

**COUNCIL MEETING
MINUTES
DECEMBER 15, 2010**

Pursuant to Public Notice, Mayor Ferrante convened the regular meeting of the City Council on Wednesday, December 15, 2010, at 7:00 p.m., in the Council Chamber. Those present were Mayor Joseph Ferrante, Vice-Mayor Mike Chase, Councilman Scott Rhodes, Councilman William Higginson, City Manager Michael P. Crotty, City Attorney James Beadle, and City Clerk Barbara Montanaro. Councilman Jeffrey Fleis was not able to be present.

Vice-Mayor Chase led a moment of silence and the Pledge of Allegiance.

PRESENTATION TO WAL-MART MANAGER CHUCK WILLIAMSON FOR THE GENEROUS CONTRIBUTIONS TO THE COMMUNITY

Mayor Ferrante presented a certificate of appreciation to Chuck Williamson for the contributions his Wal-Mart store has made to the community, including the Shop with a Cop program where underprivileged children are allowed to shop with a police officer or member of the sheriff's department and select up to \$100 worth of gifts; donations to American Cancer Society Relay for Life and the Satellite High School Band; and providing three booster seats to a family that was living out of their car. Satellite High Principal Mark Elliott, Relay for Life Director Erica Elliott, Police Chief Cote and numerous members of the Satellite Beach Police Force joined in honoring Mr. Williamson.

Mr. Williamson said that it is an honor and privilege to be a part of this community and recognized other Wal-Mart associates for their participation on the contributions.

PRESENTATION BY POLICE CHIEF COTE REGARDING THE SHOOTING INCIDENT AT 305 GRANT AVENUE

Police Chief Cote presented a synopsis of the events on November 28 at 305 Grant Avenue that ended in two fatalities. (Copy attached)

Council commended the officers involved for their professional response to this unfortunate situation.

PRESENTATION BY GEORGE GELETKO OF HARRIS SANITATION, INC., (WASTE MANAGEMENT) ON PROPOSAL FOR IMPLEMENTING SINGLE STREAM CART RECYCLING PURSUANT TO SECTION 50-36 OF THE EXISTING FRANCHISE AGREEMENT ORDINANCE BETWEEN THE CITY AND HARRIS SANITATION, INC.

City Manager Crotty stated that staff has been working with Waste Management (WM) and presented two options. Option 1 provides two garbage collections, one single stream recycling collection, and one yard trash collection per week (2-1-1); collection days and the cost to residents would remain the same. Option 2 reduces garbage collection to once per week (1-1-1) and the monthly cost decreases \$2.77 per month.

George Geletko, WM, stated the current collection program (2-1-1) with recycling bins captures 29-35% of potential materials; the same schedule using the green carts instead of bins captures 55-75%; and the (1-1-1-) schedule captures 90-95%. He provided the list of additional items that can be recycled through the single stream cart program. If the City goes to 1-1-1 and garbage collection falls on a holiday, Saturday will be the make up day so that no one has to wait two weeks for collection.

The comparison of costs for two options follows:

	Current Service	Option 1 (2-1-1)	Option 2 (1-1-1)
Residential Garbage	\$10.01	\$ 8.33	\$ 4.44
Residential Recycling	\$ 3.06	\$ 3.32	\$ 4.44
CFL Recycling		\$ 0.10	\$ 0.10
E-Waste Recycling		\$ 0.05	\$ 0.05
Residential Yard Waste	\$ 1.29	\$ 2.56	\$ 2.56
Street Sweeping	\$ 0.40	\$ 0.40	\$ 0.40
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	\$14.76	\$14.76	\$11.99
Solar Compactors	-----	\$ 0.50	\$ 0.50
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		\$15.26	\$12.49

Council discussed the following:

