

**CITY OF VERO BEACH, FLORIDA
FEBRUARY 1, 2022 6:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

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

1. CALL TO ORDER

A. Pledge of Allegiance

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

B. Roll Call

PRESENT: Mayor Robbie Brackett; Vice Mayor Rey Neville; Councilmember Honey Minuse; Councilmember Bob McCabe and Councilmember John Cotugno **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 – January 18, 2022

Mr. Neville made a motion to approve the January 18, 2022 minutes. Mrs. Minuse seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Mayor Brackett requested moving item 4B-2) on the agenda and hearing it first before item 4B-1). He also asked that item 7-A) be pulled from tonight's agenda and taken to the Airport Commission for their review and then brought back to Council.

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

B. Proclamations and recognitions by Council.

1) Literacy Services 50th Anniversary Day – March 7, 2022

Vice Mayor Neville read and presented the Proclamation.

3. CONSENT AGENDA (include amount of expense)

None

4. PUBLIC HEARINGS

A) ORDINANCES

- 1) **An Ordinance of the City of Vero Beach, Florida, Amending the Text of Chapter 2, Land Use Element, Goal, Objectives, and Policies; Adding to Policy 1.18, Table 2-2, The Cultural Arts Village Zoning District; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning and Development Director, reported that the Comprehensive Text Amendment has followed the expedited State review amendment process. He gave a Power Point presentation (on file in the City Clerk's office). The State Department of Economic Opportunity (DEO) received the amendment and the City received the notification letter from the DEO on January 14, 2022, stating the Department had no comments on the proposed text amendment regarding the changes to Table 2-2. Staff recommends approval of the Ordinance.

Mayor Brackett opened and closed the public hearing at 6:13 p.m., with no one wishing to be heard.

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

- 2) **An Ordinance of the City of Vero Beach, Florida, Amending the Text of Chapter 1, Overview of Policy Document; Chapter 2, Land Use Element, Goal, Objectives, and Policies; and Adding Chapter 11, Property Rights Element, Goal, Objectives, and Policies; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only.

Mr. Jeffries reported that this is the second public hearing regarding the request to amend the text of the Comprehensive Plan to add a new Chapter 11, Property Rights Element, Goal, Objectives and Policies. He gave a Power Point presentation (on file in the City Clerk's office). The Comprehensive Plan text amendment has followed the State Review Amendment Process. The State Department of Economic Opportunity (DEO) received the proposed amendment on December 17, 2021. The City received the notification letter from the DEO on January 14, 2022, stating the Department comments related to the goal statement. He said the purpose of the Community Planning Act is for local governments

to adopt comprehensive plans to manage the future growth of their communities as a long-range policy guidance for the orderly management of development. The City's Comprehensive Plan is an adopted policy document related to planning and development decisions for the City. The amendment is in response to a new state law that requires all local governments adopt a separate property rights element. There are existing Federal, State, and local laws in place that protect Florida private property rights. The City's Vero Beach Comprehensive Plan and Land Development Regulations also recognize the importance of private property rights in planning and land development decision-making. This Property Rights Element was prepared in response to House Bill 59, approved by the Florida Legislature and signed by the Governor in 2021. He said that there were other cities that received the same comment. He said the DEO is allowed to provide comments in the 30-day window, but they cannot object to any amendment adopted by the City Council. Staff recommends approval of the Ordinance.

Mayor Brackett opened and closed the public hearing at 6:16 p.m., with no one wishing to be heard.

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

B) RESOLUTIONS

- 1) A Resolution of the City Council of Vero Beach, Florida, Adopting the "Three Corners, Vero Beach Report" and Directing the City Staff to Prepare a Charter Amendment Ordinance and take steps to Implement the Plan; and Providing for an Effective Date. –Requested by the City Council**

The City Clerk read the Resolution by title only.

