

**CITY OF VERO BEACH, FLORIDA**  
**JULY 16, 2019 3:00 P.M.**  
**REGULAR CITY COUNCIL MINUTES**  
**CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Pastor Randy Bryant of Ryanwood Fellowship followed by the Pledge of Allegiance to the flag.

**1. CALL TO ORDER**

**A. Roll Call**

Mayor Val Zudans, present; Vice Mayor Tony Young, present; Councilwoman Laura Moss, present; Councilman Robbie Brackett, present and Councilmember Harry Howle, present. **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

Mayor Zudans stated that it is their normal format to have public comment at the end of the meeting. However, since most people attending today's meeting are here because of a particular issue they will move public comment up on the agenda. He said right after the consent agenda they will go into public comment. Then when they get to public comment everyone will have an opportunity to speak up to three (3) minutes. He requested that they not be repetitive on their comments. He then called the meeting to order.

**2. PRELIMINARY MATTERS**

**A. Approval of Minutes**

**1. Regular City Council Minutes – June 18, 2019**

**Mr. Howle made a motion to approve the minutes. Mr. Brackett seconded the motion and it passed unanimously.**

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

Mayor Zudans requested moving public comments up on the agenda and having it heard after the consent agenda.

Councilwoman Moss wanted to pull item 3-C) off of the consent agenda.

Mr. Howle asked that item 11E-1) be moved up and heard after the consent agenda. He said Mr. Tim Zorc, County Commissioner, would like to discuss the future Lagoon project.

Mrs. Tammy Bursick, City Clerk, requested that item 8-B) “Municipal Marina Master Plan” be removed from the agenda.

**Mr. Howle made a motion to approve the amended agenda. Councilwoman Moss seconded the motion and it passed unanimously.**

Mr. Brian Heady stated that Council voted twice before giving the public the right to speak. He said with the approval of the minutes it would be nice if the public could check the minutes before Council approved them and they were not online.

Mayor Zudans asked if there was any public comments on the minutes before they are approved.

Mr. Heady said that he would like to see the minutes available to the public.

Mrs. Bursick said that she would make sure that the minutes are put on the website.

Mr. Heady continued by saying that they vote on the agenda and what he was going to suggest is that they take public comment if there is any on the agenda because he thought if they moved up the pool issue and made a motion to not do anything with the pool for the next year they would probably cut the meeting time by hours.

Mayor Zudans commented that he has never heard anyone wanting to speak concerning the agenda, but Mr. Heady was correct. He then asked if there were any public comments on the agenda. He also asked that the minutes be put back on the next agenda for approval. He asked if there were any comments to the proposed agenda.

Mr. Heady commented that he understands why they have the invocation ahead of the official meeting because they do not want to officially make it look like they are endorsing any particular religion. He said what he does not understand is why they have the Pledge of Allegiance outside of the regular meeting. It would seem to him that one of the things that they would want to do in their official capacity is to have the Pledge of Allegiance to the flag.

Mayor Zudans agreed with moving the Pledge of Allegiance to an official part of the meeting.

Councilwoman Moss wondered if there was a legal issue of doing that. She knew that there was a legal issue with the invocation, but did not know if there was a legal issue with the Pledge of Allegiance. She asked the City Attorney to weigh in on this.

Mr. John Turner, City Attorney, stated that it was not a legal issue.

Mayor Zudans stated that their standing policy moving forward would be that the Pledge of Allegiance will be heard after the call to order of the meeting. They will do the Pledge of Allegiance and then the roll call.

Mr. Heady thanked Mayor Zudans for making that change.

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

**1. Treasure Coast Waterway Cleanup Week – July 22-28, 2019**

Mr. Brackett read and presented the Proclamation.

**2. Michelle Wagner and Anna Brady to talk about the City of Vero Beach Centennial Certificate**

Mrs. Michelle Wagner and Mrs. Anna Brady reported on the Centennial Certificate project.

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

- A) Approval of Merchant Card Services Agreement for Marina Software Upgrade (\$82,800)**
- B) Approval of Change Order for Cayenta Customer Self Service (CSS) Software Upgrade to Support Invoice Implementation (\$23,595)**
- C) Grant of Easements to Indian River County – Beach Management and Assessment Easements – Jaycee Park, Conn Beach, Sexton Plaza, Humiston Park**

Councilwoman Moss pulled this item off of the consent agenda.

- D) Renew Disaster Debris Removal Management Contract SRVC-30-2017, Thompson Consulting Services, LLC; Contract SRVC-31-2017, Tetra-Tech, Inc. (Secondary) – No Cost Unless Activated**
- E) Coverage Agreement between FMIT and the City of Vero Beach Health Insurance Plan – (\$4,892,891)**
- F) Addendum to Lease Agreement between the City of Vero Beach and Corporate Air, Inc.**
- G) Addendum to Lease Agreement between the City of Vero Beach and JP Aviation, LLC.**

Mayor Zudans mentioned that item 3-C) has been removed from the consent agenda. He asked if there were any other public comments on the consent agenda.

Mr. Brian Heady said with item 3-D) that with the consulting service the cost is going to go up and the backup material says no cost unless activated. He said that costs do go up and should they need this service the costs will go up.

Mayor Zudans agreed with Mr. Heady. He asked that this item be removed and heard at their next meeting because he wants to know what the costs will be if they do activate it.

Mr. Monte Falls, City Manager, referred to the memo dated May 23, 2019, from the Purchasing Department, where it states that the vendors have agreed to renew the first year without a price increase and all terms and conditions will remain the same. He said this is the first renewal of the contract that they renewed three (3) years ago and for this coming year there will not be any increase.

**Mr. Howle made a motion to approve the consent agenda with item 3-C) being pulled. Mr. Brackett seconded the motion and it passed unanimously.**

**C) Grant of Easements to Indian River County – Beach Management and Assessment Easements – Jaycee Park, Conn Beach, Sexton Plaza, Humiston Park**

Councilwoman Moss commented that all of the backup material for this item and all of the items are on the City's website, so all this material can be reviewed before the meeting, which makes everything a lot easier. She said what is being proposed here "*As a condition of this proposed project the County is requiring that a "Perpetual Beach Management and Assessment Easement" be granted over and seaward of City of Vero Beach owned properties at Jaycee Park, Conn Beach, Sexton Plaza, and Humiston Park.*" Councilwoman Moss said to give the public an understanding of the entire context of this tourist tax is generated for beach restoration and it is Fund 128, yet in spite of that the beach has not been renourished since 2015, although the City of Vero Beach contributes half a million dollars a year. Therefore, the City of Vero Beach has already contributed \$2 million towards this and it has not happened. It appears that this will be funded by the State and it is not being funded by the County. She assumed that the County was here to explain why they were asking for literally a piece of the City. A land grant to renourish the beach. She said one other point and she was sure that their City Attorney would address it in further detail is that this is a perpetual easement forever and she said that there is really no such thing.

Mr. Dylan Reingold, Indian River County Attorney, stated that the letter that the City received has been sent to 75 property owners in Sector 5. This is for the beach renourishment project that they are hoping to get done and they are planning to start the project in November. He said in order to do this they need three (3) separate things in order for the project to occur. They are: 1) temporary construction easement; 2) make sure that they have the proper sea turtle monitoring in place and 3) the customer usage issue. He explained that recently the Florida Legislature signed a Bill that made it more difficult for local governments to maintain the beaches as public. He said if they are going to get Federal and State funding for these types of projects they have to have public access to the beach. They will not allow them to do a beach project with State money and then turn around and allow property owners to exclude citizens from being able to have beach access. This easement request, which was sent to all 75 property owners in the City, is asking for those three (3) things. He does understand that it says perpetual in it. He said that this language was negotiated in an arms length transaction with the Florida Institute of Technology (FIT). The County had negotiations with them for a

piece of property that they have on the beach and expressed to them the need that they had this permanent beach easement in place. This is the language that all of them could live with in making sure that the three (3) issues were addressed. He said if they don't get the buy in from the property owners and from the City it will make this project very hard for them. He said for them the most important thing to get this project moving is to have the City of Vero Beach approve the project.

Councilwoman Moss asked who required the perpetual easement.

Mr. Reingold said it was part of the negotiations with FIT.

Councilwoman Moss asked what is the origin of the terms.

Mr. Reingold explained their goal was to not have to continuously go back to all of the property owners and have to guarantee things like customer use.

Councilwoman Moss said that might be a little inconvenient, but for the community if they drive on Indian River Boulevard they are able to see the new substation being built by Florida Power and Light (FPL) on the property catty-corner to where the Power Plant is located. She said even FPL did not ask for a perpetual easement. She said it is a 99-year easement. She asked Mr. Turner to address this. She is not an attorney, but anything in perpetuity has to be taken very seriously. If it is just an inconvenience that they have to have 75 people sign something and it is just easier to say it is perpetual then she feels that is not acceptable.

Mr. Turner thanked Mr. Reingold for being present and explaining the County's position. However, he has some disagreement with some of the wording. He said that perpetual means forever. He understands in this context when the Federal government is involved with funding a project they have required perpetual easements. He was thinking of the property in Pinellas County where beach renourishment was taking place and a perpetual easement was required. This is because of the Federal laws that are involved it is required. He does not think they have the same situation here. He thinks in the past it has been customary to use temporary easements rather than perpetual. This is the first that he can find where this has been requested.

Mr. Brackett stated that as a member on the Beach and Shores Preservation Committee, they have just reviewed this and there are FEMA dollars involved in paying for this project, which is where the Federal government came into play with this.

Mr. Turner knows that the Corp of Engineers requires a perpetual agreement, but he was not sure what the FEMA requirements were.

