

**CITY OF VERO BEACH, FLORIDA
MARCH 3, 2020 8:30 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Reverend Elizabeth Johnson of Community Church of Vero Beach.

1. CALL TO ORDER

A. Pledge of Allegiance

Mr. Graves led the City Council and the audience in the Pledge of Allegiance to the flag.

B. Roll Call

Mayor Tony Young, present; Vice Mayor Laura Moss, present; Councilmember Robbie Brackett, present; Councilmember Joe Graves, present and Councilmember Ray Neville, present **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – February 18, 2020

Mr. Neville made a motion to approve the City Council minutes of February 18, 2020. Mr. Brackett seconded the motion and it passed unanimously.

2. Special Call City Council Minutes – February 7, 2020

Mr. Neville made a motion to approve the Special Call minutes of February 7, 2020. Vice Mayor Moss seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Vice Mayor Moss requested that item 6A-1) be added to the agenda “Discussion of the Coronavirus by the City Council and staff.” She also asked that item 6A-2) be added to the agenda “Discussion of the Recreation Commission.”

Mr. Brackett requested that item 6B-1) 2020 Census be moved to the end of the agenda and heard under Vice Mayor Moss’s Matters.

Mr. Monte Falls, City Manager, pulled items 9-A) and 9-B) off of the agenda. He said that these items will be put back on a future City Council agenda.

Mr. Neville made a motion to approve the agenda as amended. Vice Mayor Moss seconded the motion and it passed unanimously.

B. Proclamations and recognitions by Council.

1) Mrs. Kim Prado to talk about the Air Show

Mr. Todd Scher, Assistant Airport Director, gave an update on the Air Show.

2) March for Meals Month – March 2020

Mr. Neville read and presented the Proclamation.

3) Certificate of Completion Certificate presented to Mayor Tony Young for IEMO IV Municipal Leadership

Vice Mayor Moss presented Mayor Young with a completion certificate for IEMO IV Municipal Leadership.

3. CONSENT AGENDA (include amount of expense)

A) Renewal of Professional Janitorial Services – Bid 080-16/CSS – Contract 1722-C-Annual Contract Cost is approximately \$144,497.84

B) Renewal of Contract 1449-C – Utility Bill Printing and Mailing Services – (Annual cost is approximately \$97,662.00)

Mr. Neville made a motion to approve the Consent Agenda. Mr. Brackett seconded the motion and it passed unanimously.

4. PUBLIC HEARINGS

A) ORDINANCES

None

B) RESOLUTIONS

1) A Resolution of the City Council of the City of Vero Beach, Florida, Abandoning the City's interest in the Easements Encumbering the Real Property located at 607 Lantana Lane, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Public Works Department

The City Clerk read the Resolution by title only.

Mr. Falls reported that this release of easement was requested by the property owner at 607 Lantana Lane. The property is located at the west end of Lantana Lane adjacent to the Indian River. There are three (3) easements located on the property, which have been routed to all utility providers and are not necessary for utility services any longer. Staff recommends they be released to facilitate development of the lot.

Mayor Young opened and closed the public hearing at 8:53 a.m., with no one wishing to be heard.

Mr. Brackett made a motion to approve the Resolution. Mr. Neville seconded the motion and it passed 5-0 with Mr. Neville voting yes, Mr. Graves yes, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.

5. PUBLIC COMMENT (3-minute time limit)

Mr. Brian Heady said on the way into today's meeting he crossed paths with a man that he did not know and when he and the man were the only ones who were in earshot, the man said loudly, you are dead. Mr. Heady said that is not the first time that he has been threatened because he takes positions on many things. On a regular basis he has been hauled out of the Council Chambers. He said that he doesn't see a Police Officer here today and doesn't know whether to feel less safe or more safe. He said that he doesn't say any of this lightly. He said as many times that he has been arrested, as many times that he has sat in jail, and as many times as he has been taken out of the Council Chambers, the only thing that he ever wanted was honest, open, government. He asked does anyone know why high price lawyers from Tallahassee have been hired to stop public records from being made public. He asked does any Councilmember know what kind of contingency; what kind of salary; what kind of pay; did they already give them or how much this is costing us. He asked does any Councilmember know what Statute allows for the secrecy of public phone records. He said you all know that he made a public records request and it wasn't filled and his only option is to sue. He asked does any Councilmember know why a Tallahassee lawyer was hired and his name taken off the ballot. He said they had a Consultant and a Steering Committee and he thinks they had some really fun things from the Consultant; the idea of saving much of the Power Plant and having it there for our children; the history of this community is a great idea. He understands the rationale for putting a hotel there. He said they hired a Consultant and one (1) of the first things he wanted to know was whether or not the \$21 million was there for him for development and he (Mr. Heady) doesn't know if he received a straight answer. But, the Consultant did state clearly that he met with the Finance Department and the Finance Department said that he had \$21 million to develop this property. Mr. Heady said that he doesn't know if he does or doesn't, but if the Consultant does have \$21 million of their dollars to develop this property, he wants to know where that \$21 million came from. He said part of the development was a water feature on the development of riverfront property. Property located on one (1) of the most diverse Lagoons in the Country and what they are going to do is spend taxpayer money to build a water feature. He questioned isn't the water feature the Lagoon. He said then he looked at the Plan and saw there was development calling for three (3) buildings along there and they would not see the Lagoon from the property so he

understands why they put a water feature in. He thanked the Mayor for his indulgence to all the citizens rather than being rude. He said that he still doesn't understand why there is not a Police Officer at the meeting. He asked is there a reason.

Mayor Young thought Chief Currey had a commitment, but he was here earlier.

