

**CITY OF VERO BEACH, FLORIDA**  
**APRIL 19, 2022 9:00 A.M.**  
**REGULAR CITY COUNCIL MINUTES**  
**CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Pastor Molly Latchaw of Pathway Church.

**PRESENT:** Robert Brackett, Mayor; Rey Neville, Vice Mayor; Honey Minuse, Councilmember; Bob McCabe, Councilmember; and John Cotugno, Councilmember **Also Present:** Monte Falls, City Manager; John Turner, City Attorney; and Tammy Bursick, City Clerk

**1. CALL TO ORDER**

**A. Pledge of Allegiance**

Mayor Brackett led the Council and audience in the Pledge of Allegiance to the flag.

**B. Roll Call**

The City Clerk performed the roll call.

**2. PRELIMINARY MATTERS**

**A. Approval of Minutes**

1. Regular City Council Minutes – April 5, 2022

**Mrs. Minuse made a motion to approve the minutes. Vice Mayor Neville seconded the motion and it passed unanimously.**

**A. Agenda Additions, Deletions, and Adoption.**

There were no changes to the agenda.

**B. Proclamations and recognitions by Council.**

- 1) **Parkinson’s Disease Awareness Month – April 2022**

Mr. Cotugno read and presented the Proclamation.

- 2) **Water Conservation Month – April 2022**

Mrs. Minuse read and presented the Proclamation.

- 3) **Earth Day – April 22, 2022**

Mr. McCabe read and presented the Proclamation.

**4) Equal Pay Day – April 12, 2022**

Vice Mayor Neville read and presented the Proclamation.

**5) Mr. Robert “Graham” Rice Day**

Vice Mayor Neville read the Certificate, which will be given to Mr. Graham Rice.

**3. CONSENT AGENDA (include amount of expense)**

Mrs. Minuse pulled item 3-A) off of the consent agenda.

**A) Ratification of the 2021-2024 IUPA & Lt’s Rank & File Contract**

Mrs. Minuse was not happy with the way these contracts went. She said there is money in the Legislation going to counties and not to cities. She said that salaries will need to be discussed at budget time.

**Vice Mayor Neville made a motion to adopt the ratification of the 2021-2024 IUPA & Lt’s Rank and File contract. Mr. Cotugno seconded the motion and it passed unanimously.**

**B) FDOT Streetlight Maintenance Agreement**

**C) Engineering Work Change Directive to Contract 72-2020 A.C. Schultes of Florida, Inc.**

**D) Ranger Final Payment and Retainage for Contract 106-2021 (\$354,846.16)**

**E) Final Change Order #2 (Reduction) for Ranger Construction Contract 106-2021 for Construct Ramp Phase II Construct Hangar Apron – (\$77,534.44)**

**Vice Mayor Neville made a motion to approve items 3-B) through 3-E). Mr. McCabe seconded the motion.**

Mr. Ken Daige referred to item 3-B) where street lighting maintenance was being approved. He wanted to know who had the responsibility of maintaining the street lights in neighborhoods and Parks. Is it the Florida Department of Transportation (FDOT) or the City of Vero Beach. There are some street lights that need to be repaired in his neighborhood and he does not know who to call. Also, if a light pole gets knocked down who is responsible for putting it back up.

Mr. Monte Falls, City Manager, told the public that any time they have questions about lighting to call the Public Works Department and they can answer their questions.