Mr. Jason Brown, County Administrator, commented that they do have about \$900,000 funding from FEMA for this project. He said that there is a local County contribution provided by the tourist tax, which is approximately \$1.8 million of the total \$4.8 million project.

Vice Mayor Young asked if they could resolve this. He said the last thing that they want to do is block this project so they don't have this project start in the Fall.

Mr. Reingold explained that if the City Council makes it clear to the public that they are going to be negotiating this then he will have 50 other property owners come to him wanting to also negotiate the language. He said the project has been put out to bid and they want to get this project started in November. If it is the will of the Council to further negotiate then he can tell them that this project will not happen in November.

Mayor Zudans stated that he would hate to see that happen. He asked Councilwoman Moss what was she afraid was going to happen in the one-hundredth year.

Councilwoman Moss stated that there is no precedence for this. They are giving this land to the County. Mayor Zudans heard Mr. Turner say that the same thing had to be done in Pinellas County. Mr. Turner explained that involved the Corp of Engineers and not the County. Mayor Zudans felt that it was very similar and this was not setting precedence. Councilwoman Moss added that this is basically giving back their own money. She asked where did Fund 128 go anyway. She said the County is holding the City hostage. They (the County) want to take their land. It is the City's money that the County already has and they are giving them back their own money and now insisting that the City has to give them a perpetual easement.

Mayor Zudans did not feel like he was being held hostage by the County. He is happy that they are going to move this beach renourishment project forward and he doesn't want to do anything to hinder that. He feels it is in the interest of their citizens to use the language that the County has negotiated with FIT.

Councilwoman Moss said why don't they ask their City Attorney if he would like to negotiate this language with the County.

Mr. Howle asked Mr. Brown if there are other easements that the City has with the County. Mr. Brown answered yes. Mr. Howle said they have always worked together to help each other even with those agreements in place. Mr. Brown clarified that this is not the County ending up with the land. He said the City would still own the land, but the County would be able to use the land in order to do beach renourishment projects.

Vice Mayor Young said as he understands it the County is not asking the City to provide them real estate, but asking the City to provide them access to the land in order to renourish the beach. Mr. Brown said that was correct.

Mayor Zudans said he would like that to be in perpetuity.

Mr. Brackett asked if the access was only for renourishment projects.

Mr. Reingold went over the three (3) different issues that they have had as he explained earlier in the meeting. He said the County is working hard to get this done. He said that staff will be knocking on doors in the next two (2) weeks to make sure that property owners are signing the agreements because they are committed to getting this project done.

Mr. Falls commented that several years ago the City seeded their beach renourishment duties to the County because of some taxation obligations that some of their citizens wanted. He said what this does is give the County the opportunity to renourish the beach anytime that they need to in the future. The other issue when talking about access to the beach is there have been some issues where private property owners won't let the public continue the shoreline longitude tracking going up and down the beach. He said the City's beaches are public beaches and allow that already. He does not think they are giving up any of the public's use of their beach and understands Councilwoman Moss's concern with perpetuity and the 99<sup>th</sup> year, but he does not see it as a detriment to what they are trying to accomplish.

Mayor Zudans asked Mr. Turner if they were making a huge mistake if they do this in perpetuity versus 99 years.

Mr. Turner explained that is a choice based upon the options as being duly informed.

Mayor Zudans said so it is a reasonable thing to do.

Councilwoman Moss commented that the Panama Canal was ours for 99 years and not perpetuity and look what happened with that. She said 99 years seems like forever, but it does come to an end.

Mr. Turner stated that this is language that he feels uncomfortable with as their attorney and he wants the Council to make sure that they understand the consequences that could arise as a result of it. This is a policy decision.

Mayor Zudans asked if there were any public comments.

Ms. Roxanne Zoffer asked what would the consequences be in entering into these easements.

Mr. Turner explained there could be efforts perhaps in the future of excluding certain interest, which would be the dominate state, which is the City and that the easement holder, which is the County may want to take some additional actions regarding beach renourishment that staff or the City at the time did not think was appropriate. If the County has a perpetual easement they have the right to go on the property and the right to include additional sand and construct certain improvements (not buildings) and there may be actions that are going to be proposed by the County that the City at that time may not think is appropriate. He said usually it is temporary and usually there may be a provision in which the parties can renegotiate. He said there could be consequences. He said when

you have someone that owns an easement they have an interest in the property and that may or may not be a detriment to the City and the taxpayers of the City.

Mr. Brian Heady agreed with the comments made by Councilwoman Moss and could see no reason why they could not give the County an easement for the duration of the project. He does not agree that it has to be perpetual. He said there are lots of things that easements could prevent them from doing. He said that the City is tying themselves up forever on one (1) project. He has been around where the City has been at odds with the County concerning beach renourishment. He pleaded with the City not to give the County this perpetual agreement, but give them the easement and rights to go over the property for the duration of the project. There has been more than one time where the County has not treated the City fairly and tourist tax is a good example. Their Parks and Leisure Square started to have problems when the County decided to pull out of the joint City/County Recreation programs. He said to give the County perpetual when they have a history of "sticking" it to the City is ludicrous.

Councilwoman Moss explained that for those of the community who do not know the County was providing to the City Recreation Department \$700,000 a year and the rug was pulled out from under the City about 20 years ago and that is partly why a lot of the citizens are here at today's meeting. The City has never recovered.

Mr. Jeffery Knowles stated that there were 70 people standing in the lobby and the heat is awful and suffocating. He said you might want to contact paramedics to make sure some of the older folks are still in good shape.

Mayor Zudans asked if there was someone having a health issue.

Mr. Knowles said not immediately, but he is concerned about the heat and expediting the meeting in order to allow people to speak.

Councilwoman Moss wanted to give their attorney the opportunity to negotiate with the County.

Mr. Reingold commented that as part of this easement they want to make sure that the public will have the access and ability to use the beaches as they have always done.

Mr. Falls asked Mr. Reingold if it would be appropriate to have this duration term for when the County retains beach renourishment activities from the City.

Mr. Reingold did not want to be arguing over the duration of this deal. He wants to make sure that the public has access to the beach in perpetuity.

Mayor Zudans said by doing this actually means perpetually everyone is going to get beach access at these sights.

Mr. Reingold reiterated that in order for the County to renourish this beach they want to make sure that the public will have the permanent ability to walk up and down the beach and that the public is protected.

Mr. Turner asked if they are requiring all property owners to sign the easements and if one of the property owners does not sign is the project over.

Mr. Reingold said that they have sent the letter to all of the property owners in Sector 5 and if there are a lot of people who say they do not want to sign it then it puts the project in jeopardy.

Councilwoman Moss asked Mr. Reingold if he was talking to Save our Shores (Mark Tripson). She attended their meeting when this was discussed and they have a very good system to reach out to homeowners.

Mr. Reingold explained that they have been reaching out to the property owners and they have some of the signatures, but not all of them.

Mr. Turner asked Mr. Reingold if they anticipated putting sand landward, which would be private property and if it has to be placed there for sloping purposes.

Mr. Reingold said yes they plan on putting the sand seaward and landward.

Mr. Heady said that any property owner that gives the County the right to take a walk on their property at any time has to be crazy. Also, the idea this agreement if not adopted will prevent people from going on the beach is ludicrous. The public has the right to be on the beach until it becomes private property. It is very short sighted of this Council to give anything away in perpetuity. He had no problem with giving the County access for the duration of this project.

**Mr. Howle made a motion to approve the language as it is. Mr. Brackett seconded the motion and it passed 4-1 with Mr. Howle voting yes, Mr. Brackett yes, Councilwoman Moss no, Vice Mayor Young yes, and Mayor Zudans yes.**

Councilwoman Moss told the County Representatives that they might want to stay for the pool discussion.

**Mr. Tim Zorc, County Commissioner, to discuss future Lagoon project**

Mr. Tim Zorc recalled that over time he has appeared before them to talk about a Bethel Creek flushing project. He said the hurdle has always been that there is no money to start the initial research. He said fortunately Representative Altman from Brevard County put in a request for this year's past budget for \$800,000 to be awarded to FIT to explore sites that could be a candidate for flushing. He is looking for a letter of support for the Lagoon inflow research project and also to highlight Bethel Creek as a site of consideration. The

letter would be sent to Representative Grall, Senator Mayfield, Representative Altman, the Department of Environmental Protection and Mr. Sullivan on the cover letter.

Mayor Zudans appreciated Mr. Zorc taking the lead on this and he is all in favor of the City sending a similar letter.

Vice Mayor Young said until he has more information he would be cautious in doing that.

Mayor Zudans suggested drafting the letter and giving Vice Mayor Young some time to do some research and then he can decide whether or not he wants to sign the letter. If the Vice Mayor does not want to sign the letter he will just send it as the Mayor.

Mr. Zorc clarified that this doesn't mean that this is a site that has been picked. They are just saying that they would like Bethel Creek to be considered for the initial research.

