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, March 24, 2026. Mayor Connors called the City Council meeting to order at 7:22 p.m., not 6:30 p.m. due to the Council presentations meeting at 5:30 p.m. ran late.

Present were Mayor Andrew Connors, Vice-Mayor Herman A. Cole, Jr., Col USAF Retired, and City Council Members Jo Lynn Nelson, Megan Moscoso, and Dr. Sarah Stoeckel. Also present were City Manager Thomas Abbate, City Attorney Andriene Treasure, and Assistant City Clerk Jolynn Donhoff.

Pre-recorded procedures for public comment, participation, and conduct were played for all individuals in attendance or watching the meeting. Pastor Jerald Smith (Retired Chaplain) from Parrish Medical Center gave the invocation. Additionally, Mayor Connors led those present in the *Pledge of Allegiance to the Flag*.

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MINUTES

<u>Motion</u>:
Member Nelson moved to approve the minutes of the regular City Council meeting on February 24, 2026 (6:30 p.m.), as submitted. Vice-Mayor Cole seconded the motion and it carried unanimously.

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SPECIAL RECOGNITIONS & PRESENTATIONS – None.

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Two announcements were made. First, staff had withdrawn an item from the Council agenda, under *Ordinances - First Reading*, specifically *Ordinance No. 6-2026 – Live Local Ordinance*. Second, the purpose of an informational item on *City Attorney's Report* was briefly stated, regarding a *Request for Informal Mediation pursuant to Florida Statutes Section 163.3181(4).*

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BOARDS AND COMMISSIONS

<u>Titusville Community Service Award (TCSA) Select Committee</u> – As outlined in the Council agenda packet and in accordance with *City of Titusville Resolution No. 5-2025*, Mayor Connors had appointed Sharon James as the chairperson and Alex Bowman from Crosswalk Community Church as the clergy representative, to serve as board members of the 2026 Titusville Community

Service Award (TCSA) Select Committee. Confirmation by City Council of the Mayor's appointments was requested.

Two individuals submitted public speaking cards.

Kathleen O'Rourke read from a prepared statement that discussed her viewpoints on how the Titusville Community Service Award (TCSA) should be conducted, why she was displeased with the 2025 TCSA community service award, including that she did not get an answer she sought from a particular Council member, no one had the right to override the award's procedures, the importance of fairness and honesty, reassigning part of the award's responsibilities to other individuals that would act impartially, ethically, etc.

Toni Shifalo commented on being displeased with the 2025 Titusville Community Service Award (TCSA). She advised that of five nominees, four received recognition awards. In 2026, her hope was that the TCSA chairperson would ensure that all awardees received their awards.

Motion:
Member Nelson moved to affirm and confirm Mayor Connors' appointments of Sharon James as the chairperson and Alex Bowman from Crosswalk Community Church as the clergy representative on the Titusville Community Service Award (TCSA) Select Committee, as outlined in the information provided in the City Council agenda packet. Vice-Mayor Cole seconded the motion and it carried unanimously.

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PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS) -

Trenton Mansfield read from a prepared statement that discussed a variety of concerns and viewpoints, such as his opinions on annual financial audits, audits were important for accountability and public transparency purposes, why it took a recent, particular, incident to raise awareness of audits to the public's level of knowledge, his desire for Council to reverse a prior trend of raising taxes, examples of wasteful spending, his request for a forensic audit of every department in the City, the importance of restoring public trust, etc.

xxx

Member Nelson and City Manager Abbate discussed there being twelve components in the schedule for the municipality's internal financial audit. Member Nelson desired the internal audit being posted on the City's website. City Manager Abbate also shared that the external annual audit performed by an outside consultant (accounting firm) was required by law to be posted on the City's website.

xxx

Kathleen O'Rourke read from a prepared statement that discussed her viewpoints on the process related to a small area study (previously directed by City Council) that was to be performed and prepared for property commonly referred to as the old Royal Oak Golf Course (or within the vicinity thereof), the importance of transparency, public trust, her desire to incorporate meaningful citizen participation early in the process and throughout the duration of the study, involving property owners that would be directly affected by small area studies and including them at the beginning to develop the scope, questions, and assumptions of the studies themselves, etc.

City Manager Abbate advised that he had met with Dr. O'Rourke and shared with her that stakeholders and the public would have a substantive active role. Also, a third-party facilitator would facilitate the process, not City staff. It was important to him that the small area study be organized for the purpose of the municipality being impartial and there was no perception that staff were acting on behalf of any of their own ideas. The public would be invited throughout the process to work with the consultants, staff, etc. An agenda item would be scheduled for an upcoming City Council agenda related to hiring a third-party facilitator.

