

**CITY OF VERO BEACH, FLORIDA
FEBRUARY 20, 2018 6:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Father Robert Switz of Trinity Episcopal Church followed by the Pledge of Allegiance to the flag.

1. CALL TO ORDER

A. Roll Call

Mayor Harry Howle, Vice Mayor Lange Sykes, Councilwoman Laura Moss, Colonel Tony Young and Dr. Val Zudans **Also Present:** James O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Bursick, City Clerk

Mayor Howle stated that their last meeting should have been an hour to an hour and a half and it was more than three (3) hours. They have a lot of people present for tonight's meeting and he appreciates them all for attending. He knows they feel strongly about the topics being discussed tonight. He asked the Councilmembers that not just for tonight's meeting, but at any future meetings, they try to limit any presentations to 10 minutes, just as they allow the public. He said any public comments tonight will be limited to three (3) minutes. He asked that the public comments being made tonight not be repetitive.

Dr. Zudans said there are some items on the agenda and there is general public comment. He requested that if the public wants to speak on an item on the agenda that they wait until they get to that item because there will be an opportunity for the public to comment then.

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – February 6, 2018

Mr. Sykes made a motion to approve the minutes. Mr. Young seconded the motion and it passed unanimously.

B. Agenda Additions, Deletions, and Adoption.

Mrs. Tammy Bursick, City Clerk, requested that item 3-B) be added and heard under the consent agenda, "Request from Pan Florida Challenge Ride for Hungry Kids to serve alcohol at their event on March 11, 2018." She also requested that item 2E-1) be removed from tonight's agenda and rescheduled for the March 6th agenda.

Mr. Young made a motion to approve the agenda as amended. Mr. Sykes seconded the motion and it passed unanimously.

C. Proclamations and recognitions by Council.

1) Certificate of appreciation to Ms. Carol Makris and Mr. Britton Gainer Smith for repairing the Hibiscus mural on State Road 60

Mayor Howle presented a Certificate of Appreciation to Ms. Carol Makris of the Garden Club for repairing the Hibiscus mural after it was vandalized with graffiti and to Mr. Britton Gainer Smith of Don Smith's Paint Store for supplying the materials.

2) Certificate of appreciation to Mrs. Karen Vatland and Mrs. Barbara Russell for their hard work in making the Gardenfest so successful

Councilwoman Moss read and presented a Certificate of Appreciation to Mrs. Karen Vatland and Mrs. Barbara Russell in making this year's Gardenfest such a success.

3) Gaby Ortega to speak about Up with People

Ms. Gaby Ortega from Denver, Colorado, and Ms. Maria Compast (spelling may be incorrect), from Mexico, introduced themselves to the City Council. Ms. Compast stated that they are present tonight in support of the International non-profit organization "Up with People." She reported that they have 110 people who travel around the world with the mission to learn to work together through music and service. They will be in Vero Beach the week of March 19th through March 26th. They will provide two (2) musical shows with the theme, "*Keep the Hope Alive in the Community.*" They have a group of 110 members representing 17 nationalities with the mission to impact this community. She invited everyone to be a part of this. She said all the proceeds for their shows will support the Hibiscus Children's Center, Good Gardens, and United Against Poverty.

Ms. Ortega reported that they are very busy trying to find homes for their cast members. She said they are looking for host families to provide a place for them to sleep, breakfast, dinner, and transportation. She then gave her telephone number (303-263-0872) for anyone who is interested in assisting them.

4) Vero Beach Dog Park

Dr. Zudans read and presented the Vero Beach Dog Park Proclamation to Mr. Bob Joy.

Mr. Bob Joy read a prepared statement (attached to the original minutes).

5) Coastal Conservation Association

Mr. Sykes asked the Coastal Conservation Association (CCA) Board members to come the podium. He said that it is his honor and privilege to present this Proclamation to such

a worthy organization. He suggested to those who care and are frustrated about the Lagoon issue that they contact Captain Paul Faitate, President of the CCA. He reported that this group is actively working on projects to better the Lagoon system and the marine resources in the State. He said they hold two (2) great annual events and it is a great way to get involved in the “boots on the ground” projects that will make an impact in this community. He then read and presented the Proclamation.

Captain Faitate pointed out that Mr. Sykes is the past President of the CCA and is very dedicated to the Lagoon, the habitat, and the environment. He said that the CCA is going to continue moving forward to do what they can do to try to restore some of the quality of what used to be enjoyed. He touched on a few of the projects they have been working on. He reported that they have done five (5) oyster mat projects from Harbor Branch to south of Grand Harbor over the last four (4) years. They are happy to have attended the last County Commission meeting and heard that the Oslo Road Boat Ramp area will remain as it is. He explained that Oslo Road is the only area in the entire Lagoon system that is a nursery for trout, snook, redfish, and tarpon in the entire 156 miles and they are fighting to preserve it.

D. Staff/Consultant special reports and information items.

None

E. Presentation items by the public (10 minute time limit).

1) Mr. Brady Roberts to go over the Vero Beach Museums new Strategic Plan – Supported by Councilmember Tony Young

This item was removed from tonight’s agenda and will be heard at the next City Council meeting.

2) County Commissioner Tim Zorc to speak on the Bethel Creek conceptual pilot project to pump water from the Atlantic Ocean to help flush Bethel Creek and the Indian River Lagoon

Mr. Tim Zorc, Indian River County Commissioner, gave a Power Point presentation on the Bethel Creek conceptual pilot project to pump water from the Atlantic Ocean to help flush Bethel Creek and the Indian River Lagoon (attached to the original minutes). He then showed on the screen the graph of the *Polycyclic aromatic hydrocarbons (PAH) levels in Seminole Lane Canal Sediments* located on page 13 of the *Seminole Lane Canal; Indian River Shores, Florida; Sediment Analysis Report* dated April 9, 2014 (report attached to the original minutes). He reported that this will not be easy and will not be cheap, but he felt it was well worth the fight to continue to explore it. He would like to meet with the Mayor and with other stakeholders in the next 60 days. He said that he would like to submit the Bethel Creek location to the St. John’s River Water Management District (SJRWMD) for them to look at funding a second study. If not, he felt they could find some other opportunities of funding to make this happen.

Councilwoman Moss asked would the City and the County be making the funding request together.

Mr. Zorc said that he would like to see not just the County and the City, but also the Florida Inland Navigation District (FIND) and the St. John's Water Management District work together in saying they would like to see a study done.

Mr. Young said Indian River Shores (IRS) has a stake in this as well. They have a whole array of stakeholders that could be marshaled.

Dr. Zudans thanked Mr. Zorc for doing this. He said this is one (1) of the things that he wanted to do. He said that one (1) of his hobbies is salt water reefs and he has a few large reef tanks in his home. He said they don't necessarily have to change 100% of the water every week. In his fish tanks are growing coral reefs, which requires much healthier water than they need in the Lagoon, but it takes about a 20% water change every three (3) or four (4) weeks. He said do something (referring to the 89 days), which he felt they would see a difference. He said they can build on that and keep going.

Mr. Young felt at some point Mayor Howle might be able to go before the County Commission and voice their support and their concerns in regard to how this is going forward.

Mayor Howle explained that this presentation is a "for your information" thing. He asked the citizens if they are a proponent of the project, that they get in touch with Mr. Zorc. Also, if they still have questions on what the project is or want to show him their support that they contact him.

Mr. Zorc said that he would be having a community get-together soon. He said that he would let the City Clerk know when the date has been scheduled so they can help get the word out.

Mr. Sykes said that he is a huge proponent of the concept of exchanging water in Bethel Creek. He asked Mr. Zorc after preliminary testing, etc., if he sees this becoming a permanent project, like in Destin.

Mr. Zorc felt to initially stick their toe in the water and test it and run the project for so many months and if it shows successful, then going in head first all the way in on a permanent install like Destin would be the next step. He felt this was very doable. He said people throughout the County recognize that they need to find a way to improve the water quality in Bethel Creek.

Mr. Sykes said that he attended the County Commission meeting last week. He reported that the City and the County are very interested in working together to resolve these issues and this is not the first initiative. Collaboratively they have been working on the Lagoon Legacy Project, which is a series of "boots on the ground" initiatives to go out

and get 50% matching grants from FIND, SJRWMD, and other organizations to do a couple of different projects. He said they are looking to open up a series of islands to add and increase water flushing in an area that needs help. They are looking to embark on further oyster reef rehab projects. These are all initiatives that they want community involvement and they need volunteer help and support. He said they all get frustrated at the pace that some of these things move and they are all very mindful of the fact that things need to be done now. He thanked the County Commission for working with them on these projects.

Mr. Sykes reported that the City Council voted unanimously on the Lagoon Legacy initiative and judging by what he heard at the County Commission meeting last week, they all have support. By a show of hands the entire City Council and the County Commission are dedicated in fighting for the citizens, for the marine resources, and for the children because that is really who they were doing this for.

3) Mr. Ken Daige to speak on Leisure Square

Mr. Ken Daige stated that he would wait to do his presentation until after they have finished their discussion on Bethel Creek (there were several people in the Council Chambers regarding this subject).

At this time, the City Council heard item 4B-1) on today's agenda.

Mr. Ken Daige went through a slide presentation that they prepared for Leisure Square (on file in the City Clerk's office). He then read a prepared statement (attached to the original minutes). It is their hope tonight that they would allow the restroom repairs to move forward. He said these repairs are long overdue and the facility is used a lot. He said Recreation staff is doing a stellar job with what they have to work with. He asked for City Council's consideration.

Mayor Howle explained that the decision the City Council made at their last meeting was not to not have the bathrooms remodeled. The decision was to postpone it for what they believed to be a purposeful reason. In fact, it wasn't negated, cancelled, or held off for a year. It was held off for a few months so that they might have a better situation at the end of that time period. He doesn't know if that is going to be the case or not, but his feeling was it was worth a small wait to see if what Dr. Zudans was trying to do was going to be beneficial.

