CITY COUNCIL MEETING
SEPTEMBER 19, 2019 – 7:00 P.M.
MINUTES

1. CALL TO ORDER
Mayor Tyson called the City Council Meeting to order at 7:00 p.m. and asked the Clerk to call the roll.

2. ROLL CALL PRESENT: Council Member Herrera, Council Member Hernandez, Council Member Salgado, City Manager Mathes, Attorney Warren W, Dill and Mayor Joel Tyson. ABSENT: Council Member Savage (excused).

3. PLEDGE OF ALLEGIANCE TO THE FLAG
The pledge was recited.

3. INVOCATION
Mayor Tyson gave the Invocation.

4. PROCLAMATIONS
   (a) Absence Awareness – IRCSB
   (b) Food Bank – Declaring Hunger Action Month
Mayor Tyson introduced the proclamations and Attorney Dill read the Absence Awareness in its entirety.

Dr. Christine thanked Council for the Proclamation expressing concerns on absenteeism being a large problem on public schools and the children.

Mayor Tyson introduced the Food Bank Proclamation and Attorney Dill read it in its entirety.

Sherry accepted the Proclamation adding that more than 40 million meals are prepared annually for feeding communities of hungry people. Their agency provides food to a little more than 100,000 per year. She thanked Council for their support and the Proclamation.

5. APPROVAL OF MINUTES
   (a) Sebastian River Improvement District Meeting, August 15, 2019
   (b) Public Hearings FY 2019-2020 Budget Meeting Sept.5, 2019 6:00 P.M.
   (c) City Council Meeting September 5, 2019 at 7:00 p.m.
Mayor Tyson introduced the minutes and entertained a motion to approve.

MOTION by Council Member Herrera, SECONDED by Council Member Hernandez, to approve the minutes of the Sebastian River Improvement District Meeting, August 15, 2019; Public Hearings FY 2019-2020 Budget Meeting September 5, 2019 6:00 P.M. and the City Council Meeting September 5, 2019 at 7:00 p.m.
ALL AYES: MOTION CARRIED 4-0

6. PUBLIC HEARINGS:
   (a) ORDINANCE 2019-18/AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND
ENDING SEPTEMBER 30, 2019; APPROPRIATING ADDITIONAL FUNDS FOR FOUR (4) GRANTS WHICH HAVE OVER-SPENT THEIR BUDGET DURING THE FISCAL YEAR; AND TWO (2) GRANTS WHICH WERE RECEIVED DURING THE YEAR AND WERE NOT BUDGETED; AUTHORIZING THE TRANSFER OF FUNDS HEREHIN APPROPRIATED; PROVIDING FOR AN EFFECTIVE DATE/Public Hearing and 2nd and Final Reading for September 19, 2019.

Mayor Tyson introduced the Ordinance and Attorney Dill read Ordinance 2019-18, by title only.

Mayor Tyson opened the Public Hearing at 7:30 p.m. and asked if there were any questions or comments hearing none, he closed the public hearing.

MOTION by Council Member Hernandez, SECONDED by Council Member Herrera, adopt ORDINANCE 2019-18/AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; APPROPRIATING ADDITIONAL FUNDS FOR FOUR (4) GRANTS WHICH HAVE OVER-SPENT THEIR BUDGET DURING THE FISCAL YEAR; AND TWO (2) GRANTS WHICH WERE RECEIVED DURING THE YEAR AND WERE NOT BUDGETED; AUTHORIZING THE TRANSFER OF FUNDS HEREHIN APPROPRIATED; PROVIDING FOR AN EFFECTIVE DATE/Public Hearing and 2nd and Final Reading for September 19, 2019.

ROLL CALL:  AYES: Council Member Herrera, Council Member Hernandez, Council Member Salgado and Mayor Tyson.  NAYS: None.  

MOTION CARRIED. 4-0

7. PUBLIC COMMENTS

Mayor Tyson opened the meeting to comments from the public adding anyone wishing to speak to please come to the podium and state your name and address for the record.

Bob Atwater explained he knows Joel from the TCRLC, the MPO and other Indian River Committees, he is looking to run for County Commission.

8. MANAGER’S MATTERS

City Manager Mathes updated as follows:

- Advised Council that we were notified by FPL that power to the City Hall and Police Department would be off on Moncin from about 8:30 to 3:30 p.m. to hook up the new Boys & Girls Center. The Police & Public Works have no problem, their generators will kick on, but City Hall staff will receive an Admin Day as there is little work staff can do without electricity.
- The 392 Property will be purchased in its entirety by the developer and our acreage will be held in bay until the grant is completed and purchased for us through the developer. There will be title searches, appraisals, surveys, and property set aside for mitigation for the City, we will look at a Dog Park and begin a Management Plan, at no costs to the City.
- The Basement of the Boy’s and Girl’s Club will be revamped, the Frog Leg Festival needs additional space for another cooler and an office
area for meetings, website production, and Counting Room for the festival use. The middle floor room will be renovated to incorporate the Chambers, we just need a little professional work done on the dais. We have plenty of guest chairs.

- After the joint meeting with SRID we will be looking to go into mediation with SRID. This must be done within fourteen (14) days. It appears they are not working in Good Faith.

MOTION by Council Member Herrera, SECONDED by Council Member Salgado, Authorize staff to proceed with mediation under Chapter 164 Conflict Resolution process and further authorize the City Attorney to implement the mediation.

ALL AYES: MOTION CARRIED. 4-0

Mr. Rennick added that there’s no losing at mediation, mutual 3rd party involved, there’s ten (10) days to agree on the conflict, draft up a solution as a means to correct with an optimistic view.

- We are looking at an 89th Street Annexation, we will possibly connect all houses to the water.
- Has offered employment to a planner there are two actually, one speaks Spanish and were hopping responds, he currently lives in Miami.
- The Boy’s and Girl’s Club is planning an open house is it ok to invite Jason? Council all responded it perfectly natural for him to come, the club was his idea to begin with.

12. MAYOR’S MATTERS
Mayor Tyson asked if there were any questions or comments, hearing none.
Mayor Tyson updated as follows:
- Just thanked Bob for stopping by.

13. COUNCIL MEMBERS MATTERS:
Council Member Herrera had no matters.

Council Member Hernandez had no matters.

Council Member Salgado had no matters.

14. CITY ATTORNEY MATTERS
Attorney Dill had no matters.

15. NEW BUSINESS
Proposed Code of Ordinances Changes
These are all changes we have discussed numerous times, we will just await the Attorney’s work load.
(1) Section 1-5 - General Provisions
(2) Chapter 14 - Animals – ARTICLE III – City Animal Control
(3) Chapter 30 – Environmental – ARTICLE II – Noise
(4) Chapter 54 – Manufactured Homes- Division 1. Generally
(5) Chapter 66 - Cost Share Agreements
(6) Chapter 66 - Planning
(7) **Article V – Supplement Use Regulations - Mobile Food Units**

City Manager explained the

**16. ADJOURNMENT**

There being no further business Mayor Tyson adjourned the meeting at 8:04 p.m.

These minutes were approved by the City Council of the City of Fellsmere this 3rd day of October, 2019.