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Vickie Conklin commented on the upcoming small area study of the old Royal Oak Golf Course or area. She acknowledged the intent was to include the public. Ms. Conklin advised there were 540 dwelling units that were contiguous (abutting) to old Royal Oak property itself, many stakeholders wanted to give their input and be involved, she did not support an in-house study, the importance of public input and participation similar to public hearings, etc.

xxx

Earl Johnson commented on the upcoming small area study for the old Royal Oak Golf Course and questioned whether the study (once complete) would be used to inform future decision making. He desired that information published in the completed study on items such as flooding, infrastructure, and traffic be taken seriously as the future unfolded. Mr. Johnson also desired to include other participants and stakeholders in the upcoming study, not just the landowner of the subject property. He also did not want pre-determined outcomes.

Additionally, Mr. Johnson spoke on a related matter regarding informal mediation recently requested by the applicant or landowner that was recently denied transmitting a Comprehensive Plan Amendment to the State for the old Royal Oak Golf Course property. The community desired giving input and asked whether it was possible to utilize other sections in *Florida Statutes* for dispute resolution procedures. Additionally, he felt that informal mediation should not occur before the small area study was completed.

Member Nelson agreed with Mr. Johnson's suggestion to complete the small area study prior to mediation.

xxx

Darcia Bair read from a prepared statement that discussed a variety of concerns and viewpoints, such as Council investigating corruption, a list of items that were concerning to her since the 2024 election, which she felt the Council had done the bare minimum to address, concerns for individual candidate behavior during the 2024 election, City Council was not acknowledging the list of issues that she discussed, her desire for a forensic audit to be completed, etc.

xxx

Keith Edwards commented on a variety of concerns and viewpoints and his dissatisfaction on how Planning and Zoning (P&Z) appointments were made by Council, how future development of the old Royal Oak Golf Course property could negatively impact the community, recalling how he and others once socialized with neighbors and enjoyed the community, the new mall was anti-social in its physical design, the location for where a proposed, regional water treatment plant might be located, the importance of making improvements and involving the community, getting longtime residents involved to bring their skills in shaping community design, etc.

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Stan Johnston commented on a variety of concerns and viewpoints, such as he had spent a significant amount of time on (environmental) sustainability, a report prepared on sustainability to include what was discussed during a 2019 workshop, all the information that he had given to the City for this report was removed, his making complaints against staff related to the Sustainability Report, his recalling that an affidavit was added to the report that addressed his concerns, but it was now gone, concerns for millions of dollars, letting fraud and financial waste continue, getting assistance with identifying to whom he could report his concerns, etc.

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Elizabeth Baker commented on a variety of concerns and viewpoints, such as prior water testing results, a prior staff member no longer employed by the City, false allegations made against an individual associated with a nonprofit agency, concerns for chemicals in drinking water such as *per- and polyfluoroalkyl substances* (PFAS), concerns for an individual that had taken a private water sample(s) was arrested and denied medication while being detained, candidate mischief during the 2024 election, charges brought against others where there was no evidence, dissatisfaction on the *Right to Clean Water* (2022 charter amendment) being over-turned, everything the government did seemed to be anti-citizen, etc.

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CONSENT AGENDA

Members Nelson and Moscoso requested discussion on Consent Agenda Item Nos. E and G.

To this, City Manager Abbate read Consent Agenda Item Nos. A, B, C, D, F and H, as followed:

A. Clean Vessel Act Grant - CV006 - Acknowledge the acceptance of the Clean Vessel Act Grant, CV006 and approve the associated budget amendment.

B. Fiscal Year (FY) 2025 Annual Comprehensive Financial Report - Accept the Annual Comprehensive Financial Report for Fiscal Year 2025. The report will be available and distributed following acceptance by the City Council.

C. 2026 Red, White, and Boom! July 4th Celebration - Approve efforts of City staff to commence planning and carry out the 2026 Red, White, & Boom! event, and to authorize the City Manager to execute contracting instruments necessary for this event.

D. "America 250" Semi quincentennial Parade and Event - Approve the event plan, allow for organization of the event, raise funds for the event, and hold the parade and associated event. Additionally, approve the associated budget amendment.

