

**CITY OF VERO BEACH, FLORIDA
SEPTEMBER 21, 2021 6:00 P.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

The invocation was be given by Pastor Brian Bennett of Pathway Church.

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.

B. Roll Call

Mayor Robbie Brackett, present; Vice Mayor Rey Neville, present; Councilmember Honey Minuse, present; Councilmember Bob McCabe, present and Councilmember Richard Winger, present **Also Present:** Monte Falls, City Manager; John Turner, City Attorney, and Sherri Philo, Deputy City Clerk

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – September 7, 2021

Mrs. Minuse made a motion to approve the minutes of the September 7, 2021 regular City Council meeting. Mr. McCabe seconded the motion and it passed unanimously.

2. Special Call City Council Minutes – August 30, 2021

Mr. McCabe made a motion to approve the minutes of the August 30, 2021 Special Call City Council meeting. Mrs. Minuse seconded the motion and it passed unanimously.

3. Special Call City Council Minutes – September 7, 2021

Vice Mayor Neville made a motion to approve the minutes of the September 7, 2021 Special Call City Council meeting. Mrs. Minuse seconded the motion and it passed unanimously.

4. City Council/County Commission Joint Minutes – September 8, 2021

Mr. McCabe made a motion to approve the minutes of the September 8, 2021 Joint City Council / County Commission meeting. Vice Mayor Neville seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Ms. Sherri Philo, Deputy City Clerk, requested that Council add under City Attorney's Matters, "Panhandling Ordinance."

Mr. John Turner, City Attorney, withdrew the request. He said that he would be placing it on next month's City Council agenda.

Mr. McCabe made a motion to adopt the agenda. Mrs. Minuse seconded the motion and it passed unanimously.

B. Proclamations and recognitions by Council.

1) 2-1-1 Helpline for Celebration 50 Years of Service

Mr. McCabe read and presented the Proclamation.

3. CONSENT AGENDA (include amount of expense)

- A) Acceptance of JAGC Program Funds (\$10,206.00)**
- B) Ranger Final Payment for Contract 67-2020 (\$271,309.30)**
- C) Approval of Auditing Services Engagement with Cherry Bekaert (\$72,100)**
- D) AECOM Final Invoice for EC-3-2016 Work Order 4 (\$23,861,038)**
- E) FMIT Commercial Insurance (Estimated at \$1,468,038)**
- F) American Rescue Plan Act Services Agreement with Government Services Group (GSG) (\$150,000)**

Mr. Monte Falls, City Manager, noted that there is a typo in the amount listed under item 3-D). He said the amount is actually \$23,861.86.

Mr. McCabe made a motion to approve the consent agenda. Mrs. Minuse 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 X, Downtown District, to Add Craft Distilleries to the List of Permitted uses with Use Conditions in the DTW, Downtown Zoning Districts; Providing for Codification; Providing for Conflict and Severability; Providing for**

Correction of Scrivener’s Errors; and Providing for an Effective Date. – Requested by the Applicant

The Deputy City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning and Development Director, reported that this is the second hearing on this Ordinance. He said this is a request to add craft distilleries to the Downtown Zoning District. This use is currently not allowed in the Downtown Zoning District.

Mayor Brackett opened and closed the public hearing at 6:00 p.m., with no one wishing to be heard.

Mrs. Minuse made a motion to approve the Ordinance. Vice Mayor Neville seconded the motion and it passed 5-0 with Mr. Winger 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 Section 2-102 in Article III, “Commissions and Boards,” of Chapter 2, “Administration,” of the Code of the City of Vero Beach, Revising Duties of the Utilities Commission; Providing for Codification; Providing for Conflict and Severability; Providing for Conflict and Severability; Providing for the Correction of Scrivener’s Errors; and Providing for an Effective Date – Requested by the City Council**

The Deputy City Clerk read the Ordinance by title only.

Mayor Brackett opened and closed the public hearing at 6:12 p.m., with no one wishing to be heard.

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

B) RESOLUTIONS

- 1) **A Resolution of the City Council of the City of Vero Beach, Florida, Authorizing the City to enter into a Public Transportation Grant Agreement with the Florida Department of Transportation for a Project entitled “Redevelop Commercial Park Phase I” (FDOT #448085-1-94-01);” Providing for an Effective Date.**

The Deputy City Clerk read the Resolution by title only.

