

Meeting Minutes
Town of Indialantic
Regular Meeting of the Town Council
Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903
Wednesday, February 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 7:01 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 Julie McKnight, Councilmember
Honorable Doug Wright, Councilmember

Also attending:

Michael Casey, Town Manager
Paul Gougelman, Town Attorney
Rebekah Raddon, Town Clerk
Scott Holstine, Police Department

1. Presentation, Northern Atlantic Right Whale Migration:

Joel Cohen and Julie Albert, Program Director for the Marine Resources Council (MRC), spoke. In summary, they explained that our coastline provides habitat for right whales who give birth and nurse their calves here during the winter months. The two most frequent causes of death are by collision with boats and entanglement in fishing gear. With only 336 right whales remaining, the species is critically endangered. Residents can help protect the whales by calling 888-979-4253 to report sightings. The MRC collaborates with other state, federal, and non-profit organizations to alert boaters when whales are present, initiate disentanglement responses, and conduct research.

2. Mayor Berkman read the following Public Announcements:

- There are openings on the following boards and committees: Board of Adjustment, Civil Service, Parks Recreation & Beautification, the General Employees' Pension Board; and Zoning and Planning
- Town Hall will be closed Monday, Feb. 21 in observance of Presidents' Day

- T-shirts for the Mayors' Fitness Challenge are available at Town Hall, you can still register for the challenge at www.uwbrevard.org. Fill out our local team form at: <https://indialantic.fitness/> to get updates on events.
- Playground fence pickets are for sale at nanceparkplayground.com. Proceeds from the sale will be used for playground construction and maintenance.

B. Consent Agenda:

1. Approve Council Meeting Minutes 12-29-2021
2. Approve Council Meeting Minutes 1-12-2022
3. Adopt Resolution 01-2022 Fiscal Year 21-22 Budget Adjustment #1
4. Approve 2022 Ocean Lifeguard Agreement
5. Authorize/designate Special Event: PineappleMan Triathlon, June 5, 2022, 6 a.m. – 10:30 a.m.
6. Authorize/designate Special Event: Turkey Trot 5K, Nov. 24, 2022, 7:30 a.m. – 9:30 a.m.
7. Approve the following Appointments/Reappointments:
 - a) Parks, Recreation, & Beautification Committee – Reappoint Stacie Miller

Motion by Deputy Mayor Glass, seconded by Councilmember McKnight, and vote unanimous to approve the consent agenda as written. Motion carried 5-0.

C. Ordinances and Public Hearings:

1. Ordinance 2022-04 Second/Final Reading, *Adopting Rules of Procedure for Town Council Meetings:*
 AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA RELATING TO RULES OF PROCEDURE FOR TOWN COUNCIL MEETINGS; MAKING FINDINGS; AMENDING SECTION 2-34, TOWN OF INDIALANTIC CODE OF ORDINANCES; SETTING FORTH RULES OF PROCEDURE, DEBATE, AND PUBLIC COMMENT; PROVIDING FOR AGENDA PREPARATION; AMENDING SECTION 2-35 RELATING TO INTERRUPTION OF DELIBERATIONS AND MAINTENANCE OF ORDER AND DECORUM; REPEALING PREVIOUS RULES OF PROCEDURE; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Gougelman read the ordinance title.

Motion by Councilmember Wright, seconded by Councilmember Kemp to adopt Ord. 2022-04 on second reading.

There were no public comments.

Motion carried unanimously, 5-0.

D. Unfinished Business: None.

E. New Business:

1. (Discussion) Accessory Buildings:

Mayor Berkman asked to table this item.

2. (Discussion) Charter Amendment:

Deputy Mayor Glass spoke regarding alternative methods for choosing a mayor. He cited the City of Indian Harbour Beach as an example; their councilmembers annually appoint one of their members to fulfill the role of mayor for a term of one year. This gives more people an opportunity to serve in that capacity. He further explained that with Indialantic's current charter, if multiple incumbent councilmembers wanted to run for the mayor's seat, they would have to resign to run and ultimately would lose their current council seat if they didn't win, resulting in a loss of experienced members on the town council.

Town Attorney Gougelman spoke briefly regarding the "resign to run" process, and noted that updating the charter would require an ordinance which, if adopted, would then be placed on the ballot for voters to decide in November. The effective date would be in 2024. It was the consensus of the council to have Town Manager Casey research this topic further and share information at next month's meeting.

Nance Park Trees:

Town Manager Casey asked to have discussion regarding removal of 21 cabbage palms in Nance Park, located where the future playground will be built. He noted that berries dropping from the palms will be harmful to the playground turf. In addition, it will be difficult to maneuver construction equipment around the trees. Discussion ensued; it was suggested that oak trees, which provide shade, might be a good option to plant in the future.

Motion by Mayor Berkman, seconded by Deputy Mayor Glass, to authorize the town manager to remove up to 21 cabbage palms encircling the playground site.

Public Comments:

Brett Miller, 220 Cocoa Avenue, spoke in favor of removing the palms to protect the playground turf from potential damage. Better trees will provide a more resort-like atmosphere.

After further discussion, the motion carried unanimously, 5-0.

F. Public Comments, Non-Agenda items:

Mel Chang, 225 Wayne Avenue, shared his opinion of Mayor Berkman.

G. Administrative Reports:

1. Town Manager Report:

Mr. Casey spoke regarding Build Week for the Nance Park Playground which will be Tuesday through Saturday, April 19 -23. Volunteers will be needed to help with construction; to sign up, go to the playground website nanceparkplayground.com. Three shifts will be available.

Tony Grande, 412 Wayne Ave., spoke regarding foliage blocking the line of sight for walkers trying to use crosswalks on Fifth Avenue. Brief discussion ensued regarding changes the FDOT will be making to Fifth Avenue to increase pedestrian safety; it was noted there will be an FDOT public information meeting at 5:30 p.m. on Feb. 22 at the Azan Shriner's Center on Eau Gallie Blvd.

2. Town Attorney Report:

Mr. Gougelman shared information regarding the recent Johnson & Johnson opioid settlement.

Motion by Mayor Berkman, seconded by Councilmember Kemp, and vote unanimous to authorize the town manager to enter into and execute an agreement to file a claim.

Motion carried unanimously, 5-0.

H. Council Reports:

Councilmember Wright commended the Playground Advisory Committee and the community for raising funds for the Mikey Goodwin playground.

Councilmember Kemp spoke regarding the Mayors' Fitness Challenge which began last week. There are activities scheduled for this weekend at Fitness on Fifth. It's not too late to register at www.uwbrevard.org.

Deputy Mayor Glass spoke regarding the Indian River Lagoon National Estuary Program annual report; if anyone would like a copy, reach out to the Town.

I. Adjournment:

There being no further discussion, the meeting was adjourned at 7:53 p.m.

Dave Berkman, Mayor. Signature on file.

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