Mr. Jeffries gave a Power Point presentation on the Three Corners property (attached to the original minutes). He said that they are here tonight to discuss approving the master concept plan for the three City-owned properties at the intersection of Indian River Boulevard and 17th Street. The executive summary is the written and illustrated description of the master concept plan for the Three Corners site. The master concept plan is available on the City's website. Presently where the Power Plant sits now is an industrial site. The Land Use is Government Use and the two (2) sides on the river are M-Industrial. The master concept plan was prepared after an extensive community participation in the planning process for the site. The project began on November 19, 2019, with a presentation to City Council and the formation of the Steering Committee to guide the planning process. He then showed the master concept plan and went over it. He went over the Waterfront Village where there will be a public pedestrian destination with a compact mix of uses (retail, restaurants, plazas, music venues and recreation) There could also be entertainment or recreation uses such as family amusements, small museums, an aquarium or music venues. The Marina will have day docks and overnight docking and possibly commercial

tours. There could be a fishing pier with vendor locations. Mr. Jeffries said the final development should be substantially consistent with the master concept plan. He said whatever is done with Big Blue and Central Park has to be financially feasible. He said that if a developer decides to retain Big Blue they could use the existing height in place now. If a new building was to be constructed the height would be at the required 50-foot height limitation. He noted that this planning process has been going on for over two (2) years now. He went over some of the different events that have occurred in the planning process.

Mr. Jeffries briefly went over the planning process. He said that the project kicked off in November 2019, then there was community outreach from December through January, the Community Charrette took place the week of January 2020, and the finalized plan was brought forth in February through June 2020. Based on community concerns about the changes to the plan since the charrette, City Council did not approve a master concept plan in 2020 and instead requested the Steering Committee to further analyze the scenarios for the Three Corners project, including the post-pandemic scenarios and recommended a master concept plan. Since October 2020, the Three Corners Steering Committee held additional public meetings to recommend revised project goals, review the post pandemic plans provided by DPZ, and confirm the preferred use program for the site. On April 26, 2021, the Three Corners Steering Committee recommended a community plan for the Three Corners site reflecting the community's consensus regarding the potential development of the site garnered during the January 2020, design charrette and included concepts presented in the post pandemic plans. The community plan was accepted by City Council on May 18, 2021.

Mr. Jeffries reported that the City Council engaged PFM Group Consulting (PFM) to analyze the marketability and financial feasibility of the recommended community plan. On November 16, 2021, PFM presented a report that found the plan for the Three Corners property as well-conceived and financially feasible. PFM provided a few recommendations on improvements to the plan, which City Council accepted. They felt it was a very well-conceived plan. A Charter referendum will be required for the commercial development on the portions of the former Power Plant site. The future land use map and land use objectives and policies in the City's Comprehensive Plan will need to be amended to incorporate the master concept plan for the Three Corners site. The land development regulations, including the official zoning map, will also need to be amended to facilitate the desired development of the site consistent with the master concept plan. The City should also start the process to identify a development partner for the project through a Request for Information (RFI) process that will be reviewed by Council before being sent out to the developers. He said that he will start working on the language to bring back to Council for the referendum and then once the referendum is approved there still will be more work that needs to be completed. They will have to incorporate the master concept plan into the Comprehensive Plan and change the use of the property to allow development to occur on the site. Then once that is done they will be ready to go out for a Request for Proposal (RFP). The Three Corners Steering Committee conducted a public meeting on January 5, 2022, and voted 6-1 to recommend the revised master concept plan, as presented to the City Council. The Planning and Zoning Board, who serves as the Local Planning

Agency, conducted a public hearing on January 6, 2022, and voted 5-0 to transmit the report to the City Council for favorable consideration and finding that the report and master concept plan for the Three Corners site are consistent with relevant goals, objectives and policies contained within the City's Comprehensive Plan.

Mayor Brackett commented that now it was time to move into public comments on this Resolution. He said since there were so many people in attendance tonight he would be sticking to the three-minute time rule.

Ms. Barbara Ruddy showed pictures of Plant Riverside in Savannah, Georgia (attached to the original minutes), which is a comparable project for the Three Corners project.

Mr. Leonard Markir read a prepared statement (attached to the original minutes).

Mrs. Annie Markir continued reading the remaining pages left from Mr. Markir's speech (on file in the City Clerk's office).

