

**CITY OF VERO BEACH, FLORIDA  
APRIL 6, 2021 8:30 A.M.  
REGULAR CITY COUNCIL MINUTES  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Hyacinth Brown/Church of Jesus Christ of Latter Day Saints.

**1. CALL TO ORDER**

**A. Pledge of Allegiance**

Mrs. Minuse led the Council and the audience in the Pledge of Allegiance.

**B. Roll Call**

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

**2. PRELIMINARY MATTERS**

**A. Approval of Minutes**

**1. Regular City Council Minutes – March 16, 2021**

**Mrs. Minuse made a motion to approve the March 16, 2021 City Council minutes. Mr. Neville seconded the motion and it passed unanimously.**

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

Mrs. Tammy Bursick, City Clerk, requested that item 3-E) be pulled off of the consent agenda.

**Mr. Neville made a motion to adopt the agenda as amended. Mrs. Minuse seconded the motion and it passed unanimously.**

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

**1) Arbor Day – April 30, 2021**

Vice Mayor Neville read and presented the proclamation.

**2) Veterans Annual Golf Tournament – Curtis Paulisin**

Sergeant Curtis Paulisin US Army, Staff Sergeant, Gary James, US Army and Past Director of West Palm Beach Medical Center Mrs. Donna Katen Behenski attended today's meeting to talk about the Veterans Annual Golf Tournament to take place on Saturday, June 19, 2021 at Sandridge Golf Course.

3. **CONSENT AGENDA** (include amount of expense)
  - A) **Grant of Easement #2021-EG-263 Portion of Airport Property designated as 40<sup>th</sup> Street**
  - B) **A Great Fence Final Pay Application for C-39-202- (\$41,548.12)**
  - C) **Renew Debris Removal Contracts**  
**Contract # SRVC-26-2017 Crowder Gulf Disaster Recovery – Primary**  
**Contract # SRVC-27-2017 DRC Debris Removal – Secondary (No Cost)**
  - D) **School Resource Officer Agreement**
  - E) **Grant of Easement #202-EG-262**  
**Portion of City Power Plant and Wastewater Treatment Plant**
  - F) **Softening Tank Rehabilitation (Accelerators) Work Order 4 – Reiss Engineering, Inc. (REI) – Estimated Expenditure (\$64,000)**
  - G) **First Amendment to Lease Agreement by and between the City of Vero Beach and Vero Beach Baseball Association, LLC**
  - H) **Roof Replacements at Public Works Compound – Contract #57-2020 – Final Payment (\$65,705.00)**

Item 3-E) was pulled off of the consent agenda.

**Mr. Neville made a motion to adopt the consent agenda (with the exception of item 3-E). Mr. McCabe seconded the motion and it passed unanimously.**

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

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

- 1) **An Ordinance of the City of Vero Beach, Florida, Amending Chapter 78 of the Code of The City of Vero Beach, relating to the Provision of Services and Capital Facilities for Stormwater Management and the imposition of Stormwater Assessments related to those services and facilities throughout the City of Vero Beach; Providing Definitions and Findings; Establishing a Stormwater Utility and Providing its Responsibilities; authorizing the Imposition and Collection of Stormwater Assessments; Establishing Procedures for Notice and Adoption of Stormwater Assessment Rolls; Establishing Procedures and Methods for the Collection of Stormwater Assessments; Providing for Codification; Providing for Conflict and Severability; Providing for Scrivener's Error; and Providing for an Effective Date. – Requested by the Finance Director**

The City Clerk read the Ordinance by title only.

Mr. Monte Falls, City Manager, explained that passage of this Ordinance is the next step of the process of moving forward with the stormwater utility, however it does not mean that the stormwater utility is being enacted today.

Mr. Neville felt that the Ordinance was well crafted and thorough and they should be ready to move on.

Mrs. Minuse added that by passing this Ordinance there still is no start date; the rates have not been determined yet. They are just setting the policy to move forward.

Mr. McCabe felt that they are dealing with such an important area and the main contribution to pollution in the Lagoon. He said by keeping this matter in front of them and the community; it keeps their options open. He said timing of when this will begin is another matter. He asked if they know when they will be getting the support needed from their consultant.

