City to spend the additional money if that happens.

Mr. Old asked Mr. O'Connor to provide them with the pros and cons of having quiet zones.

Mr. Winger said that one of the cons is they assume much more liability for accidents, as well as more financial responsibility to maintain the infrastructure.

Mrs. Turner referred to the annual stormwater report that they received for 2015 (on file in the Clerk's office). She said in looking at the pollutant removals she was curious to know if they had any numbers or projections for their STEP system and how effective it has been or what they can expect from that system.

Mr. Bolton explained that Mr. Bill Messersmith, former Assistant Engineer, was working on that and he has since retired from the City of Vero Beach. Mr. Bolton said that he would find out what he could on where Mr. Messersmith left off. He knew he was working with the Health Department in finding out where septic tanks were located. He said even though his department is administering the STEP system it is the City who will benefit from the actual pollutant reductions and Public Works is handling getting those numbers.

Mrs. Turner asked with the design of the STEP system itself, what was the criteria/projections for phosphorous and nitrogen removal.

Mr. Bolton explained they never really touched on phosphorous, but they did touch on nitrogen. He said St. John's Water Management District recognized what their proposal was and that was if they hook up all 1,500 homes to the sewer system then they actually are removing the potential for 40,500 pounds of nitrogen entering the water table.

Mrs. Turner commented that it was important that they quantify it so they can determine the success of the projects they are doing.

Mr. O'Connor added that the good thing about the STEP program is the cost exposure to the City is relatively small and the way the STEP system works is that a property owner can keep their drain fields to give them that backup in case their power goes out. Although a lot of their customers are choosing to remove the drain fields because they are looking at it as a convenience standpoint.

Mrs. Turner commented that she reviewed the summary of the meeting with the representatives of Indian River Shores when they met with Mr. Schef Wright. She said in the summary it said they (Indian River Shores) had asked for document requests that the City had objected to.

Mr. O'Connor explained that the City did have some objections as to what was being asked of them to provide. He said Indian River Shore's request was very broad. He said the City has provided considerable information to them already. The remaining documents are on a disk, which the City Clerk has provided to their attorney and he is

evaluating how to release that information. He said there are also volumes of documents in different offices throughout the City and Indian River Shores has been invited to send a representative to the City to go through these documents. He noted that there was a conference call this afternoon so that the Indian River Shore's attorney knows where this information is.

Mrs. Turner was happy to hear that the City was being receptive in saying that the information is available if Indian River Shores wishes to send a representative to the City to review it.

Mr. O'Connor commented that the City is also making a considerable request to Indian River Shores for certain documents.

Mr. Winger brought up the interrogatories where it says they want power assets removed from the property. He said most of the property is City, State, or private property. The City has asked Indian River Shores what property they really control, which seems to be a small amount. He said Indian River Shores has not provided the answer to this question.

9. CITY ATTORNEY'S MATTERS

None

10. CITY COUNCIL MATTERS

A. Old Business

1) Rendering for a mural to be designed on the wall of the Racquet Club at Riverside Park.

Mrs. Sue Dinunno, Recreation Commission member and President of the Vero Beach Art Club, passed out sketches of different renderings for a mural to go at the Racquet Club wall located at Riverside Park. She said that Mr. Slezak approached the Club about doing a mural on that wall. She said that the Art Club will do the mural, but they want to do it before it starts getting too hot. She went over some of the different murals that the Art Club has done.

Mr. Winger commented that he was in favor of having the mural done. However, he did not believe that the City Council was the proper forum to vet artistic events. He has asked Mrs. Barbara Hoffman with the Cultural Council, who are planning murals in the Cultural Arts Village, to attend their March 1st City Council meeting and explain how they are handling selection of the murals for the Cultural Arts Village. They plan to have an artistic vetting for the murals set up and he thought that they should wait until after she has brought this information to the Council. He gave the City Clerk a DVD showing murals that have been done in Lake Placid, Florida and that City has about 47 murals throughout the City. He said one issue to consider is do they want murals on public

buildings. He said the murals that have been done in Lake Placid have been done on private property. They need to come up with some rules on having these murals done on public property and what is acceptable to the public, which they have not done. He said if the Cultural Arts Village is successful, and he thinks that it will be, there should be some fit between private murals and public murals. He likes murals and the idea, but did not feel they had enough structure to select a drawing tonight. He asked that the matter be tabled until after they hear from the Cultural Council on March 1st. They need to decide for the future what the proper way to handle this is. He recalled when the last mural was done he received numerous telephone calls from people that didn't like the mural. He did not see that they needed to rush into this today.

