

**CITY OF VERO BEACH, FLORIDA
OCTOBER 4, 2022 9:00 A.M.
REGULAR CITY COUNCIL MINUTES
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

Pastor Dr. Brian Bennett of Pathway Church gave the invocation.

PRESENT: Robbie Brackett, Mayor; Rey Neville, Vice Mayor; Honey Minuse, Councilmember; Bob McCabe, Councilmember and John Cotugno, Councilmember **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.

B. Roll Call

The City Clerk performed the roll call.

2. PRELIMINARY MATTERS

A. Approval of Minutes

1. Regular City Council Minutes – September 20, 2022

Mr. McCabe made a motion to adopt the September 20, 2022 minutes. Mr. Cotugno seconded the motion and it passed unanimously.

2. Special Call City Council Minutes –September 20, 2022

Mr. McCabe made a motion to adopt the September 20, 2022 Special Call meeting minutes. Mrs. Minuse seconded the motion and it passed unanimously.

A. Agenda Additions, Deletions, and Adoption.

Mr. Monte Falls, City Manager, requested that items 9-A) and 9-B) be moved up and heard after the consent agenda items have been adopted.

Mr. McCabe made a motion to move items 9-A) and 9-B) up on the agenda and heard after the consent agenda. Mrs. Minuse seconded the motion and it passed unanimously.

B. Proclamations and recognitions by Council.

1) Harbormaster Appreciation Day – October 8, 2022

Vice Mayor Neville read and presented the Proclamation.

2) Recognition of Vero Beach Police Officers

Mayor Brackett recognized the Vero Beach Police Officers for their heroic efforts in saving a life.

3. CONSENT AGENDA (include amount of expense)

A) Commercial Lease Agreement between City of Vero Beach and Property Life, LLC

B) Recommendation of Award, Professional Continuing Services Contract

C) Ratification of the 2022-2023 Teamster Blue Collar and Team CT Wage Reopener

D) Ratification of the 2022-2023 IUPA Rank & File Wage Reopener

E) Ratification of the 2022-2023 IUPA Lieutenants Wage Reopener

Mrs. Minuse commented that in regards to items 3-C), 3-D), and 3-E), she recognized and thanked everyone for the hard work that was done to come up with these contracts. She thanked the City Council for including this money in the budget and commented that by having these employees employed in the City of Vero Beach is what makes this City so special.

Vice Mayor Neville made a motion to adopt the consent agenda. Mrs. Minuse seconded the motion and it passed unanimously.

*At this time items 9-A) and 9-B) were heard.

4. PUBLIC HEARINGS

A) ORDINANCES

1) An Ordinance of the City of Vero Beach, Florida, Amending the Comprehensive Plan Future Land Use Designation from RL, Residential Low (up to 6 units/acre) to RM, Residential Medium (up to 10 units/acre) for property located at 705 Azalea Lane, containing 0.27 acres more or less; Providing for an Effective Date. - Requested by the Applicant

The City Clerk read the Ordinance by title only.

Mr. Jason Jeffries, Planning Director, reported that the City received a letter from Mr. Barry Segal, Attorney representing the applicant in this case, requesting that this matter be pulled from the agenda (letter attached to original minutes).

Mr. John Turner, City Attorney, explained that once notice has been given on the matter that is set for public hearing there is a procedure that must be followed according to their Code. That process is totally within Council's discretion and can only be granted based upon good cause. He said Council will be asked to consider this and vote on it and then they will need to have public input on the proposed requested matter in order to defer this case. It is a procedure allowed under their Code for public hearings once notice has been given. Additionally, in receiving such a request the City Council may grant the request for good cause. They may proceed to hold the hearing and act on the application. However, if City Council grants the request for deferral a new hearing date must be set today.

