

**CITY OF VERO BEACH, FLORIDA**  
**SEPTEMBER 6, 2022 5:30 P.M. (after budget hearing has adjourned)**  
**REGULAR CITY COUNCIL MINUTES**  
**CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was given by Pastor Larry Boan of Central Assembly of God.

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

**1. CALL TO ORDER**

**A. Pledge of Allegiance**

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

Mr. John Turner, City Attorney, reported that Mr. Cotugno was attending tonight's meeting via GoToMeeting and is allowed to take part in the discussion at tonight's meeting and will be allowed to vote.

**B. Roll Call**

The City Clerk performed the roll call.

**2. PRELIMINARY MATTERS**

**A. Approval of Minutes**

**1. Regular City Council Minutes – August 2, 2022**

**Mrs. Minuse made a motion to approve the August 2, 2022 regular City Council minutes. Mr. McCabe seconded the motion and it passed unanimously.**

**2. Special Call/Workshop City Council Minutes – August 3, 2022**

**Vice Mayor Neville made a motion to adopt the August 3, 2022 Special Call minutes. Mrs. McCabe seconded the motion and it passed unanimously.**

**3. Special Call City Council Minutes – August 25, 2022**

**Vice Mayor Neville made a motion to adopt the August 25, 2022 Special Call City Council minutes. Mrs. Minuse seconded the motion and it passed unanimously.**

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

Vice Mayor Neville pulled item 3-A off of the consent agenda.

**Mr. McCabe 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) Hunger Action Month – September 2022**

Mr. McCabe read and presented the Proclamation.

**2) Childhood Cancer Awareness Month – September 2022**

Vice Mayor Neville read and presented the Proclamation.

**3) Suicide Prevention Awareness Month – September 2022**

Mrs. Minuse read and presented the Proclamation.

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

**A) License Agreement for Temporary Use of Facilities and Equipment of Vero Beach Police Department Gun Range with City of Sebastian**

Vice Mayor Neville brought up this license agreement for use of the facilities by the City of Sebastian for the gun range. He said that this temporary agreement is one that gets renewed every year and there is no charge to the City of Sebastian. He brought up the costs incurred to upgrade the gun range and the maintenance to keep it that way and wondered if they should consider implementing a charge.

Mr. David Currey, Police Chief, commented that the range has been in existence for many years and the City has never charged any of the other agencies to use it. He said that this is not Sebastian's primary range. Their primary range is in Palm Bay. Sebastian will use the range from time to time, but if it ever comes to the point that he feels they are taking advantage of the City he will bring this back. They work with the different agencies and use each other's resources. He said that they could not put a price on what it would cost if they couldn't count on each other.

Vice Mayor Neville brought up the evidence lab and said that the County charges them to use the lab.

Chief Currey explained that was the crime lab located at Indian River College and the College charges all the agencies for using the lab.

Mayor Brackett understood the Vice Mayor's concern, but said it was great to see these agencies working together.

**Mr. McCabe made a motion to approve the license agreement for temporary use of facilities and equipment at the Vero Beach Police Department Gun Range with the City of Sebastian. Vice Mayor Neville seconded the motion and it passed unanimously.**

- B) FMIT Commercial Insurance (Estimated at \$1,661,344)**
- C) FMIT Health Insurance – (Estimated at \$5,447,568)**
- D) Work Order 3 for AECOM Technical Services to Conduct Terminal Building Rehabilitation (FDOT #449614-1-94-01) (\$140,022.00)**
- E) Water Treatment Plant Generator Replacement Award of Bid 220-22 – Paragon Electric of Vero, Inc.**
- F) Consent to Mortgage of Leasehold Interest regarding four (4) FBO Lease Agreements between the City of Vero Beach and Corporate Air, Inc. for Lots 5,7,8 and 16-21, Lots 22 and 23. North Ramp Parcel 3, and North Ramp Parcel 30**
- G) Biosolids Disposal Agreement Indian River County Solid Waste Disposal District (IRC SWDD) Annual Estimated Expenditure: (\$75,000)**

**Mr. McCabe made a motion to approve the consent agenda with item 3-A) being removed. Vice Mayor Neville seconded the motion and it passed unanimously.**

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

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

- 1) An Ordinance of the City of Vero Beach, Florida, Amending the Land Development Regulations by Amending Chapter 62, Article VII, Airport Master Plan Use Zones, to add Aviation Museum to the list of permitted uses in the ALI-A1 and ALI-1, Airport Light Industrial Zoning Districts; Amending Chapter 60 (Appendix. Definitions) to add a definition of Aviation Museum; Providing for Codification; Providing for Conflict and Severability; Providing for Correction of Scrivener's Errors; and Providing for an Effective Date. – Requested by the Airport**

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning Director, reported that this was the second of two (2) public hearings. This public hearing was required under Florida Statutes to be heard after 5:00 p.m. He gave a full report at the first public hearing, but was available tonight to answer any questions that Council has. He said that staff and the Planning and Zoning Board both approved the passing of this Ordinance.