Mr. Falls reported that this Resolution is to approve acceptance of a grant from the Florida Department of Transportation (FDOT) in the amount of \$250,000. The City has the matching amount of \$250,000 included in this year’s budget. This will allow the City to

make parcels at the Airport a core commercial area, which is located between the Terminal to the south in the area where Walking Tree is located, which will enhance the area to make it more leasable.

Mayor Brackett opened and closed the public hearing at 6:14 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. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

5. PUBLIC COMMENT (3-minute time limit)

Mrs. Linda Hillman asked Mr. Falls for an update on the Route 60 project, as far as traffic calming and speed reductions go.

Mr. Falls said staff has had two (2) meetings with FDOT where they have developed some parameters to give the City some things that could be done in the Route 60 corridor. He said what they discussed with FDOT was keeping the same number of lanes in each direction except in the west bound section where there are four (4) lanes and the northernmost lane would be a continuous right turn lane. He said FDOT would also be looking at the speed in the corridor to see if they could reduce the speed limit through the core of the Downtown area. He said that staff also asked FDOT to look at a few midblock pedestrian crossings, specifically in front of the street to the west of American Icon Brewery.

Mr. Ken Daige said there is a road near the Downtown Post Office, which is called Don Smith's Road, and while he was walking through the area he saw a stormwater drain that has a large hole in the side where people walk on the sidewalk. He said the rebar is showing through and it needs to be repaired.

Mayor Brackett closed public comments at 6:17 p.m., with no one else wishing to be heard.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

None

B) OLD BUSINESS

None

7. PUBLIC NOTICE ITEMS FOR FUTURE PUBLIC HEARING

None

8. CITY CLERK MATTERS

A) Charter Review Commission Recommendations – Chairman Nancy Cook

Mayor Brackett suggested that they wait to vote on the Charter Review Commission's recommendations until the second meeting of October so they have time to get the public's input and to give them time to think about them. The Councilmembers agreed.

Mrs. Nancy Cook, Chairman of the Charter Review Commission, briefly went over the Charter Review Commission's recommendations with the City Council (on file in the City Clerk's office).

B) Appointments to Commission/Boards

The Councilmembers handed to the Deputy City Clerk their choice for appointments to the Commissions/Boards (on file in the City Clerk's office).

The City Council took a break at 6:27 p.m. while the City Manager and City Attorney tallied the votes.

The meeting reconvened at 6:36 p.m.

Mr. Falls reported that there was a tie in the Recreation Commission and the Veteran's Memorial Island Sanctuary Committee choices. The three (3) applicants for the Recreation Commission that the City Council would need to revote for were Rick Gillespie, Brooke Malone, and James Rock Tonkel. The two (2) applicants for the Veterans Memorial Island Sanctuary Committee were Carolyn Lange and Barbara Fallon.

At this time, the City Council wrote down their choice for each Commission.

Mr. Falls reported that there is another tie in the Recreation Commission. He said the City Council would be choosing either Rick Gillespie or James Rock Tonkel.

At this time, the City Council wrote down their choice for the Recreation Commission.

Mr. Falls reported that the members chosen to serve on the Commission/Boards are as follows:

Airport Commission: Carole Jean Jordan, Buck Vocelle, Skip Wood, Arthur Hodge, and Carlos Halcomb

Historic Preservation Commission: Jessica Francis, Melinda Murphy, Debbie Avery, Diane Miller, and John Roberts

Marine Commission: Brian Cunningham, Keith Drewett, William “Bill” Johnson, Ben Trautman, and Clinton Lanier

Recreation Commission: Chris Woodruff, Brooke Steinkamp, Leonard Markir, Rick Gillespie and Sam Lapeyre

Veterans Memorial Island Sanctuary Advisory Committee: John Michael Matthews, Melissa Arndt, Carolyn Lange, Curtis Paulisin, and Michelle Dale

Finance Commission: Ms. Gretchen Hanson and Mr. Jay Kramer were chosen to serve as alternate members.

Utilities Commission: Mr. JT Mooney was chosen to serve as a member at large.

