

**CITY OF VERO BEACH, FLORIDA
APRIL 3, 2018 6:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Pastor Kellie Tipton of Central Assembly of God followed by the Pledge of Allegiance to the flag led by Dr. Zudans.

1. CALL TO ORDER

A. Roll Call

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

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – March 20, 2018

Mr. Young made a motion to adopt the March 20, 2018 minutes. Mr. Sykes seconded the motion and it passed unanimously.

B. Agenda Additions, Deletions, and Adoption.

Councilwoman Moss asked to be able to give an update on the Electric Utility.

Mayor Howle suggested that they first adopt the agenda and then Councilwoman Moss can give her update. The City Council agreed.

Mayor Howle made a motion to adopt the agenda as amended. Councilwoman Moss seconded the motion and it passed unanimously.

Councilwoman Moss reported that the Florida Municipal Power Agency (FMPA) voted unanimously to allow the City of Vero Beach to exit its power project contracts. There are three (3) and the FMPA Board of Directors, which are 31 member cities and she is the City's representative, also the Executive Committee, which has 13 members. She explained that there were three (3) Resolutions, one (1) for each of the Power Projects and a fourth Resolution that they voted on was to allow the City Of Vero Beach to be free of any future liability and obligation to them. It was a general release she guessed it would be the best way to put it succinctly. Immediately following that meeting, the Board of Directors that voted on the four (4) Resolutions, the Executive Committee met

and they voted unanimously to take over our power from those contracts. The contracts that the City executed, they will take the power. So, now we are allowed to exit those contracts. We have the legal permission to exit those contracts and Florida Power and Light (FPL) will be at the next City Council meeting, which is in two (2) weeks, Tuesday, April 17, 2018, which is a morning meeting because they will have Mr. Jacob Williams of FMPA, Mrs. Amy Brunjes, of FPL, and the City's Special Counsel, Attorney Nat Doliner, to discuss what they are doing currently and where they are going with this. She thinks it will be very exciting to hear from FPL about the future of the City with regard to the electric issue. So, she invites everyone and that is two (2) weeks from today, in the morning, at 9:30 a.m.

C. Proclamations and recognitions by Council.

1. Child Abuse Prevention Month – April 2018

Councilwoman Moss read and presented the Proclamation.

2. Water Conservation Month – April 2018

Vice Mayor Sykes read and presented the Proclamation.

3. Aviation Appreciation Month – April 2018

Colonel Young read and presented the Proclamation.

4. National Telecommunicators Week – April 8-14, 2018

Dr. Zudans read and presented the Proclamation.

5. Jackie Robinson Day – April 15, 2018

Mayor Howle read and presented the Proclamation.

D. Staff/Consultant special reports and information items.

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

F. Public Comment (3 minute time limit).

None

3. CONSENT AGENDA

None

4. CITY COUNCIL MATTERS

A. New Business

1) North Central Beach Traffic Calming – Requested by Councilmember Val Zudans

Dr. Zudans reported that he has received a lot of calls from people who live close to him and from other places as well. So he asked to have this item on today's agenda. He reported that his family moved to Vero Beach in 2002 and rented a home on the beach. They then purchased their current home on the same street, which is located north of the City Marina. Therefore, he is very familiar with this area. He said these roads have changed over time and one (1) of the main issues is that people use Live Oak Road as a cut-through, even though it is clearly posted that through traffic is not permitted. He said A1A itself is designated by the Florida Department of Transportation (FDOT) and the side streets are not to be used as cut-through streets. He said there also has been significant changes on this neighborhood over the past few years. The Dog Park has been an incredible success, which is good for the community. He felt the Dog Park was a great amenity for the community. He said it is not just from the people who live in this community, but he has heard from people who live in Sebastian and other areas because there really isn't another Dog Park. He said people love their dogs and they should be proud of the Dog Park. The problem is the people who are coming south on A1A that don't want to go around so they cut through. This has dramatically increased the traffic. He noted that he doesn't blame the Dog Park people and he understands why they are there. However, it is now an issue that has to be addressed for the people who live in this neighborhood. He said over the last 16 years the population on the barrier island has grown and there have always been people who think this is a cut-through. He said most people who live in the neighborhood follow the speed limits. However, the people who are cutting through don't always follow the speed limits. He said the Yacht Club was recently renovated and a lot of clubs are using it for their meetings, which is increasing the traffic. Rather than using the roads that are supposed to be used, they are cutting through the residential neighborhood. He doesn't begrudge the success of the Dog Park, the Yacht Club, the Marina, etc., but there is undeniably increased traffic through the residential neighborhood. He has been approached numerous times by his neighbors expressing their concerns for the safety of their children, the speed of travel, and the deterioration of the quality of the road, which has a negative impact on the quality of life in the neighborhood. He said not everyone agrees in that some people who recently moved here find it way better than where they came from in South Florida or up north. He said a vast majority of people want something done to make the residential neighborhood more residential. He wants to find a solution if there is something out there. Some of the suggested solutions were speed bumps, four (4) way stop signs, increased police presence, radar police signs, and a variety of A1A access closure proposals. He said in speaking with the City Manager he has learned that speed bumps are not always popular. The proposal to close A1A access also has potential issues. The proposal to close off access to Live Oak Road might help the people who live on Live Oak Road, but it would shift the traffic flow south. He felt that Date Palm Road would more than likely suffer the most. If they did want to do a temporary trial restricting A1A access, he felt it should be all or none so traffic is not shifted to the neighborhood down

the street. He said there are 153 people who live in the neighborhood who said they would like to try this. He said the idea would be to have some type of temporary barrier pole where pedestrian, bicycle, and golf carts could still go through and the barrier could be removed if they don't like the result. He said there have been some false rumors of a plan to create a roundabout at Beachland Boulevard and A1A. He said roundabouts are very unpopular and have nothing to do with this issue. In summary, members of the public have come to him with their concerns about excessive traffic through the residential neighborhood and as a City Councilmember, he would like to help them if he can. Many people who he spoke with are requesting that the City Council give their approval for a trial of temporary barriers from Acacia Road to Live Oak Road on the west side of A1A.

Councilwoman Moss asked Mr. O'Connor to explain what has already been done to address the problem.

Mr. James O'Connor, City Manager, reported that the no-through traffic signs have been put up at the intersections coming off of A1A. They put up at least three (3) speed monitoring signs and one (1) stop sign.

Mayor Howle said there is no doubt that the use of these streets has increased over time. He agreed with Dr. Zudans on that point. He does not agree with the closing of any of those roads because when you do that it would shift the pattern to another portion of the road.

Dr. Zudans said people are coming to him expressing their concerns and have expressed an idea that they would like to try. He felt that they lived in a citizen government where the leaders should be responsive to their citizens and at least consider their ideas. If it turns out that the traffic is backing up, then they can take the barriers down. He said that he lives in this neighborhood and if it stops people from speeding through his neighborhood, he doesn't mind being slightly inconvenienced to have to go around to get to his home. He feels that they should at least give it a try. He said there could be unforeseen consequences that he is not thinking of. He felt it would be worth a try to see if it works.

