

**COUNCIL MEETING  
MINUTES  
SEPTEMBER 15, 2010**

Pursuant to Public Notice, Mayor Ferrante convened the regular meeting of the City Council on Wednesday, September 15, 2010, at 7:00 p.m., in the Council Chamber. Those present were Mayor Joseph Ferrante, Councilman Mike Chase, Councilman Scott Rhodes, Councilman William Higginson, City Manager Michael P. Crotty, City Attorney James Beadle, and City Clerk Barbara Montanaro. Vice-Mayor Jeffrey Fleis was unable to attend.

Councilman Rhodes led a moment of silence, asking that everyone remember the tragic accident at Highway A1A and Scorpion Court and the students and parents involved. He led the Pledge of Allegiance.

**INTRODUCTION OF GUESTS  
CITIZEN COMMENTS**

There were no introductions or comments.

**CITY COUNCIL COMMENTS**

**Councilman Higginson** reported that he attended Transportation Planning Organization (TPO) meeting where they approved a new contract for Bob Kamm because the TPO has become an independent entity, instead of a Brevard County bureau. There was a presentation by the Renaissance Planning Group showing long range plans (2015 –2035) some resurfacing by Florida Department of Transportation between Indialantic and Pineda Causeway. This would be a \$5 million project. Councilman Higginson suggested that staff FDOT to see if they would coordinate/partner with the City to move utilities under ground. Councilman Higginson stated that his Beachcaster article will address Amendment 4. He attended the Citizens on Patrol meeting and has been on patrol.

**Councilman Chase** reported that he attended the August Code Enforcement Board meeting, where they addressed an unlicensed vehicle, a broken garage door, and a recreational vehicle. Since there are three new members on that Board, City Attorney Beadle explained the Sunshine Law. Members of the Board asked for additional information about public records and the retention laws. Councilman Chase attended the Space Coast League of Cities meeting where Sheriff Jack Parker talked about programs where inmates are available to clean up municipal areas or provide and plant trees and shrubs at municipal facilities. The September Board of Adjustment meeting was cancelled.

**Councilman Rhodes** stated that he attended the Beautification Board meeting but had to miss the Samsons Island meeting on Monday because of the Space Coast League of Cities meeting. He announced his Town Hall meeting on Monday, September 20, from 5:30 to 7:00 p.m. where they will discuss going green. He has spoken with Waste Management, the Recreation Department, Public Works, and Surfside Elementary for some ideas.

**Mayor Ferrante** stated that he met with several members of the Code Enforcement Board (CEB) at Allen Lindsey's home to present a plaque of appreciation to Mr. Lindsey for 22 years service on the CEB. Mayor Ferrante attended the Library Board meeting. To offset the cuts to the Satellite Beach Library budget, the hours have been cut and they have 89 volunteers helping to run the Library.

**CITY ATTORNEY REPORT**

City Attorney Beadle will report on the two lawsuits at the next meeting.

**CITY MANAGER REPORT**

City Manager Michael Crotty reported the following:

- The Past President and incoming President of Florida League of Cities have announced a 25% rebate of dues paid for this fiscal year; that amounts to about \$250 for the City of Satellite Beach. The Space Coast League of Cities (SCLC) has requested that municipalities use this money to offset the legal costs incurred to get the amendment on the ballot to protect home rule from County Charter Amendments.
- The City Manager's employment agreement requires that he be evaluated within four months of his anniversary. Council members were asked to rate the City Manager on various aspects relating to the nine (9) categories. The rating scale was 5–Excellent, 4–Very Good, 3–Good, 2–Fair, 1– poor. The ratings of the Council members have been tabulated. The Council members' evaluation forms contained a total of 149 ratings/evaluations of the City Manager. A summary of the ratings is as follows:

| <u>RATING</u>          | <u>NUMBER OF<br/>RATING/RESPONSES</u> | <u>% OF<br/>RATING/RESPONSES</u> |
|------------------------|---------------------------------------|----------------------------------|
| Excellent (5)          | 124                                   | 83.2%                            |
| Very Good (4)          | 20                                    | 13.4%                            |
| Good (3)               | 5                                     | 3.4%                             |
| Fair (2)               | ---                                   | ---                              |
| Poor (1)               | ---                                   | ---                              |
| <b>TOTAL RESPONSES</b> | <b>149</b>                            | <b>100%</b>                      |
| <b>AVERAGE RATING</b>  | <b>4.8</b>                            |                                  |

- At a previous meeting, Council had authorized sending a letter to Commissioner Bolin requesting that Hightower Beach Park and Pelican Beach Park be deeded to the City. Mayor Ferrante and the City Manager have a meeting with Commissioner Bolin on September 17, to discuss this.
- City Manager Crotty asked Community Development Director Canady to report on the Community Redevelopment District.