F. Titusville City Hall Chiller Replacement – Duct Cleaning and Encapsulation - Approve duct cleaning and encapsulation services for City Hall in the amount of $78,783 to be performed by Trane U.S. Inc., the current service provider responsible for maintaining and servicing the HVAC equipment at City Hall and authorize staff to issue the Purchase Order in accordance with the OMNIA contract.

H. Purchase of DocAccess website ADA compliance software through CivicPlus - Approve the contract with DocAccess SaaS in the total amount of $10,206.00 for year one to ensure the City's compliance with federal ADA regulations as it pertains to the City's website and it authorizes the City Manager to sign the documents. Additionally, approve the associated Budget Amendment.

Stan Johnston submitted a public speaking card on Consent Agenda Item Nos. B and H, to which he spoke and indicated being neutral on his card.

Motion:
Member Nelson moved to approve Consent Agenda Item Nos. A, B, C, D, F, and H, in accordance with the recommendations. Vice-Mayor Cole seconded the motion and the roll call vote was:

Member Moscoso	Yes
Member Nelson	Yes
Mayor Connors	Yes
Vice-Mayor Cole	Yes
Member Stoeckel	Yes

The motion carried unanimously.

xxx

Consent Agenda Item No. E -

E. Approve Resolution No. 6-2026 - Travel Reimbursement – City Manager Abbate read the request to approve *Resolution No. 6-2026* for the updated *Travel Reimbursement Administrative Policy 1-1.*

An updated copy of the draft resolution was distributed to Council.

Stan Johnston submitted a public speaking card to include Consent Agenda Item No. E, to which he spoke and indicated being neutral on his card.

Per Member Nelson's request, City Manager Abbate highlighted the proposed changes and rationale for updating the Travel Reimbursement Administrative Policy. This discussion included information on the U.S. Governmental Services (GSA) policy rates, making adjustments for the hotel costs and the reasons why, if travel costs for the City Manager and Attorney exceeded $1,000, this required Council authorization, the policy required City Council's approval, etc.

Motion:
Member Nelson moved to approve Consent Agenda Item No. E and Resolution No. 6-2026 for the updated Travel Reimbursement Administrative Policy 1-1, in accordance with the recommendations. Vice-Mayor Cole seconded the motion and the roll call vote was:

Member Nelson	Yes
Mayor Connors	Yes
Vice-Mayor Cole	Yes
Member Stoeckel	Yes
Member Moscoso	Yes

The motion carried unanimously.

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Consent Agenda Item No. G -

G. Repealing Resolution 24-1997 and Establishing Revised Quasi-Judicial Procedures in Resolution 07-2026 – City Manager Abbate read the request to accept the proposed Resolution No. 07-2026.

Per Member Moscoso's request, City Attorney Treasure reviewed how the proposed, updated *Quasi-Judicial Procedures* were different than those within *Resolution No. 24-1997*. Changes were made to be clearer and more concise, which would be used by all City boards and commissions. A *party intervenor* was also a new feature, to which Member Moscoso felt was too broadly written and to which she desired having the City Attorney decide who could be a *party intervenor* based on their qualifications, not Community Development (staff).

Member Nelson supported this idea. She advised that normally tribunals and courts decided on party intervenors. Member Nelson and City Attorney Treasure also discussed that City Attorney Treasure was comfortable with transferring the assignment to the City Attorney's position.

Stan Johnston submitted a public speaking card to include Consent Agenda Item No. G, to which he spoke and indicated being neutral on his card.

Member Stoeckel and City Attorney Treasure discussed Member Stoeckel's questions related to defining the term and definition for *abutting*. City Attorney Treasure indicated there was no specified number or limitation and it was property that was adjacent. Member Stoeckel desired further clarifying and commented on a scenario for whether it included someone that lived nearby or if it was someone that needed to *abut* (touch) a subject property of a land use application (or the subject site) to be eligible to be considered a *party intervenor*.

To this, City Attorney Treasure indicated it was not as open to anyone in the vicinity, but that property needed to abut or be adjacent to the subject property to be considered as having "a little more interest" (than others). Member Stoeckel and City Attorney Treasure discussed Member Stoeckel's attention to page no. 119 of the Council agenda packet and where at bottom of the page there was information that was underlined or as what would be said for the record.

Member Moscoso did not want there to be any confusion or interpretation issues by various stakeholders on the definitions of *abutting* versus *not abutting*. She also wanted the resolution's definitions to be clear to avoid confusion, etc.