Mr. Young felt it was public knowledge that the decision to stop the RFP that was submitted was a mistake. Last summer in their budget process it was a specific discussion point that the entire City Council supported and now to delay the improvement is a step that won't advance getting Leisure Square to where they want to be.

Colonel Young made a motion that they re-look at that decision and move forward now to support the renovation for locker rooms (restroom area) for the pool area.

Councilwoman Moss said what Mr. Young said is correct. They did do that at the last budget session and while she thanks the Daige's for the photographs, she is familiar with the facility. She took her mother there for the aquatics class on a regular basis so she is familiar with the facility and her mother was very happy to participate in those classes. She again thanked them for the photographs. She said as the Mayor was saying, they were in no way considering not doing this. It was just a delay. She asked Dr. Zudans to explain exactly what the purpose of it was.

Dr. Zudans thought there has been a lot of miscommunication about what the whole point of this was. He knows that all the people present tonight who are doing gymnastics are concerned and he sees the signs, "*Save Leisure Square*," that they think someone is taking their gymnastics away. He said that was the opposite of the intention. The intention was to find someone in the community who would be willing to do a bunch of fundraising to improve the overall quality of the facility and not just two (2) bathrooms, but four (4) bathrooms. To do it in a way that is very different than the way government normally works. He said that he spoke with staff at Leisure Square and when government gets their cleaning service for Leisure Square it doesn't go to the best people to clean Leisure Square. It doesn't go to the best quality of service. It goes to the lowest bid. He said the people who manage Leisure Square are very frustrated with just that one (1) little thing. They would love to have a cleaning crew who does a great job. He said that he has a friend who runs a Foundation in this community that has been very successful in raising money who came to him stating that he was very interested in trying to look for another project to give back to the community. Unfortunately, his friend told him that he doesn't want to do it anymore. He doesn't want people speaking out against his son's organization. He doesn't feel comfortable doing it anymore. Dr. Zudans said they lost an opportunity for someone who could potentially have raised a million dollars and done a lot of wonderful things for their community and for Leisure Square in particular. He said that he is very frustrated and disappointed that was the result of people misunderstanding what they were trying to do. He said that he met with the Recreation Director and everyone involved in this and the Recreation Director can tell them what the conversation was. He said there is a major problem with Leisure Square and unfortunately the status quo is not the answer. He showed on the doc cam the revenues and costs for the pool at Leisure Square, gymnastics, and summer camps. He said the truth is that they can get much nicer facilities than what they saw in the presentation (referring to Mr. Daige's presentation) by going to Christy's fitness or somewhere else. They either have to find a viable solution or do something different. He said that he is not the kind of person who is going to keep throwing money into what so far has been a money pit. He said they can fix it and they have to find someone else now who is willing to do that. He said that is what this is about. It is about trying to make something better in the community. It is not about trying to take away someone's gymnastics program.

Mr. Young felt a part of the predicament they find themselves in is the fact that they made a decision that has an immediate effect when they are looking for an answer that has merit on a large scale permanent aspect for the community. So, the bill payers for that decision that the City Council made at the last meeting is youth. The immediate

effect is they have a 50-year out of date locker room for the pool that will not get improved and that could have been improved and renovated as they look for the right answer and he agrees with Dr. Zudans that they look for civilian/government cooperation. From his position, the decision to abort the renovation was ill advised.

Councilwoman Moss said they were just looking to delay it to get additional information. She asked are they saying now that the additional information will not be forthcoming.

Dr. Zudans said that he didn't give up yet.

Councilwoman Moss said perhaps there is no reason to delay.

Mr. Young asked how long are they going to wait until they have an answer that many Councils' previously addressed.

Dr. Zudans said just for three (3) months, which would be the first meeting in May they would address this again and then probably a little longer than that because they would have to go through the RFP process again. He said this is not a forever delay. One (1) simple non-government thinking reason to do this is instead of them spending \$100,000 on the bathroom, why not let someone else, if they can find someone else, let them figure out what they want to do and use City money as matching money where it would be utilized in a much better fashion. He said that he knows for a fact when they go out to get a bid they are going to get a better bid than the government. That is the reason why he thinks they should not do it now.

Mr. Young said the impact is that they are telling the public "the checks in the mail." He said in November they could have different City Councilmembers and they could say let's delay it again. He is voicing a concern that the decision was made in the budget process to support a need, likewise supporting the need at Bethel Creek, it was all supported and now because of an impulse feeling that they can do it in a better manner they are putting the monkey on the public's back because they don't have adequate facilities at Leisure Square.

Mayor Howle said what is sad is that the rumor mill basically took away an almost sure thing that Dr. Zudans had put together, which would have been a better result in the end for everyone.

Mr. Young said what happened in front of them was they had an imprudent decision that, had they allowed the opportunity for normal vetting to proceed, they could have had the support from the private community for the grant, as well as proceeded forward for the upgrade of the locker room. The assertion was that they lost a million dollar upgrade.

Mayor Howle said that he does have his reservations now in that how will they find someone else who is going to be able to put forth that kind of clout and drive. He said this wasn't something they said they were not going to do. They were just looking for a better way to do it. The fact that they don't have that person in line now, if Mr. Young

wants to put the funds forth for the bathrooms and try to continue to look for someone to help with the other matters that is great. What he envisioned was a better bathroom and then some.

Mr. Young questioned the decision to not improve the bathrooms and how the public response is guilty of causing the benefactor to move away from the renovation.

Councilwoman Moss said the decision was not to not do it. It was never cancelled, the money is there, it was to delay it a couple months to allow time to hopefully have a better situation. That was her understanding of it.

Dr. Zudans asked is it reasonable for them, as Councilmembers, to continue to give subsidizes, basically for over \$300,000 to benefit approximately 300 of their citizens.

Mr. Young said what they are talking about is what they discussed earlier, the quality of life in the City of Vero Beach. What they are making a decision on now is at a point in time, that the money arrayed in support of their recreation services is not something that is of value to their community.

Dr. Zudans said that he didn't say that. He asked how much would it be to send their residents to Christi's fitness.

Mr. Sykes said that he is a big believer in public/private partnerships. He feels they prove to be more successful than the government handling these things completely on their own. That being said, he looked very closely at the images provided by Mr. and Mrs. Daige and for the most part it came off to him as a lot of easy cosmetic fixes. He wondered in the interim between now and then that hopefully they could work with a public/private partnership and in the meantime have the Public Works Department replace the shower heads, shore up anything that would be a safety hazard, fix the doors, etc., spruce the place up enough to bridge the gap between now and when they embark on a public/private partnership. To him, that would seem like a more reasonable economic expense than doing an RFP.

Mr. O'Connor said they have been doing that over the last three (3) years a little bit at a time. But, the Public Works Department takes care of a lot of facilities so they would have to go out and get someone else to do the work if they want to get something done between now and May. They just don't have the manpower and staff to do that.

Mr. Sykes said that he knows they have money budgeted for this, but it seems exorbitant that it would cost \$110,000 to do that work.

Mr. O'Connor said there are two (2) large rooms.

Councilwoman Moss said it was never cancelled. It was delayed. She asked what period of time is the RFP good for.

Mr. O'Connor explained that the contract was cancelled at the direction of the City Council so they would have to do another RFP.

Mr. Young said the implication is if they wait until March it would probably be Fall before they have the renovations done for the locker rooms.

Mr. O'Connor explained that they would put out an RFP for bid, which the bid period would be three (3) to four (4) weeks, they would analyze the bids and bring it before the City Council for approval so it would take somewhere in the neighborhood of 60 days to go through the process and award the bid.

Mr. Young asked so in the beginning of May, if they have a proposal that comes back for around the same amount, what is the likelihood that there would be a change in the City Council's thought process. He said it is still going to cost over \$100,000.

Councilwoman Moss said that she would like to have it done in this budget year. What concerns her is she thought what Mr. O'Connor was talking about was that it wouldn't be done until almost the next budget.

Mr. O'Connor said it would be after the budget hearings, but it would probably be done this fiscal year.

Councilwoman Moss said that she is in favor of the public/private partnership that Dr. Zudans mentioned, but it seemed to be a more high probability situation than it is currently since the original party is no longer interested and she understands that.

Dr. Zudans said it absolutely is a much higher chance. He does have one (1) other potential person that he has talked to. He said that he doesn't give up easily so he is going to try to find someone who is interested in getting involved in making this better. He felt that in some ways from looking at the photographs, they were shown all kinds of things that are well below standard. He said that he toured Leisure Square and there are a lot of areas that have issues, not just the bathrooms. What they were proposing to do without really finding a long term solution, they are just throwing it at one (1) thing. He felt that for \$100,000 there should be much more done in those bathrooms.

Councilwoman Moss sensed that the probability is not what it was and they will end up waiting too long to do this.

Mayor Howle asked in hearing everyone's concerns, in the light of the fact that they may or may not have that private partner, what would the consensus of the Council be if they said to send out the RFP now and then that part would be done and they would have new bathrooms. He said the roof would still be in disrepair and hopefully they could still find someone to go in on a public/private partnership.

Mr. Young felt that is what they should do. The point is that is the direction they should go in.

Councilwoman Moss said she is fine with that.

Dr. Zudans said that he personally would not put money into a money pit unless he knew there was some future that was actually going to fix this and make this a viable operation that doesn't lose over \$300,000 for their City. He felt the responsible thing to do is make sure they are not throwing good money after bad into something that may not be resolvable. He would not be in favor of doing that.

Mr. Sykes said that he grew up going to summer camp at Leisure Square and it doesn't look that much different then when he was there. He felt that everyone in this room would hope that they ultimately could do something great at that location because it is such an interval part of this community. His concern is if they are going to keep the facility open it needs to be safe for the members in the community. He thought they had the money budgeted.

Councilwoman Moss said they do and that is the whole thing. They were well aware of the problem and budgeted the money for this last summer and now it has been almost one (1) year. She said they budgeted the money last July.