Mr. Barry Segal, Attorney representing Dale Sorenson, appreciated Council taking the time to listen to this request. He understands that Council is aware of the issue that they have today. He said that there are two (2) things that would merit good cause in pulling this item from the agenda today. The project that is going forward with neighborhood participation can give a better product for the City Council to vote on. There are certain things in this project that make it an excellent community asset, but the City Council itself cannot impose them. They can vote to approve the change to land use designation or they can deny it. He would like to have a neighborhood meeting with the neighbors. They understand that the neighbors do not want this change. They think that they have a good product here that is an excellent asset for the community and especially for the neighbors. They understand that the neighbors biggest concerns are creep of POI up the street. That is a concern for his client. His client is heavily invested in real estate and they sell real estate for one good reason and that is because what is here in Vero Beach. They have no interest in disturbing what is working in this community. The byproduct of the first time that this matter was heard and passed by the City Council was that the City Council also directed the Planning staff to come up with increased regulations regarding POI development and preventing the exact type of creep that the neighbors are concerned with. He had hoped that those regulations would have been heard between then and now, which has been two (2) years. If those matters can be heard and City Council can act on them it would be an additional layer of protection that they don't have an issue of POI creep coming to this community. In speaking with the City Council individually, it is clear that they think a neighborhood meeting is important, like what they did with the Marina community. They are respectful of the commitment that the neighbors have made to be at this meeting today. He agrees that he could have done a better job in reaching out to them sooner and they could have reached out to him also. He knows that Council will hear the neighbor's objections, complaining that they have changed their lives to be here today to have their voices heard and want to have the case heard today. He reiterated that this is a good project and something that could be better for the community. They are just asking that the matter be tabled today and a new date set and allow for the neighborhood meeting and give Council time to review the new POI regulations.

Mr. Jeffries reported that this is a rehearing for a future land use map amendment that was heard back in 2019 and at the time when Council approved it 3-2 there were two (2) things at the time that Council directed the Planning Department to do. They were to put additional policies in the Comprehensive Plan to deal with the transitional uses at the corridor of Beachland and the single family residential low central beach neighborhood north and south. The first item was a transitional amendment with some additional policies that would deal with transitional use and limit the commercial creep down A1A. The draft was put together and put before the Planning and Zoning Board as requested and the Planning and Zoning Board tabled it. That issue still needs to be dealt with, with some input from the neighborhood. The second item is an Ordinance making revisions to their POI rezoning. The changes were to put additional standards in that zoning district dealing with buffering and parking lots in relations to single family homes directly adjacent to single family uses. That item was not even discussed by the Planning and Zoning Board. He said that they immediately tabled it.

Mrs. Minuse commented that the application was made prior to any change that they may see and asked if there would be an opportunity for this to be grandfathered in because the application came before any changes were made.

Mr. Turner stated that the application is being considered under any prior rules or provisions of the Code.

Mrs. Minuse understood that the only way that it would be grandfathered in is if it passes.

Mr. Turner said that is correct.

Mayor Brackett asked the Council if they wanted to grant this continuance or not.

Vice Mayor Neville stated that a request was made by the applicant to have this hearing and for unknown reasons now they have requested Council not to hear it. He said a lot of people have interrupted their lives in order to be able to be here today to comment on the intentions of the applicant. He asked Mr. Segal to explain why they have decided to defer the case.

Mr. Segal explained that Council needs to have in place all the protections that can be shown to them to make this like the Northern Trust property. If they were able to have the neighborhood meeting and have the benefits of the additional POI restrictions in place then Council can make a full decision based on having the legal foundation that the applicant will do what they say they are going to do.

Vice Mayor Neville commented before the applicant made this application they could have reached out to the neighborhood and then brought it to Council. He doesn't know why that did not occur and now they are asking to defer this.

Mr. Segal explained they did reach out to some of the neighbors and most of the neighbors are familiar with this because of the hearing that took place in 2019. He agrees they could

have been more proactive and at the same time he doesn't think it is such an undue burden to table it this one time and have it go before the neighborhood. Also, allow the POI restrictions to be changed to give Council the best ability to put forth the best product for the community.

Mr. McCabe said that they could have the hearing today and have the public meetings afterwards.