Mr. Old agreed that he did not want to be the judge selecting which mural they should have done.

Mrs. Dinunno commented that the Recreation Commission favored the birds in the trees that are native to the Park.

Mr. Old felt there could be a lot of murals done within the City, but they need to come up with some guidelines.

Mrs. Dinunno stated that they might do a lot of murals in the City, but it won't be the Art Club doing those murals. She said the Art Club is not charging the City anything to do these murals and this is the fourth time they have stepped up to satisfy City requests. She said if the City is going to do murals all over the City then they will have to pay someone to do them. She did not think that anyone else was going to volunteer their time. She said as far as vetting is concerned it doesn't matter who they get to make the selection there will still be a handful of people that don't like it. She said if they want this project to move forward then the Art Club is willing to do it, but not in the summer time.

Mrs. Turner stated that the Art Club was asked to do this mural. She said the Art Club is not coming to Council saying they want to cover the City with murals. The City went to them requesting a mural be done and they have been kind enough to donate their time and energy to do these murals. She didn't know why City Council was moving away from their policy on this mural. In the past they have approved other murals that the Art Club has done.

Mr. Howle commented that Mr. Winger has noted that he would like to see more public input concerning these murals. He asked Mr. Winger how he would like this done.

Mr. Winger commented that the Recreation Commission, with the exception of Mrs. Dinunno, are not qualified to make the determination of what mural should be painted and to judge art. The City Manager told him that they have a building (Racquet Club) that needs to be painted on all four sides and they have someone (Art Club) willing to paint one of the sides for free. He reiterated that Mrs. Barbara Hoffman plans to bring something forward at their March 1st meeting concerning this matter, which is why he is

asking that it be tabled until then. He did not feel that it is the end of the world if this mural is approved, but, it should be done in an organized fashion.

Mr. Howle said since the wheels have already been set in motion for this particular project and because it has been vetted in the way that it has been vetted in the past that they look at a policy for murals in the future and handle this mural the way they handled selecting the other murals.

Mr. O'Connor commented that what Mr. Winger has just said is very true. He looks at this as someone contributing to painting the building. He said whatever art sketch is chosen is a plus to that actual building. The City has been in the business for the last year to accept contributions from people who are willing to help with the different recreation facilities located throughout the City. He feels that either one of the three sketches would be appropriate for the wall, but he was looking at it as a benefit to the City.

Mr. Old commented that he visited a couple of cities that have murals and then he reached out to a couple of people who he respects who are artists in trying to figure out how the mural concept works. He has not received any opinions on how it should work. Some of the communities like in Miami, say the murals are an addition to the community. He wondered how they were done and did not think that they were taken to the City Council for approval.

Mrs. Turner commented that many of the murals done in Miami are done on private buildings.

Mr. Old commented that it would seem like there would be some sort of policy in place in Miami on how they are done.

Mrs. Dinunno stated that the murals that the Vero Beach Art Club have done for the City have all been Vero Beach oriented and specific to this community. She said none of the murals have been controversial.

Mrs. Turner commented that this mural is a great gift that the Art Club is willing to give to the community. She said if she was a member of the Art Club and this discussion was taking place from the City she would tell the City to forget their offer.

Mr. Kramer made a motion to approve the mural and put a moratorium on murals until they can get some guidelines in place.

Mrs. Dinunno commented that the Recreation Commission would be happy for Mrs. Hoffman to come to them with her recommendations and they can vet them so the City Council would not have to be involved in that process.

Mrs. Turner commented that the Art Club is doing this mural because it was a request from the City to do the project.

Mr. Howle felt in this particular case since the wheels have been set in motion and this is the protocol that the City has used in the past that they go ahead and allow it. He said then in the future they can decide if changes needed to be made on how the mural design is selected.

Mayor Kramer did not feel that the Council should select which rendering to use for this mural. He said the Recreation Commission should decide that. His motion was to have a moratorium in place until guidelines are in place so that another mural is not approved.

Mr. Winger understood that the motion was that the Recreation Commission would be authorized to approve a mural for this building and guidelines are in place before this issue comes up again.

Mr. Howle seconded the motion. The motion passed 4-1 with Mr. Winger voting no.

Mr. Coment commented that he looked up some of the Codes that Miami uses and said that their Land Regulations have quite a few stipulations included in regards to murals. He said that he will look at various cities to see what they have in place as far as regulations go and provide the information to the Council and to the Recreation Commission.

