

**COUNCIL SPECIAL MEETING  
MINUTES  
FEBRUARY 2, 2011**

Pursuant to Public Notice, Mayor Ferrante convened the special meeting of the City Council on Wednesday, February 2, 2011, at 6:00 p.m., in the Council Chamber. Those present were Mayor Joseph Ferrante, Vice-Mayor Mike Chase, Councilman Jeffrey Fleis, Councilman Scott Rhodes, Councilman William Higginson, City Manager Michael P. Crotty, and City Clerk Barbara Montanaro.

Mayor Ferrante led the Pledge of Allegiance.

Mayor Ferrante opened the meeting by stating that he conducted a survey when he ran for Mayor a year and half ago to see what the residents of Satellite Beach wanted: 1) decrease in services, 2) increase in taxes, or 3) alternate sources of revenue. The responses supported alternate sources of revenue overwhelmingly. Based on that response, he and Council established the Blue Ribbon Financial/Budget Committee (BRC) to conduct a comprehensive study of services and funding. The nine-member committee worked laboriously and produced thirteen pages of recommendations to be considered in preparation of the 2011/2012 Budget. Council will meet an hour before every Council meeting to consider the 50-60 ideas in the BRC Final Report.

**CONTINUED REVIEW OF RECOMMENDATIONS CONTAINED IN THE FINAL REPORT OF THE BLUE RIBBON FINANCIAL/BUDGET COMMITTEE:**

**CITY OPERATIONS**

**RECOMMENDATION #7: HOST CELL PHONE TOWERS OR ANTENNAS ON CITY PROPERTY**

This topic was deferred to a future meeting to accommodate the citizens present for other agenda items.

**MISCELLANEOUS NEW REVENUE SOURCES**

**RECOMMENDATION #1: INSTALL RED LIGHT CAMERAS**

City Manager Crotty introduced the members of the BRC who were present: Chair Lorraine Gott, Vice-Chair Harry Pawlak, Jerry de la Rosa, John Fergus, Pat Gibbons, Joe Hemple, Dominick Montanaro, and David Ryan. He stated that Satellite Beach has historically tapped citizen resources to come up with recommendations for Council to consider.

Deputy Police Chief Jeff Pearson provided a history of the City's discussion on the use of red light cameras for public safety, stating that the Police Department has presented information to Council at a number of public meetings over a three-year period of time. While the lights have proven to increase public safety, there are other issues to consider: changes in state law regarding distribution of fines and time-consuming accounting procedures. Cocoa Beach, which is similar in size, has installed three cameras. The State gets \$83 of each \$158 ticket, leaving only \$75 to cover the monthly cost of the camera and any administrative/legal costs. At one red light camera location on Highway A1A in Cocoa Beach, there were just over 200 tickets issued in December 2010, a substantial decrease from the 946 issued at the same intersection when the camera was installed in July 2010.

City Manager Crotty stated that the City Council previously decided on several occasions not to pursue the red light cameras because of their desire to hold harmless the citizens and the City from litigation. The cameras would probably be revenue neutral to the City; the cost of equipment and administration, plus the amount that has to be paid to the State, would absorb most of the fine revenue. Also, use of the cameras in general is still in litigation, which means a municipality could have to refund money. Many individual tickets issued through the use of cameras are being challenged and defeated.

City Manager Crotty stated this option is, at best, problematic and, therefore, should not be considered at this time.

Council discussed the following:

Vice-Mayor Chase: The concept of red light cameral enforcement is good and can save lives; but the process is immature and has too many loopholes – not in favor at this time.

Councilman Higginson: The concept is good but there may be negative cost implications – not in favor at this time. Councilman Higginson said circulating bombastic and irresponsible public statements regarding the Police Department disturbed him. He commended and expressed appreciation to the Satellite Beach Police Officers who put their lives on the line every time they make a traffic stop or respond to a call.

Councilman Fleis: Stated that the cameras work as a deterrent but there are too many unknowns – not in favor at this time.