**The motion passed unanimously.**

#### 4. PUBLIC HEARINGS

##### A) ORDINANCES

- 1) **An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 62, Article III, Commercial Districts, Chapter 62, Article IV, Industrial District, and Article VII, Airport Master Plan Land Use Zones, to add Motor Vehicle Servicing, Car Wash to the list of Permitted Uses in the C-1, Commercial District with use conditions and revise Vehicular Uses in the Commercial, Industrial, and Airport Light Industrial Zoning Districts; Amending Chapter 60 (Appendix. Definitions) to add Motor Vehicle Use Definitions; Providing for Codification; Providing for Conflict and Severability; Providing for Correction of Scrivener's Errors; and Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning & Development Director, reported that a text amendment to Chapter 62, Article II, Commercial Districts, to add motor vehicle servicing, car wash as a permitted use in the C-1, Commercial District, and a text amendment to Chapter 60 to add a definition for motor vehicle servicing, car wash is being asked for. The purpose of the text amendment is to allow full service or express car washes in the C-1), Commercial District, with use conditions to ensure compatibility with the overall appearance, character, mix of uses, and development quality in the U.S. Highway 1 corridor. The Planning and Zoning Board held a public hearing on March 17, 2022 and voted 3-0 to approve the Ordinance as long as there was clarification regarding the car wash use condition. This is the first of two (2) public hearings. The second public hearing will be held on May 5, 2022 at 5:30 p.m. as required by State Statutes. This is consistent with the Code and meets the Comprehensive Plan requirements. He recommended approval of the text amendment.

Vice Mayor Neville was disappointed that a storage unit would be built on the vacant lot across from the Police Station. He had hoped that there would have been retail uses go in on that piece of property. He wondered if they could do something to mitigate this. If nothing else he wanted the public to be aware of what is being proposed to go in there.

Mr. Jeffries commented that the other C-1 zoning is primarily in the Miracle Mile area. There are standards used that they are trying to achieve in the MM zoning. He will continue to work on this.

Mr. Pete Sweeney, on behalf of VYBE Acquisitions, commended Mr. Jeffries and staff on all their hard work in getting this Ordinance put together. He said they did an excellent job. He also commended the Planning and Zoning Board and the questions that they asked. The car wash will be limited to the area of US 1 and 90% reuse water will be used. He commented that no one would want to see this car wash in a residential neighborhood.

Mayor Brackett opened and closed the public hearing at 9:38 a.m., with no one else wishing to be heard.

**Mr. Cotugno made a motion to approve the Ordinance. Vice Mayor Neville seconded the motion and it passed 5-0 with Mr. Cotugno voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.**

## **B) RESOLUTIONS**

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into an Amendment to the Public Transportation Grant Agreement with the Florida Department of Transportation for a Project entitled “Rehabilitate Southwest Apron” (FDOT #433545-1-94-01); Providing for an Effective Date. – Requested by the Airport Director**

The City Clerk read the Resolution by title only.

Mr. Falls reported that this agreement was previously reviewed and approved by City Council on May 19, 2020. The intent for the project was to rehabilitate the apron currently used by Skyborne Airline Academy. When this project was initially approved there was a possibility of FlightSafety paying the local portion of this grant match. Then when they assigned their lease to Skyborne Airline they were told that they are unable to commit to a local match at this time, but might be able to do it in the future. He recommended approval of the Resolution. The design project is being funded at 80% and 20% by Airport matching funds.

Mayor Brackett opened and closed the public hearing at 9:41 a.m., with no one else wishing to be heard.

**Mrs. Minuse made a motion to approve the Resolution. Mr. McCabe seconded the motion and it passed 5-0 with Mr. Cotugno voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes and Mayor Brackett yes.**

## **5. PUBLIC COMMENT (3-minute time limit)**

Mr. Gary Frooman spoke on the importance of knowing what they are doing at the Marina is not wise and wanted to express what this will do to the Marina.

Mrs. Linda Hillman commented that she has been researching the minutes from the Economic Development Zone Committee (EDZC) meetings and she read an excerpt from the minutes. It was a conversation about the twin pairs. She doesn't see many people coming before this Council to talk about the twin pairs. For this City to donate \$1 million for the Jimmy Graves project and then they say they have no money for the taxpayers there were some concerns. She wants to know what happened to the study.

Mrs. Minuse commented that they are dealing with FDOT.

Mr. Falls hoped that FDOT will have completed the traffic study by late May and then he will bring it to Council. He went over some of the things that will be outlined in the study.

Mrs. Hillman requested a copy of a letter brought up by Mr. Matt Mitts at the February EDZC meeting. Mrs. Bursick told Mrs. Hillman that she would provide a copy of the letter to her.