Mr. Gary Froomjian felt that this was a great idea and plan, but not just for this corner. He said this land is here for future generations to enjoy. It doesn't have the infrastructure layout that would support this type of project. He showed part of a video from one of the charrettes held in January 2020.

Mr. Taylor Dingle felt that one (1) of the most important things when selecting a developer is that they adhere to recreation. He would like to see a Marina on this property that would welcome other neighboring boaters. He quoted what he heard the City Manager say and that is that they only have one (1) shot at this and he (Mr. Falls) is right.

Mr. Ryan Blade stated that he supported the Community Plan. He would like to see from this project something fun for all ages, especially for young people. They need more things to do in Vero Beach. He is 23 years old and he doesn't find much to do. He would love to see a Marina there. He thanked the City Council for having this meeting at 6:00 p.m. for the working class so that they could be at the meeting tonight.

Mr. Stanford Erickson appreciated all the effort that has gone into this and is in favor of some of the plan. He felt to attract the right developer they will have to get rid of Big Blue. He said the legacy here is Jay Bird Miller because he has been playing his music for a long time.

Ms. Chloe Rose Swartz felt that this was a landmark for the City. It has a lot of potential. She thanked Council for moving the meeting to 6:00 p.m. She said that they have been talking about this project for the last two (2) years and people came out to all the different meetings in droves. They held meetings at different times during the day and night and there were a lot of people that came and spoke. Sometimes there were heated discussions, but the people still spoke up and voiced their opinion. She is passionate about this project, which is why she filled out an application to serve on the Steering Committee in order to make sure that this project came to fruition. This process has been going on long enough

and now they need to move it forward. She said the site has something for everyone. She asked the City Council to approve the plan tonight. They need to stop dragging their feet.

Ms. Sydney O'Haire, Steering Committee member, noted that she has heard traffic concerns come up during the discussion and she doesn't think it is fair to judge the traffic at this point in time because of all the construction that is taking place on the 17th Street Bridge. She said temporarily that bridge is a single-lane bridge and they need to keep that in mind when we think about traffic. She hoped that Council approves the Resolution.

Mrs. Brook Malone commented that she attended all of the charrettes and heard millions of words and input from people. She said there was a large age demographic missing from the charrettes because most of the people were at work. She encouraged Council to pass this Resolution tonight and put this matter on a future referendum.

Mr. Bob Deacon who lives on Lady Bug Lane where many people for one reason or another have come and taken pictures because of its beauty. He has 14 Live Oak Trees on his property that are gorgeous trees and that is what Vero Beach is about. He applauded all the hard work that has gone into putting this plan together and getting the different opinions and sharing them. He has spent a lot of time in Savanna and there are over 1,000 hotel rooms within walking distance of the old Power Plant there. He heard from the Planning and Development Director that this is an industrial site and that is his opinion also. He said that a developer will make the decision on what to do with the site and he hopes that they (the City) are the ones who makes the decision.

Ms. Melissa Carter commended everyone for all of their efforts put into this project. This is an amazing opportunity they have to decide what happens with this site. There is something there for every group. There will be things for the 40 something age group to do. It is a great opportunity to turn this industrial site to a community space. She said that DPZ did a fabulous job with community outreach.

Mr. Paul Westcott expressed that they needed to get the economics right for this project to make sure that it can be supported. They do not want to build a future site and have it remain vacant. He said this property is a jewel and needs to be treated that way. He wanted to make sure that there is recreational use for the public.

Ms. Lori Strazzulla commented that she has been excited about this project since she first saw it. She is almost 52 years old and remembered growing up in this town, which back then it was called "Zero Beach." She is a real estate agent and shows people this town who want to live here (not just locals) and the first question that they ask is what is there to do in Vero Beach. She said this community needs this project. She asked Council to please pass the Resolution and move forward with the project.

Mrs. Erica Arsenault believed the foundation of a healthy community is the wellness of mothers. She said what mothers need in this community are a legacy for their children. This community needs a place where moms can go. She is speaking solely on the community care for mothers and this project will help with that.