2) Update on proposed Skate Park at Leisure Square.

Mr. Eric Toomsoo, Project Coordinator for the Vero Beach Skate Park Alliance, reported that at the last Council meeting they were told to do a questionnaire and pass it out to the surrounding neighborhood where the proposed skate park was to be constructed to find out how the public feels about the skate park. He said that they distributed 75 questionnaires and to date have only received eight (8) questionnaires back. He said four (4) responses were in favor of the skate park and four (4) responses were not in favor of the skate park. He said the opposition to the skate park had to do with noise and light issues. He said there were also some people who did not want to fill out the survey because they didn't think their comments would matter. He submitted to the Recreation Department and to the City Council a basic business plan for the proposed skate park. They have looked at other parks to see what worked and what didn't work for them. He said that Mr. Tito Prado was at today's meeting. He is from Orlando and is one of the premiere builders of skate parks.

Mr. Winger wanted to review the business plan. He said they need to be very careful in making every effort to give the public an opportunity to come forward and ask questions about the skate park. He suggested having an open house at Leisure Square inviting the public to come and talk to them about the proposed skate park.

Mr. Toomsoo said that he would be happy to make available the presentation that he gave to Council at their last Council meeting.

Mr. Winger felt that neighborhood meetings were useful and give the public an opportunity to be heard.

Mr. Old had some questions about getting the skate park up and running and if it will pay for itself.

Mr. Toomsoo explained that those things are outlined in the plan. He said they have the luxury of comparing other skate parks on what has worked and not worked for them. He brought up the skate park in Sebastian as an example.

Mr. Howle asked Mr. Toomsoo if the skate parks that he has visited have been successful.

Mr. Toomsoo had some concerns where in the plan it shows that 66% of the facilities do not operate with a surplus. However, he said there are some things that they can do at Leisure Square in hopes that won't be the case and a lot of the operational costs are already in place. He clarified that he didn't physically go and see these skate parks, but did talk on the phone to some of the people who run the parks.

Mr. Old asked how big the proposed skate park is going to be. Mr. Toomsoo said that they would like to go with the plan of building a 19,000 square foot skate park, which would cost around \$950,000 to construct.

Mr. Toomsoo expressed that having an open house at Leisure Square would not a problem.

Mr. Slezak commented that he is treating this group much like GoPlay Vero. The Committee (Vero Beach Skate Park Alliance) is putting together a plan to enhance the City and they will go out and raise the funds.

Mrs. Saskia Fuller expressed that up until two (2) months ago her and her husband owned an art gallery. In September they put a show together to raise awareness of the need for a skate park in this community. She said there was about 350 people who came to the event. At the event they collected 200 additional petition signatures. She has not talked to anyone that is thinking that the skate park is a bad idea.

Mr. Tito Prado, Skate Park Designer from Orlando, was at today's meeting to answer any technical questions that Council might have. He said they hear a lot about how the skate park will pay for itself. The main thing to remember is that a skate park is a recreational sport. The participation consists of 75% male and 25% female and the female population is growing. He said this proposed facility is known as a smaller type regional facility. The yearly maintenance fee for the structure is almost nonexistent. They need to look at the return on investment versus making money on having a skate park. It is a great recreational sport that reaches a lot of people and enhances the quality of life in Vero Beach.

Mr. Slezak asked how often the skate board park has to be resurfaced. Mr. Prado said usually every 18 years. He then went over the different groups that will be using the skate park. Mr. Slezak asked what will be the cost of resurfacing the area if they had to do it 20 years down the road. Mr. Prado said the costs would be equal to the construction costs to build the skate park.

Mr. Old asked what additional expenses will the Recreation Department be expected to cover.

Mr. Slezak said that the Recreation Department would be looking at additional expenses in staff because of having to expand the hours at Leisure Square. He didn't see that there would be a huge expense. He said the cost of lighting would be minimal because lighting is already there. He has checked into the insurance and they are looking at about \$5,000 overall. He expressed they want to make sure that the skate park is going to pay for itself.

Mr. Old felt that the project has an awful lot of support in this community.

Mr. Slezak agreed that they want to have something that will benefit the community and be able to pay for itself.

Mayor Kramer had some concerns with the sound that skate parks create.

Mr. Prado expressed that tests have been done to show that the thumping of a basketball is louder than skateboarding itself. He said if they market Leisure Square, in conjunction with the skate park and all the amenities that Leisure Square has to offer, it will be a hit.