Mr. Joe Coakly, Vice President of MainStreet read a prepared statement. He asked the City for their help in funding for some of these projects mentioned in the letter.

Vice Mayor Neville felt that the restriping of those roads (twin pairs) would help. They need to come up with a grand plan as to what they want. This is their downtown. Council needs people to come forward to put pressure on them. He encouraged the public to keep coming forward with their ideas.

Mayor Brackett mentioned how busy downtown is. He said that is one (1) of the reasons they don't get a lot of complaints. He gives credit to the City and MainStreet for all of their hard work. He said that this City Council has funded MainStreet for many years and will continue to do that.

Mr. Coakly said that the business people downtown are calling him along with MainStreet with their complaints.

Mrs. Elaine Jones, President of MainStreet, would like to ask Council's support in their efforts with the many projects that there are. They want to be strong, but it is getting harder with the costs and restrictions put upon them. She thanked Council for the support that they have given.

Ms. Mandy Roller stated that she was staying at the Marina and it was very important that they do everything they can do to protect the environment. She questioned what would happen if they started dredging the Marina. She agrees with tidying up and repairing some of the docks at the Marina that need to be replaced.

There was a question asked if the consultant will give a presentation on the seagrass at the May 5, 2022 workshop. Mr. Falls answered that they would.

Mrs. Karen Marcil read a prepared letter. She was not in favor of the Marina expansion.

Mayor Brackett made it clear that they have not discussed spending \$30,000 million for the plans for the Marina.

Mrs. Minuse encouraged the public to attend the Neighborhood workshop on May 5th. She felt that a lot of misconceptions would be cleared up at that meeting.

Mayor Brackett reported that the May 5<sup>th</sup> Neighborhood Workshop would begin at 6:00 p.m.

Mrs. Leslie Tilley commented that she was here to support sustainable practices. What was first discussed as new plans for the Marina is different than what is being planned now. She was not in favor of this big building that is not in the master plan. She loves the Marina and wants to see the Marina renovated. They are coming together as a community and trying to educate the public on what is going on at the Marina. She asked Council to think about the impact their decision is going to have in this community.

Ms. Ruth Stevens said that she has taken advantage of the tennis programs offered at Riverside Park for many years. The programs offered at Riverside Park are fun and well run and very inclusive. She said please don't privatize public recreation.

Mrs. Linda Moore was in support of MainStreet and the comments made today by the representatives. She agreed that they are very busy downtown and it is not likely to have restaurant owners coming to their meetings at 9:00 a.m. to talk to them. She said that the lighting downtown has been talked about for over two (2) years and it is time that something gets done.

Ms. Florence Ann Roberts felt compelled to speak today as she lives on the Lagoon. She looked at the survey that was done in 2019 and spotted places of seagrass and said shouldn't they be building that up and spreading seagrass and not bringing in bigger boats.

Mr. Ken Daige listened to all the public input and said that it was mostly City residents speaking today. He thanked everyone for speaking up and they need to keep speaking up as different issues come up. He told Council that people are questioning the gift that they are giving to the school system when there are things around the City that need to be done. He said at this time Edgewood subdivision has a number of code issues and infrastructure needs that have not been addressed. People are afraid to call in and make code complaints because they have to give their name. He brought up the lighting issue and said that it has been talked about for many years and there is a great push to get lighting on 14<sup>th</sup> Avenue. He said that they need to take care of their neighborhoods and there are needs that have not been addressed.

Mr. Roger Marcil homeowner near the Marina since 1988 said that he really likes his neighborhood. He knows they have been working on this project for a long time and now they are getting input from the voters and people living around the Marina. He doesn't believe that there has been a traffic study done in this area. He is concerned about the impact there will be in the area if the expansion of the boat storage occurs. There are a lot of people not excited about this project.

Mr. Joseph Guffanti commented that he had to call Animal Control to come to his house and the person that came was very helpful. He said that the City has an excellent employee (Animal Control officer) working for them.