Mr. Segal explained if they were to allow the change to the residential medium they would still have to go back to the Planning and Zoning Board, but Council still does not have the legal mechanism to force them to do what they want to do with the property to protect the neighborhood. He apologizes for the inconvenience.

Mrs. Minuse stated that this matter is not going to go away. These are neighbors who are active in protecting their community. They are living with worry, fear, and anxiety about what might happen with that property and also on the other side of the coin there is the property owner who wants to be responsible and showing that they want to be good neighbors and reach out. This needs to come together and made possible. She understands that they could ask that this be withdrawn, but with a condition.

Mr. Turner stated that they could grant the request with good cause and the basis would be that the Planning and Zoning Board be directed to review the items on the table and consider them and make recommendations to City Council. The Council could consider those two (2) Ordinances and the one before them today and hear them at a date certain.

Mr. McCabe said as a point of clarification they could have the public hearing today and take the action he is talking about after that.

Mr. Turner would not recommend that they do that. The reason is because their Code does not allow that type of discretion.

Mr. McCabe felt that was too bad because he would like to hear all of the discussion at a public hearing and have the flexibility of moving forward to suggest to the applicant and the residents that they try to talk it out a little more.

Mayor Brackett commented that he was the only Councilmember on Council when this was first brought up. It went through a process and the decision made by Council was overturned on an advertising issue (technicality). Since then there have been two (2) more elections and Council has changed and it will change again in about five (5) weeks. He agreed that this issue was not going to go away. He would love to see the group come together and reach some type of resolution. He likes to see things resolved, which requires some give and take from both parties. If they denied this today then this will be brought back again when there is a new Council, which is the property owners right to do, but he would like to see this resolved. He doesn't like to keep kicking the can down the road, but felt the only way to solve this was to see if they could put both sides together to come up

with some sort of agreement. He said if this comes back again he will not be sitting as a Councilmember. He just would like to see it get resolved once and for all.

Vice Mayor Neville agreed with the Mayor. He said the problem is this is either going to be a parking lot or residential property. He doesn't see how they could decorate it in such a way that it is not going to be a parking lot. He is sympathetic to the many people in the audience who feel like their neighborhood is important to them. Even after having a neighborhood meeting and talking it out this will still be a parking lot. He doesn't see how it will be any different. He wanted to hear the case.

Mr. Cotugno noted that a lot of people have shown up for this meeting today and he is inclined to let people speak their minds in an open forum. He felt what they have here is a process issue and the reality is there are issues with their Code because it has been around for so long. The Code allows things to happen that forces the Planning and Zoning Board to make decisions that they are probably not comfortable with. He said with something like this, dialogue needs to take place amongst the parties and for some reason it has not. He felt they should hear the comments from the neighborhood and find out what their feelings are.

Vice Mayor Neville explained that they do have a policy and the policy is when it comes to rezoning areas the City Council has the authority to change it or not change it. What they are talking about is changing a policy that would define buffer zones. He said what that means is these areas that are close to Beachland Boulevard and A1A would be considered viable for POI use. He is not excited about that idea at all. He brought up that the house in question is east of A1A and they market east of A1A like crazy because there is a real value in that property, notwithstanding the fact that it is on the corner. It is a house that was built in 1960 with not many improvements made to it. He thought if someone wanted to own it as a residence they would have a nice home and he hated having this property turned into a parking lot. He received a call from someone who suggested that the big parking lot just to the west is never full and not a far walk to park there and walk across the street and go into the building in question. The building itself was a bank building and at that time a lot of parking was required and the parking lots are enormous.

Mr. McCabe asked if the Ordinance was denied today he understood that there were different time frames as to when the applicant could come back and reapply.

Mr. Turner explained if the hearing is denied on the merits of the application it cannot be reconsidered for two (2) years. If it is withdrawn after the notice is published the application cannot be filed again until after 180 days has passed.

Mrs. Minuse said if they do that with a condition then that doesn't apply.