<u>Motion</u>:
Member Moscoso moved to postpone Council's consideration of Consent Agenda Item No. E and Resolution No. 07-2026 to the regular City Council meeting on April 14, 2026.

City Attorney Treasure clarified the purpose of Member Moscoso's motion was to have the City Attorney update the draft resolution based on the Council's discussion to define the definition of *abutting*, change *who* determined whether an individual was a party intervenor by shifting the responsibility from Community Development to the City Attorney, etc. The City Attorney also confirmed Council was agreeable to place this item under Consent Agenda at the next regular City Council meeting agenda of April 14, 2026.

Vice-Mayor Cole seconded the motion and it carried unanimously.

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ORDINANCES – SECOND READING, PUBLIC HEARING AND RELATED ACTION – None.

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ORDINANCES - FIRST READING

<u>Ordinance No. 6-2026 - Live Local Ordinance</u> - Withdrawn from the City Council agenda by staff.

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<u>Rezoning (REZ) Application No. 8-2025 - 317 Oleander Place</u> – The request was to conduct the first reading of Ordinance No. 7-2026 for Rezoning (REZ) Application No. 8-2025.

Community Development Director Brad Parrish read Ordinance No. 7-2026 - 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 THE ZONING DISTRICT ON PROPERTY LOCATED AT 317 OLEANDER PLACE FROM THE INDIAN RIVER CITY NEIGHBORHOOD - COMMERCIAL (IRCN-C) ZONING DISTRICT TO THE INDIAN RIVER CITY NEIGHBORHOOD – RESIDENTIAL (IRCN-R) ZONING DISTRICT ON 0.18+/- ACRES OF PROPERTY; HAVING PARCEL ID NO. 22-35-22-03-10-5; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE, for the first time by title only.

City Attorney Treasure reviewed the *Quasi-Judicial Rules of Procedure* with the City Council.

Two individuals submitted public speaking cards.

Stan Johnston waived his right to speak.

Keith Edwards felt that Council needed to be cautious when considering the proposed rezoning, due to concerns for overall failing or aging infrastructure and planning for the future, population needs, coming up with solutions to offset future problems, etc.

There was no additional discussion. The second reading and the public hearing of Ordinance No. 7-2026 was scheduled for the regular City Council meeting on April 14, 2026.

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OLD BUSINESS

<u>Proposed Updated Council Chamber Meeting Guidelines</u> – The request was to approve the proposed, updated, *Council Chamber Meeting Guidelines.*

Two individuals submitted public speaking cards.

Toni Shifalo reviewed prior approved versions of the *Guidelines*. She believed the reason changes were being made at present was to offset the meeting's activities from becoming a circus to which she held up signage to support her remarks. She also felt there was mixed communication on when signs should be in the back of the room versus when they could be held or displayed during a speaker's comments, etc. Ms. Shifalo did not support the proposed changes.

Stan Johnston held up a sign to support his remarks and concerns on the seriousness that he felt these matters were related to the Constitution and freedom of speech, inconsistent application on meeting procedures, having freedoms not enjoyed elsewhere in the world, being displeased with individual staff and four of five Councilmembers, etc.

Council discussion ensued.

Member Nelson asked who determined whether "something" (a subject) was relevant or not. Her opinion was that the Mayor should make the initial determination or whoever was running the meeting. The board chairperson would determine whether something was relevant for other boards. Then, if the rest of Council (or the board) disagreed, then it would become a vote before the board, for the purpose of making it clear.

Member Nelson also commented on the usefulness of having all the rules on one document, so that individuals did not have to reference many, prior, individual policies adopted over time. She also liked the proposed *Guidelines*.

City Attorney Treasure commented on prior directives from Council and the scope of work related to amending and drafting the updated, proposed *Guidelines*.

Member Nelson further commented on signs. She advised that she could become distracted by individuals waving signs around (from audience indicated), while other members of the public and citizens addressed Council. She felt it was important to carefully listen to speakers' comments and requests. Signs should also relate to the topic at hand. It was also important to keep order, decorum, and be respectful to others.

Member Moscoso and City Attorney Treasure discussed her questions on whether residents or the public could hold signs if they were not speaking (not addressing Council), to which the City Attorney discussed. Council could also change the *Guidelines*. Member Moscoso would be okay with an individual in the audience holding or holding up a little sign, as long as it was not distracting or blocking someone's view. Member Moscoso was also okay with restricting the size of signs in the *Guidelines*, as long as a sign(s) was not distracting or blocking someone's view.