Mr. Young said the direct parallel is how many millions of dollars do they put into beach re-nourishment and the sand gets sucked away and they don't want to spend \$100,000 now so they can look at a larger answer, which he agrees with Dr. Zudans would be beneficial to get it to where they want to go.

Councilwoman Moss said they are not mutually exclusive.

Mayor Howle said that he would entertain a motion after public comment to have the RFP begin now to get it started so they can get the bathrooms worked on. He asked Dr. Zudans to continue on his quest to find someone who would help the facility as a whole.

At this time, Mayor Howle opened the meeting for public comment.

Mrs. Deborah Daige reminded the City Council and for public knowledge, she and Mr. Daige did not know anything about a private donor wanting to do anything. They had no knowledge of this and their comments had nothing to do with that. She took offense to the fact that there is an implication that they have runoff someone and that they spread rumors when they haven't. She would like the City Council to acknowledge the fact that when things are donated to the City, the City ends up being the owner of them. Anything that is done, including the dock that is being done, becomes City property and the City becomes liable for injuries, maintenance, etc. Therefore, there is no "zero" outlay to the taxpayer. There is no such thing as someone taking over something and taxpayers not ending up paying anything. If it is a true partnership, then both will be paying. She said the roof and awning have needed repair since 2004. That has nothing to do with future visions or ideas. The restroom repairs need to be done right now and should have been done already. She said they are right about safety and welfare. She said that she is

questioning ADA requirements. She said this is not the first time that she has been insulted by Dr. Zudans and it comes across like someone spread a rumor and the only ones who were on the agenda to speak were her and Mr. Daige.

Dr. Zudans said there was never any done deal. There was never any agreement. He said they are still in process of looking at it. He said it has nothing to do with Mr. and Mrs. Daige.

Mrs. Daige said it shouldn't have come up and shouldn't have been said.

Dr. Zudans said they did not come to him saying that they were interested in getting involved with Leisure Square. He went to someone else and they held meetings with the Recreation Department. What happened was that someone in the community got wind of this and thought that somehow someone was going to take over Leisure Square. He said they were doing this out of the goodness of their heart. They wanted to do something to benefit the community and in the process, what happened was that someone got the wrong idea and started a petition speaking out against the Foundation. It really was a misunderstanding about this whole thing. They didn't want to have anything negative said about their Foundation so they said they did not want to get involved. That is what happened. It had nothing to do with Mr. and Mrs. Daige. If they want to blame anyone, blame him. He was just trying to find someone to make Leisure Square better. He said that he is still going to try to find someone else who might come in and help raise money to help Leisure Square.

Mr. Sykes said in support of what Dr. Zudans is trying to say, regardless of whether they fix the bathrooms, which he is in favor of, the situation is intangible. He said no one would ever operate a business that is losing this kind of money because they can't stay in business. He said these are taxpayer dollars. He noted the Marina is also losing money. These numbers just don't work. Regardless of whether the bathrooms are fixed they have to fix this situation as a City because they can't keep subsidizing these kinds of rates for the use of this facility. He said that he uses Leisure Square, he grew up in this community, and he understands the citizens' concern. But, this doesn't work long term so they, as the City Council, have to find a solution. What has proved to work in the past is some sort of public/private partnership where the onus does not fall completely on the City and the taxpayers to continue to subsidize the use based on 309 participants who are using Leisure Square.

Mrs. Daige said the idea is if something is in disrepair you are not going to have attendance. She said that she used to go to Leisure Square to use the pool, but she got tired of the bathroom situation two (2) years ago so she stopped going. She did put in a complaint about it and one (1) year later the pool was repaired and they were told that the bathrooms would be next. They are not going to have anyone want to go there if the place is not being maintained and repaired. She said until they start putting interest into something they are not going to see if it is going to work or not. This has been floundering for a while. If they don't maintain it, no one will come.

Mr. Sykes said it seems like the majority of the Council is in favor of fixing the bathrooms.

Mayor Howle said they are going to make a motion and have a vote, which seemed to him that they would be in favor of it.

Mr. Rob Slezak, Recreation Director, said there is a lot of misinformation going on out there. He said that he met with Dr. Coppola and Dr. Zudans on February 9, 2018 to discuss Leisure Square and Dr. Coppola was excited about the possibility of helping out to offset costs, do enhancement, etc. He said Recreation staff is in support of Dr. Coppola coming back. He said the Live Like Cole Foundation is outstanding and he totally supports it. He said they have been very fortunate in that they have raised about \$1.5 million for the City through private/public partnerships, such as with the Jake Owen Fields, Humiston Park, Riverside, etc. He said that he understands numbers, but there are other things to think about. He said they have a number of professionals who attend Leisure Square who are now a vibrant part of the community and are giving back to the community. He understands where Dr. Zudans is coming from. He said this has been going on for decades. However, it is the reward that comes afterwards that gets back to their economy. He said they run about .40 cents on a dollar. When they did a benchmarking study they went up against other cities that are pretty much doing the same as the City of Vero Beach and the City's numbers were way better. He said if they can get people in to offset the money, they are totally behind it. He said the rumor mill that went on did not come from Recreation staff. The bottom line is if they can do something to help Leisure Square he is totally behind it. He said what they are going to see tonight is a number of people who truly care about Leisure Square. He thought the people in attendance tonight are worried that Leisure Square is going to go away. He said they have always looked at this as trying to provide recreation for people who otherwise couldn't recreate. Regarding having people go to the private sector, there are a lot of great private organizations, such as Christi's, the Jungle Club, etc., but there are a lot of people in the community who cannot afford to go to those places. He said that he has developed a scholarship program to help the people who are really suffering and cannot afford it.

Ms. Cindy Carlsward brought with her a "visual" (photographs of her daughter doing gymnastics). She said her intent on attending tonight's meeting was not to say don't do this or that, but to stress to the City Council how Leisure Square and the gymnastics and summer camps affected her life, her child, her grandchildren, and so many other children in this community. Whether it is a private or public/private she is not against it either. She then read a prepared statement. She asked that whatever the decision is for the fate of Leisure Square, that the gymnastics programs remain, that staff remains, and to keep summer camp.

Councilwoman Moss asked Mr. O'Connor to check with the Jimmy Graves Foundation in that they are currently planning a center by the High School and they are going to include not only facilities for athletics, but also for different kinds of arts and education. She said perhaps there is an overlap that will exist between their Foundation and Leisure

Square. She said it would be interesting to know since they are talking about public/private partnerships and this is already underway. She asked Mr. O'Connor to check with Mr. Joe Graves.

Ms. Hanna Peters said that she currently attends Florida State University (FSU) and drove all the way from Tallahassee to be here tonight. She said that she started attending Leisure Square when she was four (4) years old. She said that she went through a very hard time during High School and the women who trained her at Center Stage are like her second moms. She wants other children to be able to experience that. She has attended Christi's and she cheered for 10 years. She said you don't make that connection with anyone else except at Leisure Square. She said that she continues to get text messages from her coaches at Leisure Square asking how she is doing. They are like her friends and family.

Ms. Carry Cundiff (spelling may be incorrect) felt that unfortunately at the last meeting what she interpreted with what was said was that the City Council was interested in partially privatizing Leisure Square, which is really scary. She said that is very close to what was portrayed.

Dr. Zudans apologized for scaring people stating that he did not mean to scare anyone. He was actually trying to do something really good that the community desperately needs and it is more than just remodeling a bathroom.

Ms. Cundiff said they get that now. Unfortunately, she would not support the Cappola family in doing this because their son's name would be in vein. That is the impression they got so they can apologize for maybe misunderstanding a little of this. She said that her daughter was born with something very special and her team of doctors told her to always involve her daughter in something that will build her character, her self esteem, and is going to be somewhere she feels safe. Ms. Cundiff said those three (3) things are what she found when she moved to Vero Beach.

Mayor Howle apologized for any miscommunication.

Mr. O'Connor reported that Mr. Bill Bryant will hold the same bid for the restrooms that he previously bid if they put it on the agenda for their next City Council meeting.

Mrs. Pat Bryant said that she has utilized the facilities of Leisure Square since moving here. She said that she lives right next to Quail Valley and could belong there, but chooses to put her money in local charities instead. She said that she is interested in the figures and asked if they could name another City Department that does run at a profit. She said that she and her husband first came to Vero Beach on their sailboat on Thanksgiving Day in 1994. They did keep going all the way to South America and were gone for six (6) years and on their way back they wanted to spend some time in Vero Beach. She said she and her husband did water aerobics three (3) days a week. She said there were about 40 women in the pool this past Monday and only two (2) of them used the facility because the room was so cold. She said only two (2) of the showers work and

the floors are always wet and there is a danger of falling because there is not adequate drainage. She doesn't know anyone who goes there who wouldn't be willing to pay a membership fee. She felt the deficit could be absorbed by reasonable fees and proper maintenance.

Ms. Rebecca Sovine said that she is not against any organization coming in and throwing in money to help enhance Leisure Square. She is against the public/private organization where they would rent out the space and they would then get control and lose their staff. She said the children can afford to go there because of the fees. Her daughter has attended gymnastics since she was six (6) years old and wanted to try something different so they sent her to Christi's at \$300 per month. She said that is exorbitant and most people cannot afford that, herself included. She said Leisure Square is utilized by children and older people. The gym itself is used by teenagers who cannot afford to go to places, like the Jungle Club. She appreciated the apology, but that doesn't fix the scared feeling their children are feeling. She asked if a non-profit came in and wanted to donate funding for Leisure Square and they don't have control of the facility, don't they still have to follow government guidelines to put the bids out.

