

Minutes
Town of Indialantic
Regular Meeting of the Town Council
Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903
Wednesday, March 9, 2022 at 7:00 p.m.

A. Call to Order:

A regular meeting of the Indialantic Town Council was called to order by Mayor Berkman at 7:04 p.m. followed by the Pledge of Allegiance. The following members were present:

Honorable Dave Berkman, Mayor
Honorable Stu Glass, Deputy Mayor
Honorable Simon Kemp, Councilmember
Honorable Doug Wright, Councilmember

Also attending:

Michael Casey, Town Manager
Paul Gougelman, Town Attorney
Rebekah Raddon, Town Clerk
Michael Connor, Chief of Police

1. Proclamation: Michael Faucher, Jr., Day
Mayor Berkman read the proclamation which was received by Michael Faucher, Jr.
2. Proclamation: Water Conservation Month
James Cannon, Intergovernmental Coordinator for St. Johns River Water Management District, spoke regarding the importance of water conservation and accepted the proclamation read by Mayor Berkman.
3. Proclamation: Hemophilia and Bleeding Disorders Awareness Month
Victoria Emory accepted the proclamation read by Mayor Berkman. Ms. Emory spoke regarding the burdens of living with a bleeding disorder such as hers; in particular, the physical, emotional, and staggering monthly financial costs associated with the disease. She thanked the Town for its support.
4. Mayor Berkman made the following Public Announcements:
 - There are openings on the following boards and committees: Board of Adjustment, Budget & Finance, Civil Service, Parks Recreation & Beautification, the General Employees' Pension Board; and Zoning and Planning
 - The Easter egg hunt will be on Saturday, April 9, at 9:00 a.m. in Orlando Park

- Build Week for the Mikey Goodwin Playground at Nance Park will be Tuesday – Saturday, April 19 – 23. The Playground Advisory Committee is seeking volunteers to help build the playground; sign up at <https://www.nanceparkplayground.com/> Mayor Berkman noted that, as of 6:15 p.m. this evening, \$200,000 in funding from the state has been budgeted for Phase 2 of the Mikey Goodwin Playground. He thanked town lobbyist Jason Steele for his efforts in securing the funds.

B. Consent Agenda:

1. Approve Council Meeting Minutes 2-9-2022
2. Approve Running Zone agreement, road closure, and banner placement for special event Witch Way 5K on October 15, 2022
3. Approve the following Appointments/Reappointments:
 - a) Board of Adjustment – Reappoint David Justice; Appoint Eileen Mullen
 - b) Heritage Committee – Reappoint Pam Dunn
 - c) Parks, Recreation & Beautification Committee – Appoint John Heilner
 - d) Zoning and Planning Board – Appoint Jeanne Allen

Motion by Councilmember Wright, seconded by Councilmember Kemp, and vote unanimous to approve the Consent Agenda as written. Motion carried 4-0.

C. Ordinances and Public Hearings: None.

D. Unfinished Business:

1. Charter Amendment (Glass)
Deputy Mayor Glass asked to table this item.
2. Accessory Buildings (Berkman)
Mayor Berkman asked if the council would consider amending the Town Code with regard to accessory structures. In particular, he would like to see three changes:
 1. Clarification between accessory structures and sheds,
 2. Allowing two sheds on a property, and
 3. Allowing sheds to be located in side yards.

Motion by Mayor Berkman, seconded by Deputy Mayor Glass to begin drafting an ordinance addressing the comments noted above.

Mayor Berkman commented that he does not wish to change setback requirements. In response to a question about utility easements, Town Attorney Gougelman commented that if a shed is installed in an easement, the shed owner is responsible for ensuring access for utilities which may involve removal or demolition of the shed.

Mayor Berkman asked for public comments. The following people spoke:

Brett Miller, 220 Cocoa Avenue, suggested that sheds with a height of 6' or less be allowed to have a tighter setback [less than 4' from the property line]. Mayor Berkman concurred that smaller items such as a pool box may justify a smaller setback.

Scott Smith, 321 Seventh Avenue, commented that a neighbor installed a large shed that had the appearance of a house. He expressed concerns about increasing the number of sheds allowed on a property and oversized sheds that potentially could be used for habitation.

Motion carried unanimously 4-0.

E. New Business:

1. Coronavirus State & Local Fiscal Recovery Fund

Town Manager Casey summarized the final rule which allows more flexibility in how the funds can be spent. He would like to bring a list of potential projects to the town council.

Motion by Councilmember Kemp, seconded by Deputy Mayor Glass to approve the utilization of Coronavirus State and Local Fiscal Recovery Fund for revenue loss as authorized by the U.S. Treasury final rule, and have staff bring a list of beneficial projects and improvements to the town council for approval. Motion carried 4-0.

2. Engagement Letter - James Moore & Co., P.L., for American Rescue Plan Act Reporting and Compliance Consulting

Town Manager Casey asked for authorization to use James Moore & Co. to provide consultation services to ensure compliance with reporting requirements for the Coronavirus State & Local Fiscal Recovery Fund.

Motion by Mayor Berkman, seconded by Deputy Mayor Glass, and vote unanimous to authorize entering into the agreement for services with James Moore & Co., P. L. Motion carried 4-0.

3. Proposal – Outdoor Enhancements, LLC for Nance Park playground turf

Town Manager Casey explained that the proposal includes site prep.

Motion by Mayor Berkman, seconded by Councilmember Kemp, and vote unanimous to authorize entering into the agreement with Outdoor Enhancements, LLC. Motion carried 4-0.

F. Public Comments, Non-Agenda items:

Scott Smith, 321 Seventh Avenue, spoke regarding changes that FDOT will be making on Fifth Avenue. In summary, he feels the road is safe and the changes may be unnecessary.

Mel Chang, 225 Wayne Avenue, shared his opinion of the current mayor and a former mayor.

G. Administrative Reports:

1. Town Attorney – None.
2. Town Manager – Mr. Casey indicated that lifeguards will be on duty for spring break next week; he anticipates beaches will be crowded. Brief discussion ensued regarding coverage for the beaches and parking violations.

H. Council Reports:

Councilmember Kemp spoke regarding the recent TPO meeting where low speed vehicles (LSVs) were discussed. There is interest from other beach communities for having a permit that would allow LSVs to travel through multiple jurisdictions.

Deputy Mayor Glass spoke regarding the Indian River Lagoon National Estuary Program. The report card will be presented tomorrow at noon by the Marine Resources Council. Deputy Mayor Glass provided a legislative update, noting that the current legislative session will end in two days.

Mayor Berkman read an excerpt of an offensive email sent by a resident.

I. Adjournment:

There being no further discussion, the meeting was adjourned at 7:45 p.m.

Dave Berkman, Mayor. Signature on file.

Attested by: Rebekah Raddon, CMC, Town Clerk. Signature on file.