Councilwoman Moss said that she also lives in that neighborhood and she thinks the measures that Mr. O'Connor has taken in terms of installing the speed indicators really has helped. She said that she saw them being installed, which was a big surprise and she thanked Mr. O'Connor. She said that she takes a walk towards Riverside Park almost every morning and so she gets to observe the flow of traffic in the morning and sometimes she walks again late in the day, which is during rush hour traffic. She said that she sees people slowing down when they see the indicators. She said that she does it herself. She is not a speeder, but it is interesting to see and make sure that you are going that speed or less. It makes people very mindful of the way they drive. She said that when she is walking she has asked other people what they have observed not telling them who she is or what she has observed so whatever their observations are is spontaneous and they have told her the same thing; that the cars slow down when they see the speed

indicators. She felt this has been helpful so she took this opportunity to thank Mr. O'Connor for that.

Mr. O'Connor said that Mr. Monte Falls is the man to take the credit.

Councilwoman Moss thanked Mr. Falls. She said that she is the City's representative on the Metropolitan Planning Organization (MPO) and stated that they are not particularly as helpful as she would hope they would be. But, here is the good news. They have a long list and in five (5) or 10 years you might see it happen, but in all seriousness the intersection of A1A and the Barber Bridge and the intersection of A1A and the 17th Street bridge both were already on their list of traffic studies in terms of going south and making a right hand turn to go west. In other words, going south on A1A and turning west over either one (1) of those bridges. What they are studying is lengthening the turning lanes. She said that would be a big help because if they lengthen those turning lanes people could just go straight down A1A and people making a turn would be out of their way. She said when she heard that she thought there are other problems when people take the bridges and are heading east and make a left hand turn to go north. Therefore, as the City's representative on the MPO she requested quite some time ago for them to lengthen both of those turning lanes on each of the bridges; when you come over the bridge heading east and turn left to go north on A1A. She said the good news is that since they already had a study planned for both of the intersections, the MPO said they would add her request and that it could be done simultaneously, which she said makes sense. She didn't know what the time frame is. She asked Mr. Falls to speak on this.

Mr. Monte Falls, Director of Public Works, reported that the MPO said the study would be completed in March. However, it has not been completed as of yet. He said that he received an email today that they are going to modify the signal timing at both of the intersections to hopefully cut down on some of the delay. It was his hope that the signal timing change would be implemented within the next 30 days as indicated by the email. He felt that the study would discuss lengthening the turn lanes to give more room to store some of the vehicles to get them out of the traffic queue. He reported that some time ago they polled the community and they reduced the speed limits from 30 mph to 25 mph, which had a positive impact. He said they held neighborhood meetings in 2011 where they discussed the same issue and discussed the same kind of solutions.

Mr. Sykes said that he appreciates Dr. Zudans' bringing this issue up. He recognizes that there are a lot of central beach residents present for tonight's meeting. He said that he is in no way trying to trivialize this. He grew up in central beach and he has seen the traffic issues. He said they did try to do some things to modify the issues at their last City Council meeting. His concern is that if they do this and he is not completely opposed to some sort of trial, but questioned does that set a precedent. He explained that he lives in south central beach and his road has become a main thoroughfare where people are speeding every day. They have huge trucks coming through, etc. He questioned does the south central beach then say that they want to do the same thing and close all their streets.

Dr. Zudans said that is a great question and if it works well then it should be a precedent. If it doesn't work well then it should be a precedent that they don't do it again.

Mr. Sykes said that he hears him, but these are also City streets as well. Therefore, if they are going to do that then it kind of changes the whole landscape of Vero Beach in that they are turning them into almost gated communities.

Dr. Zudans said this is a planning thing that has been done in lots of places. It is his understanding that it increases property values in those neighborhoods, it reduces crime in those neighborhoods, etc. He said they have done it in other places like on US1 where residential is behind businesses and if they limit the number of places to get into the neighborhood it makes it less likely that people would come off of commercial US1 into that neighborhood. It becomes more like a residential neighborhood and less like someone's cutting through your neighborhood.

Mr. Sykes said he didn't doubt that it would have a positive effect on property values, but he didn't know that it is their job to do that. He noted that he is not wholly opposed to the concept of this and he is looking forward to hearing from the public.

Mr. Young asked as far traffic citations, what does the record reflect. He asked has the incidents flat lined, increased, decreased, etc.

Mr. O'Connor said during season it is up. He said there was one (1) street where they had a resident call and he thought they issued seven (7) citations.

Police Chief David Currey reported that was on Fiddlewood Road and he thought 9% of the violators were speeding. He said they had the speed trailer there for two (2) weeks and will be strictly enforcing the side streets tomorrow.

Mr. O'Connor noted that with traffic coming through sometimes there are perceptions of speed versus volume. He thought of all the calls to the Police Department, traffic is the number one (1) issue.

Mr. Young asked Chief Currey as far as looking at the traffic pattern, can he hone in on this. He thought that some of the ways they could address this would be to look at the traffic enforcement efforts related to anticipated densities. The other part is to look at the north barrier island and then look at Vero Beach in its totality because there might be a density issue elsewhere.

Chief Currey said the concern they are talking about today is a concern that they have talked about, and continue to talk about. He said the volume has certainly increased. He noted that they do respond to every concern, but they are the same concerns they have had for many years.

Mr. Young said in speaking with people in his neighborhood it is that they don't have a sidewalk. He asked has there been any effort to put in a sidewalk in this neighborhood.

Mr. O'Connor said it is budgeted for this fiscal year.

Mr. Young said then the question is the nature of the incidents that are there and they are speaking of speeding. A primary concern that he has, which has been brought up, is pedestrian safety. He said maybe a combination of the sidewalks would help. He asked as they look at alternatives, does this have any implications on the school buses for Beachland Elementary School.

Chief Currey said they are on the campuses everyday and he has not heard anything.

Mr. Young asked do the buses stay on the primary roads.

Chief Currey thought they did noting that they have their routes. He said that he has not heard of any problems.

Mr. Young asked what is their availability of officers for traffic enforcement.

Chief Currey said they have two (2) motor officers, but they did have to pull two (2) officers to go into the schools. He noted that they have two (2) officers that specifically deal with traffic.

Mr. O'Connor felt that the school bus conversation is something that they do need to consider because he knows they do use residential streets. He felt that if they decide to do something even if it is on a temporary basis, they need to advise the schools of what the process is going to be.

Chief Currey said that he would reverse the logic on that and find out from the schools first before they make a decision that would impact them.

Chief Currey said the schools are made aware of any project that they do. He noted that they speak to the bus drivers from time to time.

Ms. Sherrill Millikan said that she was the one that almost got hit at the mailbox. She said that the Mayor's mother signed the petition to close off Mockingbird Lane. She reported that she received 156 signatures and would have gotten more, but some people are very specific about what they want. She then read over what people want. They want to close A1A access to westbound Live Oak and all the side streets to Acacia Road. She said some people would not sign the petition because they stated that they would only want it closed off with speed tables or four (4) way stop signs. She then went over some of the comments that she received with regard to incidents that have occurred on their streets and their concerns.

Mayor Howle told Ms. Millikan that her time is up.