Councilman Rhodes: Stated that he moved here for the small town atmosphere and could not imagine having cameras watching every move like big brother. He stated that cameras were almost approved two years ago and challenged everyone to pay attention to city matters. Against it.

Mayor Ferrante: He received an email about red light cameras saving 814 lives last year but there are too many questions. Not in favor.

Mayor Ferrante announced that red light camera surveillance is not going to move forward; therefore, Council will proceed to other agenda items without public comment on the cameras. There are fifty more items from the BRC Report to be considered; he invited everyone to stay for the remainder of this meeting and come back to future meetings.

Vice-Mayor Chase announced his Town Hall meeting is at 6:30 p.m., on Thursday, March 3, at the Pelican Beach Clubhouse and invited everyone to bring questions and ideas.

## **POLICE**

### **RECOMMENDATION #1: CHARGE FOR SECURITY SYSTEM FALSE ALARMS**

Deputy Police Chief Pearson stated that fees for false alarms have been in place for a long time. There is no charge for the first two false alarms for a registered system; however, if there are three false alarms in a nine-month period, there is a \$50.00 charge. There is a one-time fee of \$15 to register an alarm; if the registration is renewed by September 30 of each successive year, there is no additional charge for registration. If there is a false alarm for a non-registered alarm, the property owner pays \$15 to register the alarm and a \$15 penalty. In 2010, there were 350 registered alarms; 159 false alarms (120 registered and 39 non-registered); and \$300 collected from fines. Staff recommends maintaining the existing policy and review annually.

Continue policy as presented.

### **RECOMMENDATION #2: RECOVER INVESTIGATIVE COSTS FOR FELONY TRAFFIC VIOLATIONS AND SEIZE ASSETS OF THOSE CONVICTED OF FELONIES**

Deputy Police Chief Pearson stated that the Police Department collects investigative costs with almost every arrest and seizes assets when allowed by law. If court costs and attorney's fees associated with seized property exceed the value of the property, the forfeiture case is abandoned. There is no way to predict the amount collected from forfeited property; it depends on criminal activity and the type of property involved. State law requires that all funds from seized property be held in the Law Enforcement Trust Fund and cannot be used for reoccurring budget items. The Department also applies for the cost of investigation reimbursement from the courts for any misdemeanor or felony arrest. Again, this amount cannot be predicted.

Continue policy as presented.

**FIRE**

**RECOMMENDATION #3: CHARGE FEE WHICH COVERS THE COSTS OF FIRE AND FOLLOW-UP**

The City has established fees for fire prevention permits, inspections, and re-inspections. In 2010, the Fire Department collected \$11,455 in inspection fees, which were deposited into the General Fund. In 2009, the Deputy Building Official became certified to do fire inspections and assumed these responsibilities. Although the fees do not completely cover the cost of inspections, Fire Chief Hughes stated that it appears the current rate structure is sufficient and recommended continuation of the current policy, with an annual review.

Continue policy as presented.

**RECOMMENDATION #2: ESTABLISH FEE FOR BEACH BONFIRE PERMITS**

Fire Chief Hughes stated that the Fire Department began issuing permits for beach bonfires in November and issued 275 permits in two months, generating \$2,710. Most people are purchasing season permits; however, if anyone buys a one-time permit and then wants to have another bonfire, they only have to pay \$15 for the rest of the season.

In response to questions from Council, Chief Hughes stated that they monitor fires and cleanup and have had very few problems. This is close to revenue neutral and the fees go into the General Fund.

Continue policy as presented.

**PERSONNEL**

**RECOMMENDATION #10: IMPLEMENT A TWO-TIER POLICE AND FIRE RETIREMENT PLAN WITH NEW HIRES RECEIVING MINIMUM BENEFITS UNDER STATE LAW**

Deputy Police Chief Pearson stated that the retirement package is a recruitment and retention tool. A change in the plan would work as long as everyone else had the same constraints. Otherwise, Satellite Beach would become a training ground. Police Officers currently pay 8% of their pay into the retirement plan. In Brevard County, Officers do not contribute to their retirement plans and officers have left here to work in the County because of that.