Ms. Ross Allen asked what criteria has been established for this Marina project. Another question she had was is the City Council interested in making the Marina a destination to bring in a lot of people and she doesn't think the Marina needs that. The City owns the Three Corners property and she proposed having the boat storage shed go on that piece of property. She said what they are proposing at the Marina is not appropriate.

Mayor Brackett explained the criteria for this plan is a general plan and nothing has been approved yet. He said everything has to go through the process. It is a 25 to 30 year out plan and he doesn't think anyone on this Council has ever referred to this as a destination place.

## **6. CITY COUNCIL MATTERS**

### **A) NEW BUSINESS**

#### **1) Discussion of WWII Tribute for Veterans Memorial Island Sanctuary – Requested by John Michael Mathews**

Mr. John Michael Mathews, Chairman of the Veterans Memorial Island Sanctuary Advisory Committee, reported to Council that the Committee voted to approve the idea of having a WWII monument and stage on the Island.

Mr. Carroll Oates, Military Officers Association, explained they are here to help with this project. He wanted to let the public know who they are and went over what they do. He said that they are taking the lead on this project because that is what they do, which is lead.

Mrs. Barbara Ruddy commented that last August she presented two (2) checks in honor of her father and was told that the money would go towards the WWII monument. She is now helping raise additional funds for the project.

Mr. Scott Johnson, Architect, gave a Power Point presentation (attached to the original minutes) outlining the tribute to World War II.

Vice Mayor Neville commented how beautiful this is and thanked everyone involved for putting so much effort into this.

Mr. Tony Young stated that none of this would have happened without the support of City staff. He feels the community will support this. He introduced Mr. Robert Paugh from Bill Bryant and Associates, who will be handling the construction part of the project. He noted there will be a booth at the Air Show as their kickoff to raise the funds necessary to build this monument.

Mr. Carroll Oates said that the goal range to raise for this project is between \$300,000 to \$400,000. All the money for the project will come from donations and it will not cost the City any money.

**2) Recreation Commission, Request for Criteria for Proposals – Requested by Brooke Steinkamp, Chair of the Recreation Commission**

Mrs. Brooke Steinkamp, Recreation Commission Chairman, went over the Recreation Commission's mission statement. She said in reviewing proposals from various private and non-profit organizations the Commission has identified a reoccurring issue and that is some proposals are not well received by the public. Some of the things are facility and spaces to operate private programs and closing the facility to the general public or someone seeking to use the facilities for programs to compete with the private sector or the proposals impacting the surrounding community in a less than desirable way to the residents. Because of these issues the Commission discussed having some guidelines set for determining which proposals they would or would not approve. The Commission said that these guidelines are in line with the Comprehensive Plan and provide access to public recreation sites. The City's Comprehensive Plan also states that the City should avoid duplicating recreation services provided by the private sector that are available to the public and are adequately meeting the diverse needs of the population. Suggested guidelines for considering these proposals should provide the Commission with a set of tools and considerations for such partnerships between the Recreation Department and private or non-profit organizations. This will provide more clarity on why the City or City Council is seeking to partner with non-profits and private entities with recreational needs to the community. The Recreation Commission has suggested a set of guidelines for reviewing proposals. These guidelines will help the Commission in determining what proposals may or may not be suitable for the City of Vero Beach for various reasons and would provide the Recreation Commission with considerations in choosing the very best proposals for serving the City's recreation needs. The Commission has determined that its proposed guidelines are in line with the City's Comprehensive Plan for the taxpayers and residents of the City. The Comprehensive Plan lists a number of things that the City can do and these added guidelines will help with proposals that come before the Commission and are a good fit for the community so that non-profit organizations can be beneficial to the residents, as well as to the City while seeking more guidance from City Council. The Recreation Commission has come to discover that non-profit organizations provide services to the community, but may not be providing recreation services to the manner that is efficient and economical as stated in the Comprehensive Plan. These guidelines are in reference to the space and the proposal results in a net benefit and not to the space itself. She requested that the City complete an annual review for financial transparency from the organizations using their property and determine if the City will receive any net benefits to attract future residents to Vero Beach. She said if a proposal can check all of these boxes then the proposal is a good fit and aligns with the Comprehensive Plan. These guidelines will hopefully provide some clarity to those who bring proposals before the Recreation Commission. The Recreation Commission asks for City Council's approval of these guidelines with the goal of partnering with entities who can assist the City and improve the quality of life for all residents.