Mr. Brian Heady said it is amazing when people put their program together and they don't allow them to speak.

Mr. Bill Schabot said that he has lived on central beach since 2004. He reported that today he went to Fiddlewood Road and took a picture of every car in a three (3) hour period and there were 36 cars. He said the person who came to his home with the petition didn't talk about closing the roads, but talked about dealing with the traffic issue. Therefore, his wife signed the petition not knowing that the petition was to close the streets. When she found this out she asked that her name be removed because she was not in favor of the streets being closed. So, they don't have as many signatures as reported.

Dr. Zudans explained that he was just relaying what was brought to him. He thought there was merit to the idea of trying this.

Mr. Schabot thought there was only a problem with the traffic six (6) months out of the year.

Mr. Richard Schulman said that he has lived here since 2011. He said that both Fiddlewood Road and Date Palm Road have a very severe problem with cut-throughs. He said that he helped Ms. Millikan with the petition on Fiddlewood Road, Date Palm Road, and Cypress Road. He said about 80% of the people he spoke with signed the petition, which was a petition to cut off access at A1A to all the side streets. He said that he has a prepared statement, which he will leave with the City Council. He said that he looked up "cut-through" on the internet and found there is another name for this, which is "rat running." He then read in part the definition of "rat running" from Wikipedia, "*rat running or rodent running or cut-through driving is the practice by motorists of using residential side streets or any unintended short cut, instead of the intended main road or urban or suburban areas.*" He said cut-through driving is dangerous to young children. He said that his neighborhood would be even lovelier if they didn't have to watch out for speeding cars and trucks. Inadequate remedies are speed limit signs, no through traffic signs, and speed bumps. Their proposal to cut off access to all the roads coming into A1A is the way the neighborhood would have been defined if it were built today.

Ms. Christine Yasatoni (spelling may be incorrect), Date Palm Road, said that she was hit while turning into her driveway and the woman who hit her took off. She said that she called 911 and followed the woman who hit her. She caught up to the woman and she was arrested. She said this was a traumatic experience. She felt the idea to close off the access to their streets was the best that she has heard.

Mr. Roger Marcel reported that he lives in front of the City Marina and has lived there since 1988. A few years ago a lady was leaving the Dog Park and took a short cut. She lost control of her vehicle and knocked down a stop sign, blew through his neighbor's fence and smashed into his stairs. He said that she did \$20,000 damage to the front of his home. He said that she must have been going 40-45 mph. He is all for doing something to stop the traffic coming through.

Ms. Kathleen Marking said that she lives by the Village Beach Market and does not live in central beach and has been here since 1976. She said that she didn't realize there were rules and regulations as to what streets she is permitted to drive on. She asked the people in the audience who lives in that beach area if they took Indian River Boulevard to Route 60 to get here tonight or if they took Royal Palm Boulevard and got on one (1) of the side streets to get here. She said they have a tremendous speeding problem and in 2009 she took a petition around to have a sidewalk put in on Bahia Mar Road because she witnessed the same thing; people walking their dogs, people riding their bikes, and cars speeding down the road. She said that she knows the sidewalk has saved lives. She said no one wants the sidewalk on their side of the street, which is the next problem they are going to run into. She said that she doesn't understand why there isn't a sidewalk on every one of these streets. She said that she started a "Growing up in Vero Beach" facebook group that has over 9,000 members and when she put on there that this was going to be discussed, she received at least 156 comments from people that are against this. She said that everyone is discussing funneling all this traffic on to Beachland Boulevard and no one has said anything about the extra traffic that is going to put the children who go to Beachland Elementary School in more danger than they currently are.

Mr. Arthur Economy (spelling may be incorrect) of Indian River Drive East thanked the City for putting in the speed meters. He said that he has seen a big change, but on the other hand he has also seen a lot of cars speed right through it. It is slowing a lot of cars down, but he has seen a lot of cars speed right through them on a daily basis. He said this part of central beach is unique because it is not just a neighborhood. They have a school, a Marina, the Yacht Club, the Dog Park, some commercial businesses, the boat ramps, and a church. He felt that this might be a good opportunity to study this and use what they come up with in other areas where people are complaining about this. He said that he has lived in his home and has witnessed several accidents. He said something needs to be done.

Mr. Mike Brownstein of Fiddlewood Road said they do need to do something at least temporary and study this. He said they could put up temporary barriers during the high season and during the summer they can take them down. He questioned how many citations were issued for going through the "no through" street. He said in order to determine that they would have to stop the vehicles and ask where they are going. He said "no through" street signs don't do anything. He said they put a four (4) way stop sign on Fiddlewood Road and he can see the difference. But, he believes that this is going to get worse and needs to be addressed or someone is going to get killed.

Mr. Joseph Guffanti of Holly Road said that he has lived here just short of 40 years. He said that he appreciates all the work that the City Clerk and her staff have done over the years. He said that he received from the City a map that shows all the accidents on north central beach area and there have been four (4) of them over the last year and a half. This is excluding Beachland Boulevard and A1A. He said that he didn't realize that the City of Vero Beach was such a dangerous place based on what people are saying about his neighborhoods. He felt that the idea of cutting these roads off from access to A1A was

ludicrous. He said that he always says they are living in the age of insanity and this is a good example to substantiate his position.

Mr. Peter Converse of Cypress Road said that he has a young family with one (1) daughter who attends Beachland Elementary School and his other child will start in September. He walks to the school and back every day and there is never any danger of people speeding down Mockingbird. He did not want to belittle what he hears about the effect of cut-throughs on the roads north of them and he wants them to find a solution that would ease the situation, but not stop the traffic completely from A1A. He hoped that they could find a solution and try some things out before they stop the flow through completely. He understands that they don't have enough Police Officers to enforce things, but suggested that they randomly do one (1) street every day. He said that his signature is on the petition, but he thought it was to find a solution. He didn't know it was to block off the streets.

Mr. John Clinton of Mockingbird Drive said that he walks his dog a mile everyday twice a day. He walks both on sidewalks and down the middle of the streets and he does not have any problem with safety. He does not think the community has a major problem. He is opposed to any change in the traffic pattern as proposed today. He likes it the way it is.

Mr. Gary Froonjian of Fiddlewood Road said that he has lived there since 2006 and it is a great place to live and bring up children. He felt it might be a good idea for them to consider having a group meeting within the central beach community and include those on the City Council who are interested to hear what they have to say because not everyone could attend tonight to represent what they are seeing. What they are seeing is an influx of traffic from Fiddlewood Road because the backup on A1A is so tremendous because of the light. He felt that they could put up one-way street signs out strategically so that only the residents could go both ways. He said the bridge is the major access road and people are cutting through their neighborhoods. He said this happens every day and it is getting worse. He suggested that they hold a neighborhood meeting at a central site, such as the Riverhouse. This is their neighborhood and people are cutting through with no regard for anyone.