Fire Chief Hughes stated that the Fire Department had retention issues in the 1994-1995 timeframe and found that it cost \$160,000 to cover the empty slot while hiring, outfitting and training a new person.

City Manager Crotty stated that a two-tier pension plan would not provide an immediate savings because current employees would remain in the existing plan; however, there is potential for long-term savings. He provided information regarding the two-tier plan recently adopted by West Melbourne. The Florida Legislature is reviewing the Florida Retirement System and suggesting changes. City Manager Crotty recommended following the action in Tallahassee closely to save duplication of work on the two-tier program.

Council will request the Space Coast League of Cities schedule a discussion of the two-tier pension plans as an agenda item shortly after the Legislative Session ends.

**PRESENTATION ON DEPARTMENTAL INFORMATION ON PROPOSED EFFICIENCY STUDY OF THE FIRE AND POLICE DEPARTMENTS**

City Manager Crotty introduced this item, stating it did not come from the Blue Ribbon Committee but was brought forth by Lloyd French, resident of 240 Colonial Court, at a previous meeting.

Police Chief Cote stated that the Satellite Beach Police was the first agency in Brevard County to receive

accreditation in 2000 and received reaccreditation in 2003, 2006, and 2009. They received national recognition in 2003. They have 250 standards in the personnel policy that they review every twelve months. They audit evidence, maintain equipment verification, and have a training tract. Chief Cote, Deputy Chief Pearson, and Commander Hodge are all graduates of the FBI National Academy, which is the highest level of training in the world for law enforcement officials. The Department has a nine-man emergency response team, which has been used to save lives and prevent further injury. There are 23 Police Officers, a staffing level of 2.2 officers per 1,000 residents. Training is ongoing; they fire at the range three or four times a year, and participate in simulated situations at Patrick Air Force Base, Indian Harbour Beach, and with the Sheriff's Department. They have 50+ volunteers in the COP program and the volunteer Marine Patrol. Chief Cote invited everyone to attend the Level of Service Workshops to determine the level of protection the community wants. He recommended that the money for a survey would be better spent on equipment and pay raises.

Fire Chief Hughes stated that he presented a framework for the efficiency study and he and his Department are open to review. Staffing increased in 2003 to meet the two in – two out rule and are staffed to handle two concurrent calls 24/7. They have 17 firefighters deployed on three shifts (five per shift), plus two administrators. In over six thousand 911 calls, they have only missed one concurrent response. EMS has been on the scene in four minutes or less 90.3% of the time and fire 85%. Cardiac arrest survival has increased from 14% to 34%.

Council discussed the following:

- A combined Police and Fire efficiency study could cost \$45,000 or more.
- Staff already has internal benchmarking.
- Both departments must comply with state standards.
- The departments know what they are doing.
- Would like a study to ensure there is no bias.

Mayor Ferrante asked for public comments; the following individuals addressed Council:

- John Fergus, 135 Maple Drive, stated that an external audit would eliminate any questions of bias.
- Gregg Billman, 690 Jackson Court, stated there is no question about the qualifications for safety; however, he did not hear anything about efficiency. Can we have the same response with fewer people, less equipment?
- Lloyd French, 240 Colonial Court, stated he has heard a lot about benchmarking and how Police and Fire have done that; they are accredited. He said that if he were building a new home, he would probably stand back and admire how beautiful it is. But if the inspector came, he would tell him what was wrong about the construction. He recommended getting an independent benchmark check.
- Trip Spring, 101 Skyline Drive, stated that red light cameras are bad for publicity; he would rather see people than cameras.
- Lorraine Gott, 325 Trinidad Drive, stated that an efficiency study is a waste of money; the people in charge know what they are doing.
- Steve Hadley, 343 Lee Avenue, stated that the red light camera study released, show that they save lives in high-risk areas. In other areas they cause more accidents. We can find a panel here that can help with efficiency.

Mayor Ferrante adjourned the meeting at 7:05 p.m.