Mr. Charles Rustic brought up the survey that was sent out when this project first began by DPZ and 1,600 people responded. He said the number one (1) thing that people were looking for was greenspace and Parks. The last thing that people wanted to see there was a hotel. He said that he likes the plan and said overall it is good. The only objection he has is the hotel is taking the whole parcel. He once kept his boat at the City Marina and knows that there has been a waiting list for people who want to keep their boats there for over five (5) years. They could have put something in the plan that would offer boat slips at Water Village, but they didn't want to do that because they thought that it would be too competitive with the City Marina. He felt they could reap the benefits by having slips available because of how many boaters there are. He reiterated that he didn't want to see a hotel there and also there are bumps in the road when dealing with a 99-year lease.

Commissioner Laura Moss recalled that when the first Steering Committee was formed all of the City Council members were a part of the Committee. She said that DPZ was hired and Speakupvero.com was formed and very informative for the public. On top of that there were two (2) tours of the Power Plant that took place where hundreds of people showed up for those tours. Her point was that this whole process has been very transparent. She understands the concerns that people have that this should not be driven by a developer. She knows the public is in good hands with this City Council and they will not let a developer take charge. This is an opportunity of a lifetime no matter what age you are. She then invited the public to attend the Visioning Workshop being held by the Indian River County Metropolitan Planning Organization (MPO) on Thursday, December 3, 2022, at the IG Center.

Mr. Wilford Hart stated that he works for the School District of Indian River County and there is a problem with retaining teachers in Indian River County. He sees an opportunity of being able to have more teachers come to this area if the Three Corners project is done because it will give the teachers something to do. He wants to be able to tell teachers to come to Vero Beach because things are happening here.

Mrs. Helene Caseltine approved of the plan. She said it was a fabulous project and she is so excited to see it come to fruition.

Mr. Greg Mansole commented that by developing this area it will have an appeal for young people to come to Vero Beach. He went over some ways that the Three Corners project could help with the Lagoon and their waterways. He said the possibilities are endless here. He hopes that the City will take advantage of this project to revamp this area.

Mr. John Carroll commented that staff did a great job on this project. He said that he is a structural Engineer and he has looked at Big Blue and feels that everyone needs to be aware that there is substantial structure damage to this building and if it was inspected it would be tagged as being unsafe. He said his personal opinion is that no one should be going into that building. When a developer comes in there is a good possibility that the building will come down or the developer would pay a substantial cost for a structure that will last for 99 years. He said there are no real floors in the building. The first thing a developer will

do is come in with a structural plan to put a floor system in and that is costly to do. He said by the time you rebuild the structure there is going to be more money involved then if it was torn down and something new was built.

Ms. Jeanine Long stated that she read an article in 32963 about developing land at South Beach Park and making it a concession stand and taking people over to the hotel in that area. She said that South Beach sits in a residential area and having a commercial hotel there would impact property values in that area. She said that is a concern. Not to mention all the wildlife that they have in this area. She has not heard this come up tonight and wanted to bring it up and asked who she could talk to about it. She said it is a nice quiet area and she would like it to stay that way.

Mr. Ken Daige read a prepared statement (attach to the original minutes).

Mrs. Christine Pokorney-Sickterman was at tonight's meeting representing the architecture and design community. When the project first came up she always thought that Big Blue was an asset and that was solidified once she saw the inside of the building. She said it is an architecture gem and they need to do their due diligence in making Big Blue work. She said when considering developers they need to partner with someone that will give consideration to that building. This is a difficult time to attract young people to the community and keeping them here and she sees the Three corners project as something that would encourage youth to stay here.

Ms. Irina Wolfork, DPZ Consultant, said that they worked hard to make this an extremely transparent project. She went over the different things that they did. She is proud of their engagement process. She said when DPZ came to town at their first meeting they expressed concern about affordable housing in this area and retaining teachers. She agrees that they have high rent here and people will pay that high rent if something is attracting them to stay here. She agreed they need good teachers and good education in this community.

Dr. Richard Baker, who sits on the Steering Committee, thanked everyone for being here and said that the Council has a tough decision to make. He is concerned about the Lagoon and the environment. He would like them to use that space as much as possible to help improve the Lagoon. He said getting people outdoors is a great idea and there should be more efforts made on how they are going to change those conservation areas in order to help save the Lagoon.

