



Fellsmere

CITY COUNCIL MEETING
22 S. Orange St., Fellsmere FL
February 2, 2023– 7:00 P.M.

AGENDA

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **PLEDGE OF ALLEGIANCE**
4. **INVOCATION:**
5. **APPROVAL OF MINUTES:**
 - (a) **City Council Meeting** of January 12, 2023
6. **PUBLIC HEARINGS:**
 - (a) **ORDINANCE NO. 2023-01**/AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN 2035 FOR THE CITY OF FELLSMERE, FLORIDA, CHAPTER 1. FUTURE LAND USE ELEMENT GOAL FLUE A. LAND USE, OBJECTIVE FLUE A-2 RESIDENTIAL NEIGHBORHOODS, POLICY FLUE A-2.9 HIGH DENSITY RESIDENTIAL DEVELOPMENT (HDR) AND OBJECTIVE FLUE A-11 STANDARDS FOR RESIDENTIAL DENSITY TO INCREASE THE HIGH DENSITY RESIDENTIAL DEVELOPMENT FROM 5 TO 8 UNITS PER ACRE TO 5 TO 10 UNITS PER ACRE AND CHAPTER 3 HOUSING ELEMENT GOAL H A. HOUSING, OBJECTIVE H A-8. ENERGY EFFICIENCY IN HOUSING, POLICY H A -8.1 ENERGY EFFICIENCY STANDARDS, PLANS AND PRINCIPALS; PROVIDING FOR RATIFICATION; AUTHORITY; COMPREHENSIVE PLAN AMENDMENT; TRANSMITTAL PHASE; ADOPTION PHASE; TRANSMITTAL OF DRAFT PLAN AMENDMENT AND FINAL ADOPTION DOCUMENTS; COMPILATION; SEVERABILITY; CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. /**2nd Reading and 1st Public Hearing**
 - (b) **ORDINANCE NO. 2023-02**/AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AMENDING THE CITY OF FELLSMERE LAND DEVELOPMENT CODE TO INCREASE THE RESIDENTIAL DENSITY IN THE R-3 HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT FROM 5 TO 8 UNITS PER ACRE TO 5 TO 10 UNITS PER ACRE BY AMENDING ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS AND MAP, TABLE 3A. ZONING DISTRICT CONSISTENCY WITH THE COMPREHENSIVE PLAN FUTURE LAND USE CLASSIFICATIONS, TABLE 3D. DIMENSIONAL STANDARDS, RESIDENTIAL DISTRICT AND SECTION 3.20 R-3 HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR RATIFICATION; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENT; PROVIDING FOR AUTHORIZATION TO INCLUDE IN THE CODE; FURTHER PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE. / **2nd Reading and 1st Public Hearing**

(c) ORDINANCE NO. 2023-03/AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AUTHORIZING AN EXTENSION OF THE TEMPORARY MORATORIUM INITIALLY IMPOSED BY ORDINANCE NO. 2018-06, AND SUBSEQUENTLY EXTENDED BY ORDINANCES NOS. 2019-01, 2019-07, 2020-01, 2020-04, 2020-13, AND 2021-26 FOR AN ADDITIONAL 12 MONTHS OR UNTIL A COMPREHENSIVE REVIEW OF THE IMPACT OF THE CITY'S ECOSYSTEM IS COMPLETED, PROHIBITING LAND APPLICATION ACTIVITIES OF CLASS B BIOSOLIDS; PROVIDING FOR ADDITIONAL STUDY AND POSSIBLE REGULATION OF CLASS B BIOSOLIDS APPLICATION ACTIVITIES; PROVIDING FOR RATIFICATION, EXTENSION OF TEMPORARY MORATORIUM, EXPIRATION OF TEMPORARY MORATORIUM, STUDY OF CLASS B BIOSOLIDS, AND EXHAUSTION OF ADMINISTRATIVE REMEDIES; AND PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE./ **2nd Reading and Public Hearing**

7. PUBLIC COMMENTS:

8. MANAGER'S MATTERS:

9. MAYOR'S MATTERS:

10. COUNCIL MEMBER'S MATTERS:

11. CITY ATTORNEY'S MATTERS:

12. NEW BUSINESS:

(a) ORDINANCE NO. 2023-06/ AN ORDINANCE OF THE CITY OF FELLSMERE, INDIAN RIVER COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FELLSMERE, FLORIDA BY AMENDING CHAPTER 78 UTILITIES, SECTION 78-94 UTILITY BILL PAYMENT SCHEDULE; AND PROVIDING FOR RATIFICATION; AMENDMENT; CONFLICTS; SEVERABILITY; CODIFICATION AND AN EFFECTIVE DATE. /**1st Reading and set 2nd Reading and Public Hearing for February 16,2023 at 7:00 P.M.**

(b) Approval of Release of Reverter and authorize Mayor to sign all required documents for 1005 Vernon Street.