Mr. Mike Mitchell of Holly Road said as a long time resident of central beach he is surprised to hear how dangerous his neighborhood is. He walks on these roads, he bikes on these roads, and he runs on these roads regularly and has never had any problems. Yes, there are people who go faster than they should and there are people who cut through there, but it is a public street. He said that the majority of people that he has any experience with are very courteous. He said that he simply does not see the danger. He understands that there are signatures on petitions that there is a danger there and they want the streets closed and have other types of traffic calming things happen, but he does not think there is a majority. It sounds like some of the people who signed the petition weren't signing what they thought they were signing. The people that he knows do not agree that there needs to be any dire traffic calming and they want the access. They just don't see the danger that others do.

Mr. Peter Robinson of Greytwig Road said if they doesn't think there is a traffic problem this is what happens. It is after Easter and all of a sudden they have all these people here arguing about the traffic. He said what happens after Easter is that people go home so the big traffic problem goes away for a while. He said Live Oak to Indian River Drive is not a through street. It is a substandard road and it is a danger. He said years ago there was a fight about putting in a sidewalk on Mockingbird Drive because a bunch of people were against it. He said they finally did put in a sidewalk and it is now safe. There is not a sidewalk along Live Oak Road and Indian River Drive. What he is saying is that they have a problem and they have to address it.

Mr. Jane Hall of Mockingbird Drive said that he has lived in Vero Beach since 1994. He said that he has not heard from anyone tonight who is a Traffic Engineer that could give them real facts on how traffic flows. He encouraged the City Council to use qualified experts in making this decision and not just opinions of concerned individuals.

Mr. Michael Giannotti of A1A said that he is a six (6) year resident of Vero Beach. He said that he is one (1) of the people who drives through the neighborhood to go to the Dog Park, the Marina, etc. There are times of the day where the traffic is backed up past Riverwalk almost up to the Village Market and he has waited 15-minutes to get to Beachland Boulevard to get to work. When he does have to cut through the communities to get to the Dog Park or the Marina, he does not see a traffic problem that people are saying there is. He travels through these neighborhoods about six (6) times a day and there is increased traffic in the morning and in the evening, but to shut off those roads and increase the pressure on A1A is not fair.

Ms. Lynn Edgar of Indian River Drive said that she has never noticed a problem. The only time that she feels there is a real concern is in the evening because it is dark and cars cannot see people walking. But, what she has not heard addressed today is have they considered getting out of the neighborhood if they close off all the streets. She said that she sat at Conn Way and counted 36 cars jammed up before she could make a right turn. She felt if they don't consider all the consequences, this is the one they should consider because they could really be in a mess in getting out of the area.

Mr. Gary Segall of Eugenia Road said that he and his wife declined to sign the petition. He said this community was platted long before any of them were born and it is platted in a pattern that is still used today. He said this is much like an ant hill or a beehive where if they are disrupted, that is what is going to happen if they start shutting down these roads. The best example is if they look at the 17th Street Bridge where they have one (1) lane closed at the end and traffic is backing up far over the crest of the bridge. He said they are complaining about the traffic coming into the neighborhood and disturbing the neighborhood. He said they would not be solving a problem, but taking a problem and scattering it among the residents of the neighborhood. It will become a danger zone and they are going to have a lot of frustrated angry people. They will have accidents and fatalities from people trying to get out of their neighborhood. Another example that they have not heard is about the environmental impact. The carbon footprint of this operation

is going to be enormous because they are going to have all the traffic trying to get in and out of the neighborhood stalled. He said this is going to create an environmental nightmare. With regard to the school buses, they go up and down these roads and they count on being able to get onto A1A. They cannot make u-turns on these roads, which means either they cannot do this or they will have students who will have to walk a substantial distance because the school buses will not be able to take them to their homes. He said this is unnecessary. He asked that they table this for a day long down the road from now.

Mr. R. J. McMillan of Live Oak Road said that he has lived on this property all his life. He said they have a serious problems on Live Oak Road because they have 1.2 miles between stop signs and people can get going pretty fast in 1.2 miles. He was not in favor of shutting down the roads, but felt that they need to control the speed. He said that he spoke with Mr. Falls and was told that they don't qualify for stop signs on Live Oak Road and Indian River Drive unless they receive approval from the City Council. He said they need two (2) or three (3) stop signs or some speed tables on Live Oak Road and Indian River Drive.

Ms. Olivia Schulman of Date Palm Road said they get one (1) car after another during rush hour. She said that she was perplexed when she saw the stop signs that were added to Fiddlewood Road. She wondered why something was done there and nothing was done on her street. She felt that they receive the lion's share of the cut-throughs during rush hour. She asked why was something done on Fiddlewood Road and nothing was done on Date Palm Road.

Mr. O'Connor explained that some of the residents of Fiddlewood Road came to the City Council meeting and petitioned for the stop signs.

Mayor Howle said what he thought might happen was if a four (4) way stop was put on Fiddlewood Road that traffic on the roads without a stop sign would increase because people would take the other streets to avoid the four (4) way stop.

Ms. Schulman said after Easter the traffic has calmed down a little, but she felt that Date Palm Road had a more serious problem and she did not know why nothing was done there. She said that she has thought for a long time that lengthening the turn lane is crucial and she would hope that it is not something that happens five (5) years from now, but could happen over the summer. She felt that was one (1) thing that would make a big difference.

Councilwoman Moss said that she would make sure that MPO hears about this.

Ms. Schulman said a possible alternative to physical barriers is no right turn on these "tree streets." She explained that the crucial thing is the traffic coming from the north and heading south on A1A if there was no right turn that would prevent cut-through that way and residents would still have access. She felt that was another thing that should be considered.

Mayor Howle thanked everyone for coming to tonight's meeting and for their comments. He said they received a lot of good information and they did a great job for keeping this orderly and at a good time limit. He said now they are going to take a 10-minute break.

Dr. Zudans said that he would like to discuss this and have a vote on it. He said that he understands there are mixed opinions and different thoughts on what the consequences are. But, they also had a lot of citizens come tonight and state they want this. There were other people who spoke that were on the other side, but he felt that they should at least give the opportunity for a trial on this.

Councilwoman Moss felt that two (2) very good points were made by the community, which was the suggestion of a Traffic Engineer and making the point that it is seasonal. She said if they are going to test it they are coming up to a period in time where the problem in a way will resolve itself. This is probably not the best time to test something. She agrees that they will have the problem again when they approach the high season.

Mr. Young said there is a multitude of efforts that could come together to address this problem other than having barriers. He is not in favor of placing barriers on any of these roads. He felt it was imperative to expedite the turn lane, as well as the sidewalk on Live Oak Road. He said if they begin with one (1) neighborhood it drifts to other neighborhoods. Understanding what the implications are is not understood at this point.

Councilwoman Moss said the MPO works with FDOT and A1A is a State Road so this is not something that the City itself decides. They have to put in an order for it, which she did some time ago. She said that she and Mr. Falls are following up on this. She explained that the way the MPO functions is they have representatives from each city, which she is the City of Vero Beach's representative. She said there is also a Technical Advisory Board and Mr. Falls is the City's representative, which she felt he does a very good job. She said they have both been very persistent in trying to move this forward. She felt that extending the turning lanes would help quite a deal.