Ms. Cindy Lawson, Finance Director, reported that the City Council will be holding a workshop on April 27<sup>th</sup> at 9:30 a.m. and at that time the consultant will present the results of the study and get direction from the City Council to move forward. Then the next step would be to adopt a Resolution setting the rates.

Mayor Brackett expressed that the Lagoon is the utmost importance to this community. However, he stands firm that this is not the right approach to solving the problem. After COVID it is not the time to be taxing businesses and non-profits and citizens of this community. He said people are still hurting from this pandemic. They still don't know what the Federal government is going to do as far as taxing people goes. They have met their expeditions with BMAP that need to be met. He doesn't want to add another tax to the people in this community. He asked Council to continue to be innovative and find other ways to solve this problem.

Mr. McCabe stated that this does not put any sort of taxation into effect at this time. He is not in favor of moving forward with any taxation. His goal is to keep this issue in front of everyone at this time.

Mr. Neville stated that the facts are that they have funded projects on their rolls right now that are out of the General Fund. He said that when they do implement this, that will be transferred and used differently and will reduce the ad valorem taxes in the following year. He does not see this necessarily as an added tax, but a different way of generating revenue. It is a way of making it fairer then the way that they do it now.

Mayor Brackett said that they currently spend \$1.2 million for stormwater right now. If they implement this fee they will create that \$1.2 million again and then free up that money to go and do something different, which is taking this money from one pocket to the next.

Mr. Neville commented that his intention would be that all funding relating to stormwater would be funded out of this and then they would reduce their ad valorem taxes for all stormwater activity to the extent that it is added via this other means.

Mayor Brackett said then this would be just a new method of billing people. The bottom line is they are in a time when people are hurting. He asked about the taxes between ad valorem and non-ad valorem being at about \$8 million.

Ms. Lawson explained that they don't currently have any ad valorem assessments.

Mayor Brackett continued by saying so less than \$8 million and the proposal here is to raise another \$1 million. He said this would be about a 14% increase in taxes, which is huge. They need to think about that before they impose it on businesses. He asked Mr. Neville if he was saying that the millage rate was going to be reduced. Mr. Neville said precisely.

Ms. Lawson clarified that the money that they are freeing up is not ad valorem taxes. She said that they do not pay for their stormwater projects with ad valorem taxes. They pay for their stormwater capital projects with one-cent sales tax. The only ad valorem support to stormwater is in operating cost, which this Council directed them to not include in the stormwater utility. As currently proposed by this Ordinance, capital only stormwater assessments will not reduce their ad valorem taxes. So it will not lead to a change in taxes unless Council was to change their direction and change this Ordinance and begin to include those General Fund operating costs for stormwater projects in the stormwater assessment.

Mayor Brackett said so what Ms. Lawson is saying is that currently ad valorem taxes in the General Fund does not go towards capital projects.

Ms. Lawson said that is correct. It is one-cent sales tax and not ad valorem taxes. She said that ad valorem taxes do support the operating costs, but those per Council's direction have been excluded from the current version to the stormwater utility.

Mrs. Minuse stated that this is not the time to say no to something like this. She said they have come this far. They don't know what the exact figures are going to be. There is going to be a workshop held at the end of the month and they have a responsibility to the future generations and she accepts that responsibility. She brought up the Clean Water Coalition that have many partners and are backing up this proposal. They can't abandoned that kind of endorsement in order to improve their Lagoon. She said at this point in time she feels that it is important to continue the process until they finally understand what is at stake and what the figures are that they are talking about. At that time they can make a decision. They have to make a commitment to the Lagoon for the future of their community.

Mayor Brackett commented that the City has met their goals until 2030 and have met their commitment. They fund currently over \$1 million a year in the one-cent sales tax going

towards the Lagoon, plus staff has come up with the STEP System and is working on other ideas, which they are on goal to doing without burdening the citizens of this community.

At this time Mayor Brackett opened the meeting up for public comments.

Ms. Martha Webster commented that the stormwater tax is not the way to go. She said that they would be burdening residents and businesses because they get a higher tax because of impervious tax. She questioned where the stormwater tax goes. It is not being transparent to move money around. She served as an elected official in a different place and the one regret that she made was approving a stormwater utility. She urged Council to look at other ways to meet their goals. She doesn't want to see the residents have another tax.