Mr. Turner continued by saying if Council was to find good cause and to bundle these three (3) matters together to be brought back for consideration and taken off the table and a recommendation from the Planning and Zoning Board is brought back to City Council that

could be a condition. He said that they would need to set a date certain at today's meeting when this public hearing would be held.

Mrs. Minuse said so neighborhood workshops would be held and developing Ordinances would occur and they would be proceeding in that matter. Mr. Turner said that is correct. She asked what would be a reasonable time frame.

Mr. Jeffries said at least six (6) months.

Mr. McCabe agreed that six (6) months would be a good cooling off period. It would give both parties a chance to sit down and maybe come up with something they could both agree on, which is what he would like to see.

Vice Mayor Neville was not sure what they were talking about.

Mr. McCabe made a motion to defer the matter for six (6) months (May 2, 2023) on the basis that the Planning and Zoning Board be directed to remove the two (2) pending Ordinances from the table and make a recommendation to City Council and encourage the different parties to engage in a workshop at times and locations they agree to with participation of staff if necessary and then come back at a date certain that will be obtained from the Madam Clerk (May 2, 2023). Mrs. Minuse seconded the motion.

Mr. Cotugno asked for clarification that Council is going to ask that this matter go back to the Planning and Zoning Board and they are going to take these two (2) Ordinances that they decided not to take up and then the Planning and Zoning Board vote this down 5-0. He asked what is going to be established for City Council to reference as they move forward. He said that this may impact the Comprehensive Plan and he hates patchwork actions, which he feels is kicking the can down the road.

Mrs. Minuse stated that the final action at that time from the Planning and Zoning Board was to table it.

Mayor Brackett did not think that this would be patchwork. They will be hearing all three (3) Ordinances at one time. He said right now they are doing patchwork by only hearing one (1) Ordinance at a time.

Mr. Cotugno said that he wants something to come from the Planning and Zoning Board that future City Councils' can refer to. He said to him that is more important than solving this issue. He is not only worried about this community, but he is also worried about future communities.

Mayor Brackett expressed right now they have a motion on the table to address this one issue.

Vice Mayor Neville asked if they have met the criteria for withdrawing this.

Mr. Turner explained it is conditioned on what the motion contains. He said the cause for doing that is what the City Council has to make which is, is it good cause or not good cause to grant the request.

Mr. John Carroll stated that he has had an office in this community for 17 years and he is speaking today as the past Chairman of the Planning and Zoning Board. He was the Chairman in place of the Planning and Zoning Board when this matter was heard. The Planning and Zoning Board voted 5-0 to turn this down. The other votes were 3-2 votes to table because they felt the amendments that were developed were inadequate and not well thought out, which is why they voted to table them so they could not go to City Council in that manner. It was Mr. Turner's recommendation that they talk to the group and the group was not ready that those matters become law. This City has a history of making bad decisions and this would be another one. There are not that many single family residences in central beach. He said everything they do as a community is reactionary. An individual buys this property in 2012 and all of sudden in 2019 they say it doesn't work anymore and no one wants to live there so now they want to change the zoning. He said that is not a hardship and if it was a hardship it would have been created by themselves because they felt a need to upgrade the property. There are people in the audience that have traveled to be at the meeting today and he shifted his meeting in order to be at this meeting today. He said unfortunately, he was not at the September, 2019 meeting when this matter was passed by City Council. He said to Council that they really should not forget who put them on the dais.

Mr. Robert Randall Fox stated that this is not a throw away piece of property. This is a half-million dollar piece of property and somebody would buy it today if it was for sale. The applicant bought it years ago with the idea of letting it depreciate so it would look like it would be a good parking lot. He doesn't think it is a good idea to turn a residential home into a parking lot. He has concerns about the creep and POI and is concerned about the way this came about. The Council did a good job in creating a Comprehensive Plan a few years ago and a good Visioning Plan and it doesn't need to be taken apart.

