

COUNCIL MINUTES NOVEMBER 16, 2011

Pursuant to Public Notice, Mayor Ferrante convened the regular meeting of the City Council on Wednesday, November 16, 2011, at 6:00 p.m., in the Council Chamber. Those present were Mayor Joseph Ferrante, Vice-Mayor Mike Chase, Councilman Jeffrey Fleis, Councilman William Higginson, Councilman Scott Rhodes, City Manager Michael P. Crotty, City Attorney James Beadle, Deputy City Clerk Leonor Olexa, CMC, and City Clerk Barbara Montanaro.

Councilman Higginson led a moment of silence, remembering Combat Veterans of World War II and giving thanks for all heroic men and women who have given the ultimate sacrifice at the altar of freedom, and then led the Pledge of Allegiance.

Mayor Ferrante congratulated Council Members Elect Gregg Billman and Sheryl Denan and thanked Mark Brimer, Mike Chase, and Pat Gibbons for an outstanding campaign and debate. The current Council will meet at 5:30 p.m. on November 30 to complete unfinished business; then the new Council Members will be sworn in at 6:00 p.m.

CITIZEN RECOGNITION

- **INTRODUCTION OF GUESTS**

There were no introductions.

- **CITIZEN COMMENTS**

The following individuals addressed Council:

- Pat Gibbons, 469 Coach Road, expressed appreciation to those who supported his campaign and called for unity in moving forward for the good of the City. Mr. Gibbons showed a picture of his father and Mr. Paul Brimer at the 1967 Founder's Day event; he expressed sympathy to the Brimer family in the passing of Mr. Brimer.
- Al Carlson, 575 Jackson Avenue, expressed disappointment in the methods of the election campaign and called for improvements in the future.
- Lloyd French, 240 Colonial Court, spoke of a tumultuous sixty days of campaigning, losing his job, the emotions of the election and results, and encouraging those who voted to bring their ideas to meetings.
- Ron Jurgutis, 620 Ocean Street, questioned the dollar amount and timing of Ordinance No. 1048 Budget Amendment.
- Don McLendon, 695 Fountain Boulevard, complimented Deputy City Clerk Leonor Olexa on the City's web page. He chastised Council and staff for not heeding his comments in the past on various subjects.

CITY COUNCIL COMMENTS

Councilman Higginson congratulated Council Members Elect Gregg Billman and Sheryl Denan and stated he looks forward to working with them in the quest for economic development to move the City forward. He presented an overview of communications with the Space Coast Transportation Planning Organization about some Florida Department of Transportation projects in the five-year program. He has been assured that the sidewalk and resurfacing of SR A1A have been funded

but still has concerns that the project could be unfunded. Although Brevard County is entitled to a 20% allocation of funds, Councilman Higginson was advised that no high capacity highway projects in the 2017-2022 five-year program are funded for Brevard County. Pursuant to discussion with Council, Councilman Higginson will get a statement in writing that the sidewalk/resurfacing project has been funded and will communicate with the South Beaches Coalition to send a letter stating that they do not agree with the lack of funding in Brevard County. [NOTE: Entire report is available in the City Clerk's office.]

Councilman Rhodes stated he attended the Samsons Island Park Committee meeting and they would like to recognize volunteers at the December 7 Council meeting. He stated that it will take time to get over polarization of the City during the election campaign and expressed hope of moving on with the new Council.

Vice-Mayor Chase stated the City is at an economic crossroads, gauging levels of service with the cost of doing business, and needs a way to make known activities. He recommended adding the City website address to the bottom of City signs and on City vehicles to encourage residents to use the website to be informed of City services and activities. Vice-Mayor Chase presented a packet of information from South Daytona regarding the use of golf carts on City streets. He encouraged Council and staff to create a similar policy, which would encourage residents to shop at home, encourage delivery businesses, attract homebuyers, and aid those who are uncomfortable driving a car. [NOTE: Entire report is available in the City Clerk's office.]

Mayor Ferrante expressed appreciation to the Satellite Beach Woman's Club for their 38th year of hosting Founder's Day and to staff of the Recreation Department, Public Works, Police and Fire for their support of the event. Mayor Ferrante reported attending the Space Coast League of Cities meeting where the CEO of Parish Medical discussed policies that have reduced absenteeism and saved money.

CITY ATTORNEY REPORT

City Attorney James Beadle reported that he will prepare a letter to the Attorney General in response to the JLAC comments for Council to review on December 7.