Mr. Ken Daige commented that he has been following this issue for some time now. He has put in a public records request to the City and is still waiting for some of the answers to come back. He is a business owner in this community. He noted that there are people who are on a fixed income and are concerned with this moving forward and having to pay more taxes. He wanted Council to understand when he is talking about people being on a fixed income they only get so much money every year. He went to the Property Appraiser's office and the Tax Collector to find out how all of this is going to work. He said that the government will get satisfied first. The tax collector charges a fee to do this. He briefly went over some of his questions asked in his public records request.

Mr. Brian Heady thanked the Mayor for his reasonable approach to this issue. He said to Mrs. Minuse that if he wants to get on the City Council, referring to the interview process that will be held this afternoon for a selection of a new Councilmember, he should not be picking on a Councilmember. However, after the Mayor spoke Mrs. Minuse said that she takes this responsibility seriously as if the Mayor's comments were not a serious approach. He thought that the Mayor's approach was reasonable and the right approach. When another Councilmember has a different point of view that does not mean that they are not taking it seriously. He has served on City Council before and one of the things that was probably sure to get a no vote from him was when other governing agencies set deadlines that they must do something by a certain date. If they were serious about stormwater utility and stopping pollution into the Lagoon then they need to go back and read a 1992 paper that he wrote for the City and the County saying if they want to stop the pollution in the river, then they need to stop dumping into it.

Mr. Keith Drewett stated that the BMAP is great and a target set by the State to reduce nitrogen and phosphorus. The City is doing a great job. However, he said look at the Lagoon and newspaper headlines and ask yourself is it working. The answer would be no. It doesn't control muck, which is a big issue, it doesn't control pathogens, it doesn't control enteritis bacteria, and only nitrogen and phosphorus is measured. He said if they are against this then they need to answer the question as to what is the alternative, which he has not heard yet. It cannot be fixed without revenue. He complimented Mr. Heady on his 1992 study that this cannot be fixed without not dumping things into the Lagoon. If they had listened to his recommendation in 1992 they would not be where they are today. He said every year it gets worse and more expensive to fix. There are currently \$1.6 million of

unfunded stormwater projects in the City's capital. He said if you look at the City's capital plan there really are not any new projects. It is maintenance of an aging City's infrastructure. He thinks that the solution is correct and lets look at the numbers property by property and then they can ask the question is now the time. His concern is next year they will have the same discussion and meanwhile the Lagoon gets worse.

Mr. Mike Johansen stated that he is on a fixed income and he welcomes this stormwater utility. Every meeting that he has attended, the discussion is how bad the Lagoon is getting and something needs to be done. He said it won't be too long until they don't have a choice. The BMAP is a start and Mr. Heady is right in order to start cleaning up the Lagoon they have to stop dumping stuff into it. He said right now the reuse water that they sell over a million gallons a day has 18 milligrams of nitrogen in it and they don't know how much ends up back in the Lagoon. The other thing that the assessment does is it spreads the cost over a wider base for people who currently are not paying taxes. He has talked to the churches about this and they are very supportive and on board. They agree they have a responsibility to take care of God's earth so lets do the same.

Mr. Jordan Stewart, President of the Taxpayer's Association, respectfully asked that they put on the brakes on moving forward with the stormwater utility at this point. He agrees they need to do things for the stormwater utility, but they have been funding it to the tune of \$600 million a year and now they are asking for about \$1 million to complete projects. He would not be opposed to increasing the taxes through the ad valorem process and sees no reason why they have to get City employees involved. If he has a concrete driveway and wants to tear it up, having an employee come out and review the property seems like to him a cumbersome issue. He suggested putting in more baffle boxes or hiring some more street sweepers. He thought they would be able to find the additional \$400,000 to do that. He is not in favor of the stormwater utility and said it will not solve the issue that they are currently having with the Lagoon.

Mayor Brackett closed the public hearing at 9:15 a.m., with no one else wishing to be heard.