Mr. Dave Windfield said recently they had someone on the City Council make a statement about central business parking. He said the statement was something like, *I met with shop owners who are angry. This has been going on for a long time. We need to support the business owners in this City. I'm ready to do this.* Mr. Windfield said that he would like the City Council to invite these angry shop owners to come and tell them that they endorse this plan for parking in central beach. He said that he wants them to come here and tell them that they want the green right-of-way, pouring a bunch of concrete in the residential streets is going to fix some kind of problem that they have on Ocean Drive. He felt the taxpayers should hear from them. The City Council had a meeting last week and apparently this is going to cost the taxpayers somewhere in the neighborhood of \$500,000 to dig up the right-of-way in residential streets of central beach and pour a bunch of concrete there. This is about money and he thinks they all know that. There are shop owners on Ocean Drive who feel they are not making enough money. They feel that some sort of parking issue is hurting their business. He didn't think that was true. He asked how many of these shop owners do they think are open on Sunday. He said hardly any of them are open. He said Sunday is an incredible day for shopping. He said if they go shopping in this City on a Sunday the retail stores are packed with people, but not on Ocean Drive. They are closed and their doors are locked and yet the City Council wants to spend \$500,000 of taxpayer's money to fix some problem they say is hurting their business. He questioned how bad could their business be if they can afford to have their doors locked on a Sunday. He asked the City Council to please invite them here and have them endorse their plan and tell them that this is going to fix their problem on Ocean Drive. He does not think it is.

Vice Mayor Moss thought she said this last week at the workshop. She expressed concern about parking spaces that would be west of Cardinal Drive. She has serious doubts about that. She thinks that putting a parking lot in a community will disrupt the sense of community physically and also people's perception of it. She said that she is very concerned about that, she doesn't think there is any good way to do it and she doesn't think it would be used. She asked the City Manager to deduct the spaces that are west of Cardinal Drive so they can discuss it as two (2) options. Mr. Falls said they will have that summarized.

Mayor Young said he thinks that the public's input is valuable to them. He said don't ever think that their comments don't have an impact because they do. He said if they are not comfortable speaking at the meeting to please reach out to them by email or individually.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

1. Add on to the Agenda – Discussion of Coronavirus by City Council and Staff – Requested by Vice Mayor Moss

Vice Mayor Moss said late last week she was thinking about the Coronavirus and wanted to ensure that they convey any information that the City might have to all of their residents. She wants to be completely transparent about that. She said there is not a lot known, but what is known should be shared with everyone. Today the headline in the local paper states, “*Florida Officials waited 24-hours to alert the public.*” She said the Governor is being criticized for waiting. She said we’re not going to wait and she will leave it up to the Charter Officers to decide how to do this. We (City Council) are not directing them, but she thinks they will do an excellent job at implementing this, but she thinks it is the responsibility of the City Council to make sure that whatever information they do have that it goes out into the community. She reported that the City Council received a letter regarding a homeless village, which is not within the City limits, but they see how rapidly this virus is traveling and there is a concern that it is propagated by homeless communities. This is something that they need to take into consideration as they address this. She is hoping for City Council discussion, but otherwise she is going to turn this over to the City Manager who has been researching this and who she thinks has the best information on this.

Mr. Falls asked that they keep in mind that we’re just in the monitoring faze right now. He said this is not the time to do anything drastic. They are monitoring and will be partnering with the County and other municipalities. They have a staff meeting on Friday at the Emergency Operations Center (EOC) where they will be receiving the latest information from the Health Department, who is in contact with the State Health Department and the Center for Disease Control (CDC). He explained that their local Health Department is the lead agency in this as is the State Health Department for the State. He reported that on March 1st Governor DeSantis issued an Executive Order Declaring a Public Health Emergency. Mr. Falls explained that what that does is make resources available at the stroke of a pen rather than having to go get additional authority for it. So it makes resources available that the Governor can deploy to places in need. Currently there have only been two (2) confirmed cases in Florida, which are in the Tampa Bay area. There are eight (8) cases in testing and they have had 15 cases that tested negative. He said this is just emerging in Florida and they are hoping the spread will be smaller than anyone would hope. Along with the CDC, the Health Department has all issued information that is very helpful to the public and businesses. The Florida Department of Health’s website is www.floridahealth.gov and the CDC’s website is www.cdc.gov. Yesterday at the City’s staff meeting, they passed out the recommendations of the CDC to all the Department Heads. What it tells them is basically what they know from any flu season, which is to practice personal hygiene, such as washing your hands often, more than normally, don’t put your hands in your eyes, etc. If someone comes to work that doesn’t feel well they need to separate them from other employees and make arrangements to have them sent home. If an employee is feeling bad then don’t come to work. He encouraged everyone to go to the websites and look at some of the common sense types of things. He said one (1) thing he found that was helpful to him is if you are feeling bad and think you might have some of the symptoms, don’t immediately go to your doctor. Call ahead and let them

know so they can help you with what to do so you don't risk putting that out to others. He said the City is going to put a couple links on the website and as they receive information they will post it on the website.

Vice Mayor Moss asked will the links to the other websites be on the City's homepage.

Mr. Falls answered yes.

Mr. Graves asked do they have testing kits locally.

Mr. Falls said that he would find out that information out when they meet with the Health Department.

Mr. Graves said with the age of their population they have people who are very vulnerable to this disease. He wondered if they have individuals in a nursing facility or in a hospital if they have the ability to test them.

Mr. Neville said the things suggested as preventative measures should be something they should do all the time. He said the flu kills a lot of people in this Country every year and if you were to do the same things every day you are less likely to contract the flu. He felt these are good habits and they all should learn how to do these things.

Mr. Falls said to put this into perspective, in some of the things that he read the flu kills 100 people a day in the United States. So they have outbreaks of influenza each year, which is why you should get a flu shot.

Mayor Young said what the City Manager has put out is kind of what you would put in your own mind if you wanted to find out the specifics of it. He said the information is readily available. He said there is an abundance of information that is available, such as going to www.cdc.gov or www.flordiahealth.gov. He said this will continue to evolve, but felt the amount of energy and effort that is being placed into it is enormous.