## **PUBLIC COMMENT**

Mayor Zudans commented that he was disappointed over some of the things that he saw over the weekend on social media. He said that social media is a toxic platform for handling complex issues like this one (Leisure Square pool). He is particularly concerned about the personal nature of verbal attacks. This entire matter has become such an emotional issue and that is not what they should be doing here tonight when they talk about this. They need to be talking in a rational, civilized way. He is happy that everyone is here to talk about something that is passionate to them and they need to do whatever is right for their City. When the City Council discussed this matter at their budget hearings, four (4) out of the five (5) Councilmembers thought that the decision they made was the best decision. Therefore, they will talk about why they thought this was a good decision. He wanted to lay out some of the facts so they are all talking about the same thing in a reasonable rational fashion. The biggest fact is the issue of mismanagement and poor financial requirements at Leisure Square and in the Recreation Department in general is not new. This began in the late 1980's when a prior Council made a poor decision to acquire a failing YMCA. In fairness at that time the City was getting funding from the County as mentioned earlier, which did offset a lot of the costs related to this. When County funding dried up, future Councils' did not want to take away from a government program. He said once it starts it is almost impossible to stop any government spending. This has been brought up over multiple occasions over the last two (2) years since he has been on the City Council. In February 2018, he found a non-profit group that was interested in taking Leisure Square off their hands, up grade the facility and build a skatepark. He said that many of the same people who rejected that idea are here today demanding that the pool not be closed. If they had gone that route in 2018, they would not be here today and they would have already had a skatepark. In the meantime there have been several projects go forward by getting government out of the recreation business. He mentioned the Dog Park, Youth Sailing Foundation, Live Like Cole, Pickellball University, Marty Fish Foundation, and the Rowing Club, which operations take place with zero government funding. He said fixing things in the

Recreation Department was a big discussion at last year's budget hearings. Last year they started charging for use of the Pavilions at two (2) area Parks and that has been generating revenue, but still has not been extended to any of the other Parks. At the pool, they found out that people using locker rooms and showers after swimming were not being charged and were just paying a fee to the person running the class. He doesn't know whether that has changed because a year later the estimate revenue for the pool shows no significant increase. He said this is nothing that is being sprung on anyone. This has been going on for years. He said the financing for maintaining a pool is very different than maintaining a skatepark. There are two (2) budgets. An operating budget and a capital budget. The capital budget builds longterm infrastructure projects and the operational budget handles daily expenses, which 80% is personnel costs. How can they afford to build a skatepark, but they can't afford to maintain a swimming pool. The answer is the cost of lifeguards, chemicals, and electricity are about \$200,000 a year out of their operating budget, meanwhile the pool is only generating about \$25,000 of revenue. He said that is not unusual for a government pool. There have been unfounded social media accusations that someone is pocketing the money, which is highly doubtful. He is not satisfied with their Recreation Department leadership, but he trusts that he is an honorable man and those accusations are unfounded and all of their finances are regularly audited. A concrete skatepark does not require much maintenance and that is why it is so different from a swimming pool. The cost to build a skatepark would come from a capital budget and it is his plan to ask Skatepark Alliance to raise half the amount to build the skatepark if the Council agrees to it. The operational budget would have almost no expenses. The current state of their finances is that they have plenty of capital funds for infrastructure because of the electric sale, while they are trying to make a soft landing over five (5) years from the transition from the Electric Enterprise Fund. The City would recoup its capital investment in just two (2) years with this strategy. This operating expense reduction in the Recreation Department will be here in the future as long as future Councils' don't raid that savings. The skatepark is something that the City can do and the community can have both, but it can't be at Leisure Square. On social media it has been argued there are no alternatives for swimming. He said there are alternatives and other locations, such as the Gifford pool and the North County pool, which are much nicer facilities. He has taken his children to both of these pools. There is a beach and Lagoon that are both free to someone wanting to swim. One of the things that they did at the budget hearings last week is delaying implementing this until after the Vero Beach High School has finished their swimming meets. He said Vero Beach High School has been using the pool and have never been asked to pay anything to use the pool. It is the responsibility of the Indian River County School Board and not the City of Vero Beach to provide a location for the Vero Beach High School students to swim. The best thing for them to do is rent from Christy's or the Jungle Club, etc. It is the responsibility of the Indian River County School Board and not the City of Vero Beach. He received a phone call from someone named Jim who uses Leisure Square pool and was asking him not to close the pool. He asked Jim if he had been to the Gifford Aquatic Center and he had and agreed that Gifford was a nicer facility than Leisure Square. He (Jim) didn't go to Gifford Aquatic Center to use the pool because he could bike to Leisure Square versus a ten-minute drive to Gifford. He said that Jim then understood why they were doing what they are doing. Mayor Zudans explained the liability with skateparks and said that with

Florida Statutes there is no liability to government facilities. The advantage of handling the situation the way they did is that gained recreation activities from kids who are interested in a skatepark, while finding reasonable alternative locations for swimming activities and improving the operational budget. He said in his opinion this is the right thing to do.

Councilwoman Moss thanked everyone that sent emails and for being here today. She said to clarify, the only thing that was finalized with the budget workshops last week was the millage rate. They set a rate, which they cannot go above that rate. There are two (2) public hearings in the month of September. There are no final decisions that were made at the budget hearings and there is no final decision that is going to be made today. She said that this is not an either/ or situation. The skatepark was mentioned as an ancillary project and it was also mentioned in regard to private funding. The City is not going into the skate park business. She thought there was a little confusion about that. The reason she asked the County staff to stay was because she received the numbers from Mr. Rob Slezak, Recreation Director, that she would like to present them. She is hoping that this can be a joint pool project with the City and the County in terms of funding. With the City gym membership there are 595 members and non-City gym memberships there are 305 people. With the City pool and gym memberships there are 222 people and with non-City pool and gym members there are 240 members. With the City family pool memberships there are 16 families and with the non-City family pool memberships there are 18 families. She recalled years ago that the City received \$700,000 from the County for recreation programs and it would go a long way if they had some kind of joint effort between the City and the County. She said maybe the School Board would contribute funding and she was hoping that there was a way to do this jointly. She reiterated that nothing is finalized until September when there are two (2) final public hearings on the budget. The only thing finalized is the millage. She has a project herself, which is the raingarden. She is short of funds with that project. She asked Mr. Brown if he would like to comment. Councilwoman Moss commented that she used to take her mother to Leisure Square for aquatic exercises so she is very familiar with that facility.

Mr. Jason Brown, County Administrator, gave some brief history of the City/County Recreation Department. He said about 20 years ago the County started with their own Recreation Department. He said that Mrs. Pat Callahan a long term City Recreation Director was also the County Recreation Director. At that time the County was growing and decided to have their own recreation program. He said back then they did not have the Gifford or North County pools. So they are providing services to all County residents and when they set up their Recreation Department they charge it to the MSTU Fund, which is a taxing fund that only taxes on incorporated residents. So people that live in the City of Vero or Sebastian do not pay to support County recreation. He said both of their pools also lose money. They don't have any differential rate like at Leisure Square for City residents versus non-City residents. The County ended up taking a lot of the Countywide recreation programs like basketball and baseball that the City didn't continue with and the County loses money running these programs. He reiterated that the County does provide the Gifford Aquatic pool and the North County pool for all County residents to use.

Mayor Zudans asked if there were any plans to have a pool at the IG Center. Mr. Brown said that there are no plans at this time to build a pool in the South County.

Vice Mayor Young commented that as the lone dissenter and like the Mayor has said that this disposition of the pool has started some controversy. He agrees that rederick is sometimes hostile and non-productive. He said that this is the Centennial year and they are all looking to do what would be the best for this community. He strongly feels that the public has to be a part of the process. He respects their views and he has seen many of them. His objective is that they consider the comprehensive fiduciary responsibility, which includes being savvy towards the City's budget. He said closing Leisure Square pool has a broader implication than just directing swimmers to other pools. This success of the pool directly impacts the success of Leisure Square and impacts the overall recreation program for Vero Beach. The pool is a community resource and the full impact of the closing should be better understood. He said not only is the membership affected, but also a dozen of organizations that use the pool. The goals for the management of Leisure Square should be spelled out. They can be addressed with the Recreation Department and the City's goals. Given the new City staff leadership they owe them the opportunity to look at these management issues and direct them. In the past it has been the Mayor's objective to have the City be more profitable and in the last nine (9) months the Recreation Department has been successful. They have raised an additional \$36,000 that was generated from fees in addition to \$39,000 for rentals. It is very realistic that objective goals can be met. He said Leisure Square had 554 visits last month, which shows it is being utilized. The other measures of success are those that benefit its availability. He felt that additional revenue could be generated and other recreational services could offset the cost. The City has a very efficient Recreation Department in comparison to other standards. He said that recreation is not a profit center. The goal of the budget workshop in his eyes was to reduce the difficulty of some financial hurdles. The City must find ways to reduce costs to work as efficiently as possible. The operating costs must be considered and the fee for using the pool should also be considered. In his eyes by pulling the plug now should only be considered once the other steps have been taken into consideration.

Mayor Zudans corrected Vice Mayor Young in saying that he does not want the government to make a profit. Vice Mayor Young explained when he says profit he means that the Enterprise Funds have additional income that could be used by the City to address other concerns.

Mr. John Sammartano recalled that the last time he was in these Council Chambers was in 2013 when he was helping with a fundraiser to keep the fountain open at Royal Palm Pointe. He told Council that they have to think with their hearts. He said there are ways to increase revenue. He discussed with Mayor Zudans two (2) years ago the idea of charging a \$10 per month membership fee for folks who utilize programs. He said from his understanding software is needed to keep track of all of the 400 members monthly membership. He questioned what the magic number was to keep swim lessons going in order to keep one (1) child from drowning. He then read a letter from Mr. Eric Toomsoo,

President of the Vero Beach Lifeguard Association, (on file in the City Clerk's office) thanking his fundraising organization for helping the lifeguards.

Mr. Jay Morris commented that this is the best place that he has ever lived. He felt that what the Council did was backwards. They should have announced this idea and then listened to what the public had to say about it. Because of this pool, his wife is able to walk again. If they would have had a referendum then they would know how the citizens feel about closing the pool.

Mr. Howle reminded everyone that the Council did not make a decision. What they did is make a suggestion at their budget hearing. He said that nothing has happened yet.

Ms. Heather Dale, CEO for the ARC, told what the ARC utilizes the pool for. She said right now there are 25 residents and 90% of them use the Leisure Square pool all the time. She said with the Gifford pool they told her they don't know how they would handle the influx of people coming from Leisure Square to use the pool.