**Mrs. Minuse made a motion to approve the Ordinance. Mr. McCabe seconded the motion and it passed 3-1 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes and Mayor Brackett no.**

- 2) **An Ordinance of the City of Vero Beach, Florida, amending the Land Development Regulations by amending Chapter 60 (appendix. Definitions) to add or amend definitions related to the Cultural Arts Village Districts; Creating Chapter 61, Article VII, Cultural Arts Village Districts to add regulations for the Cultural Arts Village; amending Section 64.44 of Chapter 64, Article III, Temporary Uses, to add temporary uses for the Cultural Arts Village Districts; amending Sections 38.02, 38.13 and 38.14(a) of Chapter 38, Article I, Signs, to add Sign Regulations for the Cultural Arts Village Districts; Providing for Codification; Providing for Conflict and Severability; and Providing for an Effective Date.- Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning and Development Director, reported that this Ordinance creates Chapter 61, Article VII, Cultural Arts Village Districts to add zoning regulations for the Cultural Arts Village. The proposed regulations implement the Cultural Arts Village in the Edgewood neighborhood west of downtown, based on the recommendations in the 2016 Cultural Arts Village report. It is consistent with Objective 12 in the City's Comprehensive Plan, the proposed standards ensure new development in the Village and reinforces the residential character of the Edgewood neighborhood while allowing accessory art related commercial uses. In addition to creating a new Article VII in Chapter 61 to implement new zoning regulations for the Cultural Arts Village, the Ordinance amends Chapter 60, appendix, to revisit or add new definitions for the proposed uses in the Cultural Arts Village districts. The Ordinance also amends Section 64.44 to add temporary uses for the districts and amends sign charts in Chapter 38, Signs, to add allowed sign types for the Cultural Arts Village districts. He gave a Power Point presentation (attached to the original minutes). He said that staff and the Planning and Zoning Board recommends approval. This is the first of two (2) public hearings. The second public hearing will be heard on April 20, 2021 after 5:00 p.m.

Mayor Brackett commented that this matter came before them to approve the concept of the Cultural Arts Village districts.

Mr. Jefferies said that is correct. He reported that a workshop was held to go over the project before he brought it for a formal adoption.

Mayor Brackett opened the public hearing at 9:25 a.m.

Mrs. Barbara Hoffman read a prepared statement into the record (attached to the original minutes).

Mr. Brian Heady asked if there were any legal restrictions barring any artists from living and working over there and barring anyone from opening up a gallery. He commended Mrs. Hoffman for the work that she has put into helping create this Village. He said there are some incentives in the Ordinance being given to people from government, which is not the way it should be. The other real concern is the restrictions that are being placed on existing buildings. He complimented Mayor Brackett and his family on spending money to keep certain structures in place, but that was their choice. He was happy that there were developers like Mayor Brackett who do this. But, why do they want to pass laws and restrictions on what they do on private property. He said that is wrong. He understands the frustration of working many years and not getting anywhere. However, he asked what legally would prevent this development. They do not need new laws. All they need to do is get rid of restrictive laws that prevent from people updating their homes and businesses in a way that they see as the profitable way and the way they want to develop them. He reiterated that they don't need new laws and zoning changes. If they like Vero the way it

is, which is what they campaign for all the time then stop the zoning changes, unless a property owner requests a zoning change on their particular piece of property.

Mr. Jeffries clarified that this neighborhood is currently zoned RM 10/12 and only allows residential uses. He said what this plan calls for is building for the artists to not only live and do art in their own home but they could also have a gallery. Also, within the Cultural Arts Village there is a very broad definition of artists, which includes having a dance studio. The arts village will allow more commercial art uses in this district. The neighborhood will remain under the Comprehensive Plan designated as residential-medium land use, but it will allow for these limited accessory uses in the district. He said people could come to the artist's house and purchase art pieces directly from the home. They could have art studios and there are a whole different list of art related things that they have come up with that will be allowed. He wanted to make it clear that this action is clearing up the regulations that exist for the artists in order to do these type of uses in their neighborhood.

Mr. Neil Fuller said that he lives in the art district, and is excited about what is coming there. They are creating a community and need freedom to do what they are doing referring to their art work and ability to attract more people in this district. He thanked everyone for all of their support. They are planning the quality of life for the future. They also want to be able to attract young people back into this area. He thanked the Council for their help in allowing this to happen.

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

Mrs. Minuse expressed that this is a long time coming. She said that there are extraordinary people backing this and they need to be complimented.

Mayor Brackett commented that he met with Mrs. Hoffman last September and they walked these neighborhoods and he made a commitment to her to bring it to the table. He hoped that they would have had this completed by January and it is now April, but he is happy that it is moving forward.

