

**SPECIAL CALL CITY COUNCIL MINUTES  
TUESDAY, SEPTEMBER 21, 2010 9:00 A.M.  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**1. CALL TO ORDER**

**A. Roll Call**

Mayor Kevin Sawnick, present; Vice Mayor Sabin Abell, present; Councilmember Tom White, present; Councilmember Brian Heady, present and Councilmember Ken Daige, present **Also Present:** James Gabbard, City Manager; Charles Vitunac, City Attorney and Tammy Vock, City Clerk

**B. Pledge of Allegiance**

The audience and the Council joined in the Pledge of Allegiance to the flag.

**2. ITEMS FOR DISCUSSION:**

**A) Old Dodgertown Golf Course**

Mayor Sawnick explained that the purpose of today's meeting is to discuss the old Dodgertown Golf Course.

Mr. White said that he spoke with Mr. Michael Zito, Assistant County Administrator, and he asked that the Council not make a decision on this today because he has not presented this to the County Commission.

Mr. James Gabbard, City Manager, reported that City staff met with County staff a few weeks ago. He noted that today's meeting was requested by Councilmember Daige. He said that they thought that Representatives from the County would be here today, but they were unable to attend because there is a County Commission meeting taking place. He noted that Mr. Craig Callan, Vice President of Vero Sports Village, is present.

Mayor Sawnick said that today's meeting is to get an idea of what direction they want to take.

Mr. Heady stated that he also spoke with County staff and they were not particularly happy that the City scheduled a meeting that conflicted with their regularly scheduled County Commission meeting. He noted that the property is a partnership of the County and the City and whoever scheduled today's meeting should have been more considerate of the County. He said that if there was going to be a presentation at the County Commission meeting today, then he would think that Councilmembers would have liked to have attended. He said that he would have attended. He said that it was stated by Mr. Gabbard that he met with Mr. Joe Baird, County Administrator. Mr. Heady reported that he also spoke with Mr. Baird. He reported that

Mr. Baird was upset that this meeting was being held at a time when he (Mr. Baird) could not be here. Mr. Heady felt that in the future they (City Council) should not schedule a meeting that involves another political subdivision during a time when the other subdivision has their regularly scheduled meeting.

Mr. Gabbard said they could cancel today's meeting and reconvene at another time.

Mr. Heady said that he was not suggesting canceling today's meeting. He was merely suggesting that they plan these meetings better.

Mayor Sawnick said that they were here now and the idea of the meeting is to get a consensus on what Council wants to do.

## **B) Presentation by Minor League Baseball and Indian River County**

Mr. Callan said that he has spoken with Mr. Baird and Mr. Zito. He clarified that today's meeting was to get Council's approval to move forward. He reported that they have met with County staff concerning this proposal and then they brought it to City staff for discussion prior to bringing this before the City Council. As much as Mr. Baird and Mr. Zito were not able to attend today's meeting, he did not see anything changing here. He said that Minor League Baseball (MiLB) has been operating at the Vero Beach Sports Village since May, 2009. From day one they have had the vision to make the facility a true multi-sports complex. They have had some success in doing that during their first year. He noted that in order for them to be successful they need to have a multi-purpose facility. They cannot just have baseball. He said that they do not have youth baseball and they are unable accommodate women's softball. The reason is because all of their fields are grass infields with 90 foot base paths. He said that this was not a brand new idea. This started when they first came here and they knew that this was something that they would need to pursue. Over the last few months he has been meeting with County staff to try to come up with where they could put this and then met with City staff to see if this plan would work. He noted that this would not only help them be successful, but it would also continue to be an economic engine in the community by teams staying and utilizing Vero Beach (hotels, restaurants, etc.). Once they receive City Council approval, they would then bring it before the County Commission. He then showed an aerial on the doc cam showing the existing golf course (on file in the City Clerk's office). The area outlined in blue is a nine-acre portion of the golf course that the County owns and has leased to the City. He said there is 11 acres that includes a heart shaped pond and a cloverleaf area. The cloverleaf area is where MiLB has been looking at to expand from the beginning. This area would accommodate the shortcomings that they don't have now, which is youth baseball and girls softball (four fields). What makes it appealing is that it is tucked in the corner south of Holmen's Stadium and across the canal where there is a walkway to the other fields. This area is where the batting cages used to be located. The position that the City & County came up with was if the area in yellow was leased to the County from the City, it is equal to the area at the top, which is currently encumbered. By moving forward in leasing that section, it gives the City a complete rectangular large portion to do with what they would like to do in the future. He said that they have major