2. Add on to the Agenda – Discussion of the Recreation Commission – Requested by Vice Mayor Moss

Vice Mayor Moss said with regard to the Recreation Commission, they just received a memorandum yesterday, dated March 2nd, about the cancellation of the Recreation Commission meeting, which was scheduled for March 10th, and it was cancelled due to a lack of items for discussion. She said she doesn't think that is the case or if it is the case it shouldn't be. Somebody's not looking at the big picture. For the community, they are in the most important part of the year. Their budget workshops will be in July and traditionally the City Manager will come to the City Council in the spring to find out what their budget priorities are so that the City Manager and the Finance Director can prepare the budget. We (the City Council) need to know from Commissions, such as the Recreation Commission, where the problems might lie in terms of where they will need to spend money. For example, last year the Leisure Square pool came up and they were blindsided

a bit by that. She thinks it is vitally important that the Recreation Commission meets. She would like to know how they are doing with Leisure Square for starters. She thinks enough time has passed where the Finance Director can go over with the Commission what has occurred and hear what they suggest. It also was brought to the City Council's attention that some of the Parks needed work so she thinks they should have a status update on that. She said frankly, she would like to see each individual member of the Recreation Commission submit his/her ideas for recreation in the City. She is asking for original thoughts. She thinks that has been lacking on this Commission and she is not sure why. She was Chairwoman of the Utilities Commission and they met every single month. She always had something to put on the agenda and if she didn't have an idea she invited somebody to speak. At that time she invited Debbie Mayfield, who was the State Representative, she invited doctors from the local hospital to talk about the infections caused by the Lagoon, etc. The point being that it is the responsibility of the Commission to come up with some ideas and to come to Council. They are acting in an advisory capacity and we don't need to direct them. She said that she has attended some of the meetings of different Commissions and thinks in some cases that staff has dominated the situation to the point that Commissions were being directed by staff, which really is not how it is supposed to be. The thoughts and actions should come from the Commission to Council. They are an Advisory Board so if they are not advising us, they are not doing their job and they are not to be directed by Council or by staff. She said we can request that they meet regarding certain topics, which is what she is doing right now. She thinks it is really important that they meet given the time of the year that this is and she hopes they will have some ideas to bring to them. She requested that they meet.

Mr. Brackett said that he doesn't know why they cancelled their meeting, but does know the Chairman is being treated for a serious illness.

Vice Mayor Moss thinks then the Vice Chairman would run the meeting.

Mayor Young felt this was an opportunity to reach out to the Vice Chairman to tell her that they would like her to take the opportunity to look at multiple issues and bring them back to them.

Vice Mayor Moss said that she doesn't want to be blindsided again. You know what happened last July and all of a sudden you find out about a problem. She would like to know now what the problems are in recreation and hopefully they can advise them.

Mayor Young felt there was plenty to be looked at with regards to recreation and this will be an opportunity for them to meet with the new Recreation Director that is coming on board.

Mr. Graves said the meetings he sat in on before he was elected was something that was occurring then. He said that he knows Ms. Lawson is taking over the finances and thinks that Vice Mayor Moss raised an important question in that they (the City Council) need to know what is going on so they can budget accordingly. He said that he is sympathetic to

the Chairman, but they need to have this information and not at the last minute so they can try to appreciate what is needed for the upcoming budget.

Mr. Neville said one (1) of the things that he found valuable to him was their workshop they held last week. What he thought as a possibility would be to have a 15 to 30 minute workshop before they hold their City Council meeting and they invite staff or the Chairmen of the Commission/Boards to come in and give them an update so that they are proactive and aware of what is going on as opposed to being reactive.

Vice Mayor Moss said you raised a good point and traditionally that was done. Traditionally previous City Council's, and she was not in agreement with it, but they asked that because of considerations of time to make everything shorter; it's so efficient it's not effective in her humble opinion, but traditionally the Commission Chair came in, she came in as Chairwoman of the Utilities Commission and presented an annual report to the City Council and each of the Commissions came in and did that. She said that was done away with and they can bring that back. They did that in the past and she is fine with that.

Mr. Graves said that he doesn't know if 30 minutes is enough, but they could do a workshop once a quarter.

Mayor Young said the input from all of the Commission is really something that strengthens their City so he would encourage the Commission Chairman to engage the City Council. He said part of today's agenda is the Commission/Board Annual Reports, but he suggested that they reach out to the City Council. He thinks they all are in a position where they can look at the calendar and they structure their next workshop because workshops are affective and they allow them to get ahead to they are not in the react mode and are in more of a proactive situation.

Mr. Neville said if they are interested in the Commissions, the Commissions will be interested in their work. If they are not interested in the Commission then maybe they won't hear from them except once a year when they submit their report, which is not what they (the City Council) are looking for.

Mr. Graves suggested that they hold a workshop once a quarter.

Vice Mayor Moss said that is fine with her. She asked do they have the consensus of Council to request that the Recreation Commission schedule a meeting and Mrs. Brook Malone, Vice Chairman of the Commission can do that. She asked do they have consensus.

It was the consensus of the City Council that a Recreation Commission meeting is to be scheduled.

Vice Mayor Moss guessed that would go through the City Clerk to reach out to Mrs. Malone.

Mrs. Tammy Bursick, City Clerk, said that she would set up the meeting.

Ms. Cindy Lawson, Finance Director, said last year in the budget after all the scrutiny on Recreation, they broke the budget for Recreation out for the first time in individual cost centers, Leisure Square, tennis, programs, etc. That is how they have been tracking expenses and revenues all year. They are currently in the process of putting out their first quarterly report, which will show for each cost center the revenues at the top year to date and the expenses at the bottom year to date. She reported that with the work they have done at Leisure Square those revenues are above the budgeted projections right now. As soon as the new Recreation Director comes on board, it is staff's intention to turn their focus on both finance and recreation combined towards the next most important cost center, which she thinks will be programs and community events to see what they can do to clarify and simplify their rate structure, which they will bring before the Recreation Commission. She said if the Recreation Commission has a meeting she would be happy to go through that report with the Commission members. She noted that she always presents these quarterly reports to the Finance Commission.