Dr. Zudans explained that they were just in the early stages of exploring this. At a later time if they had someone interested that is when they would sit down and figure out how it would work. He said the City owns the Dog Park and leases it. But, part of the lease has certain requirements as far as upkeep. Therefore, in the lease they could have terms that they have to maintain the gymnastics programs and they have to make certain types of capital improvements, etc. The reason he stated the City shouldn't spend money on the bathrooms is because someone else as a private non-profit could go out and get a better deal and might be able to get four (4) bathrooms done for the same amount of money. He cannot prove that is true, but the government is never as efficient as a private business at running these things. He said there would have been a process where all the stakeholders would be involved in helping fine tune the agreement, but in the end they would run things under a lease that had conditions and if the lease was not followed, it would revert back to the City. He thought it was clear at their last meeting that they were just delaying this to start exploring. He thought that he was clear, but obviously he wasn't. He had no intention in scaring anyone and he honestly had good intentions.

Ms. Sovine said that she wanted the City Council to keep in mind that they cannot put a price on their children and their children should not be about profit.

Dr. Zudans said that is two (2) different things. He said that he only wanted to make things better. He noted that the City Council has a fiduciary duty to look after dollars and these dollars come from people's taxes. If they are not doing their job then they don't deserve to be a City Councilmember. They need to look at these things and figure out how not to raise taxes and at the same time deliver the best services they can from the money they collect. So they have to work with what they have and do it in an efficient manner, which is what he was trying to offer. He said he was trying to offer something that was different than the way government normally does things that he thought would help. It was a simple miscommunication. He said that he feels very bad about the

Foundation in that now their name is associated with this. He feels really bad that people were starting to get opposed to him and his organization.

Ms. Sovine asked Dr. Zudans to go back and watch himself at their last meeting and he will see where the miscommunication came from.

Mr. Slezak said in looking at the numbers shown, they do have a number of rentals, classes at the swimming pool, etc., which those numbers are not reflected. Those numbers also do not reflect the High School and the special needs people who also use the swimming pool.

Ms. Terrance Sovine said that she is a participant of the gymnastics program at Leisure Square and they are a big family. As a participant, she was terrified that they were not going to have their coaches. She is going to college in the Fall and knows that when she comes home she will be able to come home to a family that loves and supports her and who she calls whenever she needs to because that is what Leisure Square is all about. She said even though she just does gymnastics, she knows all the lifeguards, all the people in the front, etc., because it is a community. She said that she also went through a hard time and nothing helped her, but Leisure Square did. She said what she heard from Dr. Zudans was that someone was going to take Leisure Square over and she understands that is not what Dr. Zudans meant, but that is what they heard. She reiterated they are a family.

Ms. Jessica Elverse (spelling may be incorrect) said that she has been a part of Leisure Square since she was very young. She is the youngest of four (4) and her older siblings were camp counselors. She has been part of the Recreation Department her whole life. Her daughter is a part of the Recreation Department and is a Junior Staff member during the summer. Her son learned how to swim at Leisure Square and is currently getting certified to be a lifeguard so he can work at Leisure Square. She said this is a foundation and these girls are a sisterhood. She said they cannot take that away from the youth. She has noticed that in Vero Beach they keep taking things away. This County has so much money and has wasted so much money on greenery and roads. She said it is a new fiscal year and they can go out and get funds to fix Leisure Square. She said lets save it, let's fix it, and keep it moving. She asked that they keep the Foundation, keep the summer camp, etc., and that they keep everything as it is. This is something that keeps a platform for the children. It makes them who they are. It molds them. She said it has to stay in place. It is a big part of her life and is now a big part of her children's life.

Mrs. Jackie Foulks stated that she was the person who started the petition because of what was said by Dr. Zudans at the last City Council meeting. He did not state what his plans were or anything else. She read what the petition stated that was not negative. She received a call from Mr. Barry Segal today who told her that the Foundation never had any intentions of doing anything for Leisure Square. She then read a prepared statement.

Mayor Howle agreed that there has been some miscommunication. He asked that there be no redundancy from the people that still wanted to speak.

Ms. Daisy Miller commented that these kids that attend Leisure Square come from everywhere and are a part of the whole Leisure Square family.

Mrs. Megan Hoots commented that she left the meeting, turned on the television and heard that this discussion was taking place and said that she needed to come back to the meeting. She said the comparison that there are private entities that everyone can go to like Christi's is not so. She said an annual fee to go to Leisure Square would cost approximately \$192.00 and going to Christi's for a year would cost \$715.00. She said that difference in amount will be felt by a whole lot of people in Vero Beach. She said that Leisure Square does not need to turn a profit and it can run at a deficit. She makes \$15.00 an hour and you can raise her taxes to keep these girls at Center Stage. She fundamentally disagrees that a program like this needs to turn a profit. It is not just about the girls, but for recreation for every generation. She said that she was a little confused. They had to sell the Power Plant because it was making a profit and government should reap a profit. She said that was the argument she has heard time and time again. She said why have an entity that reaps a profit. That is not the rule of a government entity. They should have something that takes money from taxpayers in their electric bills and profits. Now they are not supposed to have something that runs at a deficit. So her question is what is the rule of government. She said it feels like it changes based on the conversation that Council wants to have. Her recommendation would be to figure out how this Council is going to work and stick to one (1) message. She said the flip flopping is a bad look. She had hoped some of the other people that use Leisure Square could be at tonight's meeting. She has been at Leisure Square when some of the people from ARC are using the pool and that is another group that is not being represented tonight, but that program is equally as important as gymnastics. She urged the City Council to define their role of government. She said she is hearing they are saying it is wrong to make a profit, but they also don't want to run at a deficit.

Mrs. Tracy Zudans commented that she is the wife of Councilmember Zudans and she keeps tabs on him and reminds him of miscommunication. She then thanked the entire City Council. She said it takes guts to put something on hold and seek other options that would be good for the community. She said it was exciting to see the dialogue happening. The dialogue is bringing about a lot of emotion and a lot of questions and hopefully a clearer message of what the communication was supposed to be. She said the miscommunication that did happen ended up hurting a family. She said not just the families in the room, but also the Coppola family. That miscommunication went on to social media and it opened wounds for this family. They were potentially interested, but there was never a done deal. They were asked to come and look at Leisure Square. She said to have someone start a petition on social media over something that was never a done deal just opened wounds for them and made them just as scared as other people in thinking that Leisure Square was going to close. She would ask in the future that people not go to social media with these kinds of things and take into consideration the family that they are talking about when they do this. She thanked Council for taking the time to listen and get everyone's thoughts.

Councilwoman Moss took a moment to apologize to the Coppola family. She did not think that there was any family in this community that has a bigger heart and love for this community than the Coppola family. She said maybe the Graves family. She said those two (2) families have been exemplary and she is so sorry that this ever happened and she would like to try to find out how it happened and this should never ever happen again. She did not recall the Coppola's name being mentioned at the last City Council meeting, but she will check the records. She said this is all a matter of public record. She said anything that Council does is a matter of public record. Their meetings are videotaped and there are minutes taken. She said the name wasn't mentioned publically at the last City Council meeting. Dr. Zudans did not know if that was true or not. Councilwoman Moss continued and said that it will be checked. But the point is that they (Coppola family) are owed an apology. This was a terrible thing that never should have happened and they don't ever want it to happen again. She said because frankly no one will ever come forward to work with them to help the citizens. She said it will never happen again and the Coppolas' are such a good family. She said they are a loving, wonderful family. She thanked Mrs. Zudans for her comments.

Ms. Stacy Floodmiller (spelling may not be correct) said that the audience has heard great things about Leisure Square and the Live Like Cole Foundation and it seems to her like they are all looking for the same thing, which is for children to be successful. She said there are a lot of underpaid people who use Leisure Square and they would gladly accept donations from organizations like Live Like Cole. She feels like they are almost getting slapped because they have voiced an opinion. She told the Council that as leaders they should think about what they are saying because people are watching their Council meetings and they should do what is best for the City of Vero Beach.

Mayor Howle made it clear that the Live Like Cole Foundation was mentioned at the last City Council meeting, but no issue was made of it.

Mrs. Jackie Foulks brought up what Mrs. Zudans said about apologizing to Live Like Cole and she was sure that they would all do that, and again she brought up Mr. Barry Segal and said she did not know who he was, but he was the man who called her and he did not sound upset. He said that he called to let her know that the Live Like Cole Foundation never had any intentions of coming to Leisure Square (the facility). She will apologize if anything was portrayed negative towards Live Like Cole. She said she doesn't know who is telling the truth. She just doesn't want this coming back on her in a negative light because she portrayed it on social media. She is not against Live Like Cole. She only stated what was said at the last meeting. She will email the Council the four (4) pages of her prepared speech that she was not able to read.

Mr. Ken Daige appreciated Council moving forward on the maintenance issue. He knows what return on investment means. He said if they do what needs to be done in the community then they get a return on investments.

Mr. Young made a motion to pursue the bid for the restrooms at Leisure Square and bring the bid back for consideration at the next City Council meeting. Councilwoman Moss seconded the motion and it passed unanimously.

F. Public Comment (3 minute time limit).

This item was heard earlier in the meeting.

3. CONSENT AGENDA

A) Mr. Nick Bingham, Vero Beach Art Club, wishes permission to serve alcohol at their annual Under the Oaks show March 9 – 11, 2018.

Mr. Nick Bingham, Vero Beach Art Club, asked the Council for permission for the Art Club to serve alcohol at the Vero Beach Art Show, which will be celebrating their 67th year art show.

B) Request from Pan Florida Challenge Ride for Hungry Kids to serve alcohol at their event on March 11, 2018.

Ms. Melissa Ellison, Bike Safety Coordinator teaching for bike safety in Indian River County, asked permission from the City Council to serve one (1) ice cold beer to the 100 bicyclists arriving to Indian River County after biking 100 miles for the Pan Florida Challenge ride.

Councilwoman Moss made a motion to approve the consent agenda. Mr. Young seconded the motion and it passed unanimously.

4. CITY COUNCIL MATTERS

A. New Business

None

B. Old Business

1) Vice Mayor Lange Sykes to discuss the remediation of spill/Bethel Creek.