Mr. Neville thanked all the applicants who brought their names forward to help the City be better and stronger. He said they appreciate their work they do for the City.

C) Lien Reduction Request – 2201 Bonita Avenue

Mr. Falls reported that this item is for a lien reduction request regarding the property at 2201 Bonita Avenue. This has gone through the Code Enforcement process, there was a lien assessed, and the applicant is requesting a reduction. He reported that there was a porch landing deck installed outside the front door for easy walker and wheelchair access. He said the lien currently stands at \$55,962.

Captain Matt Monaco reported that this is a lien reduction request on behalf of Lulich Attorney’s and Consultants on behalf of their client, Ms. Mary Boozer for 2201 Bonita Avenue. He then went over the facts of this case with the City Council (on file in the City Clerk’s office). He said it is the recommendation of the Police Chief and the Police Department that the fine be in the amount of \$55,850.00, in addition to the recording fees be assessed based on the time that Code Enforcement Officer Melody Sanderson spent on the investigation.

Mr. Winger asked has this house been sold or is it on the market to be sold.

Captain Monaco said it is listed for sale. He did not know if it was under contract.

Mr. Winger questioned so the sale couldn’t be closed until the lien is closed out.

Captain Monaco said that is correct.

Mr. Jordan Lulich, Real Estate Attorney, introduced to the City Council Ms. Robin Raiff, Real Estate Agent for the property owner, Ms. Mary Boozer, property owner, Ms. Candace Kennedy, of Real Estate Agent for the potential buyers of the property, and Mr. Bill Snyder and Mrs. Catherine Snyder, potential buyers. He said they heard the factual circumstances from the Captain of the Police Department. He said there was a lot more background to

the story. He said they appeared before the Code Enforcement Board 30 to 40 days ago and gave a similar presentation that they would be giving to the City Council tonight, which are the factual circumstances that surround Ms. Boozer. He reported that Ms. Boozer suffered a stroke in 2016. Since then she has dealt with a tremendous amount of health issues, which caused her to be immobile and to have extreme memory loss. It also caused her to rely on others because her life was no longer the same. It got to the point where she was unable to maintain employment because of her health issues. He said it was mentioned in Captain Monaco's report that Ms. Boozer was an elderly woman, however Ms. Boozer was 36 years old when she had her stroke. He said in no way were they stating that ignorance of the law was their defense. That is not the claim that they are making. He said the reason the platform was built was to allow easier access. Prior to the platform there was one (1) cement block, which made it difficult for her to exit her home. In order to make it easier for her, she hired someone to install the deck and unbenounced to her they did not follow the procedures in obtaining a permit. He said the period in time when the notice and violation occurred was when Ms. Boozer was at her worst. He said that she vaguely remembers a notice being sent and she was unaware of the severity of the notice. What she did do when she received the notice was ask a family member to try to take care of it. That family member went to the City, completed some paperwork, and thought the issue was resolved. Ms. Boozer found out year's later that the issue was not resolved. He then asked Ms. Raiff to speak.

Ms. Robin Raiff, Realtor, said that she met Ms. Boozer when she worked with her in 2015. Ms. Boozer was the Front Desk Administrative Clerk for the real estate office and she was very detailed. Ms. Boozer was laid off in early 2016 and about a month and a half later she had a stroke. She said the stroke affected her physically and mentally, she does not have full use of her left arm or left leg, and she is on disability. She reported that Ms. Boozer contacted her in May, 2021 about putting her house on the market. She said that if Ms. Boozer had known about the lien she would have brought it to her attention. She said they didn't know about the lien until the house went under contract and it was found during the title search. She said that she knew Ms. Boozer before her stroke and she knows her now and she does not believe that this was intentional.

Mr. Lulich said the property is for sale and they do have the purchasers present, but the true reason they are making this request is because Ms. Boozer needs the money for her health issues. He said that she had to move away from Vero Beach in order to be closer to her family so they could help her. He said as far as her health issues, the matter got so severe that her car was repossessed because she didn't remember to make her car payments. He said in normal circumstances that may not be an excuse, but they are present today to appeal to the City Council to have a sense of sympathy for her circumstances. He asked that the City Council also consider the intentions of the purchasers.