- If garbage collection is reduced to once a week, there may be problems with smell, flies, etc.
- Where will the solar compactors be placed if the City opts to use them? [City staff would determine the highest traffic spots.]
- Can WM provide the automated solar compactors without adding the 50 cents/month to the residents' bills?
- If not on a permanent basis, can WM provide several solar compactors free of charge as a trial?
- The automated solar compactors do not make a significant difference in the workload for Public Works.
- Why has the cost of yard trash gone from \$1.29 to \$2.56? (Under the franchise agreement, all yard trash had to go into the cart; this did not work for the residents of Satellite Beach. WM now has a man on the truck who will pick up small piles of yard trash placed curbside in addition to the cart collection.)
- Free enterprise and competition is good; it might not be wise to lock into an additional 22 months. [Mr. Geletko stated that they needed the 22-month extension to recoup the capital outlay for 4,300-4,400 new carts.]
- If Council extends the existing contract for an additional 22 months as requested by WM, will WM forego the CPI increase the first year?
- The cost of 2-1-1 single stream recycling without solar compactors is \$14.76, the same as current rates.
- The cost of 1-1-1 single stream recycling without solar compactors is \$11.99, a reduction of \$2.77 per month.
- It would be better to phase into 1-1-1 or build in the option to go back to 2-1-1 to accommodate the needs of the residents.
- What happens if fuel costs go up? [Under the contract, WM can come back to the City and ask for an adjustment.]
- Collection days must remain the same, especially yard trash collection on Mondays.

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

- John Fergus, 135 Maple Drive, spoke in opposition to spending 50 cents a week for solar compactors. He also said that the 1-1-1- option works for his family.
- Michelle French, 240 Colonial Court, asked if yard waste has to be put in cans. She frequently uses

both carts for yard waste. If garbage is only going to be picked up once a week, that will be a problem. [Nothing is going to change; you can put it in the carts or on the lawn. The City encourages the use of carts for yard trash to keep the streets and storm drains clean. Residents can use the interactive website to request special collection for larger piles.]

- Dania Billman, 690 Jackson Court, stated she has four children and a lot of garbage. She needs to use all the carts for garbage and does not recycle. She asked if she can put garbage in all three carts and put extra bags on the ground beside the carts. [Garbage can be placed in all the carts, but loose bags on the curb will not be picked up.] If the City goes to 1-1-1, she will probably end up putting everything (garbage, recycling, and yard trash) in the carts together.
- Dominick Montanaro, 465 Glenwood Avenue, stated that if garbage collection is reduced to one day a week, he favors having the entire City picked up on the same day, not half the City on one day and the other half another day.

ACTION: Councilman Higginson MOVED, SECOND Vice-Mayor Chase, to approve single stream cart recycling Option 1 (2-1-1), eliminate the solar compactors, include the 22-month extension, add cfl and e-waste recycling, eliminate the CPI increase the first year, and discuss Option 2 (1-1-1) again in ninety days. VOTE: ALL AYES. MOTION CARRIED.

CITIZEN RECOGNITION

- **INTRODUCTION OF GUESTS**
- **CITIZEN COMMENTS**

- Lloyd French, 240 Colonial Court, stated that the non ad valorem fire assessment being considered is based on recommendations from an unqualified advisory source. He recommended that Council consider hiring Emergency Services Consulting International (ESCI) to objectively assess the needs, readiness, and efficiency of fire and EMS services to residents. He suggested that ESCI also evaluate the feasibility of a joint venture with Indian Harbour Beach for fire and EMS. He provided a brochure and contact information for ESCI.

CITY COUNCIL COMMENTS

Councilman Higginson reported that he attended the following:

- December 2, Retirement Boards of Trustees meeting - Florida League of Cities Representative Paul Shamoun was not present to discuss the status of the trust funds.
- December 8, Town Hall Meeting - He hosted the meeting where there was an open dialog and discussion of issues of interest (history of why the bait shop closed; building heights west of A1A in the Commercial District; history of unsuccessful attempts to do joint projects with Indian Harbour Beach; look for grants for a platform lift fire truck to replace the oldest unit; place utilities underground; and a street sign lettering mandate currently approved by the federal government.)
- December 8, South Beaches Coalition - discussed potential joint partnership for representation in Tallahassee; each of the four cities will bring this issue to their Councils for consideration.
- December 9, Transportation Planning Organization – Florida Department of Transportation projects have come in \$29 million lower than anticipated, making it possible to advance regionally significant projects one year. Resurfacing A1A is now slated for 2014.
- December 12, Police Volunteer Christmas party - each person paid \$10, and the party did not cost the City anything.
- December 13, Lighting Service Group Celebration of One Millionth LED Bulb - These bulbs made in American by Americans are sold at Home Depot. Lighting Science is a great asset to Satellite

Beach.

- December 13, Space Coast League of Cities meeting.
- December 14, Samsons Island volunteer appreciation.

Councilman Rhodes reported on the following:

- He attended the Lighting Science Group Celebration, and it is exciting to see the company growing so fast and wanting to stay in Satellite Beach. Senator Haridopolos was there and invited people to visit him in his local office.
- He and his family rode on the Santa truck and enjoyed seeing all the children (young and old) who came out to welcome Santa.