Mr. Sykes explained that the purpose of putting Bethel Creek on tonight's agenda is because they have a lot of concerned citizens in that they have had two (2) recent raw sewage spills in that area, which are of great concern to not just everyone on the City Council, but all the citizens in this community and they want to rectify the damage that has been done. He said they want to give everyone the opportunity to speak and there is someone who is going to give a presentation as well, but he would like to turn this over to the City Manager and to Mr. Rob Bolton, Water and Sewer Director, in order to give the

public an update on what has been done since the spills occurred and what is being planned as far as remediation efforts in the Bethel Creek area.

Mr. Jim O'Connor, City Manager, reported that they have corrected and repaired the pipe. He said they actually put in a dual pipe to try to keep this type of break from occurring again. He said they have also put out to bid for aerators to address the muck issues. They did water samples throughout the process to make sure the water was back to the normal state, which it was. But, there were concerns that they had organics in the muck and the aerators are supposed to address that.

Mr. Sykes said the concept behind the aerators is something that has been studied for over 25 years. If anyone wants to see it in action, the south side of the Stan Blum Boat Ramp in Ft. Pierce has working aerators. He explained that they have an acetic layer of material that lays on the bottom of the Lagoon and the concept is that rather than dredging and taking that material out and potentially exposing materials, which would not be good for the health of the Lagoon, these aerators send oxygen to the bottom, which breaks up the acid layer and allows the carbon deposits to oxidize naturally. This is a process that takes a little bit of time, but it does work rather quickly and the benefit is the cost associated with the pumps and pipes is rather minor in the scheme of things. The science has been tested and they hope by proving the ethnicity of the pumps in this area that it is an idea they can carry through in some of the other Lagoon Legacy Projects in other parts of the Lagoon.

Mr. Bolton showed on the screen a map of Bethel Creek. He briefly explained the situation and what caused the pipe to fail. He reported that the final repair was completed last Thursday and they now have a pipe with 80 to 100 years of life. He showed on the screen testing that was done at different points along the Lagoon, as well as some slides of the repairs and testing that was done. He reported that they received bids that ranged from \$20,000 to \$48,000. There were two (2) companies that they preapproved. He said one (1) came in at \$23,000 and the other was at \$48,000. He noted that he has not had a chance to review the low bid to see if they meet their specifications. It will be his recommendation to the City Council to move forward with whoever is the most responsible bidder.

Mr. Sykes questioned continuing testing the water quality in that area.

Mr. Bolton said that he has attended some of the homeowner meetings and there was some concerns as to how they know this will work. He said their intent is to work with the coastal conservation group and the homeowners to take a bunch of samples prior to putting the device in place. They would take samples throughout the process.

Mr. Sykes asked when was the last testing done prior to the spill.

Mr. Bolton said none that he is aware of.

Councilwoman Moss asked will they be setting up a schedule of regular measurement.

Mr. Bolton said that he would like to work with the homeowners and possibly the conservation groups. He said they could pay someone to come in, but it seemed like there was a lot of involvement where the homeowners wanted to be hands on. He felt it would actually be better because they would be taking the measurements and seeing what is happening.

Councilwoman Moss thanked the people in the community who were stepping up to do this.

Dr. Zudans said one (1) of the things that he liked about the plan to try to aerate this is that this abates a lot of the muck and that is how they get sunlight to the sea grass, etc.

Mayor Howle said Mr. Bolton is not just the guy who handles spills like this, but also handles cracks and pipes, problems with driveways, etc. He has a lot of work that he has to oversee on a regular basis. He said that he does a great job at trying to be in touch and get the information they need. He thanked Mr. Bolton stating that he is doing an outstanding job.

Mr. Bolton said that he would be putting more information on the City's website so that everyone can see what they are doing.

Captain Paul Faifaite asked is the testing equipment part of the bid price.

Mr. Bolton said it is an additional cost, which is about \$10,000.

Mr. Sykes said they want to put together a game plan so that everyone understands what is going to happen moving forward. He felt it was necessary to have the community involved in this water sampling. He said they will have a plan moving forward.

Mr. Mark Ano (spelling may be incorrect) said that he prepared his comments based on something that he is uncertain of. He asked is the sleeving of the pipe just in the repair area or the entire system.

Mr. O'Connor said just the repair area.

At this time, Mayor Howle opened this item for public comments.

Dr. Philip Mercer said that he is a retired Family Practice Specialist and he is present tonight to discuss his health and the community's health. He is a former Associate Professor of Family Practice at the University of Miami and his family looked for an area to retire and have fun and they chose Vero Beach. He is a tennis player and likes to hit the long ball. He runs forward, backwards, he does sprints, etc., to keep his body healthy. He is representing the tennis players because there is a threat to decrease the visibility of the tennis courts by putting pickle ball stripes on the tennis courts at Riverside Park. He

then gave a handout with some information (attached to original minutes). He said that he is 83 years old and there are a lot people that he plays tennis with who have trouble keeping up with him because they have visual problems. He said if they put extra lines on the tennis courts they are going to fall and get injured. He did not want to see that happen to the seniors in Vero Beach. He asked that they look at the health of the community.

Mr. Skyler Amos (spelling may be incorrect) said that he lives in Bethel Creek and has three (3) boats. He said that he saw the pictures of the clarity of the water and there was a cold front that came through right after the spill occurred. He said the water was clear, but it is not clear now. He said you can't see any of the fish in the water. It is bad. His daughter is 12 and she boats and kneeboards. He said the water is the lifeblood of this town. That is why they live here. People purchase big homes on the water and the tax base is on the water. Everything they have talked about takes time. It is wonderful if the aeration system works, but there has got to be something they can do timely. He said that he is on the water every week and was sitting in the flats in three (3) feet of water in a flats boat right outside Bethel Creek and he couldn't see the bottom. It is bad. They are present tonight because they are concerned about the lifeblood of this town and for their children. It is very important to this town that they do something timely.

Mr. Mike Johansen thanked all the young people present for tonight's meeting. He said they are the people they are doing this for. They, like most who were born and raised here, would like to get back on the water. He said as citizens they can write letters, send emails, etc. They have to get involved and they have to do it in such a way that they are not coming to Council meetings and whining. They need to get proactive. He said that Mr. Bolton and Mr. Zorc have attended several of their meetings. He said they are about the Lagoon in general and feel Bethel Creek is a good starting place. What Mr. Bolton is doing is a good start. He said in addition to the water column mapping, muck mapping would be good. He spoke with Dr. Edie Widder of the Ocean Research Conservation Association (ORCA) who stated that they would be more than willing to participate in a cost sharing type of thing. The concern is the muck that went into the creek settled to the bottom, which would be below the water testing. Mr. Bolton's idea of having an aerator is a good thing to do and the scientific community thinks it can't hurt anything so why not do it. Do the muck mapping so they know what the muck looks like before they aerate it and then do a muck mapping after they aerate it in order to find out if they won or lost.

Mr. Sykes asked Mr. O'Connor to reach out directly to Dr. Widder to understand the cost associated with muck mapping.

Mr. Mark Ganal (spelling may be incorrect) said the concern with muck is that if there is toxins in the muck and they aerate, if they re-suspend that muck with aeration and there is toxins in there they will have a real problem, which is why they need to do a muck analysis to make sure there are not any toxins in there. He then read a prepared statement.

Ms. Jean Cashold (spelling may be incorrect) said that she lives not far from the Indian River Lagoon. She is very supportive of all the initiatives the people of Bethel Creek are putting together. She said that as much as they are saddened by the Bethel Creek sewer spill, they also have other pollutions entering the Lagoon. She is present tonight to push the septic to sewer conversion, which is a very important issue in cleaning up the Lagoon. They are lucky to have Mr. Bolton who has pushed the STEP System in the City and she commended the City for supporting it. She reported that the Indian River Neighborhood Association (IRNA) is working with Mr. Bolton to educate the public as to the techniques of the system and the financial aspects of it. She said they are holding a meeting at the Bethel Creek House on March 14, 2018, at 6:30 p.m., in order to educate the neighborhood about connecting to the STEP System. She then read a prepared statement.

Mr. Ed Fitzgerald said that he lives in Cache Cay and is directly impacted by the recent spill. He said that when he has to do something in his yard he has to have the utility come out to look for where the lines are located. He said they built million dollar condominiums there and didn't know there was a pipe that carried human waste through a manhole. He asked how come. He asked is the City going after the developers of that property to try to recoup some of the money. He said they broke it. He asked has the City spoken with them to defray some of the cost. He said that he belongs to the Vero Beach Country Club and they put in some aeration systems in a few of their lakes and if it is not done properly they will stir up a lot of toxins and muck. He said they had thousands of fish that were killed so this has to be done properly. He wanted to make it clear that this is not just a Bethel Creek, a Gifford Cut, or a Vero Isles problem. This is a 156 mile long problem.

Mrs. Megan Hoots felt it was awesome that so many people are in attendance. She felt part of that must be because it is a 6:00 p.m. meeting and they have children here. She felt that they all agree that the health and vitality of the Lagoon is most important. She asked who is responsible for preserving the quality of life for the residents in Vero Beach. She said the participation of their non-profits is great, but she hoped the City does not expect property owners and non-profits to foot this bill. The question instead becomes is the basic function of our government to provide clean water for their citizens. She believes that it is. She urged everyone to look at the 2018 elections, stating that Speaker Cochran has no interest in funneling money from the highest level of the State down to projects like this. She said they have to elect officials who believe that the function of government is to keep their estuaries, their water, and their coastal shores clean. She said that starts here and goes all the way to Tallahassee. As long as they continue to elect officials that believe that is not within the scope of government, they will continue to fight this problem over and over again. This is not just the responsibility of a non-profit, such as the Coastal Conservation Association (CCA). They have to put this on their elected officials. This is the responsibility of government. It is a quality of life issue and it is the minimum role of government.