Mr. Devon Geyser liked the plan for the community, but didn't see a need for any more tourist here than they already have. He said there seems to be a lot more traffic in the area. However, he does agree that there needs to be more things for the people of Vero Beach to do, but he doesn't believe putting a hotel there was the answer.

Ms. Melton O'Haire hoped that that they would move forward. There have been valid concerns brought up tonight and she agreed with the man who talked about the Lagoon and wanting to save it. She wished that Council would pass this tonight and move Vero Beach forward.

Mrs. Brooke Steincamp heard so many great things from everyone. She said this has been an exciting process and a lot of valid points have been made. She wants to make sure that everyone is heard, especially when it comes to recreation and Parks.

Ms. Vicky Gould commented that everyone has made some good comments tonight and there is a lot to consider. They are all good and valid points. She grew up here and said that this large piece of property is big enough for people of all ages to have something to do. She expressed that this is just a conceptual plan. The most important part of it is the community and the community has come forward. She said that growth is going to happen and they can't stop it so they need to make sure that it is done well and they can still have a voice in that.

Mayor Brackett closed the public hearing at 8:10 p.m., with no one else wishing to be heard.

Mayor Brackett thanked everyone for their comments tonight. He said the Steering Committee did a fabulous job and he appreciates the time put in by the Steering Committee members. This is the first time he has heard that government needs to slow down (comment made by someone who spoke tonight). He thinks that he is the only member on Council who was here when they hired DPZ as their consultant. He was not a major fan at the time. Some people talked to him and steered him in the right direction and he is glad that they chose DPZ because at the end they have a good plan for this community. They all have pushed very hard to be transparent and end up with their plan and not someone else's plan. He commended DPZ for that. They reconstituted the Steering Committee because they heard that there needed to be younger people sitting on it so the Council stepped off the Committee and allowed for five (5) new people to sit on it. They all agree that they need green space and recreation. They are working with the School District on the new Park project across from the High School where there will be more outside green space and walking trails. He said they hear that economics is a huge factor, as well as conservation of the Lagoon. The last thing that they want is to have this project be a failure. He heard the person talk about South Beach and he assured her that South Beach was not a part of this project, but he would be happy to talk to her any time. He is thrilled with staff, the Steering Committee and the public who got behind this project and gave their input. He plans on fully supporting the project. He feels that it is good for the City of Vero Beach and Indian River County.

Mr. Cotugno thanked everyone for coming out tonight. He personally thought it was good to have this meeting at 6:00 p.m. He has been a part of this process since the beginning. What he would like to have is a very well defined process by the City Council. The City Council are the custodians of their City and they want to make sure that whatever happens with the Three Corners property is a reflection of their City and what the citizens want. It is Council's responsibility to make sure that this moves forward in a transparent process and no one can say that has not happened. He said this has been going on for over two (2) years and it is time to move this along and the final decision rests with the City Council and then the public gets the final choice.

Mr. McCabe thanked everyone for coming out and expressing their views. He thanked Mr. Cotugno for suggesting to hold this meeting in the evening when there is a lot more people than they have attend in their morning meetings. He gave some of his background and said that he feels the comments made by John Carroll are correct. He does not believe any developer could go in and fix Big Blue up and maintain it on an economic basis. The developer is the real one who will be dominating the whole thing. A 99-year lease is a lifetime. His experience in dealing with developers is once you turn it over to a developer there is limited amount of activity that they can do to constrain them. They could plan on having 200 hotel rooms and 600 rooms are built. He said these two (2) properties were put in the City Charter to be protected in 2007. Putting these pieces of property in the Charter protects them. The referendum passed by 86% to have these pieces of property in the Charter, which means only 13% of the people voted no. He thinks there is a lot of public sentiment for this land and he won't support this.