Mr. Leonard Markir, Vice Chairman of the Recreation Commission member, stated that Mrs. Steinkamp summarized clearly what it is they are trying to do. He added that this is

an attempt to provide some consistencies in terms of analysis and evaluation for anything that comes before the Commission. The purpose of it is to provide more information and analysis for the benefit of the City Council.

Mayor Brackett explained that the Recreation Commission is an advisory board to the City Council. How a Commission wants to evaluate things is up to them. He said there is a very fine line between ideas and proposals. He loved the fact that the Recreation Commission was exploring ideas. However, proposals will be approved by the City Council. He knows that they will need to have some information about the proposal when it comes to making a recommendation to Council. But the details of the contract will be reviewed by staff and the Council.

Ms. Jenny Flanigan, Assistant City Attorney, prepared a memo to Council on this. She said the Recreation Commission has put forth some good ideas. She said one (1) solution might be to look at the description of the Recreation Commission and it might be an area where the City Council might consider giving some more direction. The reason this item is before Council is because it was discussed by the Recreation Commission as something that would require applicants to come before the Recreation Commission, which would require a policy change by the City Council.

Mr. Turner added that as their City Attorney he takes the position that the advisory boards do not set policy. He said policy is set by the City Council. The advisory boards are not to supervise staff members, but can ask staff for assistance in making any recommendations to City Council. He advises their boards that City Council is governed by rules of decorum and they expect the advisory boards to do the same.

Mrs. Minuse commented that she values the work of their advisory boards. She learns a lot at their meetings. She said when they appoint members to serve on these boards they do so because of their background and commitment to the City. They understand that everyone on the various boards may not feel the same way about an issue, which provokes more and more discussion and ultimately comes to a recommendation to the City Council. There are statutory requirements to have certain Boards in the City. When it comes to advisory boards in the City they will develop their own advisory boards for various reasons. The Recreation Commission was created years ago and they have a very good Recreation Department. The Recreation Commission represents the people and interest here and it crosses some serious boundaries when they look at regulating what they are going to be doing. She said they don't want to discourage discussion among everyone because a good outcome will come out of that discussion. It is very difficult when an advisory board comes to them making this request. She thought the Commission might need a little bit more understanding on how all this works. She asked if they could put some sort of informative session together for the Commission.

Mr. Turner stated that if Council thinks that having some written guidelines that his office could come up with he would be happy to do that.

Mayor Brackett said if they need to clear up or clarify the guidelines that is fine. He said how the Recreation Commission comes up with their ideas is up to them. He is not talking about them making decisions over staff because they are an advisory board and that does not fall within their jurisdiction. He encouraged the Commission to find ideas. But, there is a fine line between proposals and ideas. He said with USTA it got a little confusing as to what was given to Council, which really was not a proposal and they still have not received one. They need to make it clear that there is a fine line between the two (2) items.

Mr. Turner said he would prepare a document and bring it back to City Council.

Vice Mayor Neville commented if there are five (5) criteria and five (5) have to be met then that has an effect, but if they have four (4) criteria met and one (1) doesn't meet the criteria does that mean that the idea doesn't come forward. He does not want to stifle the opportunity of something coming forward that could get adjusted.

Mr. Markir stated that he believes that the Council has come to some conclusions that are not there. He said this is not regulatory or statutory and not mandatory in terms of checking off all the boxes, what it is, is a pure analysis of the results. They are analyzing the situation and some things are positive and some things are negative. It has always been his impression that the City Council wants to know where it is positive and where it is negative. In essence giving them some reasons why some areas of the analysis are positive and negative and then let the Council make their own decision.

