

The City Council of the City of Titusville, Florida met in regular session in the Council Chamber of City Hall, 555 South Washington Avenue, on Tuesday, January 27, 2004 beginning at 6:30 p.m.

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Present were Mayor Ron Swank, Vice-Mayor Ken Ward and Members Chris Broome, Conrad Eigenmann, and Jeff Rainey. Also in attendance were City Manager Tom Harmer and City Attorney Dwight Severs.

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Mayor Swank called the meeting to order at 6:30 p.m.

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Mr. Russell Shafer, Associate Pastor of Christ Central Church gave the invocation.

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The entire assembly recited the Pledge of Allegiance to the Flag.

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Mayor Swank reviewed public speaking procedures for those citizens present.

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Approval of Minutes – Member Rainey moved to approve the minutes of the regular meeting of January 13, 2004 as submitted. Member Eigenmann seconded the motion and it carried unanimously.

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Special Recognitions – Mayor Swank read a Proclamation that proclaimed February 6, 2004 as Crossing Guard Appreciation Day. He presented the proclamation to numerous crossing guards in attendance. Mayor Swank commended the crossing guards for the safety they provided community children. Commander Steve Bridges of the Titusville Police Department also awarded commander coins to the crossing guards present.

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Equipment Mechanic Mr. Roy Floss was introduced by City Manager Harmer as City Employee of the Month for January 2004. City Manager Harmer read from Mr. Floss' nomination as submitted by the Maintenance Services Division that included numerous outstanding achievements and accomplishments. Mayor Swank and members of City Council congratulated Mr. Floss and thanked him for his loyal service to the City.

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City Manager Harmer highlighted the day he spent with the Management Information Systems (MIS) Department. Jennifer Kirkpatrick, Renee Kusterer, Minami Ventura and Prem Ramdeo gave a presentation on the MIS Department organization and scope of operations in support of City departments.

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Presentations – Robin Fisher and Heather Thies gave a presentation on current projects and partnerships of the Titusville YMCA. Council appreciated the involvement of the YMCA and commended Mr. Fisher on his vision and Ms. Thies on her management of the organization.

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Chairman Francis Reilly presented the initial annual report of the Titusville Flag and Memorial Committee. Council acknowledged receipt of the written report. Chairman Reilly submitted to Council for affirmation the committee's membership.

Member Rainey moved to affirm the committee's membership as presented. Member Broome seconded the motion and it passed unanimously. Mayor Swank thanked the committee and its members on their loyalty and dedicated service to the City.

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Consent Agenda – Member Broome moved to approve the following items as submitted.

- A. Authorize Brevard County to proceed with the plan for improvements to the Gemini Memorial that included, adding landscaping, a picnic table, and benches for the Gemini Plaza; connecting the Mercury and Gemini sidewalks; and adding landscaping and benches for the Apollo Plaza. As submitted, the plan would cost an estimated \$13,884 and would be funded from the Brevard County Parks Referendum funds approved by voters in November 2000.
- B. Approve the Declaration of Covenants, Conditions and Restrictions for the Willow Creek Commercial Center – Phase I as recommended by staff. There was no fiscal impact.
- C. Award the purchase of the IRIS INTREPID 11 XSP Dual View Spectograph for laboratory services to Thermo Electron Corporation of Franklin, Massachusetts in the amount of \$58,850. The purchase would be made from funds budgeted and approved for this purchase in the Water Resources Capital Fund for fiscal year 2003/2004.
- D. Amend Agreement No. G0053 with the Florida Department of Environmental Protection for the Garden Street Stormwater Park Project by increasing the grant amount from \$825,000 to \$983,151 and to authorize the mayor to execute the agreement. No City funds were required for the amendment.
- E. Approve the FY 2003/2004 Agreement between the City and Brevard County in the amount of \$173,367 for the allocation of HOME Investment Partnership Program (HOME) funds to the City. The Agreement covered the disbursement of funds under the FY 2003/2004 HOME Grant.

Member Eigenmann seconded the motion and it passed unanimously.

