

**CITY COUNCIL REGULAR MEETING
MINUTES
SEPTEMBER 21, 2016**

Pursuant to Public Notice, Mayor Frank Catino convened a regular meeting of the City Council on Wednesday, September 21, 2016, at 7:00 p.m., in the Council Chamber. Those present were Mayor Frank Catino, Vice-Mayor Mark Brimer, Councilman Steve Osmer, City Attorney James Beadle, City Manager Courtney Barker, and City Clerk Leonor Olexa. Councilwoman Lorraine Gott and Councilman Dominick Montanaro were absent.

Councilman Osmer led a moment of silence and the Pledge of Allegiance.

(TIME: 7:01) CITIZEN COMMENTS

City resident Ron Jurgutis spoke on wheelchair access at Pelican Beach Park and Lagoon funding.

(TIME: 7:07) CITY COUNCIL COMMENTS

Councilman Osmer attended and presented a proclamation at the Electric Car Show and stated that there was a good turnout for the event.

Mayor Catino attended the Indian River Lagoon Council Citizens Advisory Committee meeting where he was appointed to serve as Chair of the Committee.

Vice-Mayor Brimer congratulated Mayor Catino for this appointment.

(TIME: 7:10) CITY MANAGER REPORT

City Manager Barker reported on the following upcoming events: Kids Marathon and Half Marathon, Satellite Beach Lion's Club and PAL annual Pancake Breakfast, the first Lagoon Friendly Lawn Contractor orientation class, and a Brevard County Town Hall meeting regarding the proposed Save Our Lagoon Plan and the half percent sales tax, as well as providing an update on the sewer main break in Indian Harbour Beach. Thank-you notes were received for the Fire Department, the Police Department, and Lieutenant Frost. She also reported that the Employee Clinic Interlocal Agreement approval has been moved to December.

(TIME: 7:14) DISCUSS/TAKE ACTION ON ROOSEVELT AVENUE IMPROVEMENTS AND THE 2015 ROAD RESURFACING PROGRAM PROJECTS FINAL CHANGE ORDERS

Public Works Director Allen Potter stated both projects are finished under the original bid amounts and Masci Corporation and Jo-Bear Contracting, Inc. have submitted their final pay requests with deductive change orders for the difference in the costs of each project. City Manager Barker stated that funds that were not used for these projects will be rolled over to other projects in the loan. Council discussed the positive feedback received from residents on the projects and thanked City staff and the contractors for a job well done.

(Time: 7:17) The following Satellite Beach residents addressed Council: Ron Jurgutis and Larry Whitney.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to authorize the City Manager to accept and sign the final deductive change orders for close-out of the Roosevelt Avenue Improvements and 2015 Road Resurfacing Program Projects. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:22) DISCUSS/TAKE ACTION ON RESOLUTION NO. 977, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, EXPRESSING THE CITY'S SUPPORT AND INTENTION TO CREATE WITHIN ITS BOUNDARIES, THE "RENEWPACE PROGRAM" A VOLUNTARY PROGRAM PROVIDING INTERESTED PROPERTY OWNERS WITH THE OPPORTUNITY TO FINANCE ENERGY EFFICIENCY, RENEWABLE ENERGY AND WIND MITIGATION IMPROVEMENTS ON THEIR PROPERTY BY REPAYMENT THROUGH NON-AD VALOREM ASSESSMENTS ON THEIR PROPERTY TAX BILL; AUTHORIZING THE MAYOR OF THE CITY OF SATELLITE BEACH TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE FLORIDA GREEN FINANCE AUTHORITY FOR ADMINISTRATION OF THE RENEWPACE PROGRAM IN THE CITY OF SATELLITE BEACH; AND PROVIDING AN EFFECTIVE DATE

City Attorney Beadle read Resolution No. 977 by title. City Manager Barker stated Resolution No. 974 was adopted at the August 17th Council meeting. RenewPACE is requesting to incorporate wind mitigation and resistance improvements in the resolution (as allowable in Florida Statutes). Council discussed the Resolution providing residents the ability to obtain funding for renewable energy and wind resistance improvements through property tax assessments as an alternative to traditional mortgage financing.

(Time: 7:23) The following Satellite Beach resident addressed Council: Dale Abrahams.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to adopt Resolution No. 977. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:27) DISCUSS/TAKE ACTION ON RESOLUTION NO. 978, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, EXPRESSING THE CITY'S SUPPORT FOR THE FLORIDA SOLAR UNITED NEIGHBORHOODS (FL SUN) INITIATIVE OF THE LEAGUE OF WOMEN VOTERS OF THE SPACE COAST OF FLORIDA AND THE COMMUNITY POWER NETWORK; AND THE INTENTION OF THE CITY TO PARTNER WITH THOSE ORGANIZATIONS TO FURTHER ADOPTION OF SOLAR ENERGY IN THE CITY AND BREVARD COUNTY; AND PROVIDING AN EFFECTIVE DATE

City Attorney Beadle read Resolution No. 978 by title. City Manager Barker stated Resolution No. 978 will support the co-operative which will allow consumers to purchase large quantities of solar power at a demonstrated cost-savings of up to 20%. If adopted, the City would provide workshops and meetings to inform residents of this opportunity. Lorraine Koss, with the League of Women Voters of the Space Coast of Florida, responded to questions.

