

**MEETING MINUTES**  
**Town of Indialantic**  
**Regular Meeting of the Town Council**  
**Wednesday, January 8, 2020 at 7:00 p.m.**  
**Council Chambers, 216 Fifth Avenue, Indialantic, FL 32903**

**A. Call to Order:**

A regular meeting of the Indialantic Town Council was called to order by Mayor Berkman on Wednesday, January 8, 2020 at 7:02 p.m., with the following members present:

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

Also present:

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

1. Pledge of Allegiance was led by Mayor Berkman
2. Changes to Agenda: None.
3. Public Comments (Non-agenda items):

Pam Dunn, 330 Tampa Avenue, spoke on behalf of the Town's Heritage Committee and thanked residents for purchasing and displaying holiday luminaries last month.

Dick Dunn, 330 Tampa Avenue, spoke regarding crosswalk safety. He encouraged the Town to educate the public by posting signs reminding people to look both ways and wait for traffic to stop before entering the roadway. Mayor Berkman suggested information be added to the website and upcoming newsletter.

4. Mayor Berkman read the following Public Announcements:
  - The Mayors' Fitness Challenge runs from Feb. 1 – March 27; register online now at [www.uwbrevard.org](http://www.uwbrevard.org) for this free event. All ages are encourage to register to help Indialantic win the title, "Most Fit Town"
  - There are current openings on the Code Enforcement Board

## **B. Consent Agenda:**

1. Approve Board and Committee Appointments/Reappointments:
  - a) Budget and Finance Committee – Reappoint Lorraine Schulte; Reappoint Bruce Bogert
2. Approve Special Event Indialantic Boardwalk Triathlon (June 28, 2020) and placement of banner on Fifth Ave.
3. Declare Town vehicle (2012 Chevrolet Caprice VIN# 6G1MK5U22CL617516) as surplus and authorize its disposal

Mayor Berkman asked to add the December 11, 2019 Council Meeting Minutes, copies provided on the dais, to the consent agenda for approval.

**MOTION by Deputy Mayor Glass, seconded by Councilmember McKnight to approve the Consent Agenda including December 11, 2019 Council Meeting Minutes. Motion carried unanimously 5-0.**

## **C. Ordinances and Public Hearings:**

Mr. Gougelman suggested a joint public hearing and read the following ordinance titles:

1. Ordinance 2019-13 Public Hearing/Second Reading:  
AN ORDINANCE OF THE TOWN OF INDIALANTIC, FLORIDA; MAKING FINDINGS; AMENDING THE TOWN OF INDIALANTIC COMPREHENSIVE PLAN REVISING THE FUTURE LAND USE MAP ON LOTS 9, 10, 11, BLOCK 62, INDIALANTIC BY THE SEA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 35, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, FROM RESIDENTIAL LOW (0 TO 4 UNITS/ACRE) TO RESIDENTIAL MEDIUM (>4 TO 15 UNITS/ACRE); AMENDING SECTION 11-6, TOWN CODE OF ORDINANCES TO REFLECT ADOPTION OF THE PROPOSED PLAN AMENDMENT; PROVIDING FOR TRANSMITTAL OF THE PROPOSED AMENDMENT TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR INCLUSION OF ORDINANCE AND REVISED FUTURE LAND USE MAP IN THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, INTERPRETATION, AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.

2. Ordinance 2019-14 Public Hearing/Second Reading:  
AN ORDINANCE OF THE TOWN OF INDIALANTIC, FLORIDA; MAKING FINDINGS; AMENDING THE OFFICIAL ZONING MAP BY REZONING REAL PROPERTY LOCATED IN BLOCK 62, LOTS 9, 10, 11 INDIALANTIC BY THE SEA FROM R-1-B (SINGLE-FAMILY RESIDENCE) TO R-3 (MULTI-FAMILY RESIDENCE); PROVIDING THAT THIS ORDINANCE DOES NOT CREATE ANY VESTED RIGHTS; PROVIDING FOR FAILURE TO ADHERE TO THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY/CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

**MOTION by Councilmember Wright, seconded by Councilmember McKnight to adopt Ordinance 2019-13 on second/final reading.**

**MOTION by Deputy Mayor Glass, seconded by Councilmember Wright to adopt Ordinance 2019-14 on second/final reading.**

Mr. Casey briefly summarized the ordinances. Councilmember Kemp voiced concerns about an increase in density and traffic in the area but agreed that townhomes would provide a buffer between the commercial and residential zoning districts.

Mayor Berkman asked for public comments; the following people spoke:

Russ Kimlar, 735 N. Highway A1A, asked about the maximum number of units and if Watson Avenue would become a right-turn only similar to the CVS; Mayor Berkman asked Mr. Casey to look into it.

Carla Roediger, 601 N. Miramar Avenue, expressed concerns about an increase in traffic and received clarification regarding the number of possible units to be constructed.

Deputy Mayor Glass commented that Brevard County Commissioner Smith is working with Governor DeSantis to improve traffic and safety on A1A; meeting audio is available online for anyone interested in hearing the county commission's discussion on the topic.

Christine Brown, 808 N. Riverside Drive, asked about speed bumps on Watson Avenue; Mayor Berkman explained that a resident of that street needs to collect petition signatures and if the majority is in favor, speed bumps may be installed at no cost to the residents.

Gary Van Zonneveld, 104 First Avenue, stated there was no compelling reason to allow more townhomes to be built; he feels it is purely profit driven and compared it to getting rid of breezeways.