Mr. Sykes said that he is in favor of the City Council taking action to push the MPO in the direction of lengthening the turning lane. He would be in favor of looking into a permanent speed sign on Indian River Drive. As he mentioned at their last meeting, during this year's Budget Hearings he is interested in looking to see if they can't get more Police Officers dedicated to traffic and these issues for the next fiscal year. He felt that this sets a terrible precedent that they would prefer one (1) neighborhood over another in central beach. He did not disagree that traffic issues are a concern for public safety, especially during season. The public comments that he heard tonight are very mixed. He did not think it was their place to close off streets. If it happens there it will happen everywhere else in central beach, it will happen on the mainland, and it will change the entire feeling of the community, which he was not in favor of. He is in favor of doing anything they can to lessen the burden of traffic in the central beach area and elsewhere in the community, but he is not in favor of blocking off the streets.

Mayor Howle said the three (3) things that stuck with him the most that was mentioned tonight were: the sidewalks, which he likes the idea because they create safety. He said a lot of the adverse feelings that residents have about sidewalks in their neighborhood tends to go away once the sidewalks are completed; the statement that was made by a taxpayer who would like to have access to the roads that they pay taxes to use and maintain; and the fact that the neighborhood was platted many years ago and the streets have been this way since day one. He felt that cutting off the flow would do some serious damage to the flow of traffic on other streets, especially on Mockingbird Lane because of Beachland Elementary School.

Dr. Zudans said they can go with Traffic Engineers and spend a bunch of money on this. But, they own barricades and they can find out if this is a good idea or a bad idea. He said that that he knows a lot of people did go back up north, but there are still a lot of part-time residents in town. He said it doesn't cost the City anything and they have the opportunity to potentially solve the problem. As far as setting precedent, if it doesn't work it is going to set a precedent that this is a bad idea and if it does work it will set a precedent that this is a good idea. He felt that they should do it. He felt they should listen to their constituents. He doesn't believe that they would be backed up trying to get out on Mockingbird Road. He felt that they should do a 30 day trial. If they figure out that it is not working they can stop it. He suggested that they put in temporary barriers from Acacia Road to Live Oak Road for 30 days.

Councilwoman Moss asked Mr. O'Connor about this suggestion.

Mr. O'Connor said that he would not recommend any 30-day pilot project of blocking off a street. If they are going to do it they need to take action that would do it over a longer period of time. He said they would not be able to measure anything over the next 30 days. He said traffic was totally different 30 days ago then it will be in the next 30 days.

Councilwoman Moss asked could they do a different type of test. She asked could they have an increase of traffic enforcement for 30 days and see what results are yielded from that.

Chief Currey answered yes.

Mr. O'Connor asked Mr. Falls if they can also do some traffic counts on these streets.

Mr. Falls answered yes. He said they have been collecting traffic counts in the past so they could have that data and can still continue to collect them. He noted that they would have to factor those for seasonal counts. He said there are some traffic institute standards where they can do the traffic counts now and factor them up for season, which they are doing and are sharing the information with Chief Currey. He reported that they have not started the sidewalk yet because it was during season. They are currently getting prices on the concrete and will begin construction within the next six (6) weeks and it will be completed before the end of the fiscal year. He noted that the sidewalk will be continuous from Beachland Boulevard to A1A.

Councilwoman Moss said to understand them correctly they have the resources to do increased enforcement and increased data collection for the next 30 days. She asked are they able to do that.

Mr. Falls said they are doing the data collection.

Mr. Young asked what is the timeline for the sidewalk.

Mr. Falls said they would be starting construction within the next six (6) weeks and it will be completed before the end of the fiscal year.

Councilwoman Moss said that sounds great. Personally, she would be in favor of the increased enforcement as opposed to cutting off streets.

Mr. O'Connor said they will put their efforts in that area, as well as doing the traffic counts.

Councilwoman Moss asked do they need to take a vote.

Councilwoman Moss made a motion that they do a test for increased enforcement for 30 days.

Mayor Howle said they just need to direct staff to do that.

Mr. O'Connor said they will proceed with traffic enforcement.

Councilwoman Moss said for the community, several people mentioned having a meeting outside of the Council Chambers in that it is inconvenient. She asked that they can contact her or Dr Zudans if they want to do that. She said that either one (1) of them can be there depending on what they (the community) wish. Her direct contact at the City is lmoss@covb.org. She asked that they feel free to contact her directly and she is also in the neighborhood so they will see her.

City Council took a recess at 8:17 p.m. and the meeting reconvened at 8:28 p.m.

2) Comprehensive Plan Policy Document: Council Discussion of Chapter 8 “Conservation Element,” specifically Objective 4 “Wetlands” and Objective 9 “Environmentally Sensitive Land”. The corresponding pages 8-1, 8-4 to 8-7, and 8-11 to 8-13 of the Policy Document and Figure 5 of the Map Series are attached for the convenience of all. – Requested by Councilwoman Laura Moss

Councilwoman Moss said it is interesting because she thought initially that the two (2) items on the agenda were unrelated but it turns out that they are exactly the same and this was a perfect segway because what she heard people saying was that they have density issues and they are concerned about changing the entire feeling of this community. She

said that's what they are about to do with the Comprehensive Plan in her opinion. She said they're amazingly consistent. She said we do, we have density issues. First she wanted to speak about the wetlands. Actually, she would invite Mr. McGarry to speak about the wetlands and the "environmentally sensitive land" in terms of development because there is development that is allowed and she is wondering if that's appropriate at this point. For them to still be talking about development of wetlands and environmentally sensitive lands.

Mr. Tim McGarry, Planning and Development Director, said there are various wetlands throughout the City, but most of them are under either public ownership or under the land trust. He felt their most critical wetlands are the Lagoon. He said the one (1) thing they need to do is move forward with the Land Development Regulations and that is where they will address the wetlands.

Councilwoman Moss asked Mr. McGarry what kind of developments would he foresee for wetlands or environmentally sensitive land. She asked that he give an example.

Mr. McGarry said that he doesn't see any. He said that he has been here for 12 years and they haven't had any development in those areas. It is pretty restricted. He said they have the policies in place, they just need to put in more regulations. He is more concerned with making sure they start looking at ways they can put in buffer strips along the Lagoon.

Councilwoman Moss said the Comprehensive Plan is a little confusing in that regard and it seems almost contradictory. She is looking at page 8-12 of the Comprehensive Plan and it states in part, "*The City shall regulate development within the Environmentally Significant designation.*" She said that is in Section 9.4 and then when you go down to Section 9.4 (g) it states, "*Development shall be clustered on the portion of the proposed development site that does not contain wetlands and other environmentally sensitive lands.*" She said so on one hand they are saying development and on the other they are saying ...

Mr. McGarry said you can only develop on the uplands anyway, but some properties have some environmentally sensitive wetlands on it.

Councilwoman Moss said that is her question. Should they even be talking about development when it comes to wetlands and environmentally sensitive lands.

Mr. McGarry said they are dealing with property rights where people can develop on the uplands. They want to make sure that the development is contained on the uplands and not into the wetlands. That is all this policy calls for.