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Petitions and Requests from the Public Present – Bonnie Fuller recommended a board of honor for all branches of the military. She felt it would be a wonderful way to honor those who served and those families. Mayor Swank suggested that her idea be forwarded to the Titusville Flage and Memorial Committee.

Kelly Townsend asked council about a change of zoning at his property on State Road 405. City Manager Harmer was not familiar with Mr. Townsend's request and said he would be glad to meet with Mr. Townsend in order to return to council for advisability. City Manager Harmer referred Mr. Townsend to Roy Crawford, Executive Director for Community Development for guidance.

Joan Wheeler read from a Florida Today editorial that concerned city growth and the use of reclaimed water. She felt information from the Florida Today was needed. She was concerned with the city waiving impact and tap-on fees for water in new developments. She supported the Florida Hometown Democracy and encouraged citizen support through signing of petitions. Vice-Mayor Ward was not aware of the newspaper article. City Manager Harmer clarified that the reclaimed water issue was mentioned in the newspaper the day of the meeting.

Thelma Roper wanted families to know that soldiers returning from overseas could receive medical treatment from the Veterans Administration for two years after separation from the service.

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Ordinances - First Reading – Attorney Severs read, ORDINANCE NO. 9-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTIONS 59-6, 59-21, 59-31, 59-32, 59-33, 59-34, AND 59-38 OF THE LAND DEVELOPMENT REGULATIONS AND ADDING SECTIONS 59-131 THROUGH 59-138 TO THE LAND DEVELOPMENT REGULATIONS TO CREATE THE SINGLE FAMILY PATIO HOME (R-1D) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 10-2004, AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING PROPERTY LOCATED AT 704 NORTH DIXIE AVENUE FROM ITS PRESENT RURAL RESIDENTIAL (RR) CLASSIFICATION TO GENERAL USE (GU) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 11-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988 WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY, BY AMENDING THE VARIOUS ELEMENTS OF SAID PLAN AND MAPS BY CHANGING THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTY LOCATED SOUTHWEST OF THE INTERSECTION OF SINGLETON AVENUE AND DAIRY ROAD FROM COMMERCIAL LOW INTENSITY TO RESIDENTIAL LAND USE DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 12-2004, AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING PROPERTY LOCATED SOUTHWEST OF THE INTERSECTION OF SINGLETON AVENUE AND DAIRY ROAD FROM ITS PRESENT COMMUNITY COMMERCIAL (CC) CLASSIFICATION TO MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL (R-2) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE the first time by title only. Public hearings were scheduled for the next regular meeting of February 10, 2004. A second and final public hearing for Ordinance 9-2004 was scheduled for February 24, 2004.

Michael Myjack asked for clarification of the requirements of Ordinance 9-2004 that established the Patio Home zoning classification. Mayor Swank reviewed the minimum requirements and recommended a 25% set aside requirement for discussion. City Attorney Severs explained differences between First Reading agenda items and Second Reading or Public Hearing agenda items.

Laura Ward supported larger living areas and hoped buffers more than ten feet would be considered in Ordinance 9-2004. She supported a possible future landscape ordinance by the city.

Veronica Clifford recommended council carefully review Ordinance 9-2004 prior to its adoption.

Thelma Roper opposed adoption of Ordinance 9-2004 and felt patio homes should be reviewed on an individual case-by-case basis.

Kim Lucks was concerned for future water availability in the City. He referred to a report from the St. Johns River Water Management District on the effects of salt water on ground water and the use of desalinization plants. He felt the use of power plants for desalinization would lower water rates and recommended council to consider power plant usage in the future.

Council recessed at 8:02 p.m. Council reconvened at 8:10 p.m.