Vice Mayor Neville commended everyone who participated in the entire process. He said they are only talking about half of the property. They are committed to fulfilling what they said they are going to do. They have all spoken today to have those ideas carried forward and managed in a close way. He brought up a former Mayor and former Sunday School Teacher of his who was Harry Offutt. Mayor Offutt was the Mayor when Big Blue was constructed. He said the City of Vero Beach and the area surrounding them would not look like what it does today without the vision of Mayor Offutt. He wants to dedicate something in that building to Mayor Offutt. He said while the exterior of Big Blue may not be attractive the interior has beauty. He agreed it may have weakness to it, but it would be an incredible showcase. He is 100% in favor of this project and will do everything he can to make it happen.

Mrs. Minuse thanked all the people who have participated in this. She said there are parts of this plan that she is not particularly happy with, but they still need to go forward. She said it is only a concept. They are looking at history here in Vero Beach for the future. It was so nice having youth people attend their meeting tonight. She is looking forward to supporting this and to a good future.

Mayor Brackett mentioned that there were a number of emails that came to the City Council. He said that the Council has received a copy of the emails and they have all been made a part of the record.

Vice Mayor Neville talked about the economics of the project and being revenue neutral. He knows that the taxpayers of this community don't want the City Council coming to them and asking to raise their taxes. Everyone needs to have a vision of this project and they all will win.

Mayor Brackett made a motion to approve the Resolution. Vice Mayor Neville seconded the motion and it passed 4-1 with Mr. Cotugno voting yes, Mr. McCabe no, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

- 2) **A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Public Transportation Grant Agreement with the Florida Department of Transportation for a Project entitled “Rehabilitate Taxiway B (Design) at Vero Beach Regional Airport: (FDOT #425751-1-94-01); Providing for an Effective Date. – Requested by the Airport Director**

*Please Note: This Resolution was heard before item 4B-1).

The City Clerk read the Resolution by title only.

Mr. Falls reported that the Airport has coordinated with the Florida Department of Transportation (FDOT) to receive grant funding to design the rehabilitation of Taxiway B. The project is being funded at 5% by FDOT, 5% by Airport matching funds, and 90% through FAA funds. This cost is included in the Five Year Capital Improvement Program and there will be no General Fund Revenue expended on this project.

Mayor Brackett opened and closed the public hearing at 6:17 p.m., with no one wishing to be heard.

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

5. PUBLIC COMMENT (3-minute time limit)

Mr. Dick Winger was so happy to see the Resolution on the Three Corners project pass tonight. He said that there might be a huge managerial problem going forward. He doesn't know if they will need a project manager to handle the Three Corners project, but expressed that the City does not have the staff to do all the things that have to be resolved. He said they might want to meet to discuss how this is going to be handled.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

B) OLD BUSINESS

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

Public Hearing will be held on February 15, 2022 at 9:00 a.m.

- A) **An Ordinance of the City of Vero Beach, Florida, Amending Article III, “Commissions and Board,” of Chapter 2, Administration of the Code of the City of Vero Beach; Revising Membership of the Airport Commission; Providing for Codification; Providing for the Correction of Scrivener’s**

Errors; Providing for Conflict and Severability; and Providing for an Effective Date. – Requested by Mayor Robbie Brackett

This item was pulled off of the agenda.

Public Hearing will be held on February 15, 2022 at 9:00 a.m.

- B) **An Ordinance of the City of Vero Beach, Florida, Amending Chapter 26, Cemetery, of the Code of the City of Vero Beach; Revising Order of Sales; Revising Burial Lot Restrictions; Amending Monument Standards; Amending Columbarium Restrictions and Regulations; Providing for Codification; Providing for Repeal of Conflicting Ordinances; Providing for Severability; Providing for the Correction of Scrivener’s Errors; and Providing for an Effective Date. – Requested by the Public Work’s Department**

The City Clerk read the Ordinance by title only and announced that the public hearing would be heard on February 15, 2022 at 9:00 a.m.

Public Hearing will be held on February 15, 2022 at 9:00 a.m. and March 1, 2022 at 5:00 p.m.