Mr. Howle asked Mr. Toomsoo to provide the financial information if they chose to construct a smaller skate park. He was concerned with some of the things, such as the employee pension plan, OPEB, dodger property, etc., that the City is dealing with at this time. Mr. Toomsoo said that he would provide that information.

Mrs. Turner commented that she asked for some data on Leisure Square and has not received it yet. She would like to have that information given in time to study it.

Mr. Toomsoo reiterated that the business plan includes things that have worked and not worked at other skate parks.

Mr. Slezak reported that he is close to having the data that Mrs. Turner requested finished. He said that he will need the Finance Director to review it and she (Finance Director) has indicated how busy she is this week.

Mrs. Turner asked if Public Works provides any support to Leisure Square.

Mr. Slezak answered yes. He said that Public Works takes care of maintaining the grounds and repairing things that need to be fixed. He said the Recreation Department is charged for these different things.

B. New Business

1) City Manager's Department to Assemble and Release City News – Requested by Councilmember Richard Winger

Mr. Winger stated that he would like a motion today for the City Manager to study this issue and come back with a specific proposal including costs. He said that he recently attended a meeting with probably three (3) dozen community leaders and they are very clear about two (2) things they would change about the functioning of the City as to how they handle matters. The first is adjusting the agenda so that they don't have long diatribe at the beginning of the meeting that interrupts doing business and the second major item was that the people of the City feel news from the City gets out poorly.

Mr. Winger referred to his memo of February 2, 2016 titled **City Manager's Department to Assemble and Release City News** (please see attached). He covered the summary of points for discussion which included: *1. The public is now almost the victim of International Exclusion because the City does an extremely poor job of informing and disseminating City noteworthy events. 2. We pass laws, such as the vaping regulation which are then not followed because nobody is aware they exist. 3. The press does not report most of the votes, and often misses the news worthy items. 4. Often there are major issues/developments that are completely missed, or worst, report inaccurately. 5. As a result, the public is not informed, and becomes negative on the City and apathetic. 6. The various Groups around the City do an excellent job in their areas but are dependent on working with the City for support, coordination, land-lord, protection and so many other ways and 7. We must make it easy for people to quickly and easily be informed on City issues.* He said these days we are living in an electronic world and the City has a poor website and it is hard to read the minutes on the City website.

Mr. Winger went over the public needs or issues that need to be addressed: *1. Major changes can occur with the public largely unaware. 2. Local neighborhood changes can occur, without the public being informed – note the Skate Park. 3. If we expect public support, the public needs to be informed in brief and user friendly format. Nobody has the time anymore to research the City. 4. In the past, decisions have been made where later on the public complained and the decision was changed. 5. Money can be spent and wasted fulfilling a "perceive need," which the public either did not like the result or could have suggested a better route and 6. City Council's job is to fulfill the expectations of the public. We are not doing that if they cannot understand what has happened.*

Mr. Winger then went through the summary of the proposed solution to the public need or issues: *1. The City Manager must be equipped to fix this problem. 2. This will require fixing the limited TV access, which means having all outlets available without advertising and over more than Comcast. 3. The web page must be brought into modern times to*

include a weekly page of what is going on. 4. All votes should be tabulated and made available as press releases and put on the webpage. 5. There must be a person assigned as Public Relations Officer, either as an employee, or part-time contract employee, to contact and work with the press to facilitate getting the news reported and 6. This person should have routine contact with the press and the public and need be able to reach out and ask for press releases to be printed. In other words, a person experienced in public relations available to get answers for the Press. 7. Any advertisement need be reader friendly/besides legally correct. In other words, jargon now prevails such that nobody will read the item. 8. A Compassion workshop has been offered by Suzy Fienny and should be considered and 9. Such other measures as are needed to fix the communication void which is the major concern to community leaders in that area. He hears major criticism from the people that the City doesn't get the facts out and doesn't get out in a timely matter if they do get out.

Mr. Winger made a motion to have the City Manager study this matter and come back in four (4) to six (6) weeks that would include the costs to consider this.

Mrs. Turner mentioned that back in 2014/2015 they added a full time employee under the City Clerk's office to address their webpage. She agrees they need more communication and to make it easier. There still needs to be a lot of work done as far as communication goes. She said with this recent boil water emergency it is clear that they need some better ways to communicate with the public. Technology is changing. A lot of people don't take the newspaper anymore. They read the news on-line or through other ways. She said that she has been in the minority of this Council for several years now and she has no objection to the press coverage they have been given. The journalist decides what is important and what they feel the public needs to know. She said now, Mr. Winger is looking at hiring a PR agent to cover his spin on what goes on in City Council meetings and to spend \$70,000 or \$80,000 of taxpayer's money to hire a PR agent is ridiculous.