Mayor Brackett commented that staff does a lot of that deep analysis because they are more familiar with different issues than their advisory boards are. He has no problem with the Recreation Commission evaluating something the way they need to in order to move forward with the idea, but staff would do the major analysis. He doesn't want their Recreation Commission to have to meet many hours because of implementing something like this. If that happens they will begin to lose members, lose ideas and lose the public.

Mr. Markir said they are learning to become more efficient in what they are doing so that their meetings don't overlap the Council's meetings.

Mrs. Steinkamp added what they put together is more like a guide and not something that was ever meant to be set in stone. She said when they hear these proposals and then get feedback from the community they thought that these sort of guidelines would help everyone. She said in her personal opinion not all non-profit organizations are created equally. She said there should be a fair exchange between the non-profit organization and the community when they are looking at public spaces. This was just for the Commission to be more focused and understand how each proposal is impacting the community.

Mrs. Minuse commented that in her experience staff will come and say to them what the certain Board is recommending and make a point of telling Council what things were brought up during their discussion. She values the work that they do and the information that they bring to Council from the community.

Mrs. Steinkamp added that this discussion came up long before they heard from USTA and has nothing to do with them. She said the Recreation Commission understands they don't have the final say on anything and understands their role. However, with the lack of information it makes it difficult to make good decisions.

Mr. Steve Newman expressed that he thought there should have been a bid process that took place referring to USTA.

Mrs. Minuse made it clear that their advisory boards do not review contracts.

Mayor Brackett told Mr. Newman that they were not discussing USTA at this time.

**B) OLD BUSINESS**

**7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING**

**Public Hearing will be heard on May 3, 2022 at 9:00 a.m.**

- A) **An Ordinance of the City of Vero Beach, Florida, Amending Chapter 46, "Marine Activities, Structures and Facilities" of the Code of the City of Vero Beach; Revising Requirements for Installation of Structures on City-owned Submerged Land; Providing for Codification; Providing for the Correction of Scrivener's Errors; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Council**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on May 3, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 3, 2022 at 9:00 a.m.**

- B) **An Ordinance of the City of Vero Beach, Florida, Amending Article III, "Commissions and Boards," of Chapter 2, Administration, of the Code of the City of Vero Beach; Revising Membership of the Airport Commission; Providing for Codification; Providing for the Correction of Scrivener's Errors; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by the City Council**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on May 3, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 3, 2022 at 9:00 a.m.**

- C) **An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 65, Article III, Amendments to Comprehensive Plan and Land Development Regulation Amendments for Consistency with State Regulations; Providing for Codification; Providing for Scrivener's Error; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by Planning and Development Director**

The City Clerk read the Ordinance by title only and reported that the public hearing would be held on May 3, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 17, 2022 at 9:00 a.m.**

- D) **An Ordinance of the City of Vero Beach, Florida; Requested by Indian River Land Trust, Inc. and Marc Rose and Dorothy Strunk, Co-Trustees of the Gator Group Land Trust Agreement to Voluntarily Annex Properties located at the Northeast and Southwest Corners of Indian River Boulevard and 37<sup>th</sup> Street, containing 42.36 acres more or less, Pursuant to the Voluntary Annexation Provisions of Section 171.044 Florida Statutes; 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 May 17, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 17, 2022 at 9:00 a.m.**

- E) **An Ordinance of the City of Vero Beach, Florida amending the Comprehensive Plan Future Land Use Map by changing the Future Land Use Designation of Voluntarily Annexed Properties from Indian River County Designation M-1, Medium-Density Residential-1 and C/I, Industrial to City of Vero Beach Designation CV, Conservation and C, Commercial for the properties located at the Northeast and Southwest Corners of Indian River Boulevard and 37<sup>th</sup> Street, containing 42.36 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 May 17, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 17, 2022 at 9:00 a.m.**

- F) **An Ordinance of the City of Vero Beach, Florida amending the Official Zoning Map by Changing the Zoning District Designation of Voluntarily Annexed Properties from Indian River County Designation PDTND, Planned Development Traditional Neighborhood Design and MED, Medical to City of Vero Beach P-1, Park and C-1A, Tourist Commercial Services Districts for the properties located at the Northeast and Southwest corners of Indian River Boulevard and 37<sup>th</sup> Street, containing 42.36 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 May 17, 2022 at 9:00 a.m.