Ms. Candace Kennedy, Realtor representing the buyers, said the buyers are an exception to the rule right now when it comes to buyers. She explained that currently the bulk of their buyers right now are either investors looking to pay cash and rent it or to flip it and sell it for more or they are buyers looking for something that is move in ready. That is not what these buyers want. They are taking on this property because they see the value in

McAnsh Park and they want to see what this property could be with some remodeling and some preservation. They are not looking to flip or rent the home. She said they are actually taking the time to improve the property prior to moving in.

Mr. Bill Snyder, potential buyer, said they are in escrow for the property at 2201 Bonita Avenue. He said that they love the City of Vero Beach and they love McAnsh Park. Since they have been in escrow for the property they have received estimates for a new roof, hurricane windows and landscaping. They have been taking care of the swimming pool, which cost them a couple thousand dollars. He said they really want to move in and would appreciate the City Council being fair with the seller and do the best they can for her. He said they are going to move into the home and improve the area. It is a win/win for everyone. After receiving the permit for demolition they will take out the patio that has caused all these problems.

Mr. Lulich said they appreciate the City's time in hearing this matter. He said in the minutes of the Code Enforcement Board meeting, there was a recommendation to reduce the fine to \$50. The City Attorney spoke up at that time and suggested that a dollar amount not be specified in the Board's recommendation so the Board amended the recommendation for the City Council to mitigate the total fine that had been assessed.

Mayor Brackett asked Mr. Lulich if he had a recommendation.

Mr. Lulich asked that they reduce the fine to \$50.

Mr. Winger said the request states that Ms. Boozer hired someone to build a small landing deck outside her front door to make it easier to get her wheelchair or walker out to the driveway and then further down it states that no ramp was installed to the deck to make it wheelchair accessible.

Captain Monaco said that he and the Police Chief went to the property and there was a flat deck that did not have any type of a ramp. It seemed to him that it would be more difficult for a wheelchair.

Mr. Winger asked how high is the deck.

Captain Monaco said it is level to the ground and the boards are in disrepair.

Mrs. Minuse asked how large is the deck.

Captain Monaco said about 6 x 12 feet.

Mrs. Minuse questioned for wheelchair access.

Mr. Lulich said it was a platform to put a wheelchair or walker on.

Mayor Brackett questioned so it was originally concrete steps and they removed the steps and put in the deck. He was told that was correct.

Mrs. Minuse asked how was the person hired that did the work.

Mr. Lulich said that Ms. Boozer found them online. He also wanted to point out that the case report that was written states that this case came before the Code Enforcement Board and Ms. Boozer was not present. He said that she was present and the record will reflect that. He said that she was introduced and sworn in during that meeting. Once she was aware of this issue she has tried to act promptly in trying to get this resolved.

Mr. Turner said they did not indicate in their backup material that there was a pending contract. He asked how much is the sales contract.

Mr. Lulich said the Code of Ethics for Realtors would discourage disclosure of the price to the public prior to closing. He said that would be confidential information that could possibly jeopardize other surrounding sales in that neighborhood.

Mrs. Minuse asked did Ms. Boozer live alone.

Ms. Mary Boozer, property owner, said that her daughter has lived with her since her stroke.

Mrs. Minuse asked what is the elevation from the front door to the deck.

Ms. Boozer said it is very low. It is not a ramp. She said it is a very small step with a cane and or a walker.

Mr. Lulich noted that the platform was not for enjoyment. There are no chairs on it to sit outside. It is solely for the purpose of entering and exiting the property.

Mrs. Minuse asked was the person doing the work local.

Ms. Boozer answered yes.

Vice Mayor Neville asked is he correct that a certified document is sent when the City applies a lien.

Mr. Turner said they received all the proper notifications by law.

Vice Mayor Neville asked if he was correct that there was no dispute in the notices.

Mr. Lulich said they are not disputing the violation or the notice.

Mr. Winger said that he could go with some kind of a reduction, but not \$50.

Vice Mayor Neville said the recommendation of staff was for the full amount and it was stated that the Board wanted the City Council to make a recommendation as opposed to a recommendation from the Code Enforcement Board.