Mr. Graves said that at their workshop he would like to be going through these numbers and knowing what these numbers are based on and how some of these expenditures are being made. He thinks there have been some issues, specifically with the Airport, and it is troublesome to hear that for the first time they have this broken out on the Recreation Department. He doesn't know how you pass a budget when you don't know if the money is being spent.

Ms. Lawson explained there are individual specific line items for each individual cost. The difference for Recreation is that it was always treated as one (1) consolidated cost center. No one was interested up until last year in what each individual part of Recreation was costing or bringing in.

Mr. Graves said he understands that. He said that he knows Mr. Falls pulled an item from today's agenda, but money in this specific department was approved and paid without the City Council approving it, which is a violation of an Ordinance. He said that he wants to make sure in going through this budget that their processes are in place and that they are being good stewards with funds.

Ms. Lawson said the City has substantial internal audits and internal processes for approvals. They also have a very extensive annual audit that focuses, among other things, on the internal controls they have over expenditures. She said the Ordinance has a threshold of \$50,000, but internally there is a \$1,500 threshold and extensive internal control procedures.

Mr. Graves said that he understands that and she found it and that is great, but they need to have processes. He said maybe it is a one (1) time thing. He said they have to be good stewards of public funds and they have to make sure stuff like that doesn't happen.

Ms. Lawson said it is a one (1) time thing; a pretty rare thing. She said the last time she can recall something like this happening was five (5) or six (6) years ago. In accordance

with the City's procedures they discussed it with the auditors as well. She said no internal control system can be perfect, but the City has a tremendously good track record for internal controls over expenditures for clean audits and for extensive internal and external audits.

Mr. Graves said that he understands that. He just wants to see it for himself. He doesn't want to vote on something until he feels confident that it is in place and occurring.

Ms. Lawson said that she would be happy to share the City's internal purchasing policies and procedures and would be happy to speak with anyone about it or they can put this item on a workshop agenda.

Mr. Graves said that he thinks the public needs to know. He thinks that it should be aired publically with some of these things that are going on.

Vice Mayor Moss asked do they want to put it on an agenda before the July budget workshop.

Mr. Graves said it would be more of a workshop issue.

Mayor Young said it is important to understand it. He thinks that everyone assumes that it is something that is taking place. He questioned so they would probably come to Mr. Falls in the later part of April for the initial guidance for the budget.

Ms. Lawson said typically it is in April or May.

Mr. Falls said they will have a budget kickoff meeting.

Vice Mayor Moss asked the City Clerk to make it clear to the Vice Chairman of the Recreation Commission that she does not need to wait for the new Recreation Director to start. She said that she would like the Commission to have a meeting as soon as it is convenient for them.

At this time, Ms. Kim Prado and some of her Committee members were here to discuss the Air Show. They apologized they went to the County Administration Building and noticed that they were not on their Agenda.

B) OLD BUSINESS

1) 2020 Census

- a) Faith Communities 2020 Census Action Guide attached herein.**
- b) PSA video (2020census.gov): What is the 2020 census? (30 seconds)**
- c) PSA video (2020census.gov): Is my 2020 census data safe? (30 seconds)**
- d) PSA video (2020census.gov): How do I take the 2020 census? (30 seconds)**

Requested by Vice Mayor Laura Moss, Vice Chair of the Indian River County Census 2020 Committee.

This item was discussed under Vice Mayor Moss's Matters.

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing to be heard on March 17, 2020 at 8:30 a.m.

- A) **An Ordinance of the City of Vero Beach, Florida, Abandoning all of the City's interest in a certain sixty (60) foot right-of-way of an un-named street, lying East of Royal Palm Boulevard in Royal Park, Plat No. 2, Venetian Apartments, as recorded in Plat Book 4, Page 79, of the Public Records of St. Lucie County, Florida, said lands now lying and being in Indian River County, Florida, Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the Public Works Department**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on March 17, 2020 at 8:30 a.m.

Public Hearing to be heard on April 21, 2020 at 5:00 p.m.

- B) **An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the Zoning District designation of annexed property from Indian River County designation RS-6, Single-Family Residential, to City of Vero Beach designation P-2, Parks, for property owned by the City of Vero Beach, annexed into the City in 2003, and maintained as Charles Park, containing 3.83 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only and reported that the public hearing will be held on April 21, 2020.

Public Hearings to be heard on April 7, 2020 at 8:30 a.m. and April 21, 2020 at 5:00 p.m.

- C) **An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the Zoning District Designation of property from R-1 and R-1A, Single-Family Residential, to P-2, Parks, for property owned by the City of Vero Beach and maintained as Charles Park, containing 10.61 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only and reported that the two (2) public hearings will be held on April 7, 2020 at 8:30 a.m. and April 21, 2020 at 5:00 p.m.

Public Hearing to be heard on March 17, 2020 at 8:30 a.m.

- D) **An Ordinance of the City of Vero Beach, Florida, Amending the Official Zoning Map by Changing the Zoning District Designation of Annexed Property from Indian River County Designation RS-3, Single-Family Residential District to City of Vero Beach Designation R-1A, Single-Family**

Residential District, for the property consisting of all of Somerset Subdivision, as recorded in Plat Book 15, Page 25, of Indian River County, containing 3.57 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on March 17, 2020 at 8:30 a.m.

Public Hearing to be heard on April 7, 2020 at 8:30 a.m.