- C) **An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 62, Article III, Commercial Districts, Chapter 62, Article IV, Industrial District, and Chapter 62, Article VII, Airport Master Plan Land Use Zones, to add Commercial Food Services to the List of Permitted Uses in the C-1, Commercial District, ALI-A1 and ALI-1, Airport Light Industrial Zoning Districts, and M, Industrial District; Amending Chapter 60 (Appendix Definitions) to add a Definition of Commercial Food Service; Providing for Codification; Providing for Conflict and Severability; Providing for Correction of Scrivener’s Errors; and Providing for an Effective Date. – Requested by the Planning and Development Director**

The City Clerk read the Ordinance by title only and announced that the two (2) public hearings on this Ordinance will be heard on February 15, 2022 at 9:00 a.m. and March 1, 2022 at 5:00 p.m.

8. CITY CLERK MATTERS

1) Annual Reports

The annual reports from the Code Enforcement Board, Finance Commission, Planning and Zoning Board, and Utilities Commission were presented to Council.

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

Mr. Falls gave an update on the Chamber Music Society where there will be a filming of two (2) musicians playing at the Big Blue site. There will not be a concert there just a filming of great musicians coming to this City to perform. The performance is scheduled for March 28th. He said that once he gets all the details he will report back to Council.

10. CITY ATTORNEY MATTERS

A) Announcement of Executive Session to take place on February 4, 2022 at 11:00 a.m.

Mr. Turner requested that they conduct a Client/Executive Session to discuss settlement negotiations and/or strategy relating to litigation expenditures with regard to the case of the Town of Indian River Shores v. City of Vero Beach will be heard on Friday, February 4, 2022 at 11:00 a.m. for an approximately one (1) hour. Those in attendance will be the Mayor and City Councilmembers; City Manager, City Attorney, and Outside Counsel, Tom Cloud and Gary Carman and a Court Reporter from Indian River County Court Reporting, LLC.

11. COUNCILMEMBER MATTERS

A. Mayor Brackett's Matters

Mayor Brackett commented on what a good meeting tonight has been and that everything went very smoothly. He said that he was headed back to Tallahassee on February 8th and would be continuing with discussions on matters involving Indian River County.

B. Vice Mayor Neville's Matters

Vice Mayor Neville commented on the emails that he has seen going back and forth regarding Indian River Shores' stormwater and asked if the City was involved with that.

Mr. Falls said that they were not and that matter has been cleared up.

Vice Mayor Neville commented on what a spectacular meeting this has been. He said everyone attending the meeting was very courteous and thoughtful. He admired their City for coming together and doing what they did.

C. Councilmember Minuse's Matters

Mrs. Minuse commented that at the last Treasure Coast Regional Planning Council meeting it was discussed that there is a very difficult supply with coordinating anything with water issues in the State. She said what they have done is they are supporting a statewide coordination of all of their water issues. They will be planning and prioritizing the issues. She said right now there are five (5) Water Management Districts, 10 Regional Planning Councils, and 58 Water & Soil Conservation Districts in six (6) areas and things are not being coordinated. The Treasure Coast Regional Planning Council is taking the lead in an

effort to coordinate this on a State level. She also spoke with Kim Delaney who is employed by the Treasure Coast Regional Planning Council who is working hard with the Federal Railroad Administration (FRA) on safety features with Brightline. She said these different things are expensive, but it is a part of her goal to deal with FRA on this. She said Mrs. Delaney is feeling very optimistic so they are staying in touch.

Mrs. Minuse commented that she attended the retirement party for Lieutenant Pedersen that was held last Friday at the Police Department. He retired with having 26 years with the Police Department. She commented on how much he will be missed and wished him well.

D. Councilmember McCabe's Matters

Mr. McCabe agreed that this was an excellent meeting tonight and contributed it to good leadership.

Mr. McCabe reminded everyone that the Rotary Club Brew Fest was coming up and the Council has been invited to the VIP dinner at the Outlet Mall and he hopes they are available to attend.

E. Councilmember Cotugno's Matters

Mr. Cotugno thanked the citizens who showed up for tonight's meeting and spoke. It reinforces why they all love living in this community. He thanked staff for all the team effort to getting them to where they are today on the Three Corners project.

13. ADJOURNMENT

Tonight's meeting adjourned at 8:47 p.m.

/tb