plans and they have brought in some large groups to use the facility. He reported that the Chinese National Team is currently using their facility. He said that they were moving forward, but at the same time they could not be successful without this property. The reality is without having the clover leaf piece of property, MiLB would fail here in Vero Beach.

Mayor Sawnick summarized that this would be a land swap and without the fields MiLB would not be able to move forward. If this occurs there would not be a regular nine-hole golf course that was there before. He noted that Council would need to look at other options.

Mr. Daige noted for the record that a meeting occurred with Mr. Callan, himself, and City staff on August 25, 2010 and the minutes of the meeting are on file in the City Clerk's office. He said that what he heard at that meeting was pretty much what they heard today. He said that he had some questions during that meeting regarding the land swap and has not received the answers yet. It was his understanding during that meeting that MiLB needed to move this plan forward in an orderly fashion and they are working on time frames.

Mr. Heady asked Mr. Daige if he had a list of the questions that he has not received the answers to.

Mr. Daige answered yes, he had one question. He said that they discussed swapping deeds or a land swap and he expressed that he wanted to do a land swap. He said that Mr. Gabbard was not sure if Mr. Baird would go along with that because of some concerns that he had. Mr. Daige said that he asked Mr. Gabbard to speak with Mr. Baird to find out what his concerns were.

Mr. Gabbard said that in their meetings with Mr. Baird, the City initially wanted a clean swap (the area in yellow, which belongs to the City for the area in blue, which belongs to the County). What this would do for the City is it would square off the City's piece of property. They had several discussions regarding the issue of if the City wanted to restore the golf course. If the City is not going to restore the golf course, then they should not encumber the County's nine acres. The transfer of the County piece of property to the City makes sense because they have been contacted about having a golf training center. Mr. Callan has been contacted by an individual who is interested in having a tennis academy. Therefore, this would give the City more flexibility to create a recreational setting that would benefit residents throughout the County, as well as enhance MiLB's business opportunities. He felt that this would be a win/win situation for everyone. For some reason the County was not interested in a clean land swap. He then suggested that they do a long term lease swap. Mr. Baird agreed that might be the way to go. Mr. Gabbard expressed that the City wants to do their part to keep MiLB here. He reported that Mr. Pat O'Connor was emphatic that this piece of land was needed for them to survive. Mr. Gabbard said that this would not do anything to the land as it would continue to be green space. If in the future MiLB was to leave there would be fields that could be used.

Mr. Heady said the County was not interested in the land swap, but they would do a long term lease swap, which accomplishes the same thing. He said that Mr. Callan stated that MiLB could

not survive without this and the last thing that he would want to do is impede, in any way, the progress of MiLB. He said that he has heard from hotels that they were more than happy with what MiLB has brought into the community. He was sure that some of the restaurants have also benefited from them. Therefore, the long term benefit to the community is certainly there. The youth baseball and women's league seemed to him would be an important issue. Some of the things that they heard are that this is a natural area and the issue now is that they need the different segments in order to complete that multipurpose court. He did not want to see them go dead in the water. He said when they originally negotiated the deal with the County and the City, they had money to provide lighting to the other fields and they would use that money to build the clover leaf shaped property. Therefore, this was not a deal that if approved, they would not state that they don't have the money to do it. He asked if this is approved, what kind of time frame would be involved. He asked could this be completed in order to accommodate next year's Little League.