- E) **An Ordinance of the City Council of the City of Vero Beach, Florida, Amending the Official Zoning Map by Changing the Zoning District Designation of Property from MXD, Mixed Use, to C-1, Highway Oriented Commercial, for the property located in the 800 Block of 18th Place and 19th Street, in the Palm Addition of Vero Beach, Florida Subdivision, including the West 25 feet of Lot 5 and Lots 6,7,8 and the East 25 feet of Lot 9 and Lots 16,17,18, and 19, containing 1.31 acres more or less; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on April 7, 2020 at 8:30 a.m.

Public Hearing to be heard on April 21, 2020 at 5:00 p.m.

- F) **An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map to correct the Zoning District Designation from R-1A, Single-Family Residential to RM-10, Multiple-Family Residential District, for properties located at 905, 909, 911 Pirate Cove Lane and 1505 Coral Avenue, Lots 7-10, Block 7, The Ocean Corporation Subdivision, Containing 0.9552 Acre more or less; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by tile only and reported that the public hearing would be held on April 21, 2020 at 5:00 p.m.

8. CITY CLERK MATTERS

A) Commission/Board Annual Reports 2019

Mrs. Bursick presented the Council with each of the Boards/Commissions Annual Report for 2019. She said that she did invite all the Chairman of the different Commissions to attend a Council meeting to go over their annual report.

B) Appointment to the Recreation Commission

Mrs. Bursick reported that there is a full position open on the Recreation Commission and Mr. Rock Tonkel is interested in filling that position. There also is an alternate position open on the Recreation Commission and Mr. Jeff Igoe is interested in filling that position.

Vice Mayor Moss said that she supports Mr. Tonkel. She said that she worked with him on the Utilities Commission when she was the Chairwoman and he served as Vice Chairman for a period of time. It was only when he moved out of the service area that he could no longer serve on the Commission. He was always willing, he is very generous, and is very thoughtful. She said that he is capable of original thought, which is a really good thing especially on the Recreation Commission. She thinks that he would be a great addition. She said the City Council received two (2) emails from people who felt it should be City residents only serving on the City Boards/ Commissions. She explained that the City's Ordinance is such that they allow for County residents to participate on some of the Boards/Commission. She said for the community, there are certain Boards/Commissions that are City only, for example, the Finance Commission, which is City residents only. She said the Recreation Commission is not and frankly, she thinks it should stay that way. She said look at what they are deciding with the Three Corners property for example, with the Steering Committee. She said the Steering Commission has people from all over because they want the best ideas; they need the best ideas, it is really important and so is Recreation, frankly. She said the Leisure Square pool, she will go back to that, that was a really good example. What they learned last summer was that half the people who use the pool are County residents, not City residents. That being said, they need to, in her opinion, bring these parties together and by that she means the City and the County. She said they don't want to be divisive. City only, she thinks, you lose a certain vivacity and you certainly are going to lose some ideas because we can't think of everything. She is looking to bring it together and the County Commission might change.

Mr. Brackett asked is there a reason why one (1) applicant was put out to be the alternate member on the Commission and the other applicant as a regular member.

Mrs. Tammy Bursick, City Clerk, answered no. She explained that she had Mr. Igoe's application on hold as she was waiting to hear back from him to make sure that he was still interested in service on the Commission. She said it doesn't matter what position the City Council wants to put them in.

Vice Mayor Moss said that she would like to see Mr. Tonkel on the Commission. She thinks that the Commission really needs a shot in the arm and he would be the shot in the arm. He will give it his best shot. She guarantees it. He is just that kind of man.

Mr. Graves said that he did receive a couple emails from citizens about this particular Commission and concern with regard that Mr. Tonkel is not a City resident. He said that he thinks in advising Council on Commissions, especially like recreation, he thinks understanding the cost of certain things with recreation; the cost to the taxpayer and being a representative of the taxpayer is a consideration because the 18,000 residents of the City of Vero Beach are funding the Recreation Department.

Mayor Young asked do both applicants live outside the City.

Mrs. Bursick replied that Mr. Igoe is a City resident.

Vice Mayor Moss said that she doesn't dispute that, but you could argue that case; you could argue the opposite point and that is you want as many ideas as you can get and the finances are not their (the Recreation Commission) responsibility. The finances are their responsibility. The buck stops here literally and figuratively so Commissions don't have to make budget decisions; not the Recreation Commission necessarily.

Mr. Graves said they are making recommendations to the City Council. They are the eyes and ears of the Recreation Department. He said especially issues like Leisure Square. He said that he thinks Leisure Square is an important operation that they have, but they need people to try to give them advise on what they need to do there and still understanding the burden to the taxpayer.

Vice Mayor Moss said the only thing that she would say in addition to what she already said is that Mr. Tonkel is a member of the Taxpayer's Association of Indian River County for many years and she knows that he is good with finances from being on the Utilities Commission and she would support him on serving on the Recreation Commission. .

Mr. Brackett asked have they had any word on the Chairman.

Mrs. Bursick said that she has been in contact with him and she knows that he is having some health challenges, but he does want to remain on the Commission.

Vice Mayor Moss asked has Mr. Igoe ever served on a Commission/Board before.

Mrs. Bursick answered no.

Vice Mayor Moss said Mr. Tonkel has experience and she thinks that is worth something.

Mr. Graves asked with recreation.

Vice Mayor Moss answered no, with the Utilities Commission. She said the Utilities Commission dealt more with finances than recreation. She said he is rock solid.

Mayor Young said he (Mr. Tonkel) has been engaged with the community and he thinks that Mr. Tonkel has a compassion for Vero and he also has an understanding that we have to be very discriminating with regards to the expenditures for the City. He said that he (Mayor Young) has a bias towards residents, but he thinks in this case both applicants will do a fine job.

Mr. Graves pointed out that Mr. Igoe graduated with an Architecture Degree, he is a licensed Architect and General Contractor, which he felt that kind of background would be important for Recreation, especially at Leisure Square.