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Public Hearings and Related Action – Attorney Severs read, ORDINANCE 3-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 47-105 OF THE CODE OF ORDINANCES OF THE CITY OF TITUSVILLE, CLARIFYING AND PERMITTING THE RESUBMITTAL OF A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT INVOLVING A REZONING, COMPREHENSIVE PLAN AMENDMENT OR ANNEXATION AS PROVIDED FOR IN CHAPTER 163 FLORIDA STATUTES; NO SOONER THAN SIX MONTHS AFTER FIRST DENIAL OF SAID REQUEST; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer outlined the contents of the ordinance that clarified and permitted the resubmittal of a large-scale Comprehensive Plan Amendment application after six (6) months from the date of first denial. The outlined change was different from the previous twelve (12) month wait criteria. City Manager Harmer reported that the Planning and Zoning Commission had unanimously recommended adoption of the ordinance.

Mayor Swank opened the public hearing.

Steve Jack signed up but declined to speak.

Michael Myjack questioned the logic of ordinance and felt the language was ambiguous. He requested clarification of the specific types of applications to which the ordinance applied. He did not support applications for identical projects being granted the opportunity for resubmittal and felt more time should be mandated.

Member Rainey restated his reasoning behind the proposed ordinance and stressed that if developers made concessions in projects a shorter time period should be required for resubmittal.

Brad Downs opposed adoption of the ordinance and felt changes made to projects by developers resulted in immediate resubmittals being allowed.

Don Page also felt the language within the ordinance was ambiguous and made no common sense. He questioned council's support of the resubmittal of previously rejected applications.

City Attorney Severs felt that clarification of the existing language was needed and advised council that if major changes in language were made then action could not be taken. Mayor Swank felt the wording in the existing ordinance eliminated earlier resubmittal of applications. Member Rainey felt the public had the wrong perception of the proposed ordinance.

Veronica Clifford did not support adoption of the ordinance but felt the discussion was good.

Roger Molitor supported past development that was denied and supported the adoption of the ordinance.

Thelma Roper supported the ordinance with amendments as previously discussed but not as originally drafted.

Laura Ward did not support Vice-Mayor Ward voting on the ordinance. She opposed the ordinance and felt the current code was clear and adequate.

Mayor Swank closed the public hearing.

Member Rainey moved to deny Ordinance 3-2004 as submitted. Member Eigenmann seconded the motion and felt that if disapproved, staff and the City Attorney should be directed to fine-tune the ordinance. Member Broome concurred. Vice-Mayor Ward clarified his opinion that he would vote on ordinance. The motion passed unanimously.

Member Rainey moved to have council authorize staff to clarify the ordinance such that resubmittal with a significant change in either zoning, comprehensive plan amendment, or conditional use would not be considered identical. Member Eigenmann seconded the motion that passed unanimously.

City Manager Harmer clarified for council the readvertising process and that the Planning and Zoning Commission would reevaluate and make a new recommendation. Member Eigenmann clarified that certain wording of the ordinance would need to be made clearer.

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Attorney Severs read, ORDINANCE NO. 4-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 2-26, RULES OF THE CITY COUNCIL, BY AMENDING RULE 5 BY DELETING QUESTIONS AND ANSWER PERIOD FOR THE PRESS; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer outlined the proposed ordinance and stated that the proposed ordinance was a result of a council directive to draft such ordinance at its meeting on December 9, 2003.

Mayor Swank opened the public hearing.

Walter Pine opposed the ordinance, felt it was not justified, and questioned its intent. He felt the agenda item was used rarely, not abused, and that the United States Constitution separated freedom of press from freedom of speech.

Thelma Roper opposed the ordinance. She read from the Florida Statutes that gave freedom of the press. She understood the intent behind the ordinance but felt the rights of the press were not considered. She urged council to deny ordinance and felt it was the right thing to do.

Mayor Swank closed the public hearing.

Member Broome moved to adopt Ordinance No. 4-2004 as submitted. Member Eigenmann seconded the motion and restated that he did not feel the rights of the press were being taken away and that the rights of the press and the citizens were equal. Vice-Mayor Ward concurred with Member Eigenmann and supported the ordinance. The roll call was:

Vice-Mayor Ward	yes
Member Broome	yes
Mayor Swank	yes
Member Rainey	yes
Member Eigenmann	yes

The motion passed unanimously.

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Mayor Swank read Quasi Judicial rules of procedure to the public present.