Mrs. Judy Orcutt said that serves on the Indian River Lagoon Council (IRLC) Management Board, so she does get to oversee a lot of the projects going on from Volusia County to Martin County. She said it is more of a coordinated effort than they

can imagine. This is a huge problem and she is thrilled there are so many people present tonight who are concerned about Bethel Creek. But, the City of Vero Beach has a bigger problem than just Bethel Creek. She said they are seeing the pollution in Bethel Creek, but the entire City of Vero Beach is draining directly into the main relief canal and into the Lagoon without one (1) ounce of filtering on any of that water. All of that pollution is going straight into the main relief canal and into the Lagoon because the City of Vero Beach is not funding their stormwater programs. She said they begged the City Council about one (1) year ago to please pass a stormwater utility so they could begin to fund the stormwater projects necessary to begin to clean up the stormwater issue at the Lagoon. The sewage and septic tank issue is a really important part, but the stormwater issue is equally as important as is the muck. She is present tonight to plead to the City Council to reconsider the stormwater utility in that she felt they need the funding to do something about the stormwater problem.

Mr. Richard Baker, President of the Pelican Island Audubon Society, said they support the cleaning up of Bethel Creek and the Lagoon, both of which are dying and in some places almost dead. He said it is not the break in sewer pipes only. Bethel Creek and the Lagoon were dying before the break in the pipes. He said they are losing half their bird species, many of their butterflies, and insects. He asked that everyone should begin removing their exotic plants and replacing them with native plants, which supports butterflies and birds and do not require fertilizer, and to plant a tree in their yard. He reported that the Audubon Society, the Indian River Land Trust (IRLT), the Environmental Learning Center (ELC) and ORCA are forming a new project to plant 100,000 trees in Indian River County. They want one (1) new Oak Tree planted in everyone's yard.

Captain Faifaite said the CAA endorses both the aeration and the flushing that Commissioner Zorc discussed. They would ask that there be a comprehensive muck study done and that there is transparency. He said the community wants to see what is going on. There needs to be some media on what is occurring on a constant basis. He said the water clarity at Bethel Creek as of three (3) days ago was less than four (4) inches. A lot of work needs to be done and it needs to be transparent. They have to let the people know who are directly affected by the quality of their backyard.

Mr. Brandon Burke said that he was saddened by the terrible response of the City Council on the initial leak of 3.1 million gallons of water. He said they hid a sign to warn people that were in Bethel Creek. The sign was totally covered by mangroves and was completely invisible to the public. He said while they encourage youth rowing, sailing, etc., the Lagoon has turned into a sewer. There were children launching kayaks at McWilliams Park at less than three-quarters a mile from Bethel Creek. There were no signs at any of the local ramps. He said this was a serious health crisis and they are very fortunate that nothing happened. He said a stormwater utility needs to happen to protect their waters.

Ms. Pam Bease (spelling may be incorrect) said that she has heard about this stuff for years and years. What gets her is there is not one (1) place to go to see all the different

pieces and parts. She suggested having a facebook page on the Lagoon Legacy Project and bring all the other entities who are doing their part into that. This way everyone can see what is going on.

Mayor Howle said the more people that get involved with their community the better they all are.

Ms. Bease said it is hard to get people to volunteer if they don't understand the structure and everything that is going on and there is a lot of pieces and parts in this that need to come together.

Councilwoman Moss asked are they taking this into account in designing the City's website. She noted that the City has been working on redesigning the website. She asked the City Clerk to address this.

Mrs. Tammy Bursick, City Clerk, reported that they are hoping to have the new website roll out in the beginning of May. These are some of the things that will be included on the website.

Dr. Zudans said nobody really goes on websites anymore. He felt if they wanted to be interacting and connected more with the community they should use facebook, instagram, etc., that people actually use.

Mr. Young said there is a number of ways this is being addressed. He said there are so many aspects that impact the health of the Lagoon and the health of the community. He said this issue will not go away. There have been individuals in the community who have offered their own contribution to support initiatives for the Lagoon. He felt the City Council was open to their ideas and asked that they continue to provide them. He said not only is there a stormwater issue and a Lagoon issue, but it is connected with the budget cycle that is coming up. They understand the imperative and are looking to do what they can to support it.

Mr. Fitzgerald said when he spoke earlier he brought up a point about the condominiums that was directly behind that pipe that broke, which was approved by the City of Vero Beach. He asked is there any financial responsibility or liability in the development of those condominiums that may have caused the pipe to break. He asked is the City going to go after them.

Mr. O'Connor felt they had several issues. One (1) is that the pipe was relatively old and the other is that they didn't construct the catch basin where the problem was. It was actually built by the previous hotel owners. He said they can look into it to see if there is some liability exposure, but he wasn't sure that they could throw a great majority of it on them. He said they did put a sidewalk over it and they did have equipment running to and from that facility for several months while they were building it.

Mr. Fitzgerald asked why they thought the hotel sold for \$3 million instead of \$15 million. He said it is because for years liquid waste was coming through the floor of the kitchen from this problem. He said some of the people who purchased the condominiums might have the same problem unless this is repaired properly. He said if they did it and were partially responsible then they should look for some kind of liability or financial responsibility.

Mayor Howle suggested that the City Manager give Mr. Fitzgerald a synopsis of what the City has already looked into and what are or are not some options in the future.

Mr. Fitzgerald said you have to know what is under the ground before you start digging.

Mr. O'Connor noted that they did not dig over the pipe. They did put the sidewalk over the pipe. The major construction project was outside of the scope of where the pipe is located. He said they were riding over the pipe, but they did not construct any of their facilities on top of the pipe. He said that he has not heard about sewage coming up through the hotel.

Mr. Fitzgerald suggested that Mr. O'Connor speak with the Publisher of the Beachside News because he is very familiar with this.

Mr. Sykes said that he is very proud to live in a community that has this kind of turnout for something that is so important. He said for the children in the audience, the reason he is sitting up here is because like them, he is extremely concerned and frustrated. He spent years volunteering with various organizations to try to affect some change in the community. He said this is an unmitigated disaster that should never have happened, but it did and the City is committed to remediating these issues as best they can. It is the role of government to provide the safety and welfare of its citizens. But, it is also the role of the citizens to stand up and do their part as well. He said you can't rely on government and put total onus on government to solve everyone's problems. It is everyone in the community getting out there, respecting the fertilizers ordinances, being environmentally friendly, encouraging their neighbors to do the right thing, and speaking up. He suggested that the group who is going to help with the water sampling start a facebook group, get on a local radio show, etc. He said it is up to the community to work together. He said that he is proud to live here and knows that they are too. This is going to be a joint effort to help improve the health of the ecosystem. It has taken them 100 years to destroy this incredible resource and it is not going to get fixed overnight. He asked that anyone who has any questions that they come to the City Council, that they go to the CCA, etc., that they reach out to help educate themselves on what is going on. .

Mr. John Larrick (spelling may be incorrect) said that his family moved to Vero Beach this year. This reminds him of New York in that they use to live by the East River and looking at the Lagoon it kind of looks like that at times. He said it would be helpful if they could put together all the resources. He said the question is where they go and who they talk to in order to get help and if someone could put together everything that is happening and publish it they might get more volunteers.

Mr. Sykes asked everyone in attendance tonight who is a member of an organization that has something to do with the Lagoon to raise their hands. He said these are the people they need to ask their questions to. These are the people they want to speak with. He said they all have an incredible depth of knowledge. He said it is his hope that they can put together some resources to help educate the community quickly, but networking is one (1) of the best ways to get information quickly.

Councilwoman Moss asked that each group contact the City Clerk and that way she can compile all of this. She said since the City is updating their website they can put it on the website, they can put it on the City's facebook page, and wherever else it needs to go. If they all send it to this single source they will try to get it out in different venues.

At this time City Council took a five (5) minute break and the meeting reconvened at 8:04 p.m. They discussed item 5E-3).

2) Councilwoman Laura Moss to give an update on the Florida Municipal Power Agency (FMPA)

*Please Note – This item was heard at 9:53 p.m.

Mayor Howle thanked Councilwoman Moss for her time and effort going to the last FMPA meeting. She still got up to the plate and was there for the City. Councilwoman Moss said that FMPA suggested that she be the alternate member for the City of Vero Beach on FMPA and it was her pleasure.

Mayor Howle made a motion to approve Councilwoman Moss as alternate member on the FMPA. Mr. Sykes seconded the motion and it passed unanimously.

Councilwoman Moss showed on the doc cam the schedule for Vero Beach presentations and approvals (attached to the original minutes). She said that this updated schedule is also on the City's website. She said there was a lot of work that went into this. At the top of the sheet it outlines the financial discussions that took place almost a year ago and the ground work that was laid out for the votes that are being heard. The very first vote taken was in November at Ocala. It has been months of preparation for FMPA and nothing was left to chance. She thanked Mr. Jacob Williams, new CEO for FMPA, Mr. Jody Finklea, FMPA attorney and all of the member cities. She said she has had the opportunity to get to know the different representatives from these cities over the past year and they have been very helpful and accommodating in helping Vero Beach exit these contracts. There is one (1) City left and that is Fort Meade. They could not hold their scheduled meeting because of the flu and did not have a quorum of the Council, so they are holding a Special Call meeting to discuss this matter. Councilwoman Moss announced that Mr. Bruce Hickle of Bushnell died from complications of the flu. She worked with Mr. Hickle while he was on the Board representing the City of Bushnell. She took a moment to send her condolences to his family and FMPA. She said when you attend these meetings overtime everyone involved becomes like family. She said FMPA had a beautiful tribute to Mr. Hickle at their last meeting and several people spoke about

him. Going back to the schedule, the one city that is outstanding is Fort Meade. A Special Call meeting is being held to hear this matter. She said after that there is all the work to be done in terms of FPL. This was talked about on a conference call and those present were Mrs. Amy Brunjes, FPL, Mr. Jacob Williams, FMPA, and Mr. Nat Doliner, City's outside Counsel. They are coming to talk to the City Council at their second City Council meeting in March (Tuesday, March 20th). She requested making this meeting a morning because it would be more convenient to all of them in terms of doing business. She said this would be assuming that everything lines up and the last vote at Fort Meade is approved. She said that at the FMPA monthly meeting of Thursday, March 15th, the Board of Directors votes on this and the Executive Committee votes on it. So there will be another three (3) votes that will be taken. So hopefully by their second meeting in March they will be prepared to wrap up the FMPA portion of this transaction. She said that Mr. Williams has indicated that he will be able to make the meeting on March 20th.