Vice Mayor Moss made a motion to appoint Mr. Tonkel to the Commission as a full member and Mr. Igoe as an alternate member. Mr. Neville seconded the motion.

Mayor Young opened and closed public comments on this item at 9:54 a.m., with no one wishing to be heard.

The motion passed 4-1 with Mr. Neville voting yes, Mr. Graves no, Mr. Brackett yes, Vice Mayor Moss yes, and Mayor Young yes.

C) City Council Summer Meetings

Mrs. Bursick explained that it has been customary for the City Council to cancel their first meeting in July and their first City Council meeting in August. She asked Council if that is what they would like to do this year. She noted that the meeting dates would be July 2nd and August 4th.

Vice Mayor Moss asked if they have the dates for the budget workshop and how many days it would be.

Mrs. Bursick said they are looking at holding the budget workshop on July 15th and July 16th, which is a Wednesday and Thursday. She noted that they would leave Friday open in case they would need to continue the workshop.

Vice Mayor Moss said for the new members of the Council, she and the Mayor started on the City Council in 2016, which is not that long ago, and the budget workshop took four (4) days so it's been reduced over the last four (4) years to half the time. She said they tend to go through it at lightning speed and they just had this conversation about how important it is and in fact how important it is even for the Recreation Commission members to have financial experience and the City Council is going to review everything with the Finance Director so she thinks they might want to consider blocking out three (3) days for this. She said two (2) days, she felt like they were trying to beat the clock. It started to feel like that. Things like the Leisure Square pool they didn't really discuss it at length and that information was transmitted to the community as a vote of some kind. So her thinking is that she would definitely put it down as a three (3) day meeting and they would still cut it down by 25% from four (4) years ago.

Mrs. Bursick said they could schedule it for July 15th, 16th, and 17th.

Vice Mayor Moss said that's what (3 days), and it is for Council discussion, but based on her experience that is what she is thinking.

Mayor Young said they will definitely have the opportunity. It is not time driven, it is mission driven.

Vice Mayor Moss said that she just doesn't want the "Leisure Square pool" to happen again because she thinks they got off track because they were trying to go too fast and you can be so efficient that you are not affective and she thinks they have reached that point.

Mr. Graves asked are these dates written in stone.

Mrs. Bursick answered no.

Mr. Graves said that his issue is that he is going to have to spend three (3) weeks out of the Country this summer for an adoption process and he does not know exactly when it is going to be. He asked if they could hold the budget workshops toward the front end of the summer.

Mrs. Bursick explained that the Finance Director does not receive some of the things back from the State that is needed so it could not be before July 1st.

Mr. Graves said the earliest is the best for him. He thinks that the adoption process would occur towards the end of July or early August. He said that he obviously does not want to miss the budget workshops.

Ms. Lawson explained that their General Fund budget is governed largely by tax revenue and she does not receive the certified taxable value until July 1st. She explained that staff needs time once they receive the certified taxable value to finish preparing the budget books.

Mr. Brackett recommended that they be flexible on this. He said they don't have to set this date today. He said they are only having one (1) meeting in July and one (1) meeting in August so it looks like they have time to be flexible on when they hold the workshop to maybe the middle of July or sometime in August.

Ms. Lawson said the other thing about this is that there is actually a timeframe in which they have to get their tentative millage rate back to the Property Appraiser and Tax Collector and it is typically on August 1st. She said it really is a very prescribed calendar by Florida law and it is not flexible.

Vice Mayor Moss said then the timeframe would be mid to late July, that is their window.

It was the consensus of the Council to hold the budget workshops for three (3) days if that is what is needed.

- 9. CITY MANAGER MATTERS (include amount of expense)**
(Staff/Consultant special reports and information items)
- A) Ranger Construction Industries Change Order No. 2 – Final for Taxiway E Extension (FDOT #434602-1-94-01) and Rehabilitate North Apron and Construct Ramp Projects (FDOT #437981-1-94-01) - \$166,579.24**

This item was pulled off of the consent agenda.

B) Ranger Construction Industries Final Pay Application for Taxiway E Extension and Rehabilitate North Apron and Construct Ramp Projects (FDOT #434602-1-94-01 & #437981-1-94-01) - \$532,594.06

This item was pulled off of the consent agenda.

At this time, Mr. David Currey, Police Chief, gave an update on the speeding tickets that have been issued on Indian River Boulevard and Barber Bridge (please see attached).

Mr. Graves said that he would like to see, in talking about the upcoming budget, if there are additional resources needed in this Department to please let Council know at budget time. This City Council is very supportive of law enforcement and the first thing that they need to be concerned with is safety. He said the City is lucky to have Chief Currey as their Police Chief and is very lucky to have the law enforcement they have.

Mayor Young commented that the Sherriff's Department has an auxiliary to help them with their patrol. He wondered if the City Police Department had any assistance.

Chief Currey reported that March 13th through March 15th through the Florida Sheriff's Association and the Police Chief's Association and the Highway Patrol they will be conducting Operation Dry Streets. He explained that there is a DUI Wolfpack in which the Sheriff's are in charge of certain counties and Police Chief's are in charge of certain cities. He reported that he is in charge of Okeechobee County and Indian River County on this project.

Vice Mayor Moss said they are doing a great job. She reported that on Indian River Drive East the Chief brought down the average speed from 29 mph down to 25 mph. She said he did a great job and he continues to do a great job.

Chief Currey said texting while driving will first be enforced in construction and school zones throughout the State.

Mayor Young asked Chief Currey if he has seen any movement on the funding from the State for the School Resource Officers.

Chief Currey reported that the funding is still there.

Mayor Young asked Chief Currey that when they have promotions or swearing in ceremonies to please let the Council know.