Mr. Jeb Bittner talked about the process. He said the issues that they would like to get accomplished in six (6) months can all occur if they have their public hearing today and let the process go through. He is a little taken back personally when Mr. Segal said that this has been talked about with the community over time. He finds fault with that. He has had two conversations with Mr. Segal that stem from other issues where this came up in the discussion and it was moot. He said as far as his neighbors they occasionally receive a business card in the mailbox. He received an unsolicited plan a couple of days ago with a hand drawn fence on it. He did not feel this was a plan. This matter was settled 20 months ago by a legal suit and those discussions with the neighborhood could have been held at that time. He said nothing hit the fan until last Wednesday when the letter was sent in by Mr. Segal to pull this item from the agenda. He thinks the applicant recognized he didn't have the votes for this to pass. He said the people at today's meeting would like to talk about this. In six (6) months he believes both sides will still be in the same place. Both sides are passionate about this, which he understands. He is real estate broker and finds it

funny to be on the side that he is representing today. It is also malpractice the way this matter has been processed.

Ms. Kathryn McClinvey (spelling may not be correct), who is the contiguous owner to this property, said all the discussions in the world are not going to change things. She said this is going to be a parking lot and the neighbors don't want a parking lot and as the next door neighbor she does not want a parking lot either. She expressed that the neighborhood does not want any non-residential single family homes on Azalea.

Mr. Andrew Clark stated that he was a new resident to Vero Beach and all the comments to date are spot on and relevant to the residents. He also advised that he did not think that good cause has been presented today. He said the value of this property is there and he agrees it needs to be improved and it should remain a residential unit.

Mr. John Lesterfelt (spelling may not be correct) stated that here they are three (3) years down the road after considerable legal expense still trying to fight for their rights. He was in front of Council asking them to do the right thing. He is adamantly against the parking lot and he wished there was something they could agree on, but there is nothing. He read a letter into the record dated July 21, 2019, written by Mr. Barry Segal.

Ms. Stefanie Lemonfall commented that she purchased her home in this neighborhood last year because she likes the integrity and charm of the neighborhood and now is renovating her home. She does not want to see this home destroyed and become a parking lot.

Mrs. Linda Bittner didn't believe the burden has been met to postpone this matter. The applicant has had two (2) years to meet with them and has not done it. She said that Mr. Segal has not reached out to the neighbors and now he wants a postponement. She asked Council to deny this.

Ms. Alisson Confone (spelling may not be correct) thanked Council for allowing the public to express their views today. She has not been contacted by the applicant. She purchased her home and Sorenson's was the real estate firm who had the house on the market and she was never made aware of this. She doesn't think that this matter should be rushed and she asked Council to vote not to postpone the matter for six (6) months.

Mr. Dave Kudia stated that he received a hand written letter from Mr. Segal asking to give him a call. He does not feel that the burden has been met. He said there are three (3) open lots across the street from him and the concern is are they going to go commercial. He lives with anxiety regarding those lots going commercial like the parking lot. He said that Council has heard from everyone today and no one wants a parking lot. He doesn't know what will change in six (6) months. He asked that they get this over with today.

Mrs. Joanne Westervelt stated that she purchased her home 12 years ago and they love their neighborhood. She understands this is business, but it is not business for them it is personal to them and the neighbors don't want to see a parking lot there. She doesn't know what

changes could be made by delaying this matter and talking to the neighbors. She asked Council to please not continue this matter and vote on it today.

Mayor Brackett closed public comments at 10:17 a.m., with no one else wishing to be heard.

The Clerk read the motion.

Vice Mayor Neville agreed with several people who spoke that they have not borne the burden for the need for deferring this. He wanted to take a vote up or down on this property as to whether or not it should be changed.

Mrs. Minuse commented that she has sympathy with all the comments made regarding the security of their neighborhoods and commercial creep. However, if they don't look at a six (6) month time certain to do something positive about it then they have the ability to come back in two (2) years, unless certain conditions are placed. She was sitting on the Planning and Zoning Board when this was voted on to deny it 5-0. She has a profound feeling for the people in the neighborhood and their feelings on this. She withdrew her second to the motion.