Mr. Sykes said as an example, there is a lot in the County that is technically a riverfront lot. It is a two (2) acre parcel, but the developable space is much like a central beach lot. The remaining portion is mangroves and "technical" wetlands and cannot be touched. He said at the most they could petition the Army Corp and the other agencies to try and build

some type of path to the river and perhaps a boat dock, but they could never actually build anything on that land. He said if this Comprehensive Plan gave permission to develop wetlands that would be insane, which it can't. He said even if they try to cutback mangroves there are many agencies they would have to deal with. He did not see any real concern.

Mr. Young said just in looking at the maintenance on Veterans Memorial Island Sanctuary to trim back the mangroves it requires special authority.

Councilwoman Moss said to let her ask one (1) more question and this has to do with Section 9.4, *"The City shall regulate development within the Environmentally Significant designation pursuant to its Land Development Regulations supplemented by the following standard."* She said it then lists standards (a) through (h) and Section 9.5 states, *"Within one-year of the effective date of this Comprehensive Plan update, the City shall endeavor to amend its Land Development Regulations to incorporate Policy 9.4 and specific procedures and regulations governing TDR's."*

Mr. McGarry explained that Environmentally Lands is a classification they give. They are not conservation lands. He said the Comprehensive Plan has had policies, but they were never put into regulatory form. He said they don't want to do regulations out of the Comprehensive Plan, but they need to be in the Land Development Regulations.

Councilwoman Moss asked when they proceed in doing this, will it come before the City Council.

Mr. McGarry said any of the regulations would come before the City Council.

Councilwoman Moss asked does any other Councilmembers want to make comments on wetlands or environmentally sensitive land.

Mr. Young felt that they were expecting to see what Mr. McGarry spoke to, to see what the regulations will be and they (the City Council) will have the opportunity to say yes or to go back and redo it.

Mr. McGarry said that is the whole idea, to do it through a regulatory process where everyone gets their say during public hearings. He said that he hates to be too specific in the Comprehensive Plan because it could run them into trouble when trying to prepare regulations and going through the process.

Councilwoman Moss said for the community, they will be voting tonight on sending the Comprehensive Plan to Tallahassee. It will presumably be finalized this evening. She thanked Mr. McGarry for his time and effort in making more than a dozen changes to the plan within the last few weeks. They had two (2) meetings with several hours of discussion. The changes made simply reflect her comments from last year, which have been posted on the City's website since last year. The discussion was very cordial and professional and she appreciates that. Unfortunately it also revealed their fundamental

differences in their views of the City and its future, especially with regard to infill and development. She said that she is elected and is responsible to the people. Mr. McGarry is not. She said it is only right that her concerns should be more far reaching than his. She stated at the onset that she is not opposed to redevelopment. She is not opposed to redevelopment of existing dilapidated neighborhoods. She knows that the Edgewood neighborhood for example cries out for change and she supports that entirely. She said coincidentally today, as a member of the Vero Beach Woman's Club, she had lunch at the Laura Riding Jackson House. They toured the house and had lunch at the pole barn behind it. She said it is interesting because the Laura Riding Jackson House is a traditional Florida cracker house, which was built in 1910 of lovely and sturdy Pine wood with a tin roof. She said that you can actually smell the scent of Pine as soon as you step through the door even today. It has large windows, porches front and back, beautiful breezes, it is just lovely. By the way, the Laura Riding Jackson Foundation is busy raising money to preserve the house and to move it from the Environmental Learning Center to a new location. For her, it was bittersweet today to observe the loving attention given to this historic house, this jewel, on the very same day that she knows she is coming to this meeting to talk about the Comprehensive Plan, which if implemented, she believes it will have dire effects for the City that they love. That has been mentioned as she said earlier even during the discussion with regard to traffic that they do have density issues. She is seriously concerned about the proliferation of infill and this Plan incentivizes it and this Plan is frankly littered with it actually. She said that Mr. McGarry knows this, this is no surprise to him, they have discussed this and as she said it is a difference of opinion. But, he is not elected and doesn't represent the people and she does so she has to be more concerned about it. She said at their last meeting with regard to the Downtown Post Office she ended up coining a term, "Vero Friendly." She said that she doesn't think infill is Vero friendly. Vero friendly to her is what is stated in Vision Plan from 2005 and also in the Comprehensive Plan that dates back to 1992. She said they have been through this. They had the Vision Plan meetings. They revisited it last year. They had Special Call meetings. She referred to the Vision Plan, Page 3-2, Item 3.1, Vision Statement. She said it talks about their pride, about their unique history, and to envision a place that is different from any other place in Florida. She said that is exactly what it says. A place that you can fall in love with on your first visit and ultimately make it your home, it values its location, it does not exploit its natural beauty, but appreciates it, it does not succumb to problems, for example, it actually says and she didn't realize it, but it says that it respects sensitive environmental areas. So hopefully they will end up doing that because it is right there (in the Vision Plan). She read directly from the Vision Plan, "*a community that does not succumb to trends, but establishes its own image based on its vision for the future.*" She said that is their Vision Plan. She said infill, she sees as being a huge problem and quite the opposite of it. She said by the way, parking lots can be very pretty. If the equipment works properly she will show them the prettiest parking lot that she has ever seen. It is in West Palm Beach and she was there a few days ago. She said there is a lot of traffic because they have density issues there.

Dr. Zudans asked is there a vote coming up. He asked is there a motion.

Councilwoman Moss answered yes. She said they are voting on this tonight.

Dr. Zudans asked is this one (1) of the 10-minute presentations.

Councilwoman Moss answered yes.

Mrs. Tammy Bursick, City Clerk, reported that they were over the 10-minutes.

Councilwoman Moss said this is the entire future of the City as opposed to that neighborhood, as much as she loves it. She said yes, I can speed it up. It is not a problem. She then showed on the screen two (2) photographs of the parking lot in West Palm Beach. She said this is probably the prettiest parking lot they will ever see, but they are still paving paradise, which is the problem with the Comprehensive Plan. Actually they can do a refined search within the Comprehensive Plan and infill comes up more than 30 times and it is always incentivized. She said property rights are one (1) thing and she respects property rights; the right of anybody to do what he or she wants with their property, but for the City to take a position and encourage people down a certain path of behavior, that is another matter. For example, to encourage through incentives and she knows they're not necessarily financial and Mr. O'Connor explained that. But, the Comprehensive Plan itself states that there are economic incentives. That term appears within the Comprehensive Plan so if that's not financial, it's economic. She said that it seems to her that they imply financial, but it does give economic incentive. She thinks they are embarking on the wrong course of behavior and the City Charter is mentioned as an obstacle to density. She loves that the City Charter protects them from vacation rentals and protects them with height restrictions. She then read from the City Charter, Section 5.06, Zoning Limitations, *"the building height limitations and density levels existing in the Zoning Ordinance of the City of Vero Beach on August 15, 1989 shall not be increased by action of the City Council and by such increase shall have first been approved by the electors of the City of Vero Beach, Florida at a Referendum proposing a building height or density level increase."* So, she thinks what they are doing with this Plan is actually contradictory to the City Charter and in fact, the Plan states in the Technical Document on page 2-26, *"a major obstacle to any such density bonus,"* which is what is being promoted throughout the Policy Document, she continued, *"is the City's Charter."* She said it is right there. Like she said, she is not in favor of density and she is not in favor of infill. She said redevelopment, she thinks it's fine, she thinks it's warranted, she appreciates the need for it and she is very much in favor of it. She asked what was the goal of infill at the previous City Council meeting and she looked in the minutes; she thought maybe she had missed it that night; it was busy. She read the minutes and there really was no answer to that. What is the goal of infill. What are they trying to accomplish. She asked more density. She questioned do they need a big parking lot like that (referring to the photograph). She said that parking lot stretches for blocks in that City area. She said so yes, she is very concerned about that and is not in favor of infill.