Ms. Pam Meredith, City resident and a former Aquatic Director, does know that pools don't make money, but they are valuable to the community. She went over the reasons why.

Mr. Jeffery Knowles, City resident, asked if a decision was made or was it just discussion that occurred at the budget hearing. He spoke to the Clerk who told him that it was the consensus of the Council to close the pool. Once he heard this he created a petition for people to sign recognizing the public service the pool provides (petition is attached to the original minutes). He handed the petition to the Clerk. He had some problems with public input not taking place before this decision was made.

Mr. Howle told Mr. Knowles that the reason that he is here today is to make his comments and give public input.

Mr. Knowles expressed what he was told by the Clerk when he contacted her after the budget hearings.

Mayor Zudans made it clear that the only thing that they voted on at the budget hearings was the millage rate. He said any decisions that were made are not final until they are voted on. He said the budget was not voted on and will not be voted on until September.

Mr. Knowles continued commenting and he was told to stop shouting. He said that he created the petition, notified the media, and has put the Council on notice.

There was a gentleman (name not clear) who commented that it was nice to have a pool to teach people how to swim.

Mrs. Ashley Lombardo, County resident, read a letter from her daughter who was too shy to read it. Her daughter wants to have future goals in swimming and wants them to stay

alive. Mrs. Lombardo explained that Vero Beach High School uses the pool for free, but it is because of some bartering that goes on between the Recreation Department and the School Board. The Recreation Department uses some of their buses for transportation. She brought up potential liability with having a skatepark and said that would need to be looked at. She said what they voted on in their budget hearings was very confusing to the public.

Mayor Zudans explained they planned on cutting \$150,000 from recreation and in the capital budget there was \$150,000 of expenses that would have to be spent on the next few years to go towards the pool and the Council discussed putting down that money and having it go towards the skatepark, rather than spending money on the pool if they are not going to use anymore.

Mrs. Lombardo asked for more time for the public to come up with some solutions and to give the High School two (2) more years to use the pool, which would give them time to find another pool.

Mayor Zudans commented that this was discussed in February 2018. He said there are two (2) other pools available in the area and they are the Gifford pool and the North County pool.

Councilwoman Moss commented if there is someone that is not clear about the budget hearings they are on the website where anyone can view them. She said the only thing that Council voted on was the millage rate. She invited everyone to attend the budget hearings next year.

Ms. Annie Cololoucic commented that she teaches yoga at Leisure Square and what a friendly laid-back place Leisure Square offers. She takes Mr. Sammartano's water aerobic class and has for the last 12 years and it is wonderful. She said the word today is "community and passion."

Mr. Dennis Cartreach, City resident, said that he has his five (5) girls with him and they have all learned to swim at Leisure Square. He asked to keep the pool the way it is.

Miss Erin (last name not given), President of Skateboard Alliance, commented that it is illegal to skateboard in the City so people need a place to go.

Miss Elizabeth Richardson, County resident, graduated from Vero Beach High School and has been a competitive swimmer all her life. She said that she has been swimming for 12 years and started her swimming career at Leisure Square.

Mr. William Bolton is a City resident and founder of the Aquatic Center that is based out of Leisure Square. He said to lose this pool would be devastating.

Mr. Brad McCulton, County resident, commented that his kids learned how to swim at Leisure Square.

Ms. Melissa Ellison, Race Director with the Indian River Triathlon that trains at Leisure Square, commented that this program was created earlier this year. She said that her program was turned away from the Gifford pool so she came to Leisure Square and they had no problem with the practices being held at that pool. She encouraged the Council to go to their offices and google the health benefits of swimming.

There was some disruption from the audience so Mr. Howle turned to the last page of the agenda and read what the meeting decorum was when attending a City Council meeting.

Mayor Zudans asked that the audience be respectful and stay to their three (3) minutes when speaking at the podium.

Ms. Karen Murphy, County resident, explained that at one time she had a handicap and was unable to get in and out of the pool at Gifford so she was able to go to Leisure Square and swim because of the handicap lift that they provide. She wants to remain healthy and charged the Council to come up with a compromise that respects the skateboarding community and the people who use Leisure Square pool.

Mr. Dave Carell reported that he is recently retired and moved to Vero Beach nine (9) months ago. What he is hearing from his government is that they don't have money so lets cut out the old people and that seems to be happening a great deal.

Mr. Tom Allen, County resident and a science teacher for 40 years, is now the manager of a swimming pool (not Leisure Square). The pool he works for does make money. He noticed some things different from the community where he lived and this one and that is that they worked together with the entities better than the City does. He commented having a better working relationship with the County and the School Board is important.

Mr. John Maline is a recent graduate of Vero Beach High School and swam on the swim team, which held their practices at Leisure Square pool. He addressed the social media discourse and felt that it has gotten out of hand. He said for a City Councilmember to post on social media that people trying to save the pool were socialist and are all Bernie Sander supporters.... Mayor Zudans said that he just posted the actual picture of Vero Beach Bernie for 2020 opposing his position. Mr. Maline said if Bernie Sander supporters want to do that it is great, but he did not vote for Bernie Sanders and he is not a socialist. His parents are working overtime to put him through college. He is not asking for anything free. To suggest that he would love his Country less because he signed a petition is offensive. He said that he was a competitive swimmer for Vero Beach High School for four (4) years and pools don't make a lot of money but this pool could create more revenue. He gave some ideas about making the pool fun for young children. This misconception exists that the Gifford Aquatic Center and that the North County pools are suitable alternatives. He said unfortunately they are not, especially for Vero Beach High School. He said the other pools are just too packed with people to train at. He saw on social media that it was suggested that competitive swimmers could use the ocean to swim in. Mayor Zudans said he did not say that. He said that he heard in

the past that Vero Beach High School did train at St. Edward's school and at the Jungle Club and Christy's. He asked why couldn't the school lease the lanes at certain times and swim at these places. Mr. Maline explained it would not work because those places don't offer enough lanes to swim. His point was that he has seen pools that make money and there is a way to do it. He said if this collection of individuals can't make it happen then perhaps they need to find a collection of individuals that can make it happen.

Councilwoman Moss asked the City Manager if there was a way to make the pool more financially viable.

Mr. Falls commented that he has been the City Manager since March and has not had a whole lot of time to look into the operation of the pool. However, he has started looking at the pool after their budget hearings. He thinks that Council heard tonight from the County Administrator that both of his pools lose money. He does not think that is something that is uncommon in providing a public pool. He committed to Council that he would have that information to them as soon as he does the research. It is a bigger issue then just a weekends worth of work.

Ms. Arlene Walthers has coached Special Olympics for 30 years and when she moved to Vero Beach from Ft. Lauderdale she was surprised there were no swim lessons and she went to the City and started swim lessons. She expressed that from 2013 up until now the State of Florida has been the number one (1) State for drowning. That is why swim lessons are so important. She said there would be a big meet at Leisure Square on July 27<sup>th</sup> and invited everyone to come and watch the special Olympic children swim.

Mr. Larry Macke commented that there is a history of the Council to starve their Recreation Department for many years. He said that he and his wife have lived in this community for over 10 years and have been very involved with Leisure Square pool especially with the Olympics, fitness swimming, deep water aerobics program for women cancer survivors, ect. They have logged many hours on temporary committees assembled for the purpose of improving the financial performance of Leisure Square and the pool. These efforts have been necessary because the City Council has a history of starving its Recreation Department beginning long before this Council was seated. This neglect has been particularly evident at Leisure Square mismanagement by the City and not people at Leisure Square. The pool is never open on Sundays and Holidays. He said this pool must be the only pool in the nation that is only open when families are unable to use it. At the February 6, 2018 City Council meeting, Mayor Zudans called Leisure Square under utilized and worn out. At the time he was unwilling to spend any money to upgrade the restroom facilities and he was planning to pass Leisure Square to a private entity, which he had a personal connection with. Mayor Zudans corrected Mr. Macke by saying it was a private non-profit foundation in the community. He asked Mr. Macke not to make a misleading statement like that one. Mr. Macke said it is about as misleading as calling it a government pool. He said it is a public pool subsidized by their tax dollars. The millage rate that was voted on requires closing the City's pool. He would think that with closing the City's only public swimming pool would be of interest to the Recreation Commission. The Recreation Commission was not even consulted on this issue. He said

like the City Council has done, lets ignore any revenue that Leisure Square has brought in because of the pool and assume that the pool cost the City \$194,000 per year to operate. He said documents of the City's budget was around \$25 million and this means that the pool represents less than 8/10ths of the budget. The median household income in Vero Beach is less than \$38,000 and these people are not joining health clubs. He closed by saying lets improve one of the City's greatest assets, which is the pool at Leisure Square.

Mr. John O'Connor, resident of the City and a firefighter, said that he learned how to swim at the Leisure Square pool and also learned how to skateboard here in Vero Beach as well. He said it is not fair to place these entities together. There is a dive rescue team that trains at Leisure Square and where would they go if Leisure Square was not there. They need to invest in their community and their pool.

Mrs. Alexia Fuller talked about the efforts of the Vero Beach Skatepark Alliance. They collected almost 1,000 positions of people wanting to have a skateboard park built at Leisure Square. In March 2016, the City Council voted yes to build a skateboard park at Leisure Square. Their goal has always been to create a space for the community. The vision for the Leisure Square is to have all kind of things there. She thanked the Council for their continued partnership with the City and Leisure Square.

Ms. Joan Pannerborg, resident of the City of Vero Beach, said she was looking on line and saw the financial statement for the City of Vero Beach for 2018 and it says the revenue from Parks and Recreation and special recreation facilities was \$2 million. She realizes that the pool takes very little of that. She asked how much of that income is generated by Leisure Square. Mayor Zudans said it is about \$25,000 just for the pool. Vice Mayor Young said the total for recreation is \$573,000. The total expenditures for the Recreation Department is around \$2 million.