Mr. Callan said they have already started getting bids as far as what it would cost to construct the clover leaf property. He said that he would like to have it completed in nine months, but they are in the time of year where the growing season is short (grass for the fields). Even if they have it done in nine months it would still serve their purpose because it is a year around type of use. He said that they need to know that they can do this because they need to be able to market it.

Mr. Heady asked are the bids they are receiving coming in with a dollar amount that is consistent with the amount of money they set aside for lighting.

Mr. Callan said that bids always come in high and they will eventually bring them down. He said that they want a first class facility that is here 40 years from now. When they entered into an agreement with County they thought that in order to move forward they would need to light some of the fields and covert some of the fields to Little League fields. He said the business of woman's softball is monstrous and they see that as an opportunity to bring more into the community. He noted that there was not a set dollar amount in their agreement with the County.

Mr. Heady asked for some idea of how much tax dollars are involved in lighting the fields or building the cloverleaf piece of property.

Mr. Callan answered about \$800,000 to \$900,000.

Mr. Heady said then this would be about a one million dollar expense. He asked would the money come from the one-cent sales tax.

Mr. Callan did not know. He said it was part of the incentive package for MiLB to come in and un-shutter the facility and start utilizing it to become an economic engine.

Mr. Heady asked is it a shared expense with the City or is it a County expense.

Mr. Callan said it would not be a shared expense because it is a County facility.

Mr. Heady said the original intent of the County in having that portion of the golf course was to have parking for the stadium. In the lease swap, the County would not have that portion of land. He asked would that change the parking availability.

Mr. Callan said it was his understanding that the land would be unencumbered.

Mr. Gabbard said that was correct.

Mr. Heady said then the 11-acre parcel that is currently owned by the County and leased to the City would be unencumbered and would stay available for parking.

Mr. Callan answered no.

Mr. Gabbard said the reason that property was held out when the property was sold was because of the parking issue. He did not think that they would have 5,000 – 8,000 people park there during the spring on a regular basis, unless another major league teams comes here. There are events that could occur, such as a concert, which would generate a lot of people. He did not believe that would be an issue for now. If it becomes an issue they would remove the parking agreement from the nine-acres.

Mr. Heady said the in the agreement, land swap would include eliminating the parking and Mr. Gabbard is happy with that because there is parking at the Airport.

Mr. Gabbard said that is his understanding, but they would need to have further discussions with the County.

Mr. Callan said the plus for the County is to do a lease of equal value. He said they took into consideration that there is a pond there, which would be used for runoff from future road projects.

Mr. Heady said it was stated that the pond is currently used for runoff for the roads.

Mr. Callan answered not currently. He said that they currently pull water from the canal into the pond and then pump from the pond for the stadium and golf course area.

Mr. Heady said they currently fill the pond from the relief canal and use it for irrigation. He said in the new configuration that would not change. He said the pond is not going to be used as a retention pond for roads.

Mr. Monte Falls, Public Work's Director, said the pond would be used as a retention pond for the 43<sup>rd</sup> Avenue project. That agreement was made prior to the sale of the property. It also

would be used as a stormwater management facility for Aviation Boulevard. He reported that the pond would be increased in size to accommodate the volume.

Mr. Heady asked is the pond going to be deeper.

Mr. Falls said the depth was not much of a concern because the water table fills it up. He said the surface area is needed for the extra runoff.

Mr. Heady said it was stated that the new configuration (the rectangular parcel) that the City now has will give the City the opportunity to do with what they want in the future. He asked are there plans.

Mr. Gabbard answered no. He said there was a proposal for a golf and tennis academy. He said that this plan would make the parcel much cleaner and easier to lay something out.

Mr. Heady asked for a copy of the proposal from the golf academy.

Mr. Gabbard said that he did not have a proposal. He explained that he met with them and one of their thoughts was to have some kind of golf academy with a few golf holes or another option was to restore the entire golf course. He said that he has not seen actual drawings.