Mr. Old felt that it was their obligation to tell the public what is going on in this City. It is not a "spin" thing it is a "factual" thing. It is their obligation to keep the public apprised of what is happening, what has happened, and what the facts are. He felt this was a very good idea. He has asked the newspapers if they could have a page in their paper for the City to include things and was told no. He completely supports Mr. Winger's proposal.

Mrs. Turner asked Mr. Old if he thought it was their obligation as Elected Officials to participate in events that are happening in the City. She spends a lot of time at public venues where she is available to talk to people and answer their questions. She said it is part of their public service to inform.

Mr. Joseph Guffanti commented the novice approach analyzing what is going on here is evident. He has been following these meetings for over 25 years and their power comes from the public. He said that the public can be informed more, but most people don't have the time to engage in those activities. He has heard they are asking more for public input and then chastise the few people that do come to the podium, including himself. He

told Council that he does not get offended and doesn't care what they think of him. He said this proposal is ridiculous. It will not change anything. He said the public still will not come to the meetings. However, maybe the public deals with them in other ways and all of their business is conducted in back rooms. He told Mr. Winger that he didn't know who these leaders are that he referred to. He said he didn't know there were any leaders in Vero Beach.

Mr. Ron Ellingsworth agreed with having citizens more active. He suggested having a high school student attend meetings and getting the word out to their groups. He said there is no simple solution to the website. He suggested having a volunteer handle the job of getting the word out. He said the only thing these volunteers look for is a little recognition. He suggested giving information to a particular group and giving them jobs as opposed to hiring someone to do it.

Mrs. Laura Moss, Utility Commission member, stated that her background is in marketing and she would be happy to work with Mr. O'Connor and Mr. Bolton in addressing the emergency situation that occurred this week. She said some of her neighbors did not even know that they were supposed to be boiling water. She said a lot of people were very frightened by this. She offered her service in at least looking at resolving this single issue.

Mr. Ken Daige referred to number six (6) on Mr. Winger's memo. It says *City Council's job is to fulfill the expectations of the public. We are not doing that if they cannot understand what has happened.* He suggested including the health, safety, and welfare of their citizens. He said that is the first responsibility of Council. As far as the water situation goes, he had some miscommunication about the water being contaminated and this morning Mr. Bolton corrected him and explained the full story. He told Council that he would be sending them some information regarding the proposed skate park and the stormwater utility issue and hoped they would look at his suggestions. He said with the live streaming the ads that pop up drive people nuts. He asked that they at least address that issue and make those ads go away. He does not want to wait another year for this to happen.

Mr. Winger made a motion that they have the City Manager between now and the second meeting in March study this issue and come back with some proposals.

Mr. O'Connor reported that he has met with the City Clerk and they are going to proceed with having their meetings televised over AT&T and to take the ads off of the live video streaming. He said that this is a \$10,000 - \$20,000 expense and may require a budget amendment. They are in the process of gathering all of this information and it is in his purview of what he is allowed to spend. He thinks there is a consensus on what people want done and they are hearing these concerns from the public. He said they will move forward in these two (2) areas.

Mr. Winger wanted to bring forward some specifics to the City Manager. He amended his motion to stand with that said (he will give specifics to the City Manager). He said

they are not deciding anything today except to look into what is perceived an issue in this City. They will come back and discuss what they can afford and what is feasible.

Mr. Old seconded the motion.

Mrs. Turner asked about the November 2, 2016 memo from the City Clerk.

Mr. Winger explained that it was a memo dealing with a conversation that he had with an employee in Sebastian on how they provide AT&T services to their community.

Mr. O'Connor reiterated that they are moving forward with providing these services. They are looking at a bid that Ft. Pierce put out, which includes connections to AT&T and live streaming without any interruptions. They will be looking at somewhere in the neighborhood of \$10,000 - \$20,000 in order to accomplish this. He brought up the website and said to have someone come in and rebuild their website they will be looking at somewhere around \$100,000. He asked Mr. Winger if he wants him to come up with a budget to address community outreach.

Mr. Winger said that he would provide Mr. O'Connor with some more data. He said dealing with the website he has no problem with him (Mr. O'Connor) coming back and letting them know what it is going to cost to upgrade it.