**Mrs. Minuse made a motion to adopt the Ordinance. Mr. McCabe seconded the motion and it passed 4-0 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.**

- 3) An Ordinance of the City of Vero Beach, Florida, amending the Official Zoning Map by changing the Zoning District Designations of the Cultural Arts Village from POI, Professional, Office, Institutional District, RM-10/12, Medium and High Density Multi-Family Residential District to CAV, Cultural Arts Village Districts for the property generally located West of 14<sup>th</sup> Avenue, North of 18<sup>th</sup> Street, East of 20<sup>th</sup> Avenue and South of 19<sup>th</sup> Place; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jeffries reported that this is a City initiated general official zoning map amendment request to rezone approximately 23.72 acres of land from POI, Professional, Office, Institutional, RM-13, High Density Multi-Family Residential, and RM-10/12 Medium and High Density Multi-Family Residential to CAV-1, CAV-2, and CAV-3, Cultural Arts Village. The properties are located west of 14<sup>th</sup> Avenue, north of 18<sup>th</sup> Street, east of 20<sup>th</sup> Avenue, and south of 19<sup>th</sup> Place. The official zoning map amendment implements the Cultural Arts Village in the Edgewood Addition subdivision west of downtown, based on the recommendations in the 2016 Cultural Arts Village report. It is consistent with Objection 12 in the City's Comprehensive Plan, the proposed zoning ensures new development in the Village and reinforces the residential character of the Edgewood Addition neighborhood while allowing accessory art related commercial uses. He then gave a Power Point presentation. This is the first of two (2) public hearings and the second public hearing will be held on April 20, 2021 after 5:00 p.m. Staff recommends approval of the Ordinance. He said the Planning and Zoning Board approved the Ordinance on March 4, 2021.

Mayor Brackett opened the public hearing at 9:56 a.m.

Ms. Dawn Miller who lives in the neighborhood and has lived in the neighborhood for the last five (5) years is very excited about the Arts Village. She said that she has been an artist for a long time. She presently teaches at the Museum and has seen what the arts can do on the human level. She said art is alive and has a pulse. She said that legally right now she cannot use her home as a gallery and teaching studio and wants to be able to do that. She also will be building an accessory building in her backyard to teach life skills to young people with autism.

Mayor Brackett closed the public hearing at 9:59 a.m., with no one else wishing to be heard.

**Mr. McCabe made a motion to approve the Ordinance. Mrs. Minuse seconded the motion and it passed 4-0 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes and Mayor Brackett yes.**

At this time Council took a ten-minute break and the meeting reconvened at 10:10 a.m.

## **B) RESOLUTIONS**

- 1) A Resolution of the City Council of the City of Vero Beach, Florida, relating to City of Vero Beach Municipal Marina Rates and Fees; Repealing Resolution 2020-30 and Adopting Updated Rates and Fees; Providing for an Effective Date. – Requested by the Marina Director**

The City Clerk read the Resolution by title only.

Mr. Falls reported that this Resolution will allow for a day-use dinghy dock rate. He said that this will help the Police Officers who patrol the river to know where the boats are going and encourage more people to use the Marina.

Mayor Brackett opened and closed the public hearing at 10:11 a.m., with no one wishing to be heard.

**Mr. Neville made a motion to approve the Resolution. Mr. McCabe seconded the motion and it passed 4-0 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.**

- 2) **A Resolution of the City of Vero Beach, Florida, authorizing the purchase of City Fleet Vehicles; authorizing the Execution and Delivery of Additions to the Municipal Lease-Purchase Agreement with Baystone Financial Group (Kansas State Bank of Manhattan, N.K.A. KS Statebank) for the purchase of Fleet Vehicles in the amount of \$247,398.00; Authorizing the City Manager to take all steps necessary to finalize and implement the Terms and Conditions of the Lease-Purchase Financing Agreement; and Providing for an Effective Date. – Requested by the Finance Director**

The City Clerk read the Resolution by title only.

Mr. Falls reported that the City has budgeted funds to procure fleet vehicles in its adopted FY 2020-2021 budget and its five-year capital program for FY 2021-2025. The budget calls for spreading vehicle acquisition costs out over several years through the use of tax-exempt municipal lease-purchase financing. This will be for vehicles being purchased for the Public Work's department and the method of obtaining competitive pricing. They have almost accomplished their goal of getting fleet down to the seven (7) or eight (8) year range.