Mr. Sea Grace (name may not be correct), a skateboarder who grew up skateboarding his entire life. The closest skateboard park that he drives to is about an hour away. He read a quote from Mr. David Campbell who is over 50 years old and is still a skateboarder.

Mrs. Julie Eisendorf, resident of the County, said that she has no problem with the skatepark, however she recently discovered Leisure Square and one of her goals was to learn how to swim and she is doing that. She commented that there are opportunities to raise money.

Mr. John Sammartano explained the way the payment of classes is structured at Leisure Square is someone that has a personal trainer or is taking the aquatics program the person comes in and pays to attend the class and the instructor turns around and pays the rent. He said there are memberships at Leisure Square that pay and they are for people who only go to Leisure Square by themselves and not for a program.

Mayor Zudans explained that what was said last year is that the City Council asked the Recreation Director that the people using Leisure Square could not be using it without having a membership to Leisure Square. He said this did not happen. He said one of the

good things about this is whether or not they keep the pool and there needs to be a change in the management at Leisure Square and the head of their Recreation Department. He has been saying to their previous City Manager and to their current City Manager that it is his opinion that they need a change in management on who leads their Recreation Department. He said the problem is even if they doubled the revenues to the Recreation Department there would still be a deficit. He realizes that the City needs to spend some money in some of their recreation facilities and he is not saying that they are going to make a profit on recreation and he doesn't think that will ever happen. However, there are communities like Palm Beach Gardens that do make a profit in their recreation department. Anyway, \$550,000 in revenue and \$2.2 million in expenses in the Recreation Department is not acceptable and they have to do something.

Mr. Sammartano agreed with what Mayor Zudan's was saying. He said if everyone that walked through Leisure Square paid a nominal \$10.00 membership fee the revenue would be boosted by \$40,000 in no time. But, they still would need to spend about \$1,000 for new software.

Mr. Brian Heady stated that it was pretty outrageous for the Mayor of this community to trash a City employee and ask for his removal.

Mayor Zudans told Mr. Heady that he was outrageous and he was out of order. Mr. Heady said he might be out of order, but standing up for a City employee that does a good job is not out of order. He said at the beginning of the meeting the Mayor made some allegations about the employee and then said it was not true and that he is an honorable man.

Mayor Zudans asked Mr. Heady to leave the podium or he was going to be removed.

Mr. Dan Consel, City resident and skateboarder, appreciated the support of the Council to build a skatepark.

Mrs. Brooke Malone showed a pile of articles going back to 1996 concerning fundraising for a skatepark. She said that they have been trying to raise money for a skatepark for over 30 years. She said one of the reasons that more skateboarders are not at the meeting is because they are working or they are probably out skating because they don't believe in the City because this has repeated itself over and over. She joined the Skatepark Alliance four (4) years ago because her 13 year old came home to her and said that he just out ran the police and he was terrified. When she asked her son what he had done he said nothing. He wasn't doing anything. He has been skating all through town since he was about seven (7) years old and he figured out he was faster and can get away and doesn't have to deal with the police. Mrs. Malone mentioned that 18 months ago she became a member of the Recreation Commission. She said it is a mess in the Recreation Department. She joined the Recreation Commission because she didn't understand why everything looks like crap. She didn't understand why every year the budget was cut. She said there is no ledger in recreation. She asked if the document that Councilwoman Moss has concerning membership is a typed document or a print out of memberships.

Councilwoman Moss said that she received an email from Mr. Slezak. Mrs. Malone said there is no recordkeeping going on. She said for 18 months she sits in Recreation Department meetings. The Recreation Department was told last year that there are problems that need to be fixed or things will get cut. She asked if the millage rate this year went up or down. Mayor Zudans said that the millage rate went down by a very small amount. Mrs. Malone said if the millage rate went down then something has to go. Because something had to go last year and the year before. She looked at the audience and told them if they want to do something and do some fundraising where have they been for the last 18 months. She sits at the Recreation Commission meetings and no one comes to their meetings and she has been told for the last three (3) months that there is no new business for the Recreation Commission to discuss. She asked the audience how come they do not know about this. It is because they are not being told and it is not Council's fault. She said if a skatepark is not built "they are coming anyway."

Ms. Maryellen Payne stated that she swims at Leisure Square and was at Leisure Square on Friday and it was the first time she heard that the pool was going to be closed and she cried. She asked Council to please consider keeping the pool open.

Mr. Lee Fetzer said that he would be 50 years old next year and he is a skateboarder. There are a lot of guys like him who still skateboard and would love to have a skateboard park in this area.

Ms. Dale McGee, City resident said that she has lived here for 50 years and has raised five (5) children and most of her children are skateboarders. She said her children and her all went to the pool at Leisure Square to swim when they were growing up. She would hate to see it taken away. She now has six (6) grandchildren that skateboard. She said everyone needs to remember that Vero Beach is a community.

Mr. Lenna Adams, Supervisor at Longwood skatepark, stated that over a third of the people that attend that skatepark are from Vero Beach.

Ms. Laura Kraft stated that she started taking aerobic lessons at Leisure Square and then started taking swimming lessons there to learn how to swim. She has some disabilities where water helps her and it is important to her.

At this time, Council took a short break and the meeting reconvened at 6:15 p.m.

Ms. Jackie Foulks stated that one of the things that she wanted to touch on is something that the Mayor said at the very beginning of the meeting, which was that he stated back in February of last year that there was a non-profit organization that was going to come in and lease or buy Leisure Square. Had they allowed that to happen they would not be there today. Mayor Zudans agreed with that statement. Ms. Foulks said that not one person stood at this podium and said that they did not want the foundation to come in and it was not posted on social media that they did not want this foundation to come in. The people attending that meeting came and expressed how important Leisure Square was for families. In regard to this last year it was the gymnastics family. She said that still holds

true even with the pool. To her the Mayor's statement of saying it is their fault the ones that attend that meeting and the reason they are present today is very inaccurate. Mayor Zudans just said if they had gone down that path they would not be here today. Ms. Foulks said he (Mayor Zudans) does not know that with one-hundred percent certainty. Mayor Zudans said he thinks that it is true and that is his opinion. Ms. Foulks just didn't like him saying that it was their fault why they are here today. Mayor Zudans commented that he has learned that people get very upset and it is hard to change anything because the assumption is always that it is the worst case scenario that something catastrophic is going to happen. He said actually good things can happen with change. Ms. Foulks continued by saying why close down the pool when the majority of adults are using it. The Recreation Department for most governments shows a loss. From a business prospective shutting down the pool would be the most cost effective choice, but the purpose of these services and facilities for the quality of life is not necessarily the people that bring profit. She said that building a skatepark can also bring a quality of life aspect that the City of Vero Beach is missing. The actions that have been taken by the City Council thus far are fast and disheartening. The matter of the pool or the skatepark have become very polarizing issues. There are other options for saving the pool and other options where the skateboard park could go or build it in the back lot of Leisure Square. She said that the pool brings more benefits than people realize. Summer camps that are held at Leisure Square are at capacity. The pool offers a safe place for people to exercise who can't use the gym equipment and a place to offer someone who wants to learn how to swim. She said none of them who want the pool to stay don't want the skatepark, but in the budget meeting the Council was saying that they were going to take the deficit from the pool money and help put it towards the skatepark. She said the Council started pitting the two against each other. She said that Mayor Zudans stated in the beginning of the meeting the toxicity of social media and she expressed a remark that was posted on Indian River Patriots where he was taunting and teasing and joking about this whole situation. She said that Mayor Zudans should not have done that because he was part of the toxic. She said since then this has been deleted from the post, Mayor Zudans probably realized that he was wrong. However, one of his comments said that 400 individuals may use that pool in a year, definitely not 400 people in a day. She understands that was misstated and it should have been 400 people in a week, but the Mayor misinformed the public on social media. She said the Mayor's misinformation was not helping. Mayor Zudans said that he did delete that post. Ms. Foulks brought up the trade agreement between Indian River County Schools and the City of Vero Beach for using the pool. Mayor Zudans said that he knew that does exist. Ms. Foulks said the Mayor did not say that in the beginning. She said he (Mayor Zudans) only said a portion, which made him look better. Ms. Foulks felt that there was a lot of disrespect coming from some of the Councilmembers towards all of them who care so much about a skatepark and Leisure Square pool. She said lets keep them both. She pointed out that Councilmember Howle has been on his phone at least three (3) times in this meeting while people have been talking and she feels that it is extremely disrespectful unless it is an emergency. Mr. Howle told her that he was sorry she feels that way.

Ms. Denny Gillespie went over her professional background as an aquatic professional. She went over a video that has been made for adult swimmers and is working on a project to get a lot more adults swimming.

Mr. Karl Scholonger who is 30 years old and is a skateboarder would love to see a skatepark and the pool stay.

Mr. Dave Kievak who is 16 and a local skateboarder said that skating does not teach you how to fall, but it teaches you how to get up. It is important to have a safe space to skate.

Mr. Ken Daige felt that this meeting was very encouraging and enjoyed watching everyone come together. He has not heard where the skateboard people and the pool people don't want to work together. He said that the pool at Leisure Square fills a big need. They need to figure out how this will work for both activities. The Council has heard why the pool is so important. They (the public) accept you as a City Councilmember to take care of their assets and not close the pool down on January 1<sup>st</sup>. He said there are possible donations that may come in. He encouraged Council not to shut down the pool. He said that it serves so many needs.