**Public Hearing will be heard on May 17, 2022**

- G) An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the Zoning District Designation from R-1AAA, Single-Family Residential to P-1, Park District, for the property located at the Northwest Corner of 37<sup>th</sup> Street and the Indian River Lagoon, containing 41.59 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 May 17, 2022 at 9:00 a.m.

**8. CITY CLERK MATTERS**

- 9. CITY MANAGER MATTERS** (include amount of expense)  
(Staff/Consultant special reports and information items)

**A) Tourist Development Council Outside Agency Funding Policy**

Mr. Falls reported that on March 15, 2022, the Board of County Commissioners amended their Tourist Development Council (TDC) to not accept or fund grant applications from other governmental agencies or municipalities. The City has been working on a grant application to go before the TDC to help fund the lifeguard tower at Humiston Beach. He said that they are 90% done with the application and asked Council if they wanted him to proceed in completing the application or not.

Mrs. Minuse asked why they changed the rules.

Mr. Falls did not know. He recalled when the City tried to get money for the Centennial event they were turned down and told that it would set a precedent to allow municipalities to request funding.

Mr. Cotugno said that they could ask the Lifeguard Association to apply for the funding since they are a 501c3 foundation.

Mayor Brackett commented that he represents the Council on the TDC and has been a member since August and this matter has never come up and TDC was aware that the City was bringing this item forward. He did say that the City has received tax dollars from this funding for their beaches.

Mr. Falls said that this puts the City in a problematic situation if they are to submit the application.

Mr. Turner suggested finalizing the application and submitting it. If they are rejected then they will work on what to do from there.

Mrs. Minuse commented that they do so much and get nothing back.

Mayor Brackett reminded her that a lot of TDC funding is used for the beaches.

Mr. Turner said that they would need to look at the pros and cons of what they can do.

Mr. McCabe said that they could have the Lifeguard Association or another organization submit the application, but realized they were getting short on time.

Mayor Brackett heard that the Lifeguard Association is looking at being reactivated.

Mr. Falls said he would reach out to a couple of people to see if they can submit the application through another organization.

## **10. CITY ATTORNEY MATTERS**

### **A) Update on Civil Contraband Forfeiture Case No. 2021-CA-000603/VBPD v. Rison Louis**

Mr. Turner gave an update on civil forfeiture contraband for the case of the Vero Beach Police Department versus Rison Louis. He said that the City has filed a motion for default final judgment of forfeiture, which was granted by Judge Croom. They seized U.S. currency in the amount of \$9,270.00, which has been forfeited to the Vero Beach Police Department and this matter is now closed.

## **11. COUNCILMEMBER MATTERS**

### **A. Mayor Brackett's Matters**

Mayor Brackett reported that he attended the Veterans Gala which was wonderful. He commended them for all the work that they do and encouraged everyone to get involved. He reminded everyone that the Air Show will be coming up and if you haven't got your tickets yet you need to get them.

### **B. Vice Mayor Neville's Matters**

### **C. Councilmember Minuse's Matters**

Mrs. Minuse reported that the Metropolitan Planning Organization (MPO) is working on the vision for future growth, which will include the municipalities. She said that a vote was taken at the last MPO meeting to include the cities and it passed unanimously. She said that funding has been allocated for this and hopefully there will be good participation from the people residing in the City of Vero Beach.

### **D. Councilmember McCabe's Matters**

Mr. McCabe reported on how much fun the Easter Egg hunt was and reminded everyone about the Air Show.

**E. Councilmember Cotugno's Matters**

**13. ADJOURNMENT**

Today's meeting adjourned at 11:57 a.m.

/tb