Vice-Mayor Chase reported on the following:

- No liaison activity this month.
- Thanked staff for the prompt response with information regarding removal of extra utility poles.
- Attended the Lighting Science Group celebration and was impressed with their passion for the work they do. He noted the communication and commitment the City is showing to Lighting Science.
- Regarding the suggestion under Citizen Comments to hire a consultant to review fire and EMS services, he recommended sending the information to the Blue Ribbon Committee for further review of precedents and merits before spending money on a consultant.

Mayor Ferrante reported that he attended three holiday events: Police and volunteer Christmas party, Space Coast League of Cities, and Samsons Island volunteer appreciation.

CITY ATTORNEY REPORT

City Attorney James Beadle did not have a report.

CITY MANAGER REPORT

City Manager Crotty reported on questions raised at the last Council meeting as follows:

- The orphan utility poles will be removed as soon as all utilities have moved their wires to the new poles, within approximately ninety days.
- Brevard County plans to form a committee to implement a standardized fertilizer ordinance applicable to all areas in Brevard County. The committee will meet in January and February. The Public Works Director and Building Official will represent the City on the committee.

Cassia Basin Stormwater Improvements Phases 1 and 2: Public Works Director Allen Potter stated that during construction on the pond in front of City Hall they discovered voids in the sidewalk adjacent to the wall. There are some cracks and holes that allow water to rise and fall inside the wall and pull out fill. These have been sealed and wrapped in filter cloth. Mr. Potter presented a proposal from Don Luchetti Construction in the amount of \$17,073 for this work. Luchetti also proposed replacing any existing tiebacks that are not in acceptable condition for \$865 each. There are four tiebacks that need to be fixed; Mr. Potter recommended that the four be repaired, rather than replaced, for a total cost of \$1,000.00 - \$1,500.

These additional costs may be eligible for payment from the grant funds. If not, funds will come from the Stormwater Utility Fund. No action was necessary at this meeting, but a change order may be presented at a future meeting.

REPORT ON 2010 GOALS

Council adopted three goals for FY 09/10. Reports on efforts to meet those goals follow.

Strategies to Retain Existing and Recruit New Businesses by Community Development Director Laura Canady:

- Staff is actively involved in and issues invitations to local businesses to participate in the event of the Beaches Council of the Melbourne Regional Chamber. This provides networking, outreach, and educational opportunities.
- Staff hosts Informational Coffees for business owners to keep them advised of the Community Redevelopment Agency programs and activities. The emphasis this year will be on expanding their customer base through enhanced marketing efforts, community outreach, and events highlighting local businesses.
- Staff attends the Economic Development Commission programs to make contact with prospective relocating or new businesses.
- New communication tools to promote local businesses and provide easy access to City information include the City website www.satellitebeachfl.org Business Directory and the CRA website – www.satellitebeachcra.org.
- Future events include the Satellite Beach Community Showcase for Property Professionals on January 26 at 1:30 p.m. to provide a virtual tour of available properties within the city and to showcase the advantages of living, working, and recreating in Satellite Beach, and the Satellite Beach Business Showcase co-hosted by the Beaches Council Chamber on February 24, at 4:30 p.m. to provide visibility and attract customers for local businesses.
- Recommendations for future implementation: Shop Satellite Beach Card/Decal Program, Hotel Rack Card, and CRA hosted annual festival.

Make Inventory of Vacant Properties and Buildings which may be Considered “Underutilized,” and Determine Appropriate Land Use Designations by Building Official John Stone:

- Presented a template of the website featuring properties for sale and/or available (underutilized).
- Presented a list of nineteen vacant parcels available for development.
- Sliding the mouse over the picture provides a link to an aerial on the Property Appraiser’s site.

Ms. Canady presented her top five list:

1. Peg Legs at the southwest corner of Highway A1A and DeSoto Parkway owned by the CRA (1.1 acres)
2. Pelican Coast south of Shearwater Parkway (100 acres)
3. Former Satellite Arms, 1170 South Patrick Drive (1.38 acres)
4. Pelican Coast north of Shearwater Parkway (38.8 acres)
5. Former Bowling Alley, 1230 Highway A1A (2.79 acres)

These will be on the CRA website within thirty days to provide information for buyers/tenants.

Council discussed the following:

- The time to maintain with the changing prices, etc.
- What would be involved in offering incentives or waiving taxes or development fees? [The city attorney will research this.]