CITY MANAGER REPORT

City Manager Crotty reported as follows:

Flow from North Drainage Project: At a previous meeting, resident Chuck McBrearty presented visual evidence of debris in water at the Chevy Chase outfall at the last Council meeting, asking that the City conduct appropriate testing to determine what is in the water and how it got into the outfall. Staff has recreated that collection at other outfalls; the City Engineer has gone to the site to review existing conditions; and staff is working with the Cocoa Beach in-house lab to get a report on the water content/quality.

Comprehensive Plan Amendments: The Comprehensive Planning Advisory Board will review plan amendments on November 28, hold their public hearing December 19, and forward proposed amendments for Council consideration in January.

Police Report: Police Chief Pearson reported that Corporal Owens investigated kids on the street at 4:00 a.m. When he stopped, a man told him he had seen the kids jiggling car door handles. They had burglarized cars, and a credit card that was stolen was used at a local store. Video surveillance showed the boys using it. The case was solved in an hour.

Brevard County received a call from two women who were confronted by a man with a 357 magnum. Realizing there was not a Sheriff Deputy in the area, Dispatch called Satellite Beach. With cooperation between the Sheriff's Department, Indian Harbour Beach, and Satellite Beach, the man was apprehended without incident.

Satellite Arms: It appears that Satellite Arms will be sold within the next three to four weeks; it will probably be used as an apartment complex.

Sewage issues on Grant Court: The City Manager and Public Works Director Potter met with Brevard County Manager Howard Tipton regarding the long-term problems of sewage backup on Grant Court during heavy rains. The problems have been especially bad at 685 Grant Court; Brevard County will install a new drain field there. They will also replace the lift station at that corner (the cost of \$200,000 to be paid by Brevard County). The County will have a change in protocol to assign personnel to lift stations; however, the problem may continue in the most extreme storm events.

School Board: Three to four hundred concerned parents attended a meeting regarding the potential closing of Sea Park Elementary School. If the school is closed, some students will be bussed to Cocoa Beach and about 150 will go to Holland Elementary. This may impact the boundaries of Holland and Surfside.

DISCUSS/TAKE ACTION ON GRANT AUTHORIZATION OF JUSTICE ASSISTANCE GRANT FROM FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR OPERATIONS EQUIPMENT

The Request for Grant Authorization is for \$1,668 with no City match. Funds awarded through this grant are based on local crime statistics. Satellite Beach would use the funds to purchase a good-quality digital camera to be used by detectives and twenty-three flashlights with colored cones and LEDs on the handle for visibility and officer safety.

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

- Kathy Arcarola, 240 Satellite Avenue, suggested getting three bids for the camera to ensure best cost. She stated that just because the money is available does not mean we should spend it.

Police Chief Pearson stated staff researched the camera to find the best price of one capable of photographing fingerprints at a crime scene.

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Higginson, to authorize Plain English to submit, on behalf of the City, a Florida JAG Direct grant application in the amount of \$1,668 to purchase at least one digital camera and 23 flashlights for the Police Department, with a total project cost of \$1,668 and no local match. VOTE: ALL AYES. MOTION CARRIED.

ORDINANCE NO. 1047, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 12.01, JOB CLASSIFICATION, OF THE CITY OF SATELLITE BEACH PERSONNEL POLICY; PROVIDING AN EFFECTIVE DATE (FIRST READING)

City Attorney Beadle read Ordinance No. 1047 by title on first reading.

Ordinance No. 1047 amends the City Personnel Policy to reflect the reduction in work force caused

by economic conditions by eliminating the positions of Crew Leader janitorial (Pay Grade 17) and Secretary to City Manager (Pay Grade 20).

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

ACTION: Councilman Fleis MOVED, SECOND Vice-Mayor Chase, to approve Ordinance No. 1047 on first reading. VOTE: ALL AYES. MOTION CARRIED.

After the new Council is seated, the City Manager will make a presentation on the City's pay plan to address comments about salaries, incentives, etc.

ORDINANCE NO. 1048, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FY 2010/2011 BUDGET ORDINANCE NO. 1036; PROVIDING AN EFFECTIVE DATE (FIRST READING)

City Attorney Beadle read Ordinance No. 1048 by title on first reading.