Mrs. Robin Pelensky, a resident of City of Vero Beach, strongly urged Council to reconsider closing Leisure Square pool. She was a single mom for three (3) girls and could not have belonged to places like Christy's. Her kids grew up in Port St Lucie and had a public pool to go to and she was fortunate to have that pool because it kept them out of trouble. She encouraged the Council to go to Leisure Square and talk to people who use the facility. As a professional here in the City of Vero Beach, there were many of them who donated their time and a lot of their resources and got a fundraiser going to build the Pavilion at Leisure Square. She would not hesitate to say that they put in at least \$100,000 in their time and money for this Pavilion. They did that because they thought that would raise money for the pool with the understanding that it would help with the operating costs and that the City would manage the Pavilion well. The difference between the Dog Park and the other entities that are leasing land is that the care of these facilities is managed by people who care about that entity. She said the pool is not managed by those people who put the money into it. The pool is managed by the City and they are counting on and trusting that they are using their money wisely.

Mayor Zudans agreed with the comments made by Mrs. Pelensky and said that he got yelled at before when he said that they need to have a change of management in their Recreation Department.

Mrs. Pelensky reiterated that you cannot compare how the private entities are managed because they are not managed by City employees.

Mr. Richard Winger stated that he was part of the Youth Sailing Foundation for many years and he signed the lease when he was a City Councilmember for the Dog Park and for the Rowing Club. He studied in great detail how the skatepark would work along with the pool. He found that they were both compatible and both should be allowed. He

would be very disappointed after all they have seen and heard today that they would close the pool. It is time that Council takes this off the table and makes a motion that the pool be put back in the budget for next year.

Mayor Zudans commented that it has now been over three (3) years that discussion of the skateboard park took place and it is still not built.

Mrs. Linda Moore commented that she has listened all night before she decided to come up and talk and it seems to her that there is a dysfunctionality in the Recreation Department and there are some troubling rumors about the accounting practices in the Recreation Department. She has heard rumors of bloated salaries to people who are maybe not even working full time. She has heard rumors of accounting done on spread sheets that are on a Microsoft Word document as opposed to any type of business math accounting. She thinks as a taxpayer that they should have a more thorough accounting of exactly what is going on with the Recreation Department and where the monies are going. There are rumors of past due memberships at Leisure Square that no one is even aware of what monies are owed, what is coming in, etc. She felt that an audit was necessary so maybe they could actually determine what monies are available and where they could trim and do some streamlining. She suggested getting better computers and accounting software at Leisure Square. This should be researched so the City Council can make firm decisions based on real numbers and facts on what they do and do not have the money for.

Mrs. Brooke Malone thanked Council for notifying them last week that they wanted to entertain the Skatepark Alliance project. He sympathized with the news and the way it traveled, but skateboarding is 100% unrepresented in their community. She said that there are other places to go for water activities, but if the Skateboard Alliance is charged with creating its own income to create a recreation facility why can't a recommendation be made to her and the Recreation Commission to charge managers to find someone to take it over. She said that is what it is going to come down to and it seems like there is just not enough money. She felt that with all the people attending today's meeting they could put together a non-profit organization and fund the pool.

Mayor Zudans mentioned that on social media last night there were some comments from Mr. Joe Graves with his Jimmy Graves foundation potentially trying to get a YMCA to come back into town. He said the one way that is actually fiscally responsible is to get both a skatepark and keep the pool open is to find a non-profit organization to take it over. He doesn't know if they could find someone.

Mrs. Malone felt if the people went a year without having a pool things would change.

Mayor Zudans explained that is the plan that he brought with a different non-profit organization in 2018 and some people have said that the government has to run the pool. He goes back to what Mrs. Pelensky has said and that is people manage facilities in a different way and have the ownership level that they will never get with government run facilities.

Mrs. Malone asked if the pool does not get cut out of the budget what does. She asked what gets trimmed. She asked is that left up to the Recreation Director or is that Council's choice.

Mayor Zudans explained that the City Manager reports directly to the City Council so the City Manager will give them a recommendation.

Mrs. Malone asked as a ReCommission Commission member when does she hear that.

Councilwoman Moss commented that there are other things that are unfunded that are important. She brought up the raingarden and said that there is a consensus of Council to move forward with that project. The project to do several blocks on 14<sup>th</sup> Avenue with native plants and Florida friendly plants will cost \$80,000. With the project at City Hall it will cost \$60,000 and she thought that she had \$50,000 to move the project forward, but she guessed she heard wrong and she does not have \$50,000. She only has \$25,000. Mrs. Malone thought that was part of the Downtown Economic Redevelopment Committee. Councilwoman Moss explained it is a capital project. She said if anyone is listening who could write a check this is really important. Her point is that there are other things and not just the pool that they are looking at that are also important. Mayor Zudans added that they cannot do landscaping as a standalone capital project.

Ms. Sonja Belacky, County resident, commented that her youngest daughter is 33 years old and has special needs and is with Special Olympics and has mental issues and this has helped her greatly. She asked that the pool not be closed.

Mrs. Lamarre Notargiacomo commented that her four (4) children graduated from Vero schools. The narrative has been to put the skateboard park against the pool and that is not the case. She has heard that it is going to cost over a million dollars to build a skatepark and asked where is that money going to come from. Where are the surveys that show that taxpayers want the pool closed down and want a skateboard park. She was wondering if the Mayor had someone in mind to take over Leisure Square.

Mayor Zudans stated that he had a person in mind, but that person is not interested anymore. He commented that there has been some misreporting in the newspaper about the pool, such as there are 400 people that use the pool every day. He said you cannot believe everything that your read.

Ms. Janie Kane lives in the County and suggested putting the skateboard park at a different location and thought that maybe the three corners would be a good place.

Vice Mayor Young commented if action is not taken by this group the pool will close. It is a necessity for the people to express their desires to keep it open because if not the pool will be a thing of the past.

Mayor Zudans added that in order to not close the pool they will need to find out where the other money is coming from within the budget. He said that the skatepark is not the issue. The issue is the operating budget and they have to find out where the \$150,000 is going to come from if they don't close the pool.

Vice Mayor Young said what the Mayor is saying is that the pool is the bill payer for the skatepark.

Mayor Zudans said that is not true. He said the skatepark money would come out of the capital budget because they have a lot of money because of the sale of the electric utilities. The reason why you save so much money when you have a skatepark versus a pool is because of personnel and maintenance.

Vice Mayor Young stated savings from the operational fund will be the manner in which the pool is eliminated because they want to save money. This is a matter of saving money at the expense of constituents who use the pool. If they want that to happen then don't do anything.

Ms. Jackie Poultz commented that Mr. Rob Slezak is an amazing guy and he does amazing things for the City. She said that Mayor Zudans might not like him, but there are many people that do.

Mayor Zudans said that he likes Mr. Slezak. He is a very nice, honest, hard working guy, but he is not satisfied with the results in the Recreation Department.

Ms. Poultz commented that Mr. Slezak can only work with what he has been given. She touched on a comment that was made by Mrs. Malone. She said that Mrs. Malone talks about all the fundraising that needs to be done for the pool, she said that there has only been \$18,000 raised for the skatepark, which has been going on for about three (3) years.

Councilwoman Moss asked that they allow people who have not spoken yet to speak first.

Ms. Poultz continued that there are 11,000 people in favor of the skatepark and they have only raised about \$17,000 to \$18,000.

Mayor Zudans said there is a reason for that. He said until people know that the skateboard park is going to happen they are not willing to donate the money.

Mr. Matt Bokett commented that he was a skateboarder and used to swim at the pool at the YMCA before it became Leisure Square. It is exciting that after 30 years they are getting close to having a skatepark.

Mr. Rockell Facine, Vero Beach resident and from the Swim Team Booster Program ,said that Sebastian High School uses the pool at North County. When talking about

swimming there is high school swimming and competitive swimming, which he explained the difference.

Mrs. Michelle Overconnor, lives in the County, and said she is a swim mom who grew up on a skateboard. She feels that the two (2) pitted themselves against each other and feels bad for the skaters and as a swim mom would hate to not have the pool at Leisure Square to go to. She said it is not feasible for the children to use the Gifford pool.

Mrs. Linda Hillman commented that earlier when the meeting started Councilwoman Moss talked about being able to watch the whole budget hearing on the Vero Beach website and she spoke about two (2) people that were at the budget hearing and she was one (1) of them. She invited everyone to go to the website and look at the very end of the budget hearing because that is when the Mayor brings up \$170,000 that needs to be taken from the pool. Then later on the Council says that they have not voted on that, four (4) of them decided that they would extend it as Mr. Brackett asked them to until the first quarter. Mayor Zudans said that was correct. It was primarily to make sure the swim team got through their season. Mrs. Hillman said the very last thing that happened was Mr. Slezak came storming through the door and stood at the podium and said that \$170,000 does not include his employees. Then Mayor Zudans said to Mr. Slezak that you are telling me that you are going to ignore, your going to defy directive. Mayor Zudans said word for word he did not say that. He said it wasn't his directive, but the Councils' and Mr. Slezak was basically saying he was not going to do what the City Council had just decided to do. Mrs. Hillman said which was not letting the employees go. Vice Mayor Young stated that he did not understand that as a member of the City Council. He did not consider that to be defiant. Mayor Zudans said go back and look at the exact words that he said and don't put words into his mouth. Mrs. Hillman continued by saying that Mr. Howle agreed with Mayor Zudans that he was defying what was just on the table and he said he was not going to let his employees go. The City Manager said that he would discuss this further with Mr. Slezak. She said it was decided at that meeting even though they didn't vote on it. It was decided that in November it would be the last quarter that the money would go into that part. She has said many times when she has stood at this podium that the Recreation Department through previous City Councils' is always the first department hit at budget time and the Marina Department is the second and those are the two (2) departments that are still struggling.