Mayor Howle mentioned that FMPA staff and Councilwoman Moss have put forth a lot of their time in getting this accomplished and he has no qualms in assisting anyone that has been a part of this by moving that meeting to the morning.

Mr. O'Connor mentioned that there is the bond counsel issue after FMPA Board takes their vote.

Dr. Zudans stated that it is very likely that he will not be able to attend that meeting if it is held in the morning. He said the last time they had an FMPA meeting they asked Council to switch the time of the meeting, which they did and part of the reason they had to do it at that time was because they were going to another meeting starting at 6:00 p.m. somewhere else. He asked if it is true that FMPA cannot come at 6:00 p.m. when their scheduled meeting starts. He wants to know whether or not they actually cannot make the meeting.

Mayor Howle explained at that point the City of Vero Beach would be the only City of subject matter. He understands Dr. Zudans schedule and if he cannot make that meeting he would understand.

Mr. Young stated that the fact that there are multiple firms coming at that time should be considered.

Dr. Zudans wanted to know if they (FMPA) prefer that time or is it the only time they can do it. As a City Councilmember he would like to be at the meeting. He has not missed a single meeting, even though he has a full time job. The reason he cannot change his schedule within this two (2) week period is because he has appointments scheduled more than a month out. He just wanted to understand that this is the way they have to do it and if that is the case then he will miss the meeting. He said if the meeting is inconvenient because of the time then he would prefer that they meet at 6:00 p.m.

Mayor Howle stated that given the gravity of the situation and the time for this matter alone he was going to go along with what Councilwoman Moss is suggesting and if all comes to fruition, the meeting will be held in the morning.

Councilwoman Moss did not think that there would be additional meetings like this one where FMPA, FPL, and their Outside Counsel needed to attend. She then thanked Representative Grall and Senator Mayfield for their on-going support of the electric sale.

5. PUBLIC HEARINGS

A. ORDINANCES

B. RESOLUTIONS

1) A Resolution of the City Council of the City of Vero Beach, Florida, Establishing its rule prescribing the Days and Times for Regular City Council meetings; repealing Resolution 2014-31; and Providing for an Effective Date. – Requested by the City Council

Mrs. Bursick read the Resolution by title only.

Mr. Young would like to continue alternating City Council meetings from day meetings to night meetings. He thinks going to all night meetings disenfranchises a significant amount of their population that would be available during the day time.

Councilwoman Moss said that she was leaning in that direction as well. She said they agreed to test the evening meetings and other than tonight's meeting, there did not appear to be any pent up demand for evening meetings. There was not extra people attending by having evening meetings. She was happy to try this on a trial basis. The history has been that previous Councils' have done this type of experiment and decided having one (1) meeting in the morning and one (1) meeting in the evening was the most fair way to go to involve the greatest amount of people. She said when they are going to discuss major issues like FMPA then she didn't think that they would want to limit conducting all City business to after normal business hours. She tended to agree with Councilmember Young on this matter.

Mr. Sykes said that he would defer to the will of the Council. He has received a lot of feedback that the night meetings are a good thing, but they are all about trying to be as inclusive as possible. He said having night meetings seems to be working. He does not mind switching meetings occasionally and having a day time meeting for matters such as FMPA negotiations. He is fine with being flexible if they need to have a daytime meeting.

Dr. Zudans commented that they just had a meeting where there was an overflow of people into the lobby. He said half of those people attending were of an age that they would have been in school today. He said there have been well attended night meetings.

He said there were not many people that attended their January 2nd meeting and that was because they had not returned because of the holidays. He talks to a lot of people every day and he is amazed on how many people watch their meetings on television. It is more accessible when the meeting is being held at night to have people watching it from their home then in the daytime. If someone does not feel comfortable driving to a night meeting they cannot necessarily comment at the meeting, but can still see what is going on. He said this City Council is a little different then previous City Councils because three (3) of the members of the City Council have full time jobs. He said if they want to get younger people involved then they need to have night meetings. He gave an example. He said Mrs. Megan Hoots wants to participate in her local government, but could not do that if there were day time meetings because she has to be at work. He said if there has to be a day time meeting and a switch has to be made then that can be done. He strongly asked his fellow City Councilmembers to keep the time at 6:00 p.m., but be flexible if there is a need for a daytime meeting.

Mr. Sykes agreed it was premature to switch it back to the way it was. They have only had four meetings. He said if they do get major pushback that the time of the meeting needs to be changed then he is in favor of readdressing it at that point.

Councilwoman Moss said that she was fine in continuing this as an experiment. However, she felt that they need to remember that they serve the people and the meetings should be at their convenience and not at Council's convenience. She wished that they could know from the public how they felt about this. She said over the past year it depended on what the matter was as to whether the room was going to be packed or not.

Mr. Young commented that he has spoken with a good number of people who feel that they are being ignored because they will not come out at night and they want to have a voice to the say of this City. He felt that the default should be to have both opportunities for a daytime and night time meeting.

Mayor Howle stated that traditionally this City Council has alternated the meetings. He has a full time job. He said he doesn't recall any emails to change their meeting time back to the mornings. He said that when he was elected to Council he knew what he was getting into, but without a lot of complaints from the public he doesn't have a problem with having all of their meetings held at night. He said they could extend this trial period and the City Clerk could hold on to the Resolution for a longer period of time.

Councilwoman Moss said that one (1) reason to let this go a little bit longer is because of daylight savings time and then they will see if more people come to their meetings.

Dr. Zudans commented by having night meetings they could be shorter because people don't want to stay late at a night meeting and if they decide that they don't want to stay past 11:00 p.m., then it would just get carried over to their next meeting.

Mr. Sykes invited anyone in the community to voice their opinion and let Council know if they would like to see the meeting switched back.

Mr. Young said if they do extend this test, then they need to come up with a date to revisit it.

Mayor Howle opened and closed the public hearing at 10:18 p.m., with no one wishing to be heard.

Mr. Sykes made a motion to approve the Resolution as read by the City Clerk. Dr. Zudans seconded the motion and it passed 3-2 with Dr. Zudans voting yes, Colonel Young no, Councilwoman Moss no, Vice Mayor Sykes yes, and Mayor Howle yes.

Mr. Sykes said that he would be happy to revisit this in April.

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

7. CITY CLERK MATTERS

A) Lien Reduction Request – 1946 5th Court

Police Chief Dave Currey gave the background of this case. He said that on June 20, 2014 this case was initiated. There was a complaint filed via City of Vero Beach website regarding an unsheltered, unlicensed trailer parked in the front yard of the property. The first inspection was made on June 24, 2014, and on June 25, 2014, a warning citation was issued with a correction date of July 7, 2014. On July 7, 2014 Code Enforcement Officer Tom Ramsey spoke to Ms. Pam Townsend (daughter of Mr. Gunkel). Ms. Townsend stated she was in the process of tagging and moving the trailer, but was delayed due to a divorce. Ms. Townsend asked for and was granted a one week extension. On July 23, 2014 the property was inspected with no corrective results. A citation was issued and posted on the site. It was also sent via certified mail with a correction date of August 6, 2014. On August 8, 2014 the trailer was inspected with no corrective results. The Code Enforcement Board upheld the citation on September 10, 2014, and assessed the following civil penalties: \$50.00 for initial violation, enforcement cost of \$34.65, continued penalties commencing August 7, 2014 which as of September 10, 2014, has accrued 35 days @ \$50.00 per day = \$1,750.00. On September 12, 2014 the Clerk's office issued a "Notice of Assessment of Continued Penalties" of \$1,834.65. On October 16, 2014, an "Order to Correct Violations, Imposing Continuing Penalties, and to Pay Penalties and Costs" for \$3,234.65. The trailer was still onsite during the following inspection dates on November 18, 2014, January 21, 2015, March 31, 2015, July 1, 2015 and December 31, 2015. On June 2, 2017, the City Clerk was informed that the trailer had been moved. On January 10, 2018 the Code Enforcement Board referenced the compliance with the Board's order to Correct Violation, Imposing Continuing Penalties, and to Pay Civil Penalties and Costs entered on October 16, 2014 and on January 24, 2018 an "Order Finding Correction of Violation, Ceasing Continuing Penalties, Waiving Continuing Penalties, and to Pay Penalties and Costs" was issued. Previously imposed/recorded civil penalties of \$3,150.00 (63 days @ \$50.00), initial civil penalty of \$50.00, and costs of enforcement of \$34.65 were a total of \$3,234.65. Staff visited the

site on June 2, 2017 and found the property to be in compliance. Chief Currey said taking into account the above considerations and information, staff recommends payment of the current lien/fee amount of \$3,330.80 as detailed in the total lien amount and fees.

Mr. Roger LaJoie, Attorney for Mr. Richard Gunkel, requested to speak. He said that the Code Enforcement hearing was held on January 10, 2018. It was said at the hearing and Mr. Gunkel testified that he was out of the Country for three (3) years and paying his taxes from England. Mr. Gunkel had no idea this violation was going on. Mr. LaJoie said that he would take issue to the presentations made as to the nature of the violations. The violation that Mr. Gunkel was cited for was for an unlicensed trailer. At the hearing held on January 10, 2018 they went over the findings and the penalties and the Order that was entered first was that all penalties be waived. He said the trailer was tagged on July 23, 2014. Mr. Ramsey must have done his inspection on the morning of that day because the license plate was on the trailer in the afternoon. After doing this the Gunkel's thought that they were in compliance. There was nothing in the citation talking about the trailer being unsheltered and nothing else but the trailer was untagged. At the first hearing the Code Enforcement Board recommended that there be no penalties. They said pay the \$50.00 initial citation fee, the \$34.00 in change and whatever recording fees are necessary. Then Mr. Gunkel was called back for another meeting. He drove down from Holly Hills and was asked why he showed up for the meeting because he would not be able to say anything. They were told that the Board was going to reconsider and go back to the \$3,330.80 because there was a lien issued and the Board did not have the authority to waive a lien and that it had to be done by the City Council. Mr. LaJoie said that is why they are here tonight. He said the citation said put a tag on their trailer, which they did.