Mr. Neville asked Chief Currey if they determined the approximate speed of the truck that hit the van (referring to the accident that occurred on Indian River Boulevard).

Chief Currey said based on training it was determined that the speed was upward towards 43 mph.

Mr. Neville asked did they conclude that the driver was not breaking.

Chief Currey reported that the driver of the van looked down and slowed down and continued with the green light and then the van moved in front of him.

Mr. Falls reported that they did sign the streetlight contract and the streetlight contractor is getting the work at 17th street scheduled.

10. CITY ATTORNEY MATTERS

Mr. John Turner, City Attorney, said that he had a question the other day on using devices in which City business has been conducted on, not necessarily the Council so much as employees. He said to make sure the information is sent to the City Clerk's office for storage.

Mr. Turner reported that the City was named in a lawsuit filed by two (2) individuals who are petitioners on the Azalea Lane case, which was the amendment for the Future Land Use Map. He reported that the litigation is challenging the adoption of the Ordinance and the allegation is that the Ordinance was not adopted properly under the Florida Statute because it wasn't published properly. He said they just received the lawsuit the other day and are preparing a response. He said that with direction from Council, he will be defending the City in this matter. He explained that this is in connection with the Azalea Lane matter so he felt it was appropriate. He said that he will keep the Council updated.

Mr. Turner reported that the short term vacation rental legislation that is being proposed by Senator Diaz has hit a speed bump. He explained that the Senate Rules Committee has decided not to take any action at this point so it looks like the Legislation might be dead for this legislation session so they might not be dealing with that this year.

Mr. Turner reported that the DOAH hearing is set for April 6th at 9:00 a.m. in the Council Chambers.

11. COUNCILMEMBER MATTERS

A. Mayor Young's Matters

Sponsored presentation items by the public (10-minute time limit)

1) Treasure Coast Regional League of Cities meeting and May 29, 2020 Luncheon

Mayor Young reported that the City's Street-Sweeper is phenomenal. He said that he observed him stopping the street sweeper and grabbing a shovel to clear out a drain that was blocked.

Mayor Young reported that on Sunday, Author, Ms. Martha MacCallum was at the Book Center. He reported that she wrote a book, "*Unknown Valor*," which was a book about three (3) Marines in Iowa Jima and one (1) of the Marines was a relative of hers. What was so astounding was that there were over 200 people there at the Book Center with people who came from all over the State to get their book signed.

Mayor Young asked if the Council wants to acknowledge the Vero Beach High School Girls Soccer Team at their meeting on April 21st he would be amiable to that.

Mayor Young reported Vero Beach in collaboration with Sebastian created the Treasure Coast Regional League of Cities (TCRLC) and he has extended an invitation to them to hold their meeting and luncheon on May 29th at the Vero Beach Yacht Club.

Mayor Young reported that Coffee with the Mayor will be held on March 13th. He said that it has become a very fun event and he encouraged everyone to attend because they will can see how much is going on in their town.

B. Vice Mayor Moss's Matters

Sponsored presentation items by the public (10-minute time limit)

Vice Mayor Moss requested a Moment of Silence for Ms. Suzy Feeney who recently passed away. For those who may not have known her, Suzy Feeney was very active in the community, especially the downtown area, for a long period of time. She said the loss was especially poignant for her. She said they didn't start out as friends. They are both strong willed women and ended up on the opposite side of something and frankly she doesn't remember what it was, but over the years they became friends. She said in a way that made the friendship sweeter and the loss felt more deeply. She said that she (Ms. Feeney) was even encouraging her, and she didn't realize how sick Ms. Feeney was, but even very recently she was encouraging her in her current pursuit of higher office. She was a great lady. She asked for a moment of silence.

Mr. Neville said if you ever met Suzy Feeney you have been hugged. She was a very friendly warm person and she loved this town with incredible intensity and will be deeply missed.

Mayor Young said that he recently met with three (3) gentlemen who came to him to see if there was an opportunity where they could acknowledge her service and he said they he would be glad to, which he said will be in the future.

At this time, the City Council and the audience present for today's meeting had a moment of silence in memory of Ms. Suzy Feeney.

Vice Mayor Moss reported that the Census is not really her matter, she just happens to be the City's Representative on the Census Committee. She said it is actually City business and it is very important. It is the business of their Nation and has been for centuries; every

10-years a census is taken. What she uploaded this month is for the faith community and this by the way, all of this information is on the City's website, which is covb.org. She said this is very important. The churches are helping and this is at a National level, but also locally, they have several pastors on our local Census Committee, but they are very important and she thanked them for their service. They are trusted voices in the communities and are critical to conveying the importance of the 2020 Census. In addition, she thinks it is easy to understand that the faith communities often serve the same people. They use many of the Federal programs that receive funding based on this data and these programs include those that address poverty, hunger, homelessness, childcare, emergency services, and public safety. So for anyone, as she said, this is uploaded to the internet and she has three (3) 30-second videos that she would like to play now.

At this time, Vice Mayor Moss asked that the videos be played on the screen.

Vice Mayor Moss took this opportunity to thank the City Clerk. She has uploaded all the materials to the City's website so that anyone can check it at any time. She reported that the postcards for the Census will be going out very shortly, mid-March, so you will see them.