Councilwoman Moss explained what concerned her at the budget workshop was that they were making decisions on numbers that might have been incorrect. She said that was very disconcerting to her. Mayor Zudans asked Councilwoman Moss what was she referring to. Councilwoman Moss said when they were making decisions with regard to the millage and evidently the recreation numbers are not as firm as they might have thought. She said people have stood in front of them tonight and have told them that. She said they need to give the City Manager the opportunity to research this and make sure that those numbers are solid numbers. Mayor Zudans agreed that they were making their decisions based on those numbers and her take away was those numbers might not be correct.

Vice Mayor Young stated that what concerns him is that they were moving forward as a Council considering the economic implication without having the full picture of the consequences of their actions. He said that is why it is so important for him to allow the City Manager the opportunity to address the concerns that they have in regards to Leisure Square just like they had the opportunity to address with some input for the Marina. The Marina now has a Manager that they have a great deal of confidence in. It is a shame that they cannot say that they have confidence in their own City staff to properly manage as they can at the Airport, the Water Treatment Plant, and now the Marina. It is incredulous to him that they are moving down this road and unless they change the course of action they will eliminate another one (1) of the assets that is critical to Vero Beach, which is the pool.

Councilwoman Moss commented that she did not feel that they should move down any road until they are sure that the numbers are real. They need to give the City Manager the opportunity to verify the numbers and speak with the Recreation Department Manager and report back to them.

Mr. Simoze Senea stated that he is a high school senior and spoke on how important that swimming is to him. Because he has been able to train at the Leisure Square pool it has given him so much opportunity and a future in swimming that he is excited to have.

Ms. Hailey Scheer encouraged everyone to get out to vote and to remember whose seats are up in November.

Mr. Brian Heady commented that Mayor Zudans trashed one of the City employees and then said he is an honorable man. Then said that the recreation management needs to go. He said there is room for a skatepark across from the cemetery. The skatepark will not provide any more income than the pool. It boils down to what you want your City to provide.

Mr. Chris Rusty who has been in Vero Beach for 30 years said that he had a back injury some years ago and there was nothing he could do but swim. Without the pool he would not be standing in front of them today.

#### **4. PUBLIC HEARINGS**

##### **A) ORDINANCES**

##### **B) RESOLUTIONS**

- 1. A Resolution of the City Council of the City of Vero Beach, Florida, agreeing to dedicate a Public Drainage Easement upon and across certain portions of City-owned Airport Land in Section 34, Township 32 South, Range 39 East and across Lot 21 in Airport West Subdivision, Plat Book 10, Page 89 as recorded in the Public Records of Indian River County, at the Vero Beach**

**Regional Airport, should it be required for future drainage; Providing for an Effective Date.**

The City Clerk read the Resolution by title only.

Mayor Zudans opened and the closed the public hearing at 7:30 p.m.

Vice Mayor Young supported this Resolution.

Mr. Brian Heady commented that Council moved to this Resolution before finishing the consent agenda items. He was told that the consent agenda items were approved earlier in the meeting.

The public hearing was closed at 7:31 p.m., with no one else wishing to be heard.

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

**5. CITY COUNCIL MATTERS**

**A) NEW BUSINESS**

**B) OLD BUSINESS**

- 1) Update on Landscape Architect's Plan (Robin Pelensky, PLA) for City Hall property and 14<sup>th</sup> Avenue Photographs of City Hall Rain Garden attached for the convenience of all – Requested by Councilwoman Laura Moss**

This item will be heard at the August 20<sup>th</sup> City Council meeting.

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

**Public Hearing to be held on August 20, 2019 at 3:00 p.m.**

- A) An Ordinance of the City of Vero Beach, Florida, abandoning a certain portion of right-of-way upon City owned Airport land in Section 34, Township 32 South, Range 39 East, being a part of the 43<sup>rd</sup> right-of-way plat as recorded in Plat Book 7, Page 85, and upon and between Lots 21, 22, and 23 Airport West between Lots 21,22, and 23 Airport West Subdivision, as recorded in Plat Book 10, Page 89, all of the Public Records of Indian River County, Florida; Providing for Conflict and Severability; Providing for an Effective Date.**

The City Clerk read the Ordinance by title only and announced that the Ordinance would be heard as a Public Hearing on August 20, 2019 at 3:00 p.m.

**Public Hearing to be held on August 20, 2019 at 3:00 p.m.**

- B) An Ordinance of the City of Vero Beach, Florida, Abandoning all of the City's interest in a certain thirty (30) foot wide drainage easement, encumbering Vero Beach Regional Airport Property, Lots 22 and 23 as platted within Airport West Subdivision, recorded in Plat Book 10, Page 89, of the Public Records of Indian River County, Florida; Providing for Conflict and Severability; Providing for an Effective Date.**

The City Clerk read the Ordinance by title only and announced that the Ordinance would be heard as a Public Hearing on August 20, 2019 at 3:00 p.m.

**7. CITY CLERK MATTERS**

**A) Commission/Board Appointments**

Councilwoman Laura Moss would like to replace Councilmember Harry Howle on the Tourist Development Council. There was no discussion on this item.

Captain Jeffrey McGann recently resigned from the Code Enforcement Board. Mr. Richard Kennedy currently serves as an alternate member and would like to be moved up to a full member. This will now leave two (2) alternate positions open on the Code Enforcement Board.

**Mr. Howle made a motion to move Mr. Kennedy up to a full member on the Code Enforcement Board. Vice Mayor Young seconded the motion and it passed unanimously.**

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

**A) Reclaimed Water Customer Classifications, Reclaimed Volume Rate Structure, and Reclaimed Water Rates – Raftelis Financial Consultant, Inc.**

Mr. Mike Rocca, Principal Consultant and Ms. Robin Chacko, Consultant from Raftelis Financial Consultants, were at today's meeting to discuss the Reclaimed Water Rate Study. Mr. Rocca told the Council if they had any questions to please bring them up during his presentation. He then gave a Power Point presentation (attached to the original minutes).

Mr. Falls explained to Council that staff was looking for a recommendation that they approve the recommendation from the consultants. There are legal requirements to notify the customer base before adopting it.

Mr. Rob Bolton, Water and Sewer Director, reported that staff would come back with an Ordinance and draft agreements to enter into with these customers so they are well prepared when this whole thing launches forward.

Mayor Zudans asked Mr. Bolton if he was satisfied with the explanations and information that he received from the consultant.

Mr. Bolton answered yes and noted that the Utilities Commission also approved the consultant's recommendations.

**Mayor Zudans made a motion to accept the recommendations of the consultant. Mr. Howle seconded the motion and it passed unanimously.**

**B) Municipal Marina Master Plan – Assessment of Existing Docks – Contract No. EC-12-2017, Work Order No. 1 – Task 1b Letter Report**

This item was removed from the agenda.

**C) Airport Budget**

Mr. Eric Menger, Airport Director, was at tonight's meeting to answer any questions that Council may have concerning his budget. He was unable to attend the budget hearings when the Airport budget was discussed.

Mayor Zudans commented that the City came very close to going over the threshold last year with the flights from Elite. He said it may not be economically feasible for them to get another airline in Vero Beach because they would have to cut down on what capital projects that they do because the funding from the State government would not be available.

Mr. Menger said they are working with having Florida Aviation Administration (FAA) in trying to recognize what small airports are dealing with. He said they are working on getting an intermediate category. While the Administration approved this the regulatory guidelines are not available yet. The Federal side is looking good, but they are still working on the State side when it comes to grants.

Mayor Zudans asked what percentage of funding comes from the State.

Mr. Menger said it was half of the total capital project cost.

Mayor Zudans asked if certain projects are just State or Federal funding.

Mr. Menger explained anything from Federal funding is always matched by the State.

Mayor Zudans asked if they should hold off on getting another airline.

Mr. Menger said they were more aggressive in trying to get additional services. But if something should change they would like to market the new airline if that happens.

Councilwoman Moss asked Mr. Menger if Indian River Chamber of Commerce helped him out with some marketing.

Mr. Menger said that it is working slower than he had hoped. The Chamber has \$25,000 allocated and that is going to a visitor study that they already started. It turns out the visitor study is going to cost around \$40,000 to do. This has been started, but it has not been completed. Councilwoman Moss asked Mr. Menger if he knew the timeline for it. Mr. Menger said it probably will not be done until calendar year 2020. That goes to them not rapidly pushing for a lot of airline traffic too quickly. He said there are some good things coming down the pike. They are growing non-airline business with all the hangars going up and all of those will create additional revenue for the Airport. They will really need a large abundance of revenue should an airline decide that Vero Beach is where they want to begin a growth model.

Mayor Zudans asked if Corporate Air was getting all of their permit approvals done. Mr. Menger explained that there were items on today's agenda that were approved for Corporate Air. Mayor Zudans said if there is some reason that the City Council needs to meet to approve something just let him know because Council wants to make sure that Corporate Air gets that project done.

Vice Mayor Young asked how is the customs variable being integrated.

Mr. Menger said having the customs office in place would benefit the Airport because of the activity that it would bring, which is way more than an airline. He said it is being requested by the general aviation traffic and not the airline. The airlines that he has been talking to have all been talking about domestic travel and not international. The question he has is how to fund it and where to locate it and he is working on both of those questions. He will be meeting with some of the people from customs in the near future.

