



As per City adopted Council Chamber guidelines, the Chamber is a campaign free zone. For more information, please see the placard on the back wall and/or contact the City Clerk.

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CITY COUNCIL REGULAR MEETING MINUTES

JANUARY 23, 2024

These minutes contain
corrections that were
approved by Council
on 2/13/2024.

CALL TO ORDER

Mayor Scott Nickle called the Regular Council Meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENT MEDITATION

Mayor Nickle led the Pledge of Allegiance followed by a moment of silent meditation.

ROLL CALL

City Clerk Sue Frank called roll call.

Mayor Scott Nickle - present

Deputy Mayor Frank Guertin - present

Council Member Hamilton Boone – absent

Council Member Shauna Hume – present

Council Member Adam Dyer - present

Police Chief David Butler, Acting City Manager, was also in attendance and City Attorney Karl Bohne attended by telephone.

EXCUSAL OF COUNCIL MEMBERS

Motion made by Council Member Hume to excuse Council Member Boone, seconded by Council Member Dyer – motion carried 4-0.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA, IF ANY

There were no changes to the agenda.

(Council Member Boone arrived at 7:03 p.m.)

PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Police Chief David Butler introduced the new Fire Chief, David Lewis.

APPROVAL OF MINUTES

Motion made by Deputy Mayor Guertin to approve the Regular Council meeting minutes from January 9, 2024 as presented, seconded by Council Member Hume – motion carried 5-0.

REPORTS

City Manager's Report

Chief Butler presented the City Manager's report.

ACTION ITEMS

Brevard County Ocean Rescue Program updated

The consensus of Council was to request additional pricing for part-time lifeguards for spring break and summer (Memorial Day to Labor Day), with Council Member Hume opposing.

INFORMATIONAL ITEMS

- Muck removal project update
- Renovations of the Old Police Department project update
- Algonquin Sports Complex canal and Cassia Blvd seawall conceptual projects update
- December Revenue and Expenditure Report
- FY24 First Quarter Capital Asset Disposition Report
- FY24 First Quarter Cash and Investment Report
- 2024 Legislative Tracker
- Transition of Fire Department to City Management update
- School Road and Cheyenne Blvd. Sidewalk projects update
- Employee Recognition

Tentative Agenda Items for the Next City Council Meeting

- Resolution # 748 (amending 201 Med Way variance)
- 201 Mediterranean Way preliminary site plan
- Discussion of South Patrick Drive safety and traffic improvements (Guertin)
- Award of contract for Gleason Park Digital Marquee Sign (if over \$40,000)

Upcoming Events

- City Council Budget Kickoff Workshop, February 6, 2024
- Planning and Zoning Board Workshop: Discussion of low impact development incentives, February 7, 2024
- City Council Meeting, February 13, 2024
- Presidents' Day, February 19, 2024 – Offices closed
- City Council Meeting, February 27, 2024

City Attorney's Report

City Attorney Bohne informed Council that the state legislatures have added another pre-emption on short-term rentals where municipalities could not license the rentals, but would still be able to inspect.

Council Comments

Council Member Dyer stated that he was able to adjust his schedule and would be able to attend the February 13th Council meeting and asked if the other Council Members would like to change the Budget Kickoff Workshop back to the 13th.

The consensus of Council was to move the Budget Kickoff Workshop to February 13, 2024 at 5:30 p.m.

Public Comments (Agenda Items Only)

There were no comments from the public.

(City Manager John W. Coffey, ICMA-CM arrived at the meeting at 7:41 p.m.)

UNFINISHED BUSINESS

Review of Algonquin Sports Complex expansion project conceptual site plan

Mr. Peter Spano of Gale Associates made a presentation on using artificial turf versus natural grass for the Algonquin Sports Complex expansion project.

The consensus of the Council was to proceed with the use of artificial turf instead of natural grass on the expansion project at the Algonquin Sports Complex with Council Member Hume and Council Member Dyer opposing.

201 Mediterranean Way Preliminary Site Plan

Motion made by Council Member Hume to keep the preliminary site plan review for 201 Mediterranean Way on the table until the February 13, 2024 Council meeting, seconded by Deputy Mayor Guertin – motion carried 5-0.

Resolution No. 748 Amending Resolution No. 743 regarding the 201 Mediterranean Way Front Set Back Variance

Motion made by Council Member Dyer to keep Resolution No. 748 on the table until the February 13, 2024 Council meeting, seconded by Deputy Mayor Guertin – motion carried 5-0.

NEW BUSINESS

Tree Preservation Ordinance No. 2023-11

Mayor Nickle read the title of Ordinance No. 2023-11 and opened the public hearing.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF INDIAN HARBOUR BEACH, BREVARD COUNTY, FLORIDA AMENDING CHAPTER 107 RELATING TO ESTABLISHMENT OF A TREE PRESERVATION CODE, ESTABLISHMENT OF A TREE PRESERVATION BOARD; PROVIDING FOR SEVERABILITY, REPEAL, CODIFICATION AND AN EFFECTIVE DATE

There being no speakers, the public hearing was closed.

Amendment approved
2/13/2024 by Council

Council Member Boone stated the Tree City USA organization has a political agenda. Mayor Nickle suggested the minutes be amended to reflect any material being distributed shall be approved by either the City Attorney or City Manager, and there is to be no political affiliation with any ordinance adopted by the City.

Motion made by Council Member Hume to approve the second reading and adopt Ordinance No. 2023-11, seconded by Deputy Mayor Guertin – motion carried 5-0.

FDOT A1A Sidewalk Design

The item discussed was intersection improvements located at Highway A1A and S.R 404 (Pineda Causeway), Pine Tree Drive and Palm Springs Boulevard to meet APS (**Accessible Audible** Pedestrian Signals) and ADA guidelines instead of the sidewalk design.

Amendment approved
2/13/2024 by Council

The consensus of Council was to direct staff to communicate the support of the three (3) FDOT intersection improvements to meet APS and ADA guidelines to the FDOT design team.

Jamestown Condominium Association request for reduction in code enforcement fines

Motion made by Council Member Hume to request \$7,082.52 for direct costs incurred by the City and the imposition of a \$1.00 civil fine to the Jamestown Condominium

Association in order for the City to release the recorded Code Enforcement liens, seconded by Deputy Mayor Guertin – motion carried 4-1 with Council Member Dyer opposing.

PUBLIC FORUM

There were no speakers.

ADJOURN

Motion to adjourn at 9:21 p.m. was made by Deputy Mayor Guertin, seconded by Council Member Hume – motion carried 5-0.



ATTEST:

X Scott Nickle
Scott Nickle
Mayor

X Sue Frank

Sue Frank, MMC
City Clerk