

COUNCIL MINUTES JULY 1, 2009

Mayor Brimer convened a regular meeting of the City Council at 7:00 p.m. on Wednesday, July 1, 2009, in the Council Chamber. The following were present: Mayor Mark Brimer, Vice-Mayor Martha Kirby, Councilman Michael Chase, Councilman Jeffrey Fleis, Councilman Dominick Montanaro, City Manager Michael Crotty, City Attorney James Beadle, and City Clerk Barbara Montanaro.

Vice-Mayor Kirby led a moment of silence and the Pledge of Allegiance, expressing appreciation for the freedom that Americans enjoy and for those who sacrifice to protect those freedoms.

CITIZEN COMMENTS No citizens had signed up for citizen comment.

COUNCIL COMMENTS

Councilman Montanaro commented on how impressive the flags in front of City Hall are and expressed appreciation to Scotty Culp and all the volunteers who make the 21-Day Salute to the Flag possible.

Councilman Chase complimented Councilman Fleis on his Beachcaster article supporting local businesses. He asked if it is possible to put a list of local businesses on the City's website as a reference for residents who want to support local businesses. Staff will prepare a report for the next Council meeting.

Vice-Mayor Kirby stated that the volunteers who work with Scotty on the flags are dedicated to this activity that enhances the City. She also commended Commander Pearson for his appointment as head of the task force for the Juvenile Assessment Center.

Mayor Brimer stated that he and Commander Hughes went to Orlando for an injury prevention seminar. He complimented Commander Hughes on an excellent presentation and the positive feedback from the presentation.

CITY ATTORNEY REPORT City Attorney Beadle did not have a report.

CITY MANAGER REPORT

- City Manager Crotty stated that he had received a Petition from Bob Rhines requesting that garbage collection be reduced to one day a week. A copy of the Petition had been provided to Council by e-mail and a paper copy was distributed at the meeting. City Manager Crotty explained that the new solid waste agreement addresses the possibility of one-day per week pick up. If the proposed single stream recycling program meets expectations of reducing garbage by 60%, then it may be feasible to go to one-day per week garbage collection. The City Manager will send a letter to Mr. Rhines explaining this.

Council questioned what the possible reduction in cost would be with the once a week collection. They recognized that once a week would be sufficient for many residents but would not meet the needs of many other residents.

- City Manager Crotty stated that he has received numerous reports from residents of the Emerald Isles area that they have had excessive power outages. Casey Sheffield, Florida Power & Light Delivery Assurance Manager, will call every resident who has contacted City Hall to give them his personal phone number so he can deal with outages immediately. Four of the eight loops in that area will be replaced by July 10.

ORDINANCE NO. 1014, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FY 2008/2009 BUDGET ORDINANCE NO. 1002; SAID ORDINANCE WAS PREVIOUSLY AMENDED BY ORDINANCE NO. 1012; PROVIDING AN EFFECTIVE DATE (SECOND READING)

Ordinance No. 1014 was approved on first reading on June 17, and amends the FY 2008/2009 budget.

ACTION: Councilman Montanaro MOVED, SECOND Councilman Chase, to read Ordinance No. 1014 by title only on second reading. VOTE: ALL AYES. MOTION CARRIED.

Mayor Brimer read Ordinance No. 1014 by title only and asked for public comments. There were no comments.

ACTION: Councilman Montanaro MOVED, SECOND Councilman Chase to adopt Ordinance No. 1014. VOTE: ALL AYES. MOTION CARRIED.

ORDINANCE NO. 1017, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SATELLITE BEACH TO PERMIT A CONDITIONAL USE FOR A CONGREGATE LIVING FACILITY FOR PROPERTY LOCATED AT 500/510, 520/522 AND 530/532 LEE AVENUE AND 505/515, 517/525 AND 527/535 JACKSON AVENUE; DESCRIBED AS EAU GALLIE SHORES, LOTS 14-21, 24 AND 25, BLOCK 20; ZONED RM-1; PROVIDING SEVERABILITY; PROVIDING EFFECTIVE DATE (SECOND READING)

Ordinance No. 1017 was approved on first reading on June 17, 2009, and amends the conditional use permit (Ordinance No. 1005) for the congregate living facility by increasing the number of residents from six to eight per building. All other provisions of Ordinance No. 1005 remain the same.

ACTION: Councilman Montanaro MOVED, SECOND Councilman Chase, to read Ordinance No. 1017 by title only on second reading. VOTE: ALL AYES. MOTION CARRIED.

Mayor Brimer read Ordinance No. 1017 by title only and asked for public comments.