**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.**

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

**The Clerk polled the Council on 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 5, Coastal Management Element, Goal, Objectives, and Policies; Amending Policy 2.8, Objective 2, Boat Facilities and Boat Ramp Siting and Construction; Providing for Conflict and Severability; Providing for an Effective Date. – Requested by the Planning Director**

The City Clerk read the Ordinance by title only.

Mr. Jeffries reported that tonight they are hearing the second public hearing for adoption by the Council of an amendment to the City's Comprehensive Plan. The Comprehensive Plan text amendment has followed the Expedited State Review Amendment Process. The State Department of Economic Opportunity (DEO) received the proposed amendment on June 22, 2022. The Department had no comments on the proposed text amendment regarding the changes to the Coastal Management Element. The Planning and Zoning Board approved unanimously to amend the Comprehensive Plan.

Mrs. Minuse asked if there is anything that they need to be aware of as far as meeting Florida Department of Environmental Protection 's (FDEP) criteria.

Mr. Jeffries explained that they will mirror FDEP's criteria when they do the land development code.

**Vice Mayor Neville made a motion to approve the Ordinance. Mr. McCabe seconded the motion.**

Mayor Brackett opened and closed the public hearing at 6:15 p.m., with no one wishing to be heard.

**The motion passed 5-0 with Mr. Cotugno voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett**

## **B) RESOLUTIONS**

- 1) **A Resolution of the City Council of the City of Vero Beach, Florida, Establishing a Special Assessment Lien in the amount of \$5,740.00, for a**

**Septic Tank Effluent Pump (STEP) System to serve the real property located at 1526 31<sup>st</sup> Avenue, Vero Beach Indian River County, Florida; Providing for an Effective Date. – Requested by the Applicant**

The City Clerk read the Resolution by title only.

Mr. Monte Falls, City Manager, reported that the passage of this Resolution is to establish a Special Assessment lien for the Septic Tank Effluent Pump (STEP) System.

Mr. McCabe requested at a future meeting that they have an update on the STEP system and how many people are participating. He said that this is the number one issue when it comes to saving the Lagoon.

Vice Mayor Neville explained that there are two (2) parts to the STEP System. He said the first is what the City charges to do the lien and set up the process and then the charge for installing it. He said that this is a burden to some homeowners and he would like to continue working on someday getting grants to help the homeowners who cannot afford to do it. He said there is a need for people to do this, but many are strapped and cannot afford it.

Mayor Brackett opened and closed the public hearing at 6:19 p.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 5-0 with Mr. Cotugno voting yes, Mr. McCabe yes, 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, Establishing a Special Assessment Lien in the amount of \$6,050.00, for a Septic Tank Effluent Pump (STEP) System to serve the real property located at 1436 35<sup>th</sup> Avenue, Vero Beach, Indian River County, Florida; Providing for an Effective Date. – Requested by the Applicant**

The City Clerk read the Resolution by title only.

Mayor Brackett opened and closed the public hearing at 6:20 p.m., with no one wishing to be heard.

Mr. Cotugno wondered if they could put these items (STEP System Special Assessment Liens) on the consent agenda. He was told by staff that was not an option because of the legal notifications that have to take place when someone requires a special assessment lien.

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

- 3) **A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Public Transportation Grant Agreement Amendment with the Florida Department of Transportation for a Project Entitled “Airport Facility Air Condition Replacement” (FDOT #447634-1-94-01); Providing for an Effective Date. – Requested by the Airport**

The City Clerk read the Resolution by title only.

Mr. Falls reported that in November 2020, the City Council approved a grant agreement from the Florida Department of Transportation (FDOT) to replace and upgrade the air conditioning units at the Airport. This project will be funded at 50% by FDOT and 50% by the Airport. The cost to the Airport will be \$300,000.

Mayor Brackett opened and closed the public hearing at 6:23 p.m., with no one wishing to be heard.

**Mr. McCabe made a motion to adopt the Resolution. 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.**

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

None

**6. CITY COUNCIL MATTERS**

**A) NEW BUSINESS**

- 1) **College Game Day in Indian River County – Requested by Mayor Robbie Brackett**

Mr. Peter O’Bryan, Chairman of the Board of County Commissioners, spoke about College Game day. He said to add a little fun to their Board of County Commission meetings, the Board has declared that Tuesday, September 20<sup>th</sup> is “College Game Day” in Indian River County. Commissioners will be wearing team jerseys of their favorite College Team and they are encouraging staff to do the same. They will also be recognizing Vero and Sebastian student athletes that have committed or signed letters of intent. The School District is all in and students at all schools will be encouraged to wear a team shirt or jersey on September 20<sup>th</sup>. He invited the City of Vero Beach to participate and encouraged their staff to participate as well. They will be putting together swag bags for the athletes and encouraged the City to provide something for the bags and welcomed them to do a Proclamation that could be read at the September 20<sup>th</sup> Board of County Commission meeting.