Mayor Howle asked how many days after the recurring initial fees did the tag get put on the trailer.

Mr. LaJoie said it was the same day. The citation said that they had until August 6, 2014 to correct the violation, but they had the tag on the trailer on July 23, 2014. The tag was issued by Indian River County, which he showed the City Council.

Mr. Sykes asked if there is proof that the tag was displayed on the vehicle on that date.

Mr. LaJoie explained at the hearing he asked Mr. Ramsey if he walked around to the back of the trailer to see if the tag was on the trailer. Mr. Ramsey said that he did not.

Mr. Sykes thought that generally registration tags are displayed on the front of trailers.

Mr. LaJoie said no, it needed to be on the back of the trailer.

Mr. Sykes asked if this was a mobile home trailer. Mr. LaJoie said no it is travel trailer. Mr. Sykes then understood that the tag needed to be on the back of the trailer.

Mr. LaJoie explained that Mr. Gunkel was fined with paying the initial fees of \$50.00 and the recording fee as suggested by the Code Enforcement Board and then they found out

that couldn't happen, which is why they are before the City Council tonight. He said the part of the trailer being housed in the front yard is not part of the citation. He said all the citation referred to was an untagged trailer. He asked Council to consider this and relieve the Gunkels' from having to pay the total lien amount and fees.

Dr. Zudans asked the Chief if he could explain the difference between leaving the trailer out in the front yard and having the trailer tagged.

Mr. Coment explained that what it says (according to the minutes) is unsheltered storage of a trailer with an expired tag.

Mr. Sykes said there is nothing illegal if they are in a fee simple neighborhood where there are no Homeowner's bylaws about having a current licensed trailer on the property.

Mr. Coment explained that what the City Code says is that the vehicle can't be in the required front yard because of a 25-foot setback. He said if the trailer was in that area it could still be in violation.

Chief Currey referred to the Code under section 38-32(a)(1) regarding an unsheltered or unlicensed trailer, which referenced the Code Enforcement Officer's complaint. Then on July 7, 2014, the Code Enforcement Officer spoke to Ms. Pam Townsend who said that she was in the process of tagging and moving the trailer and asked for and was granted a one week extension. He then went through the chronological dates that different events occurred on.

Dr. Zudans said after hearing Chief Currey speak about the trailer being unsheltered it is different from what they just heard Mr. LaJoie say. He didn't appreciate the difference and wanted to hear from Mr. LaJoie on this. And then the other matter was that Mr. Gunkel did not know about the violation because he was out of the Country for three (3) years. He asked how someone is noticed of a violation if that is the case.

Chief Currey explained that is when Mr. Gunkel's daughter stepped in and asked for additional time.

Mr. LaJoie read from the citation that he had regarding the trailer being unlicensed. He said it was news to him when he heard it at the Code Enforcement Board meeting about the trailer being unsheltered in the front yard. He said the Gunkels' live on a corner lot and are considered to have two (2) front yards. The trailer is parked in the corner of their house, but the City considers that the front yard.

Mayor Howle noted that he was Chairing the Code Enforcement Board in September 2014 and doesn't really remember this case. The confusion that he has is where the registration happened on July 23, 2014. He said if the problem had already been taken care of, then why was there a fine issued in September that carried over.

Mr. LaJoie did not know the answer to that question. He said they thought the matter was resolved in July when the tag was put on the trailer.

Mr. Coment referred to the Code Enforcement Board minutes from January of this year and said that the Officer stated that the second part of the citation was that the trailer had to be removed from the site. So this part of the violation needed to be corrected even though the trailer had been tagged.

Mr. Sykes commented that given the benefit of the doubt that there was registration on the trailer on July 23, 2014 and then it was inspected again on August 8, 2014, so at that point in time prior to Ms. Townsend obtaining the registration on July 23rd if the Code Enforcement Officer spoke to her on July 7th he would have indicated to her that the trailer needed to be removed because it was in violation.

Ms. Pam Townsend stated that a trailer has been parked in that spot since 2001 and used for business purposes. When she was told that the trailer needed to be tagged she was in the process of a divorce and needed to get a hold of her former husband who disappeared to try to figure out with the two (2) tags that she had, which one belonged on which trailer. Once she put the tag on the trailer she called Mr. Ramsey and left a message telling him that she had tagged it. Then when they heard about the trailer being unsheltered in the front yard, she thought that it was a completely different violation. At that time her father had rented the house and she was trying to move the trailer any way.

Mayor Howle commented that the trailer was obviously in violation before it was registered and an extension was granted to Ms. Townsend according to the notes provided by Code Enforcement Officer Ramsey.

Mr. Richard Gunkle stated that he has owned this house since 2001 and said that the only citation that he received was what he has in his hands dated June 25, 2014. It says there is a trailer on site without a current active license and to please have the vehicle tagged and licensed on or before July 7, 2014. He said that is what they were operating on with that particular citation. He told the Code Enforcement Board that he would be willing to pay from the original date until the date that they put the tag on the vehicle and eventually the Board agreed and told him to pay somewhere around \$87.00. He reiterated they were operating based on that citation.

Mr. Sykes read the warning citation (attached to the original minutes) that Mr. Gunkle received. The citation read *In addition to the public nuisances described in section 38-31, the unsheltered storage of the following items is hereby declared to be unlawful and thereby prohibited: (1) stripped, junked, inoperable, or unlicensed motor vehicles or boats, trailers of any description, or parts thereof.* Facts Constituting Violation: *Trailer on site without current or active license. Please have vehicle (trailer) tagged/licensed on or before 7/7/2014.* Mr. Sykes felt after reading this that one would move the trailer and get it registered.

Mr. Gunkle said that all he knows is what he was told to do and he did it.

Mr. LaJoie read the warning citation and said that what he is hearing is that they put this trailer inside a shelter that there would not be a violation. Mr. Sykes said that it references the Code and that is in violation of the Code. Some discussion took place between Mr. Sykes and Mr. LaJoie.

Mayor Howle made a motion that the fine stands at \$3,330.80 and it has to be paid. Mr. Sykes seconded the motion and it passed unanimously.

Mr. Young asked that the opioid report that the Police Chief was going to give be postponed until the next meeting.

Mr. Sykes made a motion to extend the meeting past 11:00 p.m. Dr. Zudans seconded the motion and it passed unanimously.

8. CITY MANAGER MATTERS

A) Approve Cayenta Work Order/Statement of Work – Conversion of Final Reads (FPL Billing Transition) - \$102,100.00

Mr. O'Connor explained that approving this work order is helping the City in coordinating with the final billing transaction.

There was no one wishing to comment on this matter.

Mr. Sykes made a motion to approve the Work Order. Mayor Howle seconded the motion and it passed unanimously.

B) Police Chief to give Opioid Report

This item will be heard at the March 6th City Council meeting.

C) Report on Leisure Square

This item was heard earlier in the meeting.

Mr. O'Connor reported that there has been some interest from people wanting to purchase the Dodgertown golf course. He said the offer they have been looking at presenting is \$1.6 million, which is a low offer when you look at what they owe on the property, but if Council wishes for him to continue trying to sell this piece of property then he will continue. He said that they can put deed restrictions in any agreement that they have.

Mr. Sykes was in favor of Mr. O'Connor presenting to Council any reasonable offer for the property that he receives.

Mr. O'Connor just wanted to make sure that Council was in favor of this before he went any further.

Mr. Zudans said that the public should know that they are entertaining offers for the property. He has always envisioned having a hotel on the property.

Mr. O'Connor said that they could always change the zoning on the property if they needed to. He said if the community would not accept having residents on the property, they probably would not want a hotel there.

Mr. Zudans commented that the people may have been opposed to a lot of hotels going on the property. He said if a hotel is considered they could get a larger payoff for the property.

Mr. O'Connor felt that his marching orders were to bring to Council anything as long as it is not a condo. He said that once he gets a proposal in writing he will bring it to them.

Mayor Howle envisioned that people wanting to purchase this property were working along with the vision of the Airport.

Mr. O'Connor said yes, that it goes along with the Airport Master Plan. He said that there are some people talking about having a pickle ball facility on the property for a \$25.00 a year lease.

Mayor Howle instructed the City Manager to bring them proposals.

Mr. O'Connor reported that he has had a developer who is interested in buying the site of the Post Office on 13th Avenue and assuming the lease that is presently in place. He said that he is doing some proformas and will bring it to Council accordingly.

9. CITY ATTORNEY MATTERS

None

10. COUNCILMEMBER MATTERS

A. Mayor Harry Howles's Matters

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

None

B. Vice Mayor's Lange Sykes's Matters

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

3. Comments

None

C. Councilmember Laura Moss's Matters

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

Councilwoman Moss reminded the public that the Under the Oaks Art show would be the first weekend in March and that there will be a Save Our Shores meeting on Saturday, April 7th at 10:00 a.m. at the Hampton Inn & Suites.

D. Councilmember Anthony W. Young's Matters

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

Mr. Young commented that because of the current tragedies that recently occurred in Florida, he would be presenting to Council a list of recommendations that would reduce the risk of their day to day business in the City and increase security in City buildings.

Mayor Howle said that he was interested in hearing those.

Mr. Young said that there are a number of things that can be done and he will be presenting those things to Council.

E. Councilmember Val Zudan's Matters

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

None

12. ADJOURNMENT

Tonight's meeting adjourned at 11:10 p.m.

/tv