Mayor Brackett read from the minutes of the Code Enforcement Board meeting, "*Mr. McDonald said that he did not have a problem with reducing the penalty to \$50.*" He said it was then recommended that he not give an amount. He then read from the minutes the motion that was made, "*Mr. Price moved that the Board finds the property in compliance as of June 22, 2021, to pay the accrued continuing penalties and costs, and to make a recommendation to the City Council to consider mitigating this case as they see fit.*" He said \$50 was recommended by two (2) Code Enforcement Board members, but it was advised by Mr. Turner not to put in an amount.

Mrs. Minuse said they have an exceptional Code Enforcement Board. She said they are very compassionate and they follow the law. She said that she has absolute respect for their decisions.

Mayor Brackett opened and closed public comment at 7:08 p.m., with no one wishing to be heard.

Mayor Brackett questioned the actual costs for man hours put into this case.

Mr. Winger felt that they should at least recover the City's costs.

Mayor Brackett said that he could see the costs of recording liens, etc., but questioned the man hours.

Ms. Melody Sanderson, Code Enforcement Officer, stated that there was a monthly follow up from the time it went before the Code Enforcement Board to the time the property came into compliance.

Mayor Brackett questioned was it an hour per month, two (2) hours per month, etc. He said that he does not have any idea.

Ms. Sanderson said 15-minutes to 30-minutes.

Mr. Lulich said another aspect is driving around and checking on other properties as well. He didn't think that it would involve just one (1) trip to this property.

Vice Mayor Neville said there is site time, travel time, documentation time, etc. He suggested something like \$100 per visit, which would be 36-months would amount to \$3,600.

Mr. Winger said \$5,000 would be reasonable.

Vice Mayor Neville said if they want to put it into a logical structure then they would question the amount of the visit and the amount of effort that takes place and do the math. He felt that \$3,600 sounded about right.

Mayor Brackett asked is that in the form of a motion.

Vice Mayor Neville so moved that \$3,600 would be the mitigated amount for this situation. Mr. Winger seconded the motion.

Mrs. Minuse said that she is having a very hard time in that this may set a precedent. She feels very compassionate for her, but she does not want this to set any kind of a precedent.

Vice Mayor Neville said they have done this before.

Mr. Falls thought the reason staff brought this before the City Council with the full amount was that the Code Enforcement Board clearly wanted the City Council to make a decision based on the circumstances of the case. He noted that each case has their own circumstances.

Mrs. Minuse asked is the amount of \$3,600 the total including all the fees.

Vice Mayor Neville said that is the total amount due.

On a roll call vote, the motion passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

D) Lien Reduction Request – 1735 24th Avenue

Captain Monaco reported that this is a lien reduction request on behalf of Justin and Ana Swink for 1735 24th Avenue. He then went over the facts of this case with the City Council (on file in the City Clerk's office). He said it is the recommendation of the Police Chief and the Police Department that they pay the recording fees and penalties for an amount of \$712 (reducing the continued penalties from \$5,950 to \$712).

Mr. Justin Swink, violator, said that he did his best to get everything completed as quickly as possible, but things are very busy and manpower is hard to find.

Mayor Brackett asked was there a recommendation by the Code Enforcement Board.

Mr. Swink said the Code Enforcement Board recommended 12 days times \$50 per day plus costs.

Mayor Brackett said so the Code Enforcement Board recommended \$712.

Mayor Brackett opened and closed public comment at 7:16 p.m., with no one else wishing to be heard.

Mrs. Minuse made a motion to accept the recommendation (\$712.00). Mr. McCabe seconded the motion and it passed 5-0 with Mr. Winger voting yes, Mr. McCabe yes, Mrs. Minuse yes, Vice Mayor Neville yes, and Mayor Brackett yes.

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

A) Chapter 164 Presentation

Mr. Falls and Mr. Turner gave a Power Point presentation on Chapter 164 of the Florida Statutes (on file in the City Clerk's office).

Mr. Turner said in the end what staff is going to request is that both parties execute a Resolution passed and adopted by the Council and the Board of County Commissioners recognizing that the 1989 Territorial Agreement is permanent.