The City Council was in favor doing this.

Chairman O'Bryan hoped that this would become a tradition.

**B) OLD BUSINESS**

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

**8. CITY CLERK MATTERS**

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

**A) Disbursement of JAGC Program Funds**

Mr. Falls explained that because there was not a City Council meeting scheduled between the receipt of the 51% letter and the submission deadline for the JAGC funds, Mayor Brackett signed the 51% letter otherwise the funds would have had to be forfeited. They made the application and were awarded \$12,099.

Captain Matt Monaco explained that they plan to use these funds to start the License Plate Recognition (LPR) program in the City.

Mr. Falls expressed this is a good program and they didn't want to miss the opportunity to bring it forward to Council for their support in pursuing this.

Mr. Cotugno asked if the cameras will be similar to what Indian River Shores has now.

Captain Monaco said that Indian River Shores does have six (6) cameras and he will be meeting with the vendor who installed their cameras.

Mr. Cotugno asked from a law enforcement position, wouldn't they prefer to be able to purchase four (4) cameras instead of just getting one (1) camera.

Captain Monaco said the more the better and of course they would prefer four (4) cameras as opposed to one (1) camera.

Mr. McCabe brought up that mutual assistance with other agencies always makes them stronger.

Vice Mayor Neville noted that the cameras would be purchased for a life cycle instead of having to replace them every year.

Mr. Cotugno commented that in order to purchase four (4) cameras maybe they could use some of the money in the American Rescue Plan (ARP) fund. He said that they have plenty of money in that fund and it can be used for items such as this.

Captain Monaco explained they will be bringing this back to Council when they are ready to spend the money. He said right now this meeting is just to have Council accept the funds.

Mr. McCabe brought up the investment that the City made to read the license plates regarding parking issues they were having on Ocean Drive and 14<sup>th</sup> Avenue and wondered if this would fit into that system.

Captain Monaco said that it possibly could.

It was the consensus of Council to approve the execution of the Mayor signing this letter for the funds.

Mr. Falls said that once the Police Department has come up with a final plan they will bring it back to Council.

## **10. CITY ATTORNEY MATTERS**

### **A) Reminder of Special Call/Executive Session scheduled for September 9, 2022 at 2:00 p.m.**

Mr. Turner reminded Council that they would be holding an Executive Session on Friday, September 9, 2022 at 2:00 p.m., to discuss the case of the Town of Indian River Shores versus the City of Vero Beach. He added to that meeting the other case involving the Town of Indian River Shores versus the City of Vero Beach, which is case number 21-1646 out of the Florida District Court of Appeals. The meeting will convene in the Council Chambers and adjourn for a closed door session, which will last approximately one (1) hour and then the meeting will reopen in the Council Chambers for further discussion if needed. He went over the list of people who will be in attendance at that meeting.

## **11. COUNCILMEMBER MATTERS**

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

Mayor Brackett commented that he has been out of town a lot since their last meeting and is happy to be back in Vero Beach. He reminded everyone that Coffee with the Mayor will be this Friday starting at 8:00 a.m., at the Heritage Center. He invited everyone to attend.

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

#### **1) Mr. Richard Lewis to speak on "Wreaths Across America"**

Mr. Richard Lewis thanked Council for allowing him to speak tonight. He said that most of them know who he is and is familiar with the "Wreaths Across America" program. He said that this will be their fifth consecutive year in doing this. He thanked the Council and staff for everything that they have given towards making this program so successful. Again

this year they will place the wreaths at Memorial Island and at Crestlawn Cemetery. He recalled the first year they did this program it was just in Indian River County and they laid 900 wreaths. Now, they have included the whole County and last year they were able to lay 2,600 wreaths. There are so many organizations who volunteer in helping in doing this. He asked Council to join them again this year and support them in laying all of these wreaths. He asked for permission to be able to lay the wreaths at Crestlawn Cemetery and Memorial Island again this year.

Mayor Brackett said that Council is fine with doing this again this year. He encouraged staff to do whatever is needed in supporting this.

Mr. Lewis stated that the date they will be placing the wreaths will be December 17<sup>th</sup>. They will lay the wreaths at 10:00 a.m. at Crestlawn Cemetery, then at 11:00 a.m. at Memorial Island and then the ceremony will take place at 12:00 p.m. He said that the wreaths are \$15.00 and he encouraged anyone purchasing a wreath to go through his fundraising organization because they receive one (1) wreath free for every two (2) wreaths that are purchased.

Mayor Brackett reiterated that the City of Vero Beach would continue supporting this program any way that they could.

Vice Mayor Neville showed pictures of the new sweet sweeper (pictures on file in the City Clerk's office).

**C. Councilmember Minuse's Matters**

**D. Councilmember McCabe's Matters**

**E. Councilmember Cotugno's Matters**

### **13. ADJOURNMENT**

Tonight's meeting adjourned at 6:50 p.m.

/tb