Attorney Severs read, ORDINANCE NO. 8-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING SECTION 7, OF CHAPTER 63-2001, LAWS OF FLORIDA, SPECIAL ACTS OF 1963, BY ANNEXING CERTAIN PROPERTY WEST OF CARPENTER ROAD, NORTH OF BAKER AVENUE, AND SOUTH OF EOLA AVENUE TO BE INCLUDED WITHIN THE CITY LIMITS; DESIGNATING LAND USE CLASSIFICATION; PROVIDING ZONING CATEGORY; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer outlined the proposed ordinance. The subject property proposed for annexation was contiguous to the City and was submitted for consideration on Small Scale Amendment No. 3-2004 as by Catherine Jones, owner. The land use of the property was included in Ordinance 5-2004. The Planning and Zoning Commission, acting as Local Planning Agency, recommended approval.

Mayor Swank asked Attorney Severs to read Ordinance 5-2004. Attorney Severs then read, ORDINANCE 5-2004, AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING ORDINANCE NO. 60-1988 WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY, BY AMENDING THE VARIOUS ELEMENTS OF SAID PLAN AND MAPS BY CHANGING THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTY LOCATED AT THE NORTHEAST CORNER OF PARK AVENUE AND HARRISON STREET FROM RESIDENTIAL TO COMMERCIAL HIGH INTENSITY LAND USE DESIGNATION; BY AMENDING THE VARIOUS ELEMENTS OF SAID PLAN AND MAPS BY CHANGING THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTY LOCATED EAST OF PARK AVENUE LYING NORTH OF HARRISON STREET FROM RESIDENTIAL TO COMMERCIAL HIGH INTENSITY LAND USE DESIGNATION; BY AMENDING THE VARIOUS ELEMENTS OF SAID PLAN AND MAPS BY CHANGING THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTY LOCATED WEST OF CARPENTER ROAD, NORTH OF BAKER AVENUE, AND SOUTH OF EOLA AVENUE WITH RESIDENTIAL LAND USE DESIGNATION; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

Mayor Swank opened the public hearing on Ordinance 8-2004 and Ordinance 5-2004.

Ray Johnson represented the applicant and gave council the applicants intent for annexation and zoning.

Dorn Whitmore opposed the adoption of the ordinances and presented photos of the property and felt the property was not capable of supporting development due to being wet most of the year and would not support homes, roads and septic tanks. He further stated that all subdivision residents did not support the action. Mayor Swank asked if his objections would be true if the property remained in the county. Mr. Whitmore replied, yes.

Mayor Swank asked Attorney Severs that if the application was approved, could the applicant be required as a condition of approval, to hook up to City water and sewer service? Attorney Severs recommended staff to review and make a recommendation to the Mayor's question.

Joanne Napieralski was opposed to the ordinance as well as involuntary annexation. She was concerned for developments taking over neighborhoods.

Member Rainey clarified that the annexation application was voluntary and felt that density would limit the applicant to no more than two homes on property.

Vice-Mayor Ward asked Mr. Johnson where the home would be located on the property and what size the setback would be. Mr. Johnson replied that the home would be 75 to 100 feet from neighbors with access from Baker Street. Vice-Mayor Ward was concerned with buffering with neighbors and asked Mr. Johnson if a 50-foot buffer could be given on the north and east sides of the property. Mr. Johnson replied that he did not think so but felt that possibly a 25 to 30 foot buffer could be supported and that the county recommended annexation due to access issues.

Mayor Swank did not concur with requiring a buffer and felt that like properties in the city did not have a buffer requirement.

Member Eigenmann asked what the status of the Joint Planning Agreement with Brevard County was and referred to Mr. Johnson's comment that a county representative recommended the property be annexed into the city. City Manager Harmer felt the referral was made due to the fact that access to the property had to be made from a city maintained road. Member Eigenmann asked if roads were an issue between the city and county. City Manager Harmer replied that they were.

Mayor Swank closed the public hearing.