Mayor Connors desired the rules to be clear and to avoid having a "hodgepodge" of rules. He hoped City Council could agree on new *Guidelines* that would facilitate business being conducted in the Council Chamber.

<u>Motion</u>:
Member Nelson moved to approve the updated *Council Chamber Meeting Guidelines*, as recommended. Vice-Mayor Cole seconded the motion.

Member Moscoso asked if the maker of the motion would be open to a friendly amendment to allow small signs. Member Nelson declined, due to enforcement would be difficult.

An amended motion was forthcoming.

City Attorney Treasure requested clarification if Member Nelson intended to approve the *Council Chamber Meeting Guidelines*, as modified, to include that the Mayor or the Chairperson would make the determination regarding what was related, implied to specifically address that the Mayor or Chairperson would determine whether a speaker's sign or placard was on topic and related to a particular item being discussed. Member Nelson stated, "yes" and she agreed to amend the motion on the floor to approve the updated *Council Chamber Meeting Guidelines*, as clarified by the City Attorney.

Vice-Mayor Cole's second held and the roll call vote on the amended motion was:

Mayor Connors	Yes
Vice-Mayor Cole	Yes
Member Stoeckel	Yes
Member Moscoso	No
Member Nelson	Yes

The motion was approved by a vote of 4-yes to 1-no, with Member Moscoso in objection.

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NEW BUSINESS – None.

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PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS) – None.

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MAYOR AND COUNCIL REPORTS –

Mayor's Report – Mayor Connors deferred to the other Councilmembers to provide their individual (verbal) reports before he reviewed his own.

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Council Reports -

With the exception of Mayor Connors, the other Council Members did not provide individual reports. To this, Mayor Connors advised that he desired reviewing the City's Planned Industrial Development (PID) zoning regulations and ways to accommodate research and development (R&D) companies involved in the aerospace industry. He requested Council's consideration of this matter, as discussed.

Stan Johnston submitted a public speaking card. One thing with manufacturing, these businesses needed water and water flowed down into sewers. His concern was about any chemicals that may get into the sewer system, as well as any caustic chemicals that may illegally escape from a business.

Motion:
Member Stoeckel moved to approve advisability for the City Manager and staff to review the City's Planned Industrial Development (PID) zoning regulations and ways to make the regulations more friendly or possible for aerospace industry and/or businesses to be able to develop in the PID zoning district areas. Vice-Mayor Cole seconded the motion and the roll call vote was:

Vice-Mayor Cole	Yes
Member Stoeckel	Yes
Member Moscoso	Yes
Member Nelson	Yes
Mayor Connors	Yes

The motion carried unanimously.

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CITY MANAGER'S REPORT

City Manager's Report - City Manager Abbate provided his written report. There was one action item for the Council's consideration.

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City Council Off-Site Proposal – Council direction was sought on the next step for a City Council strategic planning session for Fiscal Year (FY) 2027.

Council deferred acting on scheduling a date for a proposed outside consultant to facilitate a City Council strategic planning discussion or retreat, as part of the next step in the Fiscal Year (FY) 2027 Strategic Planning Cycle. Council requested the City Manager report back with more meeting date options the consultant might have or provide during May 2026, with emphasis on whether the consultant was available on May 2, 2026. Once a date was selected, the strategic planning meeting would be held in compliance with *Florida Statutes* and *Sunshine* Laws governing public meeting requirements.

Stan Johnston waived his right to speak. He desired speaking on the matter when the subject came back before Council.

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The remaining items in the City Manager's Report were informational only purposes.

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CITY ATTORNEY'S REPORT

City Attorney's travel for training conferences - No action was requested. City Attorney Treasure briefly highlighted the purpose of the informational agenda item.

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Request for Informal Mediation pursuant to Florida Statutes Section 163.3181(4) - No action was requested. City Attorney Treasure highlighted the purpose of the informational item. Her written report provided that on February 10, 2026, the City Council heard a request from Toulon Apartments MS, LLC, ("Applicant") for approval of an application for a transmittal to be sent to the State of Florida to consider a Comprehensive Plan amendment to property located at 2150 Country Club Drive, Titusville, FL 32780. The State of Florida required any comprehensive plan amendment request, which was larger than 50 acres, to be transmitted to the State for review by any relevant state agencies pursuant to *Florida Statutes*, Chapter 163.3184. The City Council denied the Applicant's request and a Final Order of Denial of the Comprehensive Plan Amendment Application No. 2-2025, was rendered on March 2, 2026.