Mayor Brackett wanted to make it clear that when they use the word "lease" is used it does not mean that they are leasing these vehicles. The City owns the vehicles from the start.

Mayor Brackett opened and closed the public hearing at 10:14 a.m.

Mr. Brain Heady had no concerns with the replacement of these Public Work's vehicles as long as it is under the direction of the current City Manager because he believes he has been concerned about wasting tax dollars. If he (City Manager) says they need a new vehicle, then buy it. That is why they hire a City Manager who knows what is he doing. They have the money in the bank to buy these vehicles; doing it this way is just borrowing more money.

The public hearing closed at 10:16 a.m., with no one else wishing to be heard.

**Mr. McCabe made a motion to adopt the Resolution. Mr. Neville seconded the motion and it passed 4-0 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.**

- 3) **A Resolution of the City of Vero Beach, Florida, Establishing an Auditor Selection Committee pursuant to Section 218.391 Florida Statutes; Providing for Committee Membership; Providing for the Duties of the Auditor Selection Committee; and Providing for an Effective Date. – Requested by the Finance Director**

The City Clerk read the Resolution by title only.

Ms. Lawson reported that on March 16, 2021 the City Council appointed Mayor Brackett to act as Chair of the Auditor Selection Committee. The Council also requested that the Finance Commission select two (2) of its members to serve on the City's Auditor Selection Committee. The Finance Commission met on March 24, 2021 and voted unanimously to recommend Commission members Kathryn Barton and Scott Nuttall for appointment to the Committee. She asked that the City Council approve the Resolution establishing the City's Auditor Selection Committee.

Mayor Brackett asked Ms. Lawson when she thought that they would be holding their first meeting.

Ms. Lawson said that it would be at the end of April or the beginning of May.

Mayor Brackett opened and closed the public hearing at 10:19 a.m., with no one wishing to be heard.

**Mr. McCabe made a motion to approve the Resolution. Mrs. Minuse seconded the motion and it passed 4-0 with Mr. McCabe voting yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.**

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

Mr. Ken Daige wanted to revisit the stormwater issue. He was curious if it keeps moving forward, at what time it may come up again that they may see the fee on their tax bill for the tax season. He talked to Council about people on a fixed income. He wanted to clarify that. The people that he is talking about that are on a fixed income are on a very limited fixed income. He knows the difference of people that are on a fixed income who can afford things that they need and then there is the other segment of people living in Vero Beach who are on a very limited fixed income and are sometimes very strained. He knows that Council is working on the septic tank issue. He said that a number of years ago this was looked at and there were many people that were against the sewer hookups. There are studies that were done a number of years ago that took samples from the Lagoon area and were traced to the septic tanks. He commented on the pharmaceuticals that they were finding. He hoped that the City continued moving with getting the septic tanks on the

City's STEP system, because the septic systems do add a lot of pollution to the Lagoon. He said with all the municipal buildings he will be looking to see what they are paying in regards to the stormwater utility. That money has to come from somewhere and will probably be out of the General Fund. He asked if the City of Vero Beach discussed their stormwater drainage concerns or held meetings with the State, County, the Moorings, Indian River Shores, Orchid, Wabasso, etc. to discuss it with them. He wanted to know if there was a fact sheet on file. These are things that he will want to see as this stormwater utility moves forward.

Mr. Brian Heady brought up the meeting being held this afternoon to conduct interviews for Mr. Graves's replacement. He said that he is one of the hopefuls for this position. They know that he has the willingness and the ability to fill this position. There are only two (2) on their list that have the qualifications that they identified as requirements. The only two (2) people on the list that meet the qualifications are himself and Mr. Dick Winger. He said that Mr. Winger would be a good choice. He has demonstrated how he negotiated a \$50 million expense, down to a \$30 million expense on behalf of the taxpayers. Mr. Heady said that his credentials date back to at least 1992. He said that it is nice to see other people interested in serving this position, but he would like to see them at Council meetings and show some interest. He said before they decide to appoint him they probably should settle the legal complaints he has with the City. He brought up the Cultural Arts Village and that someone came up to the podium saying that they could not live in their home and conduct it as an art gallery until the Ordinance passes. Mr. Heady said that he does not live in that district, but he lives in the City and his home is pretty much an art gallery and he uses it as an art gallery. He doesn't understand why the City would have any objections to that. His gardens displayed are art work. He told Council that he would see them at 4:00 p.m. this afternoon and see who they choose as a replacement for Mr. Graves. He reiterated that there are only two (2) candidates that meet their qualifications that they said that they needed. Those two (2) candidates are Mr. Heady and Mr. Winger. Either choice would be good for the taxpayers and City residents of this community as a whole.

