

**Agenda - Amended**  
**Town of Indialantic**  
**Regular Meeting of the Town Council**  
~~**Council Chambers, 216 Fifth Avenue, Indialantic, FL 32903**~~  
**Wednesday, October 7, 2020 at 7:00 p.m.**

**NOTICE: This meeting will not be held at Town Hall.** This meeting will be held utilizing Communications Media Technology in accordance with Governor DeSantis' Executive Order No. 20-69, extended by Executive Order No. 20-246, and Town Emergency Order 2020-09. Those wishing to attend the meeting are encouraged to join the meeting online using the Zoom Webinar platform or by telephone.

Please click the link below to join the webinar:

<https://zoom.us/j/91343619401?pwd=cFMwT0xMU0d1b3p0aW5wVnZ6UTZLQT09>

Passcode: 122368

Or iPhone one-tap :

US: +13126266799,,91343619401#,,,,,0#,,122368# or +16465588656,,91343619401#,,,,,0#,,122368#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782

Webinar ID: 913 4361 9401

Passcode: 122368

Instructions on how to join a Zoom meeting: <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

**Public Comments, prior to the meeting, can be submitted:**

By drop box until 2:00 p.m. on the date of the meeting. Deposit written comments in the drop box located at the rear entrance of Town Hall, 216 Fifth Avenue, Indialantic, FL 32903.

By email until 2:00 p.m. on the date of the meeting. Email comments to: [townhall@indialantic.com](mailto:townhall@indialantic.com). Write "Public Comments" in the subject line.

**Public Comments, during the meeting, (3 minutes per speaker):**

Click on "Raise Hand" button to speak. The public will be joining the meeting by audio only (no video). At the appropriate time, a member of the public can indicate that he/she would like to offer a public comment by Pressing the "Raise Hand" button in Zoom; or dialing \*9 if calling in on a telephone line.

Technical Issues: If staff or councilmembers experience technical issues the meeting will be temporarily halted until the issues are resolved; if the issue cannot be resolved, the meeting will be adjourned.

## **A. Call to Order:**

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

### **1. Pledge of Allegiance**

### **2. Changes to Agenda**

### **3. Presentations and Proclamations**

### **4. Public Comments, Non-agenda items:** Persons wishing to address the Town Council on a matter not listed on the agenda may speak at this time. Speakers must provide their name and address and direct their comments to the council and not to members of the audience. Please observe the 3-minute time limit and speak only after being recognized by the Mayor.

### **5. Public Announcements:**

- There are openings on the following boards and committees: Playground Advisory, Civil Service, Code Enforcement, Heritage, Parks Recreation & Beautification, and Pension Board (General Employees)
- Three candidates have qualified to run for Mayor and will be on the ballot for the November 3, 2020 election: Dave Berkman (incumbent), Melvyn Chang, and Edwin Mackiewicz III.
- Also on the ballot is a Town Charter Amendment which, if approved, would change the time of taking office for elected officials from the first regular council meeting following an election (typically November) to the December council meeting or following certification of election results, whichever occurs later.
- Annual Halloween Festival and Witch Way 5K are canceled due to COVID-19.

## **B. Consent Agenda:**

1. Approve Council Meeting Minutes for September 9, 2020 and September 21, 2020
2. Approve Deputy Mayor Glass to attend FLOC legislative conference November 12-13, 2020
3. Approve special event Smooth Running LLC 13<sup>th</sup> Annual Florida Marathon February 7, 2021
4. Approve extension of TruGreen fertilizer and pest control agreement
5. Accept FDLE Justice Assistance Grant and authorize Town Manager to sign and execute agreement
6. Approve Stormwater Maintenance Agreement for Wave Crest Townhomes – 718 Wavecrest Ave.
7. Approve Resolution 18-2020 temporarily waiving certain provisions of the Town's sign code section 17-106 and outdoor cafes section 17-132 through Feb. 1, 2021, due to COVID-19.
8. Approve Appointments/Reappointments:
  - a. Melbourne Beach Library Advisory Board – Reappoint Elfriede Raedler
  - b. Civil Service Board – Reappoint Brett Miller
  - c. Board of Adjustment – Reappoint Stephen Baughn
  - d. Zoning and Planning Board – Reappoint Edwin Mackiewicz III, Reappoint Ann Bernick

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

#### **1. (Discussion/Action) Ordinance No. 2020-13 (Re: Police & Fire Pension Update Per IRS) Second Reading**

An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Amending Chapter 2, Division 3, Pension Plan For Police Officers And Firefighters; Amending Section 2-235, IRS Provisions; Providing For Severability; And Providing For An Effective Date.

#### **2. (Discussion/Action) Ordinance No. 2020-14 (Re: Park Hours) Second Reading**

An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Parks; Making Findings; Amending Section 5-2, Town Code Of Ordinances, Relating To Hours Of Operation Of Parks; Providing A Severability/Interpretation Clause; And Providing For An Effective Date.

#### **3. (Discussion/Action) Ordinance No. 2020-15 (Re: Littering) Second Reading**

An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Littering; Making Findings; Amending Definitions As Set Forth In Section 8-51, Town Code Of Ordinances; Revising Sections 8-52, 8-53, And 8-54, Town Code Of Ordinances, Relating To Unlawful Acts, Penalties, And Enforcement; Providing A Severability And Interpretation Clause; And Providing For An Effective Date.

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

1. Signage for littering; recycling containers at Town beaches (Kemp)

### **E. New Business:**

1. (Action) Approve, ratify, and authorize signatures and execution of the agreement between the Town and the Coastal Florida Police Benevolent Association
2. (Action) Award the following contracts for rehabilitation and improvement of Town Stormwater Management System:
  - a) BSE #89080.141/B-4 Palm Court to Ramona Ave. – Florida Site Contracting \$22,890
  - b) BSE #89080.142/B-4 Melbourne Ave. - Florida Site Contracting \$85,014
  - c) BSE #89080.143/B-3 Orlando Blvd., Riverside Dr. to Magnolia Dr. - Florida Site Contracting \$36,544
3. (Action) Resolution 19-2020 Updating Park Hours
4. (Discussion/Action) Holiday Decorations – FP&L Pole Attachment agreement, lighting, and insurance
5. (Discussion/Action) Holiday Tree Lighting event December 3, 2020
6. (Discussion) COVID- 19 Recommendation for continued use of face coverings (Berkman)

### **F. Administrative Reports:**

1. Town Attorney Report
2. Town Manager Report

### **G. Council Reports:**

## **H. Adjournment:**

**Notice:** Pursuant to Section 286.0105, Florida Statutes, the Town hereby advises the public that if a person decides to appeal any decision made by this board, agency, or council with respect to any matter considered at its meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Town for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

**Americans with Disabilities Act:** Persons planning to attend the meeting who need special assistance must notify the office of the town clerk at 321-723-2242 no later than 48 hours prior to the meeting.