Mr. Turner explained that if Mrs. Minuse withdraws the second to the motion at this point then they would need to have public comment again. If there is a motion and it is not seconded then they may not proceed.

Mrs. Minuse made a motion to withdraw her second.

Mayor Brackett seconded the motion.

Mayor Brackett opened up the floor for public comments.

Mr. Lesterfelt said this was kicking the can down the road and he sees no reason to do that. He asked Council to take a vote.

Mr. Kudia said that he did not know the process, but asked if another motion could be put out there saying they want to vote on this matter today.

Mayor Brackett closed public comments at 10:23 a.m., with no one else wanting to be heard.

The Clerk restated the motion.

Vice Mayor Neville commented that everyone who lives on that street has said it is not something they want. He is in favor of bringing all the matters off the table and improving them, but that should be separated from this issue.

The Clerk polled the Council on the motion with Mr. Cotugno voting no, Mr. McCabe yes, Mrs. Minuse no, Vice Mayor Neville no, and Mayor Brackett yes. The motion failed 3-2.

Mr. Turner requested a 10-minute break back and the meeting reconvened at 10:35 a.m.

Mr. Jeffries stated that during the break he received a hand written note from the applicant withdrawing their application (on file in the Clerk's office). The Code allows the applicant to withdraw his application at any time by submitting a letter of withdraw, however no further application is allowed to be submitted within 180 days.

Mayor Brackett commented that they were working on this last application under some older Codes. He asked if the applicant reapplies will it fall under the newer Codes.

Mr. Jeffries said that is correct. If the applicant does reapply they must meet all the criteria of the new procedures. He said there is additional criteria that is now required different from the previous Code. It would be a new application pursuant to those application criteria procedures and fees do apply.

Mr. Turner stated this is a procedure that is allowed under their Code according to Section 65.23, which he read portions of the Code. No new application is allowed to be submitted within 180 days.

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 1531 32nd 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. Falls reported that this is the standard Resolution that needs to be approved when someone is asking for financial assistance when hooking up to the STEP System.

Mr. McCabe made a motion to approve the Resolution. Mr. Cotugno 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. Joseph Guffanti commented on the Marina. He told Council that they have gotten this City into a mess. They had the opportunity to hear from citizens on how they feel about the Marina expansion. He said there is no reason for the expansion and the public pointed

that out. Now the City has a lawyer that is running up a tab and not helping the City of Vero Beach. He said a lot of people are disturbed about what they have done.

Mr. Taylor Dingle commented on the recent hurricane that occurred and how devastating it has been for the west coast. He showed a picture of a dry storage unit that was destroyed from the hurricane and hoped that the dry storage unit being proposed for the City Marina is made of materials that will withstand a storm/hurricane like the one that happened in Fort Myers.

6. CITY COUNCIL MATTERS

A) NEW BUSINESS

1) Presentation from Florida City Gas

Mr. Mark Seagrave, Senior Director of Strategy & Business Development for Florida City Gas, was at today's meeting regarding their progress to bring gas to the barrier island. He mentioned that there are many businesses open in the Fort Myers area because they have natural gas and can use generators. He said they need to keep that in mind as they talk about natural gas. He gave a Power Point presentation (attached to the original minutes).

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) Renewal of Submerged Lands Easement #28973 Indian River-Royal Palm Pointe to Riverside Park

Mr. Falls reported that this submerged lands easement was received by the City from the Florida Department of Environmental Protection (FDEP) to renew their existing easement for the water and sewer mains crossing the Indian River from Royal Palm Pointe to Riverside Park for the next 50 years. Staff would recommend approval and execution of the renewal easement.

Mr. McCabe asked if there was any compensation relating to this.

Mr. Rob Bolton, Water and Sewer Director, stated that there was no annual lease payment. It is in the public's interest to have the easement located there.