B. Old Business

5. PUBLIC HEARINGS

A. ORDINANCES

- 1) **An Ordinance of the City of Vero Beach, Florida, Adopting a Set of Comprehensive EAR-Based Amendments to the Comprehensive Plan; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mayor Howle opened the public hearing at 8:48 p.m.

Mrs. Barbara Hoffman, Executive Director of the Cultural Council of Indian River County, thanked the City Council and City staff for the hours and hours that have gone into this Plan. She said the Edgewood neighborhood is on the verge of decline. It is one (1) of the most deteriorating neighborhoods in Vero Beach. She said the Comprehensive Plan from 1992 does not protect that neighborhood making it critically important that they immediately begin to take the steps to secure the neighborhood and those are the steps that have been taken in the Comprehensive Plan before them. She then read a prepared statement.

Mr. Bob Webster gave the City Council a copy of the 14 most frequently asked questions. He said that Councilwoman Moss raised a lot of things that are good issues and people should be aware of. But he keeps getting the feeling that there is a fundamental misunderstanding about the difference between a Comprehensive Land Use Plan and Land Use Ordinances. He said if someone wants to do development of any kind they have to consult the Land Use Ordinance. He noted that the Comprehensive Plan is not a Land Use Law. He said that nothing can be changed unless the City Council changes it under the umbrella of the new Land Use Plan. He said that he looked at Councilwoman Moss's points that were made in November and he thought they were good, but explained that these would be something to bring up if they have an Ordinance that affected them. He said mixed use is another example. The City Council is still in control of how and where they are going to do mixed use, but this allows them to do it. Currently that is not allowed. The point is that they are giving the City Council and the Planning and Development Department guidance as to how it can develop. The Comprehensive Plan is a guide. It is up to the City Council to say yes or no to any proposed Land Use Ordinance. He wanted to make that clear because he keeps getting the impression that Councilwoman Moss is under the impression that if they change the Comprehensive Plan that they were enabling that to happen.

Councilwoman Moss said she thought it should be heard as a separate matter. That is what she said last year. She felt it was of importance that the Cultural Arts Village should be heard as a separate matter and not just embedded within the Comprehensive Plan. She felt it deserved that kind of attention. She said you (Mr. Webster) having the expertise in the area of design would understand that. She said on page 22 of the Cultural

Arts Village Report it supports infill with development of bungalow courts. So you know that you are going to have infill. She said you know that there is a certain amount of infill involved in this. There absolutely is. On page 55 of the Cultural Arts Village Report it states, "*is there enough asphalt.*" She said that she is reading it. She said you know that you are going to have to deal with it. They already have problems with stormwater runoff. They had a meeting on this only recently and there were many people complaining that we have to handle the existing runoff. So, this kind of situation, and in her opinion, the Comprehensive Plan is adding to the problem that they know they already have. It was brought to their attention tonight that they already have density issues and they already have this sense that the community might be changing in an unhappy way; in a way that they don't wish it to change.

Mr. Webster explained that the Comprehensive Land Use Plan change will not go charging off to where now they can do everything that is in the Plan. He said it doesn't work that way. They still have to change the Land Use Ordinances to allow that. He said they can't do that separately without having a Comprehensive Plan that allows them to do those things. It doesn't mean that you would put parking lots in those vacant areas. He said how you use the authority that is built in the Comprehensive Plan is up to the City Council.

Councilwoman Moss said the only point she is making with the parking lots is that increasing density reeks of that. She said they already have parking garages. She said they are incentivizing infill.

Mr. Webster said they are giving the City Council the power to incentivize. The Comprehensive Plan itself doesn't do anything. The City Council is still in charge. He said nothing is going to change in the Edgewood neighborhood until the Land Use Regulations are changed under the new Comprehensive Plan.

Councilwoman Moss said the previous City Council, and this was a very long time ago from the 1992 Comprehensive Plan, they did talk about infill. It was mentioned, but it was very limited. They specified only two (2) neighborhoods where it was considered desired. She said in this Comprehensive Plan it is general neighborhood. There is no limit. It is City wide increased density. She said it is in there and if he hasn't seen it she would find it and get back to him.

Mr. Webster said it doesn't make it so.

Councilwoman Moss said it is in the direction of doing it or it wouldn't be there.

Mr. Webster said you see it pointed that way and others don't see it pointed that way. It is how it is interpreted. If they are going to start changing densities because they think the Comprehensive Plan gives them the power to do that; that is a misuse of it.

Councilwoman Moss said it is a legal document.

Mr. Webster said the City Council still has to pass the Land Use Ordinances.

Councilwoman Moss said it is Pandora's Box, sir.

Mr. Webster said you are the ones who have the key to Pandora's Box.

Mayor Howle said that he understands exactly where Mr. Webster is coming from and he has tried to make this point on numerous occasions. He appreciated Mr. Webster's input.

Mr. Louis Vancarton (spelling may be incorrect) questioned, so you (Councilwoman Moss) are pro-redevelopment and against infill.

Councilwoman Moss explained infill, meaning new development. She felt that they need to be very careful of it. She is not against it wholesale, but felt they needed to be very cautious. She said this Plan frankly is littered with it. There are too many references and too many incentives to infill.

Mr. Vancarton said that he is a Planner and an Architect. He explained that new redevelopment is to bulldoze something and start from scratch. Infill means that you respect the structure that is there and you complete it.

Mr. Ken Daige said that he is hoping for City Councils' support to move the Comprehensive Plan forward with no more delays. He said there has been a lot of hard work put into this Plan. He serves on the Planning and Zoning Board and this was before them at a number of hearings and the Board worked very hard on it. At the end of the day it was approved unanimously by the Board. He said that there have been some revisions that he felt were good revisions. He has been through this Plan and had some questions, which were answered by the Planning and Development Director. He is hoping for the City Council's support. He asked that they move the Plan forward. He said they are a community of neighborhoods and there is some help needed in some of the mainland neighborhoods.

Ms. Angela Speck said that she is very pleased in hearing all the ways the City Council supports Vero Beach. She referred to the Proclamations heard tonight and said they applauded the Airport because it creates jobs, they applauded the Dispatchers because they build safety, they applauded the use of Dodgertown and its celebrating our history, etc. For all of these reasons it seems that the City Council would support the Cultural Arts Village. She said it is a diamond in the ruff that needs to be preserved, enhanced, lived in, and cherished. She said they have a plan to make the area safer. She said they really want the area to be improved and enhanced. They have no concern that there will be any negative effect. They are not concerned about traffic because it is not the type of neighborhood where they could have a great deal of traffic. She said people move here because it is safe, attractive, and it has the arts. She sees that this Village will only enhance that and not diminish it in any way.