Dude Braselton, 1684 Hibiscus Blvd., President, Bayswater Corp. LLC, spoke briefly about traffic.

After further discussion, Mayor Berkman called for a vote on the motions.

**Ordinance 2019-13; motion carried 4-1. Nay vote by Councilmember Kemp.**

**Ordinance 2019-14; motion carried 4-1. Nay vote by Councilmember Kemp.**

3. Ordinance 2020-01 Public Hearing/First Reading:

Mr. Gougelman read the following title for Ordinance 2020-01:

AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; RELATING TO BUILDINGS OR STRUCTURES AND UNSAFE OR DANGEROUS STRUCTURE ABATEMENT; MAKING FINDINGS; AMENDING SECTIONS 6-27 AND 6-28, TOWN CODE OF ORDINANCES; PROVIDING CONTEXTUAL LANGUAGE CHANGES; REPEALING SECTION 6-220 RELATING TO THE STANDARD CODE FOR THE ELIMINATION OF UNSAFE BUILDINGS; CREATING SECTION 6-221 PROVIDING DEFINITIONS; CREATING SECTION 6-222 PROVIDING FOR DUTIES AND POWERS OF THE BUILDING OFFICIAL; CREATING SECTION 6-223 RELATING TO APPROVALS BY THE BUILDING

OFFICIAL IN THE EVENT OF PRACTICAL DIFFICULTIES; CREATING SECTION 6-224 RELATING TO VIOLATIONS; CREATING SECTION 6-225 PROVIDING FOR THE METHOD OF ISSUANCE OF NOTICES AND ORDERS; CREATING SECTION 6-226 REGULATING UNSAFE OR DANGEROUS STRUCTURES AND EQUIPMENT; CREATING SECTION 6-227 PROVIDING FOR MEASURES THAT MAY BE TAKEN IN THE EVENT OF AN EMERGENCY; CREATING SECTION 6-228 PROVIDING FOR DEMOLITION OF STRUCTURES; CREATING SECTION 6-229 PROVIDING FOR DUE PROCESS AND THE MEANS OF APPEAL OF DECISIONS RELATING TO UNSAFE OR DANGEROUS STRUCTURES; CREATING SECTION 6-230 PROVIDING FOR STOP WORK ORDERS; CREATING SECTION 6-231 RELATING TO THE FINALIZATION OF ORDERS RELATING TO UNSAFE OR DANGEROUS STRUCTURES; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Gougelman explained that this ordinance provides a process to condemn a building that is deemed unsafe. The decision can only be made by a building official, and he added that Mr. Stokes has reviewed the ordinance and supports it. He advised that the process is not quick or easy. Mayor Berkman spoke briefly regarding the Beach House Motel.

**MOTION by Councilmember Kemp, seconded by Deputy Mayor Glass and vote unanimous to approve Ordinance 2020-01 on first reading. Motion carried 5-0.**

#### **D. Unfinished Business:**

Mayor Berkman suggested appointing a new member to the Zoning and Planning Board prior to discussing the H & H study; there were no objections.

#### **Appoint new member to Zoning and Planning Board:**

**MOTION by Deputy Mayor Glass, seconded by Councilmember Kemp to appoint Alan King to the Zoning and Planning Board.**

Councilmember Wright commented that Mr. King served on Melbourne's Zoning and Planning Board for 25 years. Deputy Mayor Glass commented that there are still openings on the Code Enforcement Board for anyone interested in serving on a board or committee.

**Motion carried unanimously 5-0.**

#### **Hydrologic and Hydraulic Study:**

Ana Sanders, P.E., BSE Consultants, gave a Powerpoint presentation and spoke in depth regarding the proposed H & H study. In summary, she provided definitions, objectives, and two options for conducting a study.

Ken Ludwa, P.E., BSE Consultants, provided further examples of what information could be yielded from the study, and recommended a 2-D modeling approach which is the most economical option.

Mr. Gougelman asked if the Town's stormwater ordinance needs to be updated; Scott Glaubitz, PE, BSE Consultants, explained that it does not.

**After further lengthy discussion, it was the consensus of the Council to have BSE Consultants submit a detailed proposal to the Town no later than May (2020) which will define deliverables and provide a cost break down.**

Mr. Casey explained that the study is not budgeted; he will research grant funding as well as the next fiscal year budget to cover the cost.

#### **E. Administrative Matters:**

1. Town Manager Report

Mr. Casey stated the swale ordinance information drafted by the Environmental Advisory Task force was provided to the town attorney for review.

2. Town Attorney Report

None.

#### **F. Council Reports:**

Councilmember Wright thanked staff and volunteers for assisting with the holiday lights and the Santa run; he said it provided a great sense of community and noted that numerous people showed up at the Magnolia/Miami stop.

Councilmember McKnight spoke about crosswalk safety and said residents are asking about using red lights in place of the yellow ones. Deputy Mayor Glass spoke briefly about a HAWK crosswalk system, which he says was deemed not applicable for SR A1A by the FDOT. The Space Coast Transportation Planning Organization will meet on Feb. 13 to discuss pedestrian safety on A1A; he suggested anyone who is interested attend.

Councilmember Kemp spoke about the Mayors' Fitness Challenge which begins in February; participants can register at [www.uwbrevard.org](http://www.uwbrevard.org).

Mayor Berkman said he spoke with Publix representatives and encouraged them to use eco-friendly packaging in the store.

There being no further discussion, the meeting was adjourned at 8:44 p.m.

Dave Berkman, Mayor. Signature on file.

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