Mayor Sawnick said it is up to Council on whatever they decide to do.

Mr. Heady said currently there are no proposals from anyone.

Mr. Gabbard said they have had contact, but not an official proposal. He said some backup was provided to Council at their last meeting.

Mr. Heady said that he was provided with backup on a corporation, but nothing specific to Vero Beach. He asked other than the corporate brochure, is there anything on record that shows discussions with them.

Mr. Gabbard answered no.

Mr. Falls said other than the City sending them some aerial photographs showing the site. He explained that they asked for some particulars on the site, such as the size and the City sent emails to them and their consultant.

Mr. Heady asked for a copy of the emails.

Mr. Falls said that he would send Mr. Heady a copy of the emails. He said that they did walk the site with them.

Mr. Heady asked were they looking at the new configuration.

Mr. Falls said they were provided the aerial that shows the site as it exists today. He said that he also advised them about today's meeting and sent them a copy of the agenda.

Mr. Heady said the reason for his questions was if there was some interest on their part, would doing this have any impact on their interest.

Mr. Falls did not know.

Mr. White asked Mr. Callan if he met with any of the County Commissioners one on one like he did with the Councilmembers.

Mr. Callan answered no. He felt that since it was a County facility and he has dealt with Mr. Baird and his staff, that the first step would be to get approval from the City Council. He said that his next step would be to meet with the County Commission.

Mr. White felt that was Mr. Zito's concern. He explained that Mr. Zito expressed to him that the County Commissioners had no knowledge of what is going on.

Mr. Callan said that he spoke with Mr. Zito this morning. He said that he has been dealing with County staff, but not with the County Commissioners. He said that staff would bring this before the County Commission and he would meet separately with the Commissioners if that is what they want.

Mr. White felt that they should tread lightly and not step on anyone's toes. He wanted to make sure that the County and the City have full cooperation. He felt that this was a good situation for the City and for MiLB. He felt that it would be an asset to the City to have that piece of property. He would like to see a swap of deeds. He said that they need to get the elected officials on board. He noted that he was in support of this. He felt that the County Commission should look at the assets of what they would have and what the City would have. He said that there is still a possibility to swap the deeds.

Mr. Callan said they would be happy to pursue that, but what they are proposing today is to get approval from both Boards.

Mr. Abell said there is an interest by the City and by the County to make this concept work. He said that during the negotiations with MiLB, it was mentioned several times that there might be more opportunities that MiLB would need. He said that staff has kept the Council individually informed on what is going on. He reported that a few years ago the City Recreation Commission had multiple suggestions as to opportunities that would include golf type training, soccer fields, etc. He did not think there was anything wrong in the Council approving what is being suggested. He said it would not hurt the City in taking a vote on it if it would help MiLB get what they need to move ahead. He said the heart shaped pond had a historic issue because it was created by Mr. O'Malley for his wife to see as they flew in. He asked even though the pond is going to be enlarged, that they maintain the heart shape.

Mr. Callan said that he has discussed this with Mr. Falls and was told that they could design the pond any way they want.

Mr. Abell felt that the deed swap was the best way to go because it would be a more permanent situation. He said that during some of the initial negotiations, the lighting that was proposed and what the County committed to was a bargain. He said that MiLB has certainly brought people here. He felt that this was a good concept and that Council should vote to approve it.

Mayor Sawnick thanked Mr. Callan for presenting this concept today. He said that he was in favor of the concept and the details would come forward further down the road. He said this would help MiLB as well as keep the options open for the City. He said that they would discuss what direction they want to go at the end of today's meeting.

Mr. Heady said that he had some questions at this time.

Mayor Sawnick said that he would like to have the public speak or give their presentations and then they would come back to Council.

Mr. Heady objected to the Mayor's ruling. He said that he has a follow-up question for Mr. Callan and he would like to ask it now.

Mayor Sawnick said that his decision is to continue with public comments.