Mr. McCabe made a motion to approve the renewal of Submerged Lands Easement #28973 Indian River-Royal Palm Pointe to Riverside Park. 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) Hydra Service, Inc. Quote #220323_2JS_83122, Task Order #06 Purchase of New Backwash Vertical Turbine Pump and Suction Can estimated expenditure (\$138,980.00)

Mr. Falls reported that the Water and Sewer Department is in the process of building a storm water treatment and pumping station to supply storm water to the barrier island for irrigation purposes. The system will utilize the existing Water Treatment Plant sand filter's 1 through 4, high service pumps 1 through 3 and backwash pump. All of these pumps will be either replaced or rehabilitated due to the fact that they are approximately 70 years old. He recommended that Council approve this request.

Mr. McCabe made a motion to approve the quote from Hydra Service to purchase the new backwash vertical turbine pump and suction can. 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.

Mr. Falls mentioned that a water line needed to be repaired because of the recent storm and the Water and Sewer Department did it in a timely manner.

10. CITY ATTORNEY MATTERS

Mr. Turner reported that yesterday Judge Buchannan set a trial date to hear the Marina Referendum case for October 25th.

Mr. Falls reported that a letter was sent over to the County yesterday in regards to the Indian River Shores issue. They are trying to resolve this and get it out of the court system as quickly as possible. He will keep them updated on that.

Mr. Falls expressed that the beaches in the City of Vero Beach are open. There was an article in the newspaper today dealing with County beaches and whether or not they were open, but it did not mention City beaches. He said there are some dune crossovers that are closed, but everything else is open.

Vice Mayor Neville mentioned that Commissioner Peter O'Bryan was proposing some of the north beaches that the County has be turned into dog parks.

11. COUNCILMEMBER MATTERS

A. Mayor Brackett's Matters

Mayor Brackett commended staff in doing a fine job in monitoring the storm last week. We were very fortunate that we did not suffer too much from the storm. He asked everyone

to keep in mind those in need of help living on the west coast. He said that Camp Haven was going over this afternoon to deliver supplies.

Mr. Cotugno wondered if the City had any discretionary funds that they could donate to those in need over at the west code in name of the City.

Mr. Falls would look into that and report back to Council.

B. Vice Mayor Neville's Matters

Vice Mayor Neville agreed that it was horrendous what happened on the west coast with Hurricane Ian. He wondered if the City could send personnel over there to help. It would be a nice gesture on their part. He said the debris was unbelievable and he wondered what they would do with it. Mr. Falls said that he would speak to the City Department Heads about that.

C. Councilmember Minuse's Matters

Mrs. Minuse reported that after the Indian River Soil & Conservation Committee had their meeting a local working group (appointed Committee) composed mostly of agriculture people met. This Committee provides input on issues that are important. She recalled that recently the Metropolitan Planning Organization completed their Visioning Plan and did not address the impacts to the cities closest to the Lagoon. She has asked them to include that area when they update their Comprehensive Plan.

Mrs. Minuse reported that the new initiative by the Mental Health called "UnStruggle" will have their formal launch for this program revealed on Thursday at 4:30 p.m., at the Royal Palm Presbyterian Church.

Mrs. Minuse noted that the Treasure Coast Regional Planning Council delivered their Comprehensive Economic Development Strategy for 2022-2027. There were two (2) people from the City participating in this process. They were Lee-Anna Otis from the Airport and also Jeff Stasi. She thanked everyone who participated in coming up with the report. She said that she would be happy to make copies for anyone who wants them. Council asked that they be provided with a copy.

D. Councilmember McCabe's Matters

Mr. McCabe agreed the City did a great job in cleaning up after the storm. He said that the Sunshine Rotary Club has a disaster aid trailer that has gone over to the west coast to offer their services. They are all trying to do their best to help these people.

E. Councilmember Cotugno's Matters

Mr. Cotugno thanked the City employees for getting the area cleaned up. He invited everyone to attend the Alzheimer's walk being held at Riverside Park in Jensen Beach on October 15th.

Mr. Cotugno sits on the Governor's State Health Improvement Program and there is a need for volunteers. If anyone is interested they can contact him for more information.

Today's meeting adjourned at 11:30 a.m.

/tb