(c) Approval of Milcor Group, Inc. Work Authorization Amendment for the design, permitting and inspections services for the New York Ditch Pipe project.

(d) Approval of Collective Water Resources Work Authorization to provide engineering services related to updating the Stormwater Master Plan.

(e) Approval of Boromei Contractors Change Order #4 for TAP New York Sidewalk project.

(f) Approval of Masteller & Moler Work Authorization #10 Amendment #1 for final design of N. Broadway Alley Access.

(g) Approval of Renker Eich Parks Architects Work Authorization #1 to provide architectural and engineering services related to the Historic Fellsmere School Window Replacement Project.

(h) Approval of Kimley Horn Work Authorization to provide Florida Department of Environmental Protection (FDEP) application services related to the construction of a wastewater system expansion.

(i) Authorize the Mayor and Clerk to execute the "Municipal Elections Agreement" with the Indian River County Supervisor of Elections for the 2023 elections.

(j) RESOLUTION NO. 2023-06/A RESOLUTION OF THE CITY OF FELLSMERE, FLORIDA, IN SUPPORT OF THE FLORIDA LEAGUE OF CITIES' LEGISLATIVE PLATFORM FOR 2023; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXPRESSION OF SUPPORT; PROVIDING AN EFFECTIVE DATE.

(k) Discussion on review summary of Request for Information responses for Broadband Deployment.

13. ADJOURNMENT:

Courtesy Access to Meeting

As a courtesy to the public, the city will attempt to provide coverage of the meeting by internet or telephonic means. Due to unforeseen technical or other difficulties access to the meeting may be interrupted or may not be possible at all via internet or by telephonic means, which will result in your inability to participate in the meeting. Should such technical difficulties occur, the meeting will continue without interruption and without your participation. To be assured of participation in the proceedings you must attend the meeting in person. For your information participation by internet or telephone does not constitute "presence" at the meeting under Florida law.

To join meeting from your computer, tablet, or smartphone:

<https://meet.goto.com/594466805>

To join meeting using your phone call 1-646-749-3122 Access Code: 594-466-805

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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.

In accordance with the Americans with Disabilities Act and Section 286.26 Florida Statutes, any person who may need special accommodations or translators for this meeting must contact the City Clerk's Office at (772) 646-6301 or the TDD Line 772-783-6109 at least 48 hours in advance of the meeting.

Copies of the proposed Ordinance and Resolution are available for review in the Office of the City Clerk, 22 S. Orange Street, Fellsmere FL between the hours of 8:30 a.m. and 12 noon and 1:00 p.m. and 5:00 p.m., Monday through Friday. Interested parties may appear at the meeting and be heard with respect to the proposed Ordinance and Resolution. The City Clerk must receive written comments at least 3 days prior to the Council meetings.

De conformidad con la Sección 286.0105 de los Estatutos de la Florida, la Ciudad informa al público de que: Si una persona decide apelar una decisión tomada por la junta, agencia o comisión con respecto a cualquier asunto considerado en dicha reunión o audiencia, necesitará un registro de los procedimientos, y que, para tal fin, él o ella puede necesitar asegurarse de que se realice un registro literal de los procedimientos, registro que incluya el testimonio y la evidencia sobre la cual se basará la apelación.

De acuerdo con la Ley de Estadounidenses con Discapacidades y la Sección 286.26 de los Estatutos de la Florida, las personas con discapacidades que necesiten adaptaciones especiales para participar en esta reunión deben comunicarse con la secretaria municipal al (772) 646-6301 o comunicarse con la Línea TDD 772-783-6109, al menos 48 Horas antes de la reunión.

Copias de las propuestas Ordenanzas y / o Resoluciones están disponibles para su revisión en la Oficina de la secretaria municipal de la ciudad, 22 S. Orange Street, Fellsmere FL entre las 8:30 a.m. y 12 mediodía y 1:00 p.m. y 5:00 p.m. de lunes a viernes. Las personas interesadas pueden asistir a la reunión y ser escuchadas con respecto a las propuestas de las Ordenanzas y Resoluciones. La secretaria municipal debe recibir comentarios por escrito al menos tres (3) días antes de las reuniones del Consejo.

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