Applicant Cheryl Stocksdale thanked Council for allowing them to open this facility. She stated that there has been an outpouring of interest from Satellite Beach residents, both for themselves and for parents or family members who wish to remain in the area.

ACTION: Councilman Montanaro MOVED, SECOND Councilman Chase, to adopt Ordinance No. 1017 on second reading. VOTE: ALL AYES. MOTION CARRIED.

DISCUSS/TAKE ACTION ON ANNUAL EVALUATION OF CITY MANAGER

Based on the Annual Evaluation of the City Manager completed by Council Members, Mayor Brimer reported that the City Manager had received a rating of 4.96 from a possible high rating of 5. Under the Merit Pool Guidelines for City Employees for FY 08/09, the City Manager is entitled to receive a merit increase of 2.0%.

ACTION: Councilman Montanaro MOVED, SECOND Vice-Mayor Kirby, to award the City Manager a merit increase of 2.0% based upon his evaluation and Merit Pool Guidelines. VOTE: ALL AYES. MOTION CARRIED.

Council expressed their appreciation for the excellent leadership and professional guidance of City Manager Michael Crotty.

APPOINTMENTS TO BOARDS

City Clerk Barbara Montanaro presented a report showing board reappointments, vacancies and applicants. She stated that Mr. Richard Eginton has asked to be moved from the Code Enforcement Board to the Beautification Board.

Mayor Brimer asked for public comment prior to each board appointment. There were no comments.

ACTION: Councilman Montanaro MOVED, SECOND Vice-Mayor Kirby, to move Richard Eginton from the Code Enforcement Board to a two-year alternate position on the Beautification Board, said term ending July 1, 2011. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman Montanaro MOVED, SECOND Vice-Mayor Kirby, to reappoint Robert Dietl to a three-year term on the Board of Adjustment, said term ending July 17, 2012. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Vice-Mayor Kirby MOVED, SECOND Councilman Chase, to reappoint Allen Lindsey to a three-year term on the Code Enforcement Board, said term ending July 20, 2012. VOTE: ALL AYES. MOTION CARRIED.

ACTION: Councilman took no action on the reappointment of John Harbaugh to the Samsons Island Park Committee. His term will lapse due to lack of attendance at meetings.

Council discussed the number of vacancies on boards and asked the City Clerk to put together a packet of information about civic groups in the City. Council Members or staff will visit with those groups to see if there are residents who would like to volunteer to serve on a committee.

DETERMINE AGENDA ITEMS FOR NEXT REGULAR MEETING

City Manager Crotty presented a list of items for the July 15, 2009, Council meeting. There will be only three Council Members present on July 15, so the number of agenda items will be limited. The meeting cannot be cancelled because the EAR based Comprehensive Plan has been advertised for a public hearing that night.

Council confirmed that they will meet again on July 22 to receive recommendations from the Charter Review Committee and other agenda items.

ADOPTION OF MINUTES: JUNE 17, 2009, REGULAR MEETING

ACTION: Councilman Montanaro MOVED, SECOND Councilman Chase, to approve the June 17, 2009, minutes as presented. VOTE: ALL AYES. MOTION CARRIED.

DISCUSS/TAKE ACTION ON REPLACING THE AIR CONDITIONER FOR CITY HALL

Public Works Director Allen Potter presented a proposal from Merritt Island Air & Heat Inc. to replace one condenser for \$2,599.00, plus a ten-year parts and labor warranty for \$535.00 and the air handler for \$4,720.00, total \$7,854.00. He did not recommend the five year warranty for the air handler (\$464.00). Mr. Potter reviewed these prices with other reliable air conditioning companies and they are competitive.

Although the City is undergoing an energy survey, there is no benefit to waiting for the results. There will not be any energy savings unless the design of the building and the air conditioning system are modified. This is cost prohibitive.

City Manager Crotty stated that Public Works budget has money to replace the AC at the Police Department; but replacement of the City Hall units was not included in the budget. Funds will come from the reserves.

Mayor Brimer asked for public comments. There were no comments.

ACTION: Councilman Montanaro MOVED, SECOND Vice-Mayor Kirby, to authorize the expenditure of \$7,854.00 to replace the City Hall air conditioner. VOTE: ALL AYES. MOTION CARRIED.

Councilman Montanaro thanked Mr. Potter for having notices delivered to residents of Glenwood Avenue alerting them to the closure of the street for repairs.

Regarding the "How Shall We Grow" proposal, Council has previously directed that the City will not participate.

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

Barbara Montanaro, CMC
City Clerk