Mayor Howle closed the public hearing at 9:08 p.m., with no one else wishing to be heard.

Councilwoman Moss said in closing this document, the Comprehensive Plan, carries the weight of a legal document. It is comprehensive in scope. It is a roadmap to their future. She said it clearly points them away from their own City Charter, which it sites as an obstacle and this is a quote, “*an obstacle to density.*” While we have been begging Tallahassee to respect Home Rule and our City Charter, we ourselves begin chopping away at the Charter if we approve this Plan.

Dr. Zudans said that he was not on the City Council when the first passage of the Comprehensive Plan occurred, but he did sit down with Mr. McGarry and he served on the Planning and Zoning Board prior to being elected to the City Council. He said that he is a very big supporter of the Cultural Arts Village idea and he is going to vote for this Plan, but he is voting on this with the understanding that he believes what they can do. When he went through the Plan with Mr. McGarry they changed the wording “shall” to “are permitted” or “may.” He said if they look through the document and how it has been changed, it is clear that it really is “*this is what you can do.*” He said when a Comprehensive Plan states that you may do something that means they have the authority to do that. It doesn’t mean they are forced or required to do those kinds of things. He said it does matter who gets elected to the City Council now that they have the ability to do this so people need to look at who is running and make sure they share the same values. He personally is against raising the building height and he would never vote for it. He does not want an increase in density, but he does want people like the Cultural Arts Village to be able to do what they want to do in their community. From his understanding of what this Plan does, he is in favor of it.

Mr. Sykes said this document does not supersede the City Charter and at any point in time they can make revisions to it and submit it to the State. He felt like they had stop measures to help prevent things that they all agree on, which is that no one wants to change Vero. He said this is a State mandated Plan and they need to have it. He felt that they had more than an ample amount of time to give their input and to make the necessary changes. It has been over a year and he is in favor of moving it forward.

Mr. Young said that he mentioned that the Comprehensive Plan is much more than just land use. They have had a lot of opportunity to go through each element and address them on a very discrete basis. He said if they look at the proposed changes, the document that was sent to Tallahassee came back with a single basic requirement for change, which dealt with the implications for the sea level rises and that was addressed. In his view, of all the recommended changes there were really two (2) substantive recommendations that were submitted that made sense and have been incorporated. There was a revision in the Land Use Element where it discussed mixed-use where they went from *medium to large application* to *small to medium*. The other specific change that increased their security dealt with the conservation element where it specified that the *buffer to the wetlands be increased from two (2) to 30 feet for Category One (1) and 10 to 20 feet for Category Two (2)*. He said that he is very comfortable that the City that his family has been in for

generations is protected and the opportunity is there for neighborhoods who want to make recommendations for change to come before the City Council and the City Council has the authority to say yea or nay. They have not compromised their authority by virtue of the fact that they have the Comprehensive Plan and the Plan itself is predicated on the ability to not only comply with other regulations, but their ability to finance it so if they have the greatest plans in the world and they get to budget time and they can't afford to do something there is a requirement by State Legislation that they have to have a balanced budget. Therefore, there are many checks and balances that keep the Comprehensive Plan a document that will allow them to do what they need to do as a City Council. He said it is overdue, they made the changes, and they need to move it forward.

Dr. Zudans made a motion to approve the Ordinance. Colonel Young seconded the motion and it passed 4-1 with Dr. Zudans voting yes, Colonel Young yes, Councilwoman Moss no, Vice Mayor Sykes yes, and Mayor Howle yes.

B. RESOLUTIONS

None

6. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

None

7. CITY CLERK MATTERS

None

8. CITY MANAGER MATTERS

None

9. CITY ATTORNEY MATTERS

None

10. COUNCILMEMBER MATTERS

A. Mayor Harry Howle's Matters

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

Mayor Howle reported that the Vero Beach Air Show will be held on April 21st and 22nd and the Blue Angels will be performing.

B. Vice Mayor's Lange Sykes's Matters

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

Mr. Sykes invited everyone to the Save our Shores Annual meeting which will be held on Saturday, April 7, 2018 at 10:00 a.m., at the Hampton Inn and Suites.

C. Councilmember Laura Moss's Matters

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

Councilwoman Moss highly recommended the Laura Riding Jackson House. She said it is an original 1910 Florida Cracker house and it is the only Cracker House open to the public in Indian River County. It was the home of the poet, Laura Riding Jackson, from 1943 to 1991. Tours are available on Saturdays from 10:00 a.m. to 1:00 p.m. that began on October 1, 2017 and goes through May 31, 2018. She said it is currently on the campus of the Environmental Learning Center and they are looking for a new space. She said it is a great place and needs to be preserved and protected.

D. Councilmember Anthony W. Young's Matters

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

Mr. Young said that he spoke to the Police Chief to assist in looking at some of the concerns of the McAnsh Park neighborhood regarding trucks and speeding issues. He thanked Councilwoman Moss for her representation for the City Council at the Easter Egg Hunt at Mulligan's Restaurant. He thanked Mr. Dale Sorenson for his support at Humiston Park at their Easter Hunt. He also thanked the Laura Riding Jackson Foundation for stepping up to the plate to do the evaluation of the essays that the children will be writing for the City's Centennial Celebration. He sent the City Council's condolences to Mr. Wayne Coment, City Attorney, and his family in the passing of his mother. There is a briefing on the latest development of the Vero Man site from the Ice Age this weekend at the Emerson Center. He reported that there is another Dog Park in Vero Beach, Dogs for Life, and they are working closely with Veterans and there is a Veterans graduation Saturday afternoon where there will be two (2) soldiers graduating with their support dog.

E. Councilmember Val Zudans's Matters

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

Dr. Zudans said two (2) weeks ago they held a meeting that was moved up to 9:30 a.m. and ended up not serving the purpose for moving the meeting to the morning. He said they scheduled another morning meeting in which he will be unable to attend. He encouraged the City Council to consider some alternatives. He said it is sometimes inconvenient for people to attend and he understands the reason why they didn't want to attend an evening meeting in that they would have to stay in a hotel, but it also means that one (1) of their Councilmembers cannot participate in the meeting when it is scheduled at that time. The other option would be to hold the meetings on Fridays. He said that he could usually attend Friday meetings. He would love it if they could contact them to see if they could move their next meeting to Friday. He asked the City Councilmembers to please try to accommodate his work schedule in that he does have a full time job. He said that he wants to be here and be involved with the community, but sometimes he is going to have to miss meetings when they schedule them on Tuesdays at 9:30 a.m.

Mayor Howle said that he understands that, but unfortunately being on the City Council it is just the way this goes from time to time. On occasion they will have meetings that are going to be held during the day and he knows that it is in conflict with his business, but this is one (1) of the occasions where it suits everyone best to attend at that time.

Dr. Zudans asked was there any attempt to find a different day, such as a Friday.

Mayor Howle answered no.

Dr. Zudans asked in the future if they would at least consider it.

12. ADJOURNMENT

Tonight's meeting adjourned at 9:21 p.m.

/sp