## **6. CITY COUNCIL MATTERS**

### **A) NEW BUSINESS**

### **B) OLD BUSINESS**

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

## **8. CITY CLERK MATTERS**

The City Clerk presented Council with some applications that she recently received from people wishing to sit on their Commissions/Boards.

Mayor Brackett suggested holding off making appointments until they have reviewed the changes that they are going to make to the Commissions/Boards when they are restructuring them.

Mrs. Bursick brought up the Charter Review Committee and asked Council if they wanted her to bring the applications to their next Council meeting.

Mayor Brackett said that at this afternoon's Special Call meeting he is going to encourage some of the applicants who don't get selected for the open Council seat to apply to be on one of their Boards or the Charter Review Committee.

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

There were no matters to be discussed.

**10. CITY ATTORNEY MATTERS**

**A) Approve request from Corporate Air that it will not be required to consolidate its Airport leases into one master lease at this time.**

Mr. John Turner, City Attorney, reported that they received a request from Corporate Air to not consolidate all of their leases into one (1) lease at a time. He said that there was an agreement allowing this effective November 1, 2019, but it never happened. The banks involved with Corporate Air have asked that this provision be removed from the lease agreement. They want Corporate Air to continue with individual leases. By doing this it would have no adverse effect to the City or to the Airport. Mr. Phil Vittello, Attorney for Corporate Air was at the meeting if there were any questions.

**Mr. McCabe made a motion to approve the request from Corporate Air to not consolidate all of their agreements into one agreement. Mrs. Minuse seconded the motion and it passed unanimously.**

Ms. Jenny Flanigan, Assistant City Attorney, gave a Legislative update.

Mr. Mike Johansen said that Ms. Flanigan's Legislative update is very valuable information and asked if it could be put on the City's website.

Mr. Turner said that for the next three (3) weeks as things develop the legislative session will be very busy. He told Council if they had any questions to feel free to contact the Attorney's office at any time.

**11. COUNCILMEMBER MATTERS**

**A. Mayor Brackett's Matters**

Mayor Brackett commented on the number of phone calls that he has received from people who are excited about the changes happening at the Marina. He said people are asking if they can reserve spots in the dry storage building.

Mayor Brackett commended Mr. Todd Scher for doing a great job at the Airport. He said that things have changed at the Airport since the pandemic and there are more privately owned airplanes coming in and utilizing the available hangers.

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

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

Mr. Neville commented on the wonderful article that appeared in one of their local magazines covering the Airport.

Mr. Neville showed pictures of the recent Easter Egg hunt that was held at Mulligans. He thanked everyone that was involved with making it so successful.

Mr. Neville cautioned people if they were driving over the bridge today to slow down. He said that there are City employees doing some trimming in that area and they are working in some tight spots. They are doing this work in order to continue having this City look beautiful.

Mr. Neville reported that the Art Gallery Stroll started up again on Friday night. He thanked the people who organize that.

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

**C. Councilmember Minuse's Matters**

Mrs. Minuse went over some email that she received from the Health Department regarding the vaccine (on file in the City Clerk's office). She mentioned that there were some things that could be done to help the Lagoon. She thanked Council for the wonderful workshop that they had last week.

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

**D. Councilmember McCabe's Matters**

Mr. McCabe commented on the successful Downtown Friday that was recently held. He said that the next one would be held on the last Friday in April.

Mr. McCabe reported that the Sunshine Rotary Club has teamed up with the Chamber of Commerce to put up a patio near the Chamber's building to make MainStreet more of an exciting place.

Mr. McCabe thanked the Public Work's department for the repairs that they are making to the boardwalk. He said that the project is going very well. It is being done in sections

because of the traffic that the boardwalk generates. He commented that the boardwalk has not been rebuilt since the 1980's.

Mr. Neville commented that the band that played at the last Downtown Friday was great.

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

**13. ADJOURNMENT**

Today's meeting adjourned at 10:48 a.m.

/tb