Member Broome moved to adopt Ordinance No. 8-2004 as submitted. Vice-Mayor Ward seconded the motion and suggested a condition for a 25 foot buffer on the north and east sides of the property. There was no support for the condition and the roll call was:

Member Broome	yes
Mayor Swank	yes
Member Rainey	yes
Member Eigenmann	yes
Vice-Mayor Ward	yes

The motion passed unanimously.

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City Attorney Severs read, ORDINANCE NO. 6-2004, AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING PROPERTY LOCATED AT THE NORTHEAST CORNER OF PARK AVENUE AND HARRISON STREET FROM ITS PRESENT MULTI-FAMILY HIGH DENSITY RESIDENTIAL (R-3) CLASSIFICATION TO COMMUNITY COMMERCIAL (CC) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE and

ORDINANCE NO. 7-2004, AN ORDINANCE AMENDING ORDINANCE NO. 5-1993 OF THE CITY OF TITUSVILLE, FLORIDA, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY CHANGING PROPERTY LOCATED EAST OF PARK AVENUE LYING ON THE NORTH SIDE OF HARRISON STREET FROM ITS PRESENT MULTI-FAMILY HIGH DENSITY RESIDENTIAL (R-3) CLASSIFICATION TO COMMUNITY COMMERCIAL (CC) CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE the second time by title only.

City Manager Harmer explained that the land use for Ordinance No.'s 6-2004 and 7-2004 was also provided in Ordinance No. 8-2004. He outlined the two parcels would be combined to create a retail center. City Manager Harmer detailed that two separate Small Scale Amendment Applications were submitted. Small Scale Amendment Application No. 21-2003 was submitted by Robert Donaldson and Small Scale Amendment Application No. 22-2003 was submitted by Betty Donaldson. He reported that the Planning and Zoning Commission, acting as the Local Planning Agency, had recommended approval.

Mayor Swank opened the public hearing on Ordinance 6-2004 and Ordinance 7-2004.

Bob Reese, President of Brossier Company of Winter Park, Florida, project developer, described the proposed project, which included a Publix supermarket, and gave council updated drawings. He described his firms' actions with the community during the application process and made himself available for questions. Mayor Swank appreciated the way Mr. Reese's firm communicated with the citizens of the community. Member Broome thanked Mr. Reese for bringing his firm to the city.

Sue Horvath represented the Titus Village II Homeowners Association and supported the proposed development.

Thelma Roper supported the development.

Pat Moore commended the Brossier Company for its actions by including the residents of the area and supported the development.

Mayor Swank closed the public hearing.

Member Eigenmann had questions concerning out parcels of the property that were not identified for current use. Mr. Reese replied that the out parcels would be identified for zoning at a later date. City Attorney Severs clarified the Community Commercial (CC) zoning district and stated that restaurants and bars were among uses permitted within the zoning district. Mr. Reese replied that conditions would be added to the project as outlined in a developer's agreement submitted earlier to the Planning Staff.

Member Eigenmann moved to approve Ordinance 6-2004 and Ordinance 7-2004 as recommended subject to stipulations in the developer agreement as well as restrictions upon future use of out parcels to exclude bars, used car lots, car washes, entertainment establishments, and appliance repair to include ten items identified by the Planning and Zoning Commission and uses referenced as out parcels identified. Member Rainey seconded the motion and the roll call was:

Mayor Swank	yes
Member Rainey	yes
Member Eigenmann	yes
Vice-Mayor Ward	yes
Member Broome	yes

The motion passed unanimously.

Member Broome moved to approve Ordinance 5-2004. Vice-Mayor Ward seconded the motion and the roll call was:

Member Rainey	yes
Member Eigenmann	yes
Vice-Mayor Ward	yes
Member Broome	yes
Mayor Swank	yes

The motion passed unanimously.

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Old Business – Veronica Clifford asked for clarification of the contents of Resolution 2-2004. Mayor Swank described the Florida League of Cities and the actions taken by the organization and those actions taken by the Space Coast League of Cities. He then clarified the contents of the resolution and councils intent to consider its adoption.