(Time: 7:31) The following Satellite Beach resident addressed Council: John Fergus.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to adopt Resolution No. 978. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:33) PUBLIC HEARING: (POSTPONED TO THE OCTOBER 5, 2016 MEETING) DISCUSS/TAKE ACTION ON ORDINANCE NO. 1119, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTIONS 30-416(b) AND 30-416(d), SATELLITE BEACH CITY CODE, TO CHANGE SELF-STORAGE FACILITIES FROM PROHIBITED USES TO ALLOWED USES, WITH RESTRICTIONS, IN THE CITY'S "C-COMMERCIAL" ZONING DISTRICT; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

Mayor Catino stated this agenda item has been postponed to the October 5, 2016 City Council meeting.

(TIME: 7:34) PUBLIC HEARING: DISCUSS/TAKE ACTION ON ORDINANCE NO. 1125, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, VACATING THE NORTH HALF OF THAT CERTAIN ALLEY RIGHT-OF-WAY IMMEDIATELY SOUTH OF CINNAMON DRIVE AND LOCATED BETWEEN LOTS 117 AND 118, BLOCK 1, PLAT OF MICHIGAN BEACH (a/k/a 125 AND 135 CINNAMON DRIVE); PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

Mayor Catino opened the public hearing. City Attorney Beadle read Ordinance No. 1125 by title on second reading.

(Time: 7:35) The following Satellite Beach residents addressed Council: Ron Jurgutis and Carol Robitschek.

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to adopt Ordinance No. 1125 on second reading. VOTE: ALL YES. MOTION CARRIED.

FISCAL YEAR 2016/2017 BUDGET:

(TIME: 7:38) A. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2016/2017 BUDGET

Mayor Catino opened the public hearing. City Attorney Beadle read Ordinance No. 1126 and Ordinance No. 1127 by title on second readings.

(TIME: 7:39) B. ORDINANCE NO. 1126, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES BY ESTABLISHING AN OPERATING MILLAGE RATE OF 8.1518 MILLS FOR FISCAL YEAR 2016/2017; PROVIDING AN EFFECTIVE DATE (SECOND READING)

(Time: 7:39) The following Satellite Beach residents addressed Council: Ron Jurgutis, Kelly Hite, and Larry Whitney. City Manager Barker and Mayor Catino responded to questions.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to adopt Ordinance No. 1126 on second reading. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:49) C. ORDINANCE NO. 1127, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, ADOPTING FISCAL YEAR 2016/2017 BUDGET; PROVIDING AN EFFECTIVE DATE (SECOND READING)

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to adopt Ordinance No. 1127 on second reading. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:50) DISCUSS/TAKE ACTION ON ORDINANCE NO. 1124, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE, CHAPTER 50, SOLID WASTE, TO REFLECT NEW SOLID WASTE CONTRACTOR AND NEW CONTRACT; DELETING CONTRACT TERMS FROM ORDINANCE; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

City Attorney Beadle read Ordinance No. 1124 by title on first reading. City Manager Barker and Public Works Director Allen Potter commented that the big belly solar compactors will be installed at Hightower Beach Park and Pelican Beach Park. Council thanked staff for their cost-saving efforts on the contract.

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to approve Ordinance No. 1124 on first reading. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:53) DISCUSS/TAKE ACTION ON ORDINANCE NO. 1129, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE, CHAPTER 26, ENVIRONMENT, BY CREATING A NEW ARTICLE VIII, ENTITLED "ENVIRONMENTAL PROTECTIONS" TO INCLUDE PROVISIONS PROHIBITING EXPANDED POLYSTYRENE (STYROFOAM) AT CITY EVENTS AND SPECIAL EVENTS ON CITY PROPERTY FOR WHICH THE CITY IS A SPONSOR; PROHIBITING THE PURCHASE OF EXPANDED POLYSTYRENE BY CITY; CREATING SECTION 26-144: PURPOSE AND INTENT; SECTION 26-145: DEFINITIONS; SECTION 26-146: PROHIBITING THE SALE, USE AND OTHER ACTIVITIES REGARDING EXPANDED POLYSTYRENE FOOD SERVICES ARTICLES WITHIN THE CITY; SECTION 26-147: PROHIBITING THE PURCHASE OF EXPANDED POLYSTYRENE BY THE CITY; PROVIDING FOR CONFLICTS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

City Attorney Beadle read Ordinance No. 1129 by title on first reading. City Manager Barker stated that this Ordinance was recommended by the Sustainability Board and provides the City with an opportunity to lead by example and require the use of other types of containers for food and drink sales at our events. She also stated this provides sufficient notice to vendors to comply (January 1, 2017). Council discussed the Ordinance.

Mayor Catino asked for citizen comments; there were no comments.

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to approve Ordinance No. 1129 on first reading. VOTE: ALL YES. MOTION CARRIED.

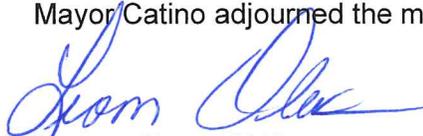
(TIME: 7:56) AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING

Council discussed agenda items for the next regular Council meeting.

(TIME: 7:56) ADOPTION OF MINUTES: SEPTEMBER 7, 2016, REGULAR MEETING

ACTION: Vice-Mayor Brimer MOVED, SECOND by Councilman Osmer, to approve the minutes as submitted. VOTE: ALL YES. MOTION CARRIED.

Mayor Catino adjourned the meeting at 7:57 p.m.


Leonor Olexa, CMC
City Clerk