Ordinance No. 1048 amends the FY 10/11 Budget, which concluded on September 30, 2011. City Manager Crotty gave an overview of Finance Director Brenda Raver's November 9, 2011, Summary Report detailing the revisions to revenue and expenditures as follows:

- The ad valorem delinquent taxes, pension insurance premium; Fire Act Grant, and First Responder Program revenues were adjusted to reflect actual dollar amounts; those exact figures were not available until after the FY 10/11 Budget was adopted.
- Program activity fees exceeded the budgeted amount and that line item was adjusted.
- Several significant stormwater utility projects overlapped the fiscal year and the budget was adjusted to reflect that.
- CRA funds were not used for public safety and that change is reflected under Police and Fire.
- Professional services for amendment to the Comprehensive Plan have been divided between two fiscal years.
- The figures in Ordinance No. 1048 and the attached summary report reflect actual revenues and expenditures for FY 10/11.

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

- Ron Jurgutis, 620 Ocean Street, stated he will forward his questions to the City Manager and suggested that the ordinance not be approved at this meeting. He questioned the amount of the budget adjustment and what impact that might have on taxes. He asked if the auditors are in agreement with these types of budget adjustments.
- Kathy Arcarola, 240 Satellite Avenue, stated she sent questions to the City Manager two days ago and did not receive an answer. [City Manager did not receive her questions that had been forwarded to him by Mr. Lloyd French.] She requested greater detail on the line items and questioned why the amount going in and coming out are exactly the same.
- Lloyd French, 240 Colonial Court, spoke about efficiency and overtime pay; expressed concern about forecasting unknown revenue; and recommended being more conservative in budgeting.

- Don McLendon, 695 Fountain Boulevard, commented that three minutes is not adequate to discuss budget issues. He stated the vacant land at South Housing is a prime piece of real estate if Patrick Air Force will sign off its 5% ownership.

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Fleis, to approve Ordinance No. 1048 on first reading. VOTE: ALL AYES. MOTION CARRIED.

Councilman Higginson stated that the Cassia Phase III project is important to prevent flooding and asked for a timeline for receiving those grant funds. Staff will present an overview of the timeline and funding for Cassia Phase III at the December 7 meeting.

RESOLUTION NO. 916, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, ACCEPTING AND APPROVING THE RESULTS OF THE NOVEMBER 8, 2011, CITY ELECTION

City Attorney Beadle read Resolution No. 916 by title.

Staff received the official certification of the County Canvassing Board of the votes cast for the City of Satellite Beach General Election held on November 8, 2011. Resolution No. 916 accepts and approves the results of that election. Mayor Ferrante read the results:

Gregory Billman	1,300 votes
Mark Brimer	1,070 votes
Michael Chase	949 votes
Sheryl Denan	1,230 votes
Patrick Gibbons	341 votes

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

- Dale Abrahams, 620 Ocean Street, stated she worked the election and thanked residents for showing up to vote; it was a good turn out for an off-year election.

ACTION: Councilman Higginson MOVED, SECOND Vice-Mayor Chase, to adopt Resolution No. 916. VOTE: ALL AYES. MOTION CARRIED.

APPOINTMENTS TO BOARDS

City Clerk Barbara Montanaro presented a list of board vacancies and applications for Council to consider.

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

ACTION: Councilman Higginson MOVED, SECOND Councilman Fleis, to reappoint Marty Hindsley to a two-year term on the Recreation Board, said term ending December 1, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Higginson MOVED, SECOND Councilman Fleis, to reappoint Angela Rhodes to the Recreation Board, said term ending December 1, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Higginson, to appoint Suzanne

McLendon to a three-year term as an alternate member of the Board of Adjustment, said term ending November 17, 2014. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Rhodes MOVED, SECOND Councilman Fleis, to appoint Kathy Nau to a two-year term as an alternate member of the Beautification Board, said term ending November 17, 2013. VOTE: ALL AYES. MOTION CARRIED.

AGENDA ITEMS FOR NEXT MEETING AND APPROVE NOVEMBER 30 AS AN ADDITIONAL REGULAR MEETING FOR NOVEMBER 2011

ACTION: Councilman Fleis MOVED, SECOND Vice-Mayor Chase, to establish a regular meeting for Wednesday, November 30, at 6:00 p.m. VOTE: ALL AYES. MOTION CARRIED.

APPROVAL OF MINUTES: NOVEMBER 2, 2011, REGULAR MEETING

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Higginson, to approve the minutes as presented. VOTE: ALL AYES. MOTION CARRIED.

Mayor Ferrante adjourned the meeting at 7:30 p.m.

Barbara Montanaro
City Clerk