Ms. Canady reported that she received verbal notice that the Hightower Beach project has received an award from the Florida Redevelopment Association for creative aspects and funding. The Mayor or his designee will receive the official award in October.

Ms. Canady also reported the CRA website has been unveiled. It showcases the Redevelopment District projects and contains educational information for those interested in redevelopment. She commended Deputy City Clerk Leonor Olexa on the design of the webpage.

**RESOLUTION NO. 898, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, APPROVING AND RECORDING THE STREET NAME STINGER LANE ON THE SATELLITE HIGH SCHOOL CAMPUS; AND PROVIDING AN EFFECTIVE DATE**

City Attorney Beadle read Resolution No. 898 by title.

City Manager Crotty stated that the Brevard County School District has requested that a recently paved road running north of Jackson Avenue along the east side of the baseball fields on the Satellite High School campus be named Stinger Lane. Resolution No. 898 approves this street as a private street.

Mayor Ferrante asked for public comments; there were no comments.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to adopt Resolution No. 898.  
**VOTE:** ALL AYES. MOTION CARRIED.

***COUNCIL CONVENED AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE FOLLOWING AGENDA ITEM:***

**DISCUSS/TAKE ACTION ON FAÇADE GRANT APPLICATIONS**

Building Official John Stone introduced the following façade grant applications; all of which were recommended for approval by the Community Redevelopment Agency Advisory Committee at the August 25, 2010, meeting:

**OCEAN BLUE PROFESSIONAL CENTER, 1640 HIGHWAY A1A**

Ocean Blue Professional Center, Farideh Radfar, Owner  
1640 Hwy A1A  
Cost: \$ 5,960  
CRA Grant Award: \$ 5,000  
New Sign Type: Freestanding Sign Retrofit to Monument  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 5,000

**TACO BELL, 1004 HIGHWAY A1A**

Taco Bell, Tony Capley, Owner  
1004 Hwy A1A  
Cost: \$ 4,780.80  
CRA Grant Award: \$ 4,780.80  
New Sign Type: Freestanding Sign Retrofit to Monument  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 4,780.80

**ISLAND CLEANERS, 1395 SOUTH PATRICK DRIVE**

Island Cleaners, Lawrence Mula  
1395 South Patrick Dr  
Cost: \$ 5000.04  
CRA Grant Award: \$ 5,000  
New Sign Type: Freestanding Sign Replacement with Wall Sign  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 5,000

**CYNTHIA NOVAK (OCEANSIDE VILLAS), 1777 HIGHWAY A1A**

Cynthia Novak (Oceanside Villas)  
1777 Hwy A1A, #3

Cost: \$ 5000  
CRA Grant Award: \$ 5,000  
New Sign Type: Freestanding Sign Replacement with Wall Sign  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 5,000

LATORRA'S PLAZA, 1592 HIGHWAY A1A

Anne LaTorra (LaTorra Plaza)  
1592 Hwy A1A  
Cost: \$ 5,265.04  
CRA Grant Award: \$ 5,000  
New Sign Type: Freestanding Sign Retrofit to Monument  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 5,000

V-SYSTEMS, 1670 HIGHWAY A1A

Kenneth Vilardebo (V-Systems)  
1670 Hwy A1A  
Cost: \$ 4,860  
CRA Grant Award: \$ 4,860  
New Sign Type: Freestanding Sign Retrofit to Monument  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 4,860

SPACE COAST OFFICE CENTER, 1127 SOUTH PATRICK DRIVE

Space Coast Office Center, Shirely Moss  
1127 South Patrick Dr.  
Cost: \$ 7,720  
CRA Grant Award: \$ 5000  
New Sign Type: Freestanding Sign Retrofit to Monument  
Review by Building Official: Meets Current Sign Code  
Architectural Review: Meets CRA Requirements\*subject to color approval  
w/building renovation\*\*  
CRA Advisory Committee: Recommends Approval  
Staff Recommendation: Approval Grant Award \$ 5000

Council had the following questions of the façade grant applications:

Island Dry Cleaners: This application is for a 10 x 2.6 canopy sign to replace a non-conforming pole sign. Council questioned whether a canopy sign can be larger than four square feet (Code Section 30-504). Council also asked that staff work with the applicant to see if the existing tri-pole structure can be used for a monument sign instead of the canopy sign. Council requested that the address be included on the proposed sign. They would like to see the front landscaping cleaned up but questioned the use of money set aside for sign replacement for the clean up. Council concluded that

the applicant had come in good faith; they asked that money be set aside for a façade grant for sign replacement at Island Dry Cleaners after the above issues are addressed.

V-Systems: Council discussed the \$125 price per square foot for this sign compared with others which average \$50-\$55 per square foot. Bookmark this money in good faith and seek competing bids so Council can ensure value for cost.