#### **D) Veterans Affordable Housing**

Mr. Jason Jeffries, Director of Planning and Development, reported that he received a letter from Mrs. Sandra McLaughlin requesting the City to consider adopting a residential density program for veterans affordable housing. Mrs. McLaughlin is proposing to construct a multi-family project with 20 affordable housing units at 1055 Royal Palm Boulevard. The property is zoned RM-10/2 and has a future land use (FLUM) designation of RH – Residential High. The zoning district allows 12 units per acre and the FLUM allows 15 units per acre. Based on the existing zoning and the property size, the applicant is only permitted 17 units. The FLUM will allow up to 22 units on the site. The City has policies in the adopted Comprehensive Plan relating to affordable housing projects including the implementation of density bonus program for affordable housing. The affordable housing policies in the Comprehensive Plan are to ensure the City complies with applicable State regulations and Federal Fair Housing Act. Although the policies are in the Comprehensive Plan, to implement the affordable housing policies, the Land Development Code should be amended to authorize the density bonus program for veteran affordable housing.

Councilwoman Moss noted that the City doesn't actually have a program. She is looking at the letter from the McLaughlins and it says that it is a formal request to the City Council to formalize a veterans housing program. She said they cannot formalize something that they don't have.

Mr. Jeffries explained that the purpose of this discussion is to see if Council would be open to the idea of the City adopting such a program and then he would develop that program. He said their Comprehensive Plan already talks about a density program in the housing element it would be just a matter of putting the details together and developing the program and bring it back to Council in the form of an Ordinance.

Councilwoman Moss stated that their Comprehensive Plan does not talk about increasing density.

Mr. Jeffries explained that it talks about a density bonus program. He said in this case the density allows 16 units per acre and the Future Land Use allows up to 17 units and the difference is where you would give the density bonus as long as they meet the density criteria.

Councilwoman Moss pointed out that it was more than 17 units that was being requested.

Mr. Jeffries said that it is 20 units that is being requested, but the applicant has an acre and a half site. He said based on the amount of land that the McLaughlins have at 1055 Royal Palm Blvd., they are allowed to do 17 units. Then if she is given the density bonus she can do 20 units and still be in the 15 units per acre that is allowed.

Mr. Howle stated to be clear the McLaughlins could do this today with the veterans affordable housing at 17 units as planned. Mr. Jeffries answered yes. Mr. Howle continued so what is being asked for is a bonus of three (3) units.

Mayor Zudans commented that this particular case does not worry him because there are 20 units already there and they are asking for 20 units. His concern by creating this will come up in other areas where people want to do the same and they will end up increasing the density about what the character of the community is. He is a little hesitant because of that reason and not because of this particular project.

Mr. Jeffries explained that they could tailor the program to take into account those types of concerns. He said he has looked at how some other cities do these density programs by adding buffering requirements and making sure they occur in areas where they are multi-family and not necessarily in single family resident areas of the city.

Mr. Brackett asked if they could include in the program that the units cannot exceed what is there if there is a difference.

Mr. Jeffries said that they could do that.

Mayor Zudans commented that would protect a future City Council from getting into a situation where they pass some zoning and then another Council is stuck with it.

Vice Mayor Young said so the devil is in the details.

Councilwoman Moss asked if there would be 100% veterans living there in perpetuity.

Mayor Zudans asked what happens if they get the permits, they build the units, veterans are housed there, how long are they locked into only charging affordable rates and only for veterans.

Mr. Jeffries said that Indian River County does it for 20 years, but he can see what other cities do.

Councilwoman Moss commented that the County likes perpetuity now.

Mrs. Sandy McLaughlin and her husband introduced themselves and said that they own this property on 1055 Royal Palm Boulevard and there are veterans living there now. She said the housing that is there now is not sustainable. It is an old motor court that has been there since the 1960's and has never been maintained. It needs to be demolished and rebuilt. She said that she has 20 units now and she wants to build 20 units. She said it is really affordable housing. The veterans would have the first dib on getting a unit, but if there are not enough veterans to house there then she would be open to allow other people rent there. This will benefit the City and adds to their tax base. These are 20 efficiency units built for affordable housing. They have changed the traffic pattern so it helps with the traffic flow on Royal Palm Boulevard. They are just looking for guidance from the City Council. She cannot demolish 20 units and only rebuild 17 units, which is why she is asking for this request.

Mr. Bruce Barkett, Attorney for the McLaughlins, stated that their policy in Section 4.07 does talk about a density bonus for an affordable housing project. There are 20 units now at this location and the McLaughlins want to be able to rebuild 20 units. The City's Comprehensive Plan and Land Development Code doesn't permit other projects within the City to be rebuilt. There are several areas in the City where there is substandard housing that can be demolished and rebuilt, but the Code doesn't let them be rebuilt with the same number of units. So a developer is not going to take 20 old units and tear them down and turn them into 15 new units, because the developer would not make his money back. However, if the City grandfathered in just the density for the older units there would be a much more robust development program in the City. He said there would be higher taxes, more attractive housing and more standard housing instead of substandard housing. But, right now the City Code does not allow them to do that. He suggested not only considering the McLaughlins request for affordable housing, but also looking at their Code for allowing this in different areas of the City.

Mr. Brackett stated that he would like to see Mr. Jeffries come back with something as long as they were not increasing density. He said there are a number of properties in that area that this could apply to.

Mr. Howle said there is a lack of affordable housing in this community.

Mr. Barkett said that they have a lack of market rate rental houses as well.

Mr. Howle said if they do this there is another lot to the west that is empty, and an abandoned building to the north. He asked if this all eventually become affordable housing.

Mr. Jeffries explained they could have a program guideline in terms of selecting the site that they don't become too concentrated.

Councilwoman Moss asked Mrs. McLaughlin if these homes were just going to be for veterans.

Mrs. McLaughlin said that is their intention. She said of the people living on the property now over half of them are veterans. She will not displace anyone and has promised these people that they will move from the old housing to the new housing.

Mayor Zudans expressed that Council does not want to increase density and does not want to set a precedence or lose control of this because once changes are made then people have property rights and they will not be able to go and take them back. It is very important that they have all of these things addressed so they maintain the culture of the community.

Vice Mayor Young wanted to make sure that the veterans have a preference. He asked if that was possible.

Mr. Brackett said that he would be opposed to them limiting this affordable housing project to veterans. Vice Mayor Young said that he used the word "preference." Mr. Brackett said this sounds good in theory, but how would they apply it.

Councilwoman Moss referred to the memorandum where this is being called a "veterans affordable housing project."

Mr. Barkett explained from a regulatory standpoint it would be very difficult to enforce.

Councilwoman Moss asked how is he defining affordable housing and range of rents.

Mr. Jeffries said that he would have to get back to Council on what that actual figure is.

Mrs. McLaughlin added that the formulation is based on income.

Mr. Vic Diaz, Veterans Advocate for Indian River County, said that he deals with homeless veterans and housing homeless veterans. He said what Mrs. McLaughlin is proposing is affordable housing to be provided to veterans. He can guarantee that he would keep her place full. He gets calls on a daily basis for veterans looking for beds. He said these veterans can afford to live at what she is proposing. He said this is a God send to veterans in need. The veteran's organization is very supportive of this.

Councilwoman Moss said so there will be a commitment to veterans.

Mrs. McLaughlin said yes. She said that she and her husband created a foundation that supports veterans and it is their intent to have affordable veteran housing in Vero Beach on Royal Palm Boulevard. She said they are her best tenants. They take care of themselves and each other. They want to make this commitment and provide affordable housing.

Councilwoman Moss wanted to make sure that it would be a long term commitment.

Mrs. McLaughlin explained that the units were very small and could not be turned into a luxury apartment.

Mayor Zudans felt that what he was hearing from Mr. Barkett was that there was no easy way to require that by law.

Mrs. McLaughlin said that she is making a commitment.

Mr. Barkett said that they could make it for 20-years, which is more common. He said what would be difficult is to say they are going to consider one group over another. He would not advise that.

Mayor Zudans asked if they could include in the agreement that priority be given to veterans.

Mr. Barkett explained that it could create a lot of hassles and is not advisable.

Mr. Brackett commented that if someone was to drive by the property they will see that these are going to be small units and not luxury apartments that are going to go out for high dollars at any given time.

Vice Mayor Young commented that he chatted with someone that lives there now and he is confident that this would be a tremendous contribution to that neighborhood.

It was the consensus of Council to have Mr. Jeffries come back with some recommendations.

Mrs. McLaughlin showed what the building will look like once it is finished. She submitted the rendering into the record.

## **9. CITY ATTORNEY MATTERS**

Councilwoman Moss commended Mr. Turner on his enthusiasm in regard to his first week on the job and his first Council meeting.

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

Mr. Brian Heady stated that when public officials give the public the opportunity to address them they are not giving him an additional three (3) minutes, as eluded to by the Mayor. He often hears them talk about wanting to hear from the public and when the public does come up the Mayor has some smart aleck comment. He said the veterans affordable housing was not actually all for veterans and providing for veterans is a different story. This project is not to help veterans, but to help themselves (property owners) put up 20 units. He said they are going down a very slippery path to start granting extras to out of town developers.

Mayor Zudans told Mr. Heady that his time was up and that he was out of order. A police officer removed Mr. Heady from the Council Chambers.

## **11. COUNCILMEMBER MATTERS**

### **A. Mayor Val Zudans's Matters**

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

### **B. Vice Mayor's Tony Young's Matters**

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

### **C. Councilmember Laura Moss's Matters**

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

Councilwoman Moss thanked everyone who came to today's meeting and that their comments are always welcome. She encouraged them to check the City website because the agenda always has backup and they can understand it.

### **D. Councilmember Robert Brackett's Matters**

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

Mr. Brackett reported on the Okeechobee barbeque that he would be attending tomorrow on behalf of the Treasure Coast Council of Local Governments.

### **E. Councilmember Harry Howle's Matters**

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

- 1. Mr. Tim Zorc, County Commissioner, to discuss future Lagoon project.**

This item was heard earlier in the meeting.

**12. ADJOURNMENT**

The meeting adjourned at 9:02 p.m.

/tb