Mr. Heady appealed the decision of the Mayor. The appeal died for lack of a second.

Mr. White excused himself from today's meeting at 10:00 a.m.

### **C) Other Public Presentations**

This item was discussed with Public Comment.

### **3. PUBLIC COMMENT**

Mrs. Tracy Carroll, 422 Live Oak Road, thanked Mr. Callan for his presentation. She said that she is a member of the City Recreation Commission and is not representing the Commission, but is here as a citizen. She reported that on May 11, 2010, the Recreation Commission asked that they be advised of any discussions that take place regarding any recreation issues. She said that it is the Recreation Commission's charge to work with the City Council regarding all matters pertaining to recreation activities. The Recreation Commission was not advised of today's meeting. She said that they would like to be contacted for their input so they can provide what they are here for, which is to advise the City Council. In going forward she would like to be apprised of these discussions.

Mr. Rob Slezak, Recreation Director, said that he went through the City Clerk's office to have them notify the Recreation Commission of today's meeting.

Mrs. Debbie Kay Whitehouse, Chairman of the Recreation Commission, stated that she received an email advising her of today's meeting. She thought that this was sent to all the Commission members.

Mr. Jay Kramer, 5035 Trade Winds, asked was there any idea, when the property was acquired, as to what kind of return would be given on the \$10 million dollars. He said that he would like to know because, as stewards of City assets, there is normally a good idea as to what they would get for a return. He was not adverse to seeing this idea going through. It was stated that this was an economic engine of filling up the hotels. He asked was there an economic study done on this to show what kind of return they receive on the \$10 million dollars.

Mr. Abell said the idea behind the purchase of the property was if they were to get a Major League Baseball Team, they would have the same obligation as they did with the Dodgers to find parking. That was what was to be an attraction for a Major League Baseball Team. That did not work, so therefore they have been trying to find possible uses for the future. One opportunity is to help MiLB help the community economically. He said that the Recreation Commission has had multiple opportunities presented to them. He said that there are a lot of opportunities that don't necessarily include golf.

Mr. Kramer said this is a public asset and he would like to see it put to the highest and best use. His said that they cannot make a decision unless the quantity is there, that there is a return attached to the actions being taken.

Mr. Abell said the original return was to have a Major League Baseball Team use it as a training facility. Another issue that existed at the time was that there were people talking about developing along Aviation Boulevard and 43<sup>rd</sup> Avenue, which would have totally busted the idea that they have parking available for Minor or Major League Ball Clubs.

Mr. Vitunac said this was not purchased as an economic return investment. It was purchased for green space. He said that they never had any intent to make money on this deal. If it had not been purchased there could have been condominiums next to the stadium, which would have ruined the entire facility for baseball and other green uses. That is the reason there was not an economic study.

Mr. Kramer said that what he was hearing was one of the benefits of having this is to fill the hotels and get a kick start on the economy. Therefore, what he is hearing is that this is being done as an economic boost and he would like to see what the numbers are.

Mayor Sawnick felt that Mr. Callan would have numbers on the estimated generated revenue when teams have been here.

Mr. Kramer said that he was just trying to understand how this decision was arrived at. It troubles him when he hears people say "I feel" this is the best way to go.

Mr. Heady said when this was originally purchased, it was to be funded with the one cent sales tax. It was not a revenue bond. It was a general obligation bond.

Mr. Vitunac said it was not a general obligation bond.

Mr. Heady asked what money was used.

Mr. Vitunac said a general obligation bond has a claim on ad valorem taxes. He said the revenue bond dedicates another source of money to pay the issue off. In this case it was the sales tax.

Mr. Heady said then this was a revenue bond, but not based on the revenue generated by the purchase, but rather the revenue generated by the one cent.

Mr. Vitunac said that was correct.

Mr. Heady said then it ties up any future City Councilmember from doing anything with that one cent until that \$10 million dollars is paid.

Mr. Vitunac said it ties it up to the extent that each annual payment has to be made and reserves met and the rest of the one cent can be used for other items.