Space Coast Office Center: Staff recommends approval contingent upon coordination of sign colors with building renovation.

Mayor Ferrante asked for public comments; there were no comments.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Rhodes, to approve the façade grants as presented above, except to defer Island Cleaners and V-Systems to a future meeting. VOTE: ALL AYES. MOTION CARRIED.

***COUNCIL RECONVENED FOR THE FOLLOWING AGENDA ITEMS:***

**ORDINANCE NO. 1034, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 46-33(b)(1), RETIREMENT BENEFITS (NORMAL OR DELAYED) OF THE GENERAL EMPLOYEES RETIREMENT SYSTEM; PROVIDING AN EFFECTIVE DATE (FIRST READING)**

City Attorney Beadle read Ordinance No. 1034 by title only on first reading.

Ordinance No. 1034 will amend the General Employees Pension Plan by changing the accrual rate from 3% to 2% for three years, beginning October 1, 2010, and sunsetting September 30, 2013. City Manager Crotty stated that members of the General Employees Pension Plan recognized the cost of the pension plan; at a meeting on May 18, 2010, they offered to help control cost by reducing the calculation from 3% to 2%.

Council commended the employees for being part of the solution and asked that this be reviewed each year to see the percentage could be brought back to 3% earlier than the projected three years.

Mayor Ferrante asked for public comments; there were no comments.

**ACTION:** Councilman Higginson MOVED, SECOND Councilman Chase, to approve Ordinance No. 1034 on first reading. VOTE: ALL AYES. MOTION CARRIED.

**DISCUSS/TAKE ACTION ON IMPLEMENTATION OF NEW CITY CELL PHONE POLICY**

City Manager Crotty stated that Department Heads determine who needs a City cell phone. Currently, the City pays the contract price for the phones and employees pay for any overage caused by personal calls. Staff has prepared a Cell Phone Allowance Plan which will give eligible employees a maximum allowance of \$40 for cell phone only or \$50 for cell/data plans. This proposed plan will save the City approximately \$3,500 and numerous hours reconciling cell phone bills. It allows employees to transfer the contract and keep their phones and numbers.

Mayor Ferrante asked for public comments; there were no comments.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to approve the Cell Phone

Allowance Plan as presented. VOTE: ALL AYES. MOTION CARRIED.

Mayor Ferrante expressed appreciation to staff for taking the initiative on this cost saving plan.

**DISCUSS/TAKE ACTION ON AUTHORIZATION FOR COUNCIL MEMBERS TO ATTEND THE INSTITUTE OF ELECTED MUNICIPAL OFFICIALS IN ST. AUGUSTINE, OCTOBER 1-3, 2010**

No Council Members were interested in attending IEMO in St. Augustine in October.

**APPOINTMENTS TO BOARDS**

City Clerk Montanaro presented a report of board vacancies and applicants dated September 8, 2010.

Mayor Ferrante asked for public comments before each appointment; there were no comments.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to reappoint Harry Pawlak to a two-year term on the General Employee Retirement Plan Board of Trustees, said term ending October 1, 2012. VOTE: ALL AYES. MOTION CARRIED.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to reappoint Bill Spiegelhalter to a two-year term on the General Employee Retirement Plan Board of Trustees, said term ending October 1, 2012. VOTE: ALL AYES. MOTION CARRIED.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to reappoint Harry Pawlak to a two-year term on the Police Officers and Firefighters Retirement Plan Board of Trustees, said term ending October 1, 2012. VOTE: ALL AYES. MOTION CARRIED.

**ACTION:** Councilman Chase MOVED, SECOND Councilman Higginson, to reappoint Bill Spiegelhalter to a two-year term on the Police Officers and Firefighters Retirement Plan Board of Trustees, said term ending October 1, 2012. VOTE: ALL AYES. MOTION CARRIED.

Councilman Higginson stated that the Retirement Boards are challenging and these two Board Members have done an outstanding job.

**AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING**

There will be a meeting of the Community Redevelopment Agency on Tuesday, September 28, at 5:00 p.m. to implement the year end fund balance revenues for projects in the Redevelopment District.

**ADOPTION OF MINUTES:**                      **AUGUST 16, 2010, SPECIAL MEETING  
AUGUST 18, 2010, WORKSHOP MEETING  
AUGUST 18, 2010, REGULAR MEETING  
AUGUST 25, 2010, SPECIAL MEETING  
SEPTEMBER 8, 2010, SPECIAL MEETING**

**ACTION:** Councilman Chase MOVED, SECOND Councilman Rhodes, to approve the above minutes as presented. VOTE: ALL AYES. MOTION CARRIED.

Mayor Ferrante adjourned the meeting at 7:50 p.m.

Barbara Montanaro  
City Clerk