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

- Dania Billman, 690 Jackson Court, recommended providing a link to a real estate specific website and adding a blogging feature to the CRA website.
- Dominick Montanaro, 465 Glenwood Avenue, recommended caution in dealing with the 38 acres of Pelican Coast north of Shearwater Parkway because they are the same individuals who defaulted on taxes on the south side.

Review Pension Plans Status and Costs by City Manager Michael Crotty:

- Ordinance No. 1034 implementing General Employees voluntary reduction in pension multiplier from 3% to 2% for three years, resulting in a projected three-year savings of \$100,000.
- The City of West Melbourne has hired an attorney from Tallahassee to write an ordinance implementing a two-tier pension program. The City Manager has agreed to share that information with us for review purposes.
- Buy-out of six employees eligible for a retirement benefit without a penalty for early retirement: This would only be a benefit if those six individuals are not replaced (position eliminated or filled by someone already employed). Actuarial calculations indicate that a buy-out of all six employees would increase the cost to the pension plan; however, the bottom line cost reduction is \$321,936. (Total salary/benefit savings \$666,166, minus \$344,230 additional pension cost, equals net savings first year of \$321,936). Two of six are two of the three full time employees in the Recreation Department.
- The possibility of moving Police and Fire Retirement Plans to the Florida Retirement System will be reviewed at the state level this next year.
- Staff has accumulated information from a variety of sources who are researching pension plans; it will be beneficial to see what those organizations and the Florida Legislature will do with pensions this next year.

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

RESOLUTION NO. 908, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, SUPPORTING THE *LET'S MOVE CITIES AND COUNTIES CAMPAIGN*; SUPPORTING PREVENTATIVE MEASURES TO FIGHT OBESITY; AND PROVIDING AN EFFECTIVE DATE

City Attorney Beadle read Resolution No. 908 by title.

The Florida League of Mayors has requested that each municipality adopt a resolution similar to Resolution No. 908 to work toward reversing the nation's childhood obesity epidemic within a generation as proposed by First Lady Michelle Obama.

Councilman Higginson stated that he could not support the second “whereas” clause eliminating the sale of junk food and providing incentives for stores that sell fresh food.

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

- Gregg Billman, 690 Jackson Court, stated that the provisions of this resolution are outside the purview of government and they have a high potential to come with costs. It assumes the role of family health care provider and directs local government to sign up for four actions. There is no analysis of cost impact. There is no correlation in the City Charter calling for this, and the resolution should not be passed.
- Lloyd French, 240 Colonial Court, asked why the City needs a resolution promoting common sense and good parenting. He warned that costs will result from adoption of this resolution and recommended that the City not delve into the private lives and personal choices of people.

Council did not take any action on Resolution No. 908.

STATUS REPORT BY COMMUNITY DEVELOPMENT DIRECTOR LAURA CANADY ON OVERFLOW PARKING FOR HIGHTOWER BEACH PARK AND LANDSCAPING OF SOUTH PATRICK DRIVE AT PELICAN COAST

The attorneys are reviewing the agreement for the Hightower Beach Park overflow parking, and it should be ready for execution by the end of the year.

HP Communities has started the landscaping project along the Pelican Coast wall on South Patrick Drive. Public Works will inspect the installation; after that, Hunt is finished. They have done well.

DISCUSS/TAKE ACTION ON FUNDING FOR ENHANCED SIGNAL AT SHEARWATER PARKWAY AND HIGHWAY A1A

Community Development Director Canady reported that the agreement is in Hunt’s attorney’s office and should be complete by the end of the year. The enhanced signal will cost approximately \$150,000 (\$75,000 from Hunt and \$75,000 from the City).

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

- Lloyd French, 240 Colonial Court, asked what an enhanced signal is. [Mast arm, instead of wires.]

COUNCIL CONVENED AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE FOLLOWING AGENDA ITEMS:

DISCUSS/TAKE ACTION ON FAÇADE GRANT APPLICATION TO RETROFIT NONCONFORMING SIGN – HANNON ENTERPRISES, 1110 HIGHWAY A1A

Building Official John Stone presented the request from Hannon Enterprises for a façade grant to retrofit a non-conforming sign at 1110 Highway A1A. The cost of the retrofit is \$5,450. The Community Redevelopment Agency Advisory Committee recommended approval of a façade grant in the amount of \$5,000.