Subsequently, on March 9, 2026, the Applicant sent a Request for Informal Mediation, regarding the denial letter, pursuant to *Florida Statutes*, section 163.3181(4), which provided in pertinent part:

> *If a local government denies an owner's request for an amendment to the comprehensive plan which is applicable to the property of the owner, the local government must afford an opportunity to the owner for informal mediation or other alternative dispute resolution. The costs of the mediation or other alternative dispute resolution shall be borne equally by the local government and the owner. If the owner requests mediation, the time for bringing a judicial action is tolled until the completion of the mediation or 120 days, whichever is earlier*. F.S. 163.3181(4).

The applicant, by and through their attorney and the City Attorney's Office, would coordinate the informal mediation framework and process as *Florida Statutes*, section 163.3181(4) contained no specific authority requirements for participation and provided minimal procedural guidelines beyond basic mediation opportunity. If informal mediation produced any agreement, such agreement was subject to the approval and ratification of the City Council to become in effect and binding.

Five individuals submitted public speaking cards.

Bryan Yarnell, a representative of the Association of Fairways at Royal Oak, who was also an attorney, highlighted *Florida Statutes* (F.S.) 163.3181, which he advised encouraged public participation. He further commented on there was no definition for *informal* mediation or alternative dispute resolution, this was not judicial mediation, it was not confidential under F.S. Chapter 44, Zoom or internet meeting technology could also be used for the informal mediation and allow individuals to watch. Additionally, Mr. Yarnell supported the suggestion to complete the small area study prior to mediation. Regarding informal mediation, the landowner and the government must participate. The law did not specify others. To this, Mr. Yarnell supported others having viewing participation access as a way to participate.

Seth Adams read from a prepared statement that discussed the Planning and Zoning Commission and City Council's firm and clear decisions made on the applicant's Comprehensive Plan amendment application. The property owners in the area of the old Royal Oak Golf Course property were not resistant to growth; however, they were not abstract stakeholders, but instead they were responsible taxpayers raising families with the belief their community would be protected through thoughtful planning and responsible decision making, etc. Concerns such density, traffic, environmental impacts, and compatibility had been raised repeatedly to the developer's attention. Mr. Adams further commented and requested the City Council to stay on the course, maintain the community's trust, etc.

Vickie Conklin commented on the community's desire for public participation in informal mediation and allowing the citizens to participate to the fullest extent possible, as well as giving notice or sending advance post card notices to property owners whose rights may be affected. She advised there were 540 units adjacent to the applicant's property. They were key stakeholders. Ms. Conklin also commented on avoiding the perception or optics of what could look like negotiation behind closed doors, if the public were not allowed to participate in informal mediation. It was a matter of transparency, too, etc.

Kathleen O'Rourke desired allowing public participation, conversation, and not diminishing the citizens' desire to participate. She continued by reading from a prepared statement to support her request. She was also pleased to hear there was a desire to complete the small area study first.

Stan Johnston briefly held up a soft cover publication (title or content unclear), which per Mr. Johnston indicated an individual was wrong about their opinion that the golf course's property owner was responsible for the maintenance of the storm sewers and other drainage improvements. He recalled during his career and roughly beginning in 1970 that no subdivision project would have drainage dedicated to a homeowner's association(s). Back then, there were no homeowner associations that were responsible for retention ponds---not for a long time. Royal Oak also began under the jurisdiction of Brevard County. There was also no St. Johns Water Management District (SJWMD) back then. For this reason, it was false to say the golf course property owner was responsible for the replacement of metal pipes, etc.

Council discussion briefly ensued with City Attorney Treasure on the following:

- Case law had not been identified yet as a process guide for informal mediation
- The scope of the applicant's request was made under a particular statute and not F.S. Chapter 70 that was more specific
- The City Attorney had substantive experience with mediations
- There would be no binding agreement
- Perception that the applicant was making a request for informal mediation as the step required before filing a lawsuit
- Whether there were any reasons to allow or not allow the public to be present
- Whether it was limited to the parties

- *Florida Statutes* were silent on public participation and did not say the public could be there
- Whether other cities had handled similar scenarios or informal mediation
- The City Attorney would write a legal memo on this matter and in response to this agenda item

No further discussion.

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With no further business to discuss, the meeting adjourned at 9:30 p.m.

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Andrew Connors, Mayor

ATTEST:

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Wanda F. Wells, City Clerk