Vice Mayor Neville said Section 153 of the Florida Statutes delineates the fact that you can't intrude on someone else's service territory without an agreement. He said that was established in 1955 or 1956 and it has withstood numerous attacks over the years and it has not been changed since it was first authored. He said it is good law and it has been supported by the Courts. He said prima facie evidence is our territory is our territory and their (Indian River County) territory is their territory and if they want to change it they can negotiate it between the two (2) of them.

Mr. Falls said the law referenced was in 1955, which predated the 1989 Agreement. He said the 1989 Agreement clearly used the things set out in Section 153 to draft the language.

Mr. McCabe asked is the 1989 Territorial Agreement consistent with the Florida Statutes.

Mr. Turner answered yes. He said Florida Law in this area has been in existence for decades and recognizes such territorial agreements. He said they need to keep in mind that the City's goal is to move the Water Treatment Plant off of the Lagoon as soon as possible.

Mayor Brackett said this Council has made a decision to do that. He wanted to reassure staff and the public that they have delayed nothing. They still have about 15-16 months of design work. He said they will continue this march. He said until this Council changes that, which they have not discussed, they are marching ahead.

Vice Mayor Neville said State law is going to compel the City of Vero Beach to do something with the existing Plant, which is going to cost about \$30 million or \$40 million if they leave the Plant where it is or they can proceed with the current plan. He said it is imperative that they move the Plant off the Lagoon. What he doesn't understand is that the City is not being cheered on to build the incredible new Waste Water Facility. He said that he is surprised that they are not being cheered on and encouraged to go faster. The longer they wait the longer the Lagoon is being damaged.

Mayor Brackett said the City did receive a number of letters in support of this.

Mr. Winger said everyone in the County should want this Plant if they want to save the Lagoon.

Mr. Falls noted that their presentation materials are listed on the City's website in its entirety.

10. CITY ATTORNEY MATTERS

None

11. COUNCILMEMBER MATTERS

A. Mayor Brackett's Matters

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

Mayor Brackett and Mr. Falls reported that the number of COVID Delta variant cases in the State of Florida have dropped to about half of what they were three (3) weeks ago.

B. Vice Mayor Neville's Matters

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

Vice Mayor Neville said that he had the opportunity to meet the Judge who holds a Veterans Court that she hosts twice a month. He explained that this is in lieu of incarceration and between the Court, the community, and the Veterans Administration, they are helping these men who have serious issues work their way through them.

Vice Mayor Neville said that he has letters of support from Senator Debbie Mayfield and Representative Grall in the City's effort to get the new Waste Water Facility completed.

Mr. Falls said that staff would be sending them a thank you letter.

C. Councilmember Winger's Matters

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

1) Mr. Mike Johannsen to speak on the support for the City's projects and priorities to bring the City into compliance with SB 712.

Mr. Mike Johannsen said this is a special Council. He said it is possible to construct a Council that spends their entire existence in lateral motion and this Council moves forward. He said the citizens really appreciate that. They have maintained their focus and the focus is on getting the Plant built. He said the City is taking the high road in this conflict and he

thinks the citizens appreciate it. He said Senate Bill 712 takes on the water bottling industry because they are taking water from our springs and exporting it. He said people are starting to become sensitive about this. He then read a letter signed by himself as Chairman of the Indian River Neighborhood Association and by Mr. Paul Fafeita, President of the Indian River County Clean Water Coalition to confirm their support for the new Waste Water Facility. He then referred to the STEP System. He said they would like to have this speeded up and they are going to work with staff to see if they can find a way to do this.

D. Councilmember Minuse's Matters

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

Mrs. Minuse reported that she addressed the Legislative Delegation on September 8, 2021, regarding House Bill 403, which requires the City to amend their Comprehensive Land Use Plan to allow retail businesses to operate in a single-family residential neighborhood. She reported that Senator Mayfield said it would be very difficult to repeal the Bill. Mrs. Minuse said that she suggested that they amend it for a time certain to delay implementation. She hoped that they could go back and protect their neighborhoods, which is homerule.

E. Councilmember McCabe's Matters

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

Mr. McCabe reported that they had a very successful Pirate and Caribbean Festival this past weekend.

13. ADJOURNMENT

Tonight's meeting adjourned at 8:17 p.m.

/sp