1) Grand Opening of the Vero Beach Art Club Annex (1791 Old Dixie Highway) with Exhibition and Sale on Friday, 03/06 and Saturday, 03/07. Details Attached

Vice Mayor Moss reported that the Vero Beach Art Club is moving to a new space and will still have a small space at the Museum of Art, but this is a huge step for them. The Vero Beach Art Club, was founded in 1936 and has been located at the Vero Beach Museum of Art since 1998 so the fact that they are moving is incredible. It is a credit to not only their success as a Club but also a to the success to that area, downtown, moving to Raw Space. She said that area, if you aren't familiar with it, it is on 18th Street between 14th Avenue and Old Dixie Highway so they'll be in the heart of the Gallery Stroll and in fact they are planning to have an exhibit. The opening is this Friday, March 6th from 5:00 p.m. to 8:00 p.m. The exhibit and sale will also be available to the public on Saturday from 10:00 a.m. to 5:00 p.m. All of this information is on the City's website so she is not going to read it all, but the exhibit should be very interesting and they should have approximately 50 works of local artist members of the Vero Beach Art Club and this will be the first of their monthly exhibits to coincide with the Gallery Stroll. She said that she is so sorry that Suzy didn't live to see this because she would have been delighted Friday night. She would have taken great pleasure in it. Mayor Moss said that she enjoys everything anyway, but she will try to enjoy it twice as much for her too because she was a big part of downtown so this is a wonderful tribute not only to her, but to all of the people who have worked so hard to create the thriving place that downtown has become. She congratulated Ms. Rosemary Polsky-Newman, President of the Vero Beach Art Club, and all their members. She noted that they have over 500 members.

2) "Hear My Voice" performance celebrating 100th Anniversary of women's suffrage on Monday, 03/09 at IRSC Mueller Campus. Details attached.

Vice Mayor Moss said this is the 100th Anniversary of Women’s Suffrage and there will be a performance next Monday, March 9th at 7:00 p.m., and it is free, at the Richardson Center at the Indian River State College Mueller Campus. She thinks it will be wonderful. She said to make sure to vote and actually this is a great thing because they have the Presidential Primary coming up on March 17th and she thinks they received notice that early voting starts this Saturday and if you need additional information you can go to voteindianriver.com for all the details. She said the more encompassing Primary is Tuesday, August 18th so if you are not going to be here, vote by mail. She said it is so important to vote especially for women. Women didn’t have that right 100 years ago and those women fought very hard for us to have that right 100 years ago and we definitely should not take that for granted. The turnout rate should be sky high.

3) Paige Family hosts the 35th Annual “Beast Feast” to benefit Epilepsy Florida at Riverhouse on Saturday 03/14. Details attached.

Vice Mayor Moss said the Paige family does this event every year. This is their 35th Annual Game Dinner and it is on Saturday, March 14th at the Riverhouse. It starts at 4:00 p.m. and goes until 10:00 p.m. She then went over their menu. She said that she has attended this event for a number of years now and can speak to the quality this is incredible. She said it is donations only and it goes to Epilepsy Florida, which is a very worthwhile organization that provides resources to families and individuals who are struggling with this challenge and it also supports research in that area. It is a lot of fun. It is free of charge; donation only.

4) Veterans Council “Prom Night” at Walking Tree Brewery on Saturday, 03/14. Details attached.

Vice Mayor Moss reported that prom night will be held on March 14th at 7:00 p.m. She reported that she is running for Queen of the Prom. It is a fundraiser. If you go to the Veterans Council website, veterinscouncilirc.club you will see a photo and click on it and any funds that you donate goes directly to the Veterans Council. It is just a fun way of raising money and they will end up with a King and a Queen of the prom. She said it should be a fun night and encouraged everyone to be there.

Vice Mayor Moss thanked Mr. Brackett on what an incredible gift the Veterans Council received from the Brackett Foundation at the Veterans Gala last week.

C. Councilmember Brackett’s Matters

Sponsored presentation items by the public (10-minute time limit)

Mr. Brackett reported on the Beach and Shores Preservation Commission meeting. He said they added derelict vessels to their agenda and have received a permit to remove six (6) vessels.

D. Councilmember Joe Graves's Matters

Mr. Graves reported that he was the announcer for the Vero Beach High School Girls Soccer Team this year. He said it has been really fun and enjoyable. They won Regional and then they went down to Weston and lost the game. He would like to invite the team to come before the Council and be officially recognized.

Mayor Young said they would do this at the City Council meeting of April 21st at 5:00 p.m.

Mr. Graves felt that the Three Corners Steering Committee was democracy at work. There were a lot of ideas being presented and at the end there was determinations and resolutions, which he felt was the way it should work. He said it was reported in the newspaper that it was nitpicking, but he feels it was the way things are supposed to work.

Mr. Graves said there was an article in the Press regarding the Twin Pairs that stated it defies common sense. He said that Ms. Suzy Feeney was the person who came to him and got him interested in the Twin Pairs. In taking a look at the study of the Twin Pairs that was done by Kimley-Horn, her idea was beautifying downtown. After speaking with her, he thought it was worthy to look at it. Then discussion at the workshop meeting they talked about speed and people darting to cross the street. One of the things that wasn't done was a speed study, which he would like to see. He really thinks that they (City Council) are trying hard to take a look at all the issues and do the best they can.

Sponsored presentation items by the public (10-minute time limit)

E. Councilmember Rey Neville's Matters

Mr. Neville said the articles written by Mr. Larry Reisman are not news articles; they are opinion pieces.

Mr. Graves said certain things get reported and then it creates furor in the public. He understands what they are trying to do, but from the City's standpoint it would be helpful when this stuff is getting reported that the full story gets reported. With Twin Pairs, this is something that Council said they would take a look at and it is being reported that it lacks common sense, which he felt was unfair.

Mayor Young said regarding the opportunity to look at the Three Corners, they would have been negligent and he would have been highly upset had they not looked at the components of the Plan. He said that he is totally at ease and thinks that it was 100% done the right way. He understands Mr. Reisman's objective, but it was they should be doing.

Mr. Brackett said it is their job to turn over every rock. They may not make a decision or change anything, but it is their job to examine them.

Mr. Graves said that he takes his job seriously to hear the voices of the community. They have the responsibility as an Elected Official to represent the citizens.

Sponsored presentation items by the public (10-minute time limit)

13. ADJOURNMENT

Today's meeting adjourned at 10:52 a.m.

/tb