Mr. Heady said it ties to the extent of the declining balance of that \$10 million dollars.

Mr. Vitunac said that was correct.

Mr. Bill Fish, 2236 Buena Vista Boulevard, said that while he was on City Council they discussed what to do with this piece of property and he took Ms. Bea Gardner, Recreation Commission member, and Mr. Slezak to Jacksonville to look at their small golf courses. He said that this property was never designed as a golf course, it was made into a golf course after the fact. He said that there were many ideas for the property, all of which involved spending money. He said that an unnamed Major League Baseball team wanted to put buildings on the property and he, as a Councilmember, did not want that and he held his ground.

Mr. M.J. Wicker, 1036 28<sup>th</sup> Street, said that he just found out about this meeting. He stated that he had some people who were interested in having the golf course restored. He spoke with Mr. Baird and with Mr. Callan about the development of these fields. He suggested that they look at Michael's Field where there is already a cloverleaf field and would only require minimal work. He felt that this area would be more accessible to the children who already live here in Vero Beach. He said that he would love to see baseball increased here in Vero Beach,

but would hate to see it done at the expense of destroying a 50-year old landmark that was created by Mr. O'Malley. He has been told that comments have been made that the golf course could not make money. He felt that if they had the right people running it, it could be profitable. He asked that they keep in mind the possibilities available at Michael's Field and the possibility of restoring the golf course. He said that they could make it a historical landmark where famous baseball players once played.

#### **4. CITY COUNCILMEMBER COMMENTS**

Mayor Sawnick felt that there was a consensus of the Council that they need to at least move forward with approving the concept. He said that MiLB needs this to be affective, productive and to bring money into this County.

Mr. Daige said that Mr. Callan referred to an approximate figure of \$800,000. He asked is that figure already allocated from the County.

Mr. Callan answered yes. He explained that there was never a dollar amount put in the lease agreement, but it stated the level of lighting was needed. He said it was always the thought to spend money to improve the facility.

Mr. Daige said in moving forward in a positive direction, Mr. Callan clearly stated their intent. He felt that they needed to move forward with what they have in this community. The Vero Beach Sports Village needs multi-purpose use. He said that he visited them when the football team was here and they (the football team) had nothing but good things to say about this community. He said that MiLB is hoping that the City and County could make things happen now. He said if this does not move forward in the positive then they (MiLB) will have to leave. He said this is very doable and he would like to see the land swap happen. He would like it put down in writing that the pond would maintain its heart shape. To move forward in the positive, he would like the Council take the lead and approve this and then to send it to the County Commission. As far as getting figures on the impact, the Chamber of Commerce has figures in place and can state what sources they used to arrive at the figures. He said if people have questions, when the Sports Village is up and running they can ask the managers of the hotels and restaurant owners if there has been an increase in sales. He said that he does take the time to go out and ask questions. He said that he spoke with employees of the Sports Village and they stated that their wages are not bad and they are happy to have a job. He said when the land was purchased, the City residents were aware of what was taking place and they wanted it to remain green space. They did not want major development on the property. Since then there has been a downturn in the economy, they can't do everything to make everyone happy. But, he would like to be able to provide jobs in our community.

Mayor Sawnick made a motion that they accept the concept of the proposed land swap as presented by Mr. Callahan and to authorize staff to develop the appropriate documents once the County approves it, and to bring back before Council. Mr. Abell seconded the motion.

Mr. Daige asked that they include the heart shaped pond.

Mayor Sawnick said that the shape of the pond would be in the final document.

The motion passed 3-1, with Mr. Heady voting no.

Mr. Callan reported that the Chinese National Team is currently training at the Sports Village. He said that they were practicing right now and there would be nine home games that would be open to the public.

## **5. ADJOURNMENT**

Mayor Sawnick made a motion to adjourn today's meeting at 10:32 a.m. Mr. Daige seconded the motion and it passed unanimously.

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