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

ACTION: Councilman Chase MOVED, SECOND Councilman Higginson, to approve the façade grant in the amount of \$5,000 to Hannon Enterprises to retrofit a nonconforming sign to a monument sign as presented. VOTE: ALL AYES. MOTION CARRIED.

DISCUSS/TAKE ACTION ON STATUS OF FAÇADE GRANT PROGRAM FOR BALANCE OF FY 10/11

Building Official Stone reported that in May 2010 there were forty-seven of the eighty-four non-conforming freestanding signs remaining. Currently there are nineteen non-conforming signs standing; however, all but three have been approved for a façade grant and are in some stage of the replacement process.

Council commended staff for working with businesses to meet the deadline for replacing freestanding signs with monuments signs.

Community Development Director Canady reported that the façade grant program funds for FY 10/11 have been committed, and there are no more grant funds available through the end of September. Since the time to apply for sign replacement grants has expired, she recommended adopting a policy to place the façade grant program on hold for the remainder of FY 10/11.

Council asked how this will effect the application for a façade grant at 1180 South Patrick Drive that was sent back for more information. The applicants have begun work which makes them ineligible for the grant program. CRA Advisory Committee Chair confirmed that applicants did not have authorization to proceed with the project until all paperwork was submitted and approved.

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

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Rhodes, to suspend the façade grant program until additional funding has been allocated. VOTE: ALL AYES. MOTION CARRIED.

DISCUSS/TAKE ACTION ON FAÇADE GRANT APPLICATIONS FOR EXTERIOR FACADE RENOVATIONS:

- **VINTAGE EMPORIUM/SPACE COAST MARINE BUILDING, 1180 S. PATRICK DRIVE, FOR EXTERIOR AND LANDSCAPING IMPROVEMENTS**

No action because there is a moratorium on funds for façade grants.

- **PARKSIDE OWNERS ASSOCIATION/PARKSIDE CENTER, 1790 HIGHWAY A1A, FOR LANDSCAPING IMPROVEMENTS**

No action because there is a moratorium on funds for façade grants. The application has been reviewed and sent back to the applicants for more information regarding landscaping and the type of paint/faux finish for the building. The owners have begun work and are no longer eligible for a grant. No action was taken.

COUNCIL RECONVENED FOR THE FOLLOWING AGENDA ITEMS:

APPOINTMENTS TO BOARDS

City Clerk Barbara Montanaro presented a list of board vacancies, reappointments, and

applications for Council to consider.

Mayor Ferrante asked for public comments prior to the vote on each appointment. There were no comments.

ACTION: Councilman Higginson MOVED, SECOND Councilman Chase, to reappoint regular member Judith Kraemer to a two-year term on the Beautification Board, said term ending January 17, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Higginson MOVED, SECOND Councilman Rhodes, to reappoint regular member Maria Kaps to a two-year term on the Community Redevelopment Agency Advisory Committee, said term ending January 11, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Rhodes, to reappoint regular member David R. Schechter to a two-year term on the Community Redevelopment Agency Advisory Committee, said term ending January 17, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Vice-Mayor Chase MOVED, SECOND Councilman Rhodes, to reappoint alternate member Hope Ascher to a two-year term on the Library Board, said term ending January 20, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Higginson MOVED, SECOND Vice-Mayor Chase, to reappoint regular member Sandy Carnival to a two-year term on the Samsons Island Park Committee, said term ending January 1, 2013. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Higginson MOVED, SECOND Councilman Rhodes, to reappoint regular member John Cherniga to a two-year term on the Samsons Island Park Committee, said term ending January 1, 2013. VOTE: ALL AYES. MOTION CARRIED.

AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING

There will be two ordinances coming from the Planning and Zoning Advisory Board (shared parking and RV storage/parking), a report on Peg Legs, reports on departments' sections of the Blue Ribbon Committee Final Report, discussion on representation in Tallahassee with costs shared by member cities of the South Beaches Coalition, Lighting Science Group/Hunt report, and budget.

Council scheduled a workshop with the chairs of City boards/committees for 6:00 p.m., January 19, 2011.

ADOPTION OF MINUTES: DECEMBER 1, 2010, REGULAR MEETING

ACTION: Councilman Higginson MOVED, SECOND Vice-Mayor Chase, to approve the December 1, 2010, minutes. VOTE: ALL AYES. MOTION CARRIED.

Mayor Ferrante adjourned the meeting 9:20 p.m.

Barbara Montanaro
City Clerk