Mr. Howle agreed that they were not getting all of the important information out to the public. He said if the public is willing to wait until after the meeting is over the meetings are available on YouTube with minimal interruptions, if any at all.

Mr. Kramer did not have a problem with this request. He said that he would like to add a few duties for this person if they do hire someone. He spends a lot of time with businesses doing advocacy and helping them on various issues. He knows of one individual who has racked up \$5,000 in code enforcement fines and if they had someone that was an advocate to help in a situation like this maybe those fines would not have occurred. He said it would be nice for the public to have someone to contact to help them navigate through the bureaucracy of the City.

Mr. O'Connor asked each Council member to send him something as to what they expect out of this person.

Mrs. Turner would like to see him pursue the possibility of having a phone app to handle emergencies.

The motion passed 5-0.

Mr. O'Connor mentioned that there was one question asked earlier in the meeting concerning the public outreach cost included in the stormwater utility study. He said that cost is \$15,160.00. He said \$745.00 of that goes to the additions on the website as to how the stormwater will be placed on the website, and \$14,414.00 are the community outreach

issues, which includes coming to Council meetings and holding public meetings to discuss stormwater utility.

10. INDIVIDUAL COUNCILMEMBERS' MATTERS

A. Mayor Jay Kramer's Matters

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

Mayor Kramer reported that he attended the Art by the Sea held at the Museum, the grand opening of the new Cancer Center at the Hospital, the Yacht Club's 90th Anniversary and the ceremony where the Silver Star was presented to Cpl. Sylvester B. McIntosh.

B. Vice Mayor Randy Old's Matters

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

Mr. Old commented that he and Mrs. Vock are still working on the Charter Officer Evaluation forms. He said they have received some more forms from different municipalities in the State that they will review.

Mr. Old reported that the Old Vero Man site excavation starts next week and tours will be offered. He said that Florida Atlantic University has taken over this project and he will invite someone to attend one of their Council meetings to talk about the project.

C. Councilmember Pilar Turner's Matters

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

Mrs. Turner gave an update on the Debbie Mayfield Bill (House Bill 579), which was drafted in order to get some accountability from Florida Municipal Power Agency (FMPA). The Bill now has to be passed by the last Committee, which is the Regulatory Affairs Committee.

Mrs. Turner addressed a recent article that was published by Mr. Barry Moline, CEO for the Florida Municipal Electric Association (FMEA). She said in that article Mr. Moline said that FMPA had provided the City with firm numbers in order to exit. She has not seen any firm numbers from FMPA. He quoted that she (Mrs. Turner) was provided with the full exit payment calculation. She reported that she went to a meeting in Orlando and the conditions in attending the meeting was that she could not reveal any information, she could not take any notes, and she was not given anything in writing. Mr. Moline's article implied that she was complimentary of the meeting. She said she comes from a

generation where a lady writes a thank you note. She wrote a note thanking them for their time, which in no way implies that she agreed, approved, or accepted, any of that process.

Mrs. Turner attended the opening of the new Childcare Resources facility. She attended a program offered at the Environmental Learning Center (ELC). She said the new Director at ELC approaches nature as being a soothing and comforting experience. The ELC now has an all terrain wheel chair to allow those with physical disabilities to be able to get out and enjoy the beauty of this community. Mrs. Turner reported that on Sunday she participated in the Indian River Farm tour. She reminded the public that on Friday night there will be the Art Gallery Stroll and then this weekend is Garden Fest at Riverside Park.

D. Councilmember Richard Winger's Matters

1. Correspondence
2. Committee Reports
3. Comments

Mr. Winger referred to the newspaper editorial that Mrs. Turner talked about and said there was an easy solution for Vero Beach. He said that was talked about in the mediation sessions and rejected by the other parties.

Mr. Winger reminded Council that at their March 1st City Council meeting Mrs. Hoffman from the Cultural Council will come forward with their views on handling murals as far as the Cultural Council is concerned. Then on their February 16th City Council meeting, Mr. Dwayne DeFreese will be talking about the Indian River Lagoon. He thought Mr. DeFreese's report would be very interesting.

E. Councilmember Harry Howle's Matters

1. Correspondence
2. Committee Reports
3. Comments

Mr. Howle thanked the taxpayers for allowing him to attend the Florida League of Cities Elected Officials Institute held in Jacksonville.

Mrs. Turner complimented the City for being recognized as a Healthy Weight Community.

11. ADJOURNMENT

Today's meeting adjourned at 12:24 p.m.

/tv