Walter Pine asked who attended League of Cities meetings and asked for a copy of minutes of meetings at other locations that led to the resolution. He felt council’s action by adopting the resolution was an attempt to deceive the public. He opposed the resolution and felt it was inappropriate. Member Rainey clarified the League of Cities organizations and how items were submitted to the higher level State League of Cities from subordinate chapters and that he supported the actions.

Thelma Roper supported the resolution but opposed the portion that contained annexation.

Joan Wheeler opposed the portion of the resolution that dealt with city water service agreement policies and felt the resolution would be fine if Section 3 was eliminated. She was opposed to uncontrolled growth.

Vice-Mayor Ward moved to approve Resolution 2-2004 with Section 3 amended to add, “and within their municipal service areas.” Member Broome seconded the motion and the roll call was:

Member Eigenmann	yes
Vice-Mayor Ward	yes
Member Broome	yes
Mayor Swank	yes
Member Rainey	yes

The motion passed unanimously.

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New Business – City Manager Harmer reported that over the past six months the City had been approached by several business concerns that regarded the possible sale of the Genuity POP facility for private business purposes. He reported that the Public Works Department had proceeded with an appraisal of the property for sales consideration purposes and that the possible sale of the Genuity facility upon receipt of bids for the property and in conjunction with the acquisition of property for a new Public Works complex was recommended.

Joan Wheeler asked how much money had been used by the City on the building and what the value of the property was. She felt the City kept possession of the property a secret from the citizens.

City Manager Harmer clarified that a proposed buyer of the property contacted the City and that an appraisal had been requested. Member Rainey clarified that he referred a proposed buyer to the City Manager. Member Eigenmann applauded the City Manager and staff for getting rid of excess surplus. Vice-Mayor Ward clarified that when the City obtained the Genuity Building the purchase was made public knowledge.

Thelma Roper asked for the names of potential buyers and felt tax dollars was not properly used in the management of the property. She then asked if a faith-based organization could utilize the property and recommended its consideration. Member Rainey reported the property fell within a “HUB” zone that made the property attractive to potential buyers. Member Eigenmann felt that due to the way the building was constructed originally it would not be cost effective to pay for necessary renovation to make the building inhabitable and supported selling the facility.

It was 10:30 p.m. Vice-Mayor Ward moved to extend the meeting fifteen minutes. Member Broome seconded the motion. The motion passed by a majority vote of 4 to 1 with Member Rainey voting no.

Walter Pine compared the cost to renovate the Genuity building to the cost of constructing a new building and asked if any discussion of a new building had taken place. He felt the cost of a new building would exceed the cost required to renovate the Genuity building and recommended donating the building to a non-profit organization. He then asked for the name of the potential buyer of the building and that it was public record. Mayor Swank felt a maintenance facility was still needed and further felt that selling the building would save the City money.

Member Eigenmann moved to approve the designation of the Genuity facility as surplus property. Member Rainey seconded the motion and it passed unanimously

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City Manager Harmer gave an update on the status of negotiations with Brevard County regarding the Joint Planning Agreement. He reported that staff currently proposed to delete the sections in the JPA that dealt with roads and stormwater maintenance issues, and recommended the adoption of the JPA and to continue working with Brevard County on a compromise solution for a future amendment. He then asked for direction from council on how to proceed. Mayor Swank understood the concern for roads and drainage.

Vice-Mayor Ward moved to adopt the Joint Planning Agreement with Brevard County but to remain silent on roads and drainage. Member Eigenmann seconded the motion and it passed unanimously.

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Petitions and Requests from the Public Present – Walter Pine felt Member Rainey purposely concealed the names of potential buyers of the Genuity building from the public and asked for the names. Mayor Swank did not know the names. Mr. Pine then asked if any member of council had attended any League of Cities meetings and the amount of City funds given to the League of Cities. He then asked for travel reimbursement information for any member of council for the purpose of attending League of Cities meetings.

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Mayor Swank adjourned the meeting at 10:48 p.m.

Ronald G. Swank, Mayor

ATTEST:

Karan J. Rounsavall, City Clerk