



**CHARTER REVIEW COMMITTEE  
AGENDA  
TUESDAY JANUARY 27, 2026 – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
1225 MAIN STREET, SEBASTIAN, FLORIDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
  - A. January 5, 2026 Meeting
- 5. NEW BUSINESS**
  - A. Review Article 1: Creation and Powers
- 6. STAFF MATTERS**

*Modifications for additions require a unanimous vote of City Council*
- 7. COMMITTEE MEMBER MATTERS**
- 8. ITEMS FOR NEXT AGENDA**
- 9. ADJOURN**

NOTICE: NO STENOGRAPHIC RECORD BY A CERTIFIED COURT REPORTER WILL BE MADE OF THE FOREGOING MEETING. ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, THEY WILL 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 HEARD. (F.S.286.0105)

NOTICE: IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT (ADA) OF 1990, ANYONE WHO NEEDS A SPECIAL ACCOMMODATION FOR THIS MEETING SHOULD CONTACT THE CITY'S SEATING ADA COORDINATOR (772) 388-8222 – [ADA@CITYOFSEBASTIAN.ORG](mailto:ADA@CITYOFSEBASTIAN.ORG) AT LEAST 48 HOURS IN ADVANCE OF THIS MEETING.

HEARING ASSISTANCE HEADPHONES ARE AVAILABLE IN THE COUNCIL CHAMBERS FOR ALL GOVERNMENT MEETINGS.

**CITY OF SEBASTIAN  
CHARTER REVIEW COMMITTEE MINUTES  
TUESDAY, JANUARY 05, 2026 - 6:00 P.M.  
CITY COUNCIL CHAMBERS  
1225 MAIN STREET, SEBASTIAN, FLORIDA**

1. Call to Order – Interim City Attorney called the Charter Review Committee meeting to order at 6:00 p.m.

2. The Pledge of Allegiance was recited by all.

3. ROLL CALL

Present:

Grace Reed

Jeanne Hill

Bill Fynn

Scott Liberator

Richard Gillmor

Vickie Drumheller

Tim Borden (Zoom)

Sharon Herman

Susan Lorusso

Felicia Hollorman

Wanda Simmons

David Moore

Nicholas Scheskowsky

Tegpreet Singh

Absent:

Charles Stadelman

Also Present:

Brian Benton, City Manager

Jim Stokes, Interim City Attorney

Cathy Testa, Acting City Clerk

Bridget Eakins, Recording Secretary

The Interim City Attorney provided an overview of the charter review process, explaining that the City Charter functions as the City's constitution and can generally only be amended by voter referendum. The committee's role is to review the charter section by section and make recommendations to the city council, which ultimately determines what items advance to the voters.

The Interim City Attorney explained that discussions should focus on concepts and intent, after which draft language will be prepared for committee review. He emphasized collaboration, careful drafting to avoid unintended consequences, and the importance of limiting the number of proposed charter amendments to avoid voter fatigue.

5. NEW BUSINESS

A. Interim City Attorney Overview of City Charter and Code Provisions relative to Charter Review Committee and Sunshine Law Provisions (Charter Section 5.03 and Code

Section 2-231 and 2-232, current City Charter, Sunshine Law/Public Records information.

The Interim City Attorney reviewed Sunshine Law requirements, noting that committee members may not discuss committee business with one another outside of publicly noticed meetings. Personal notes taken by members do not constitute public records. Secret ballots are not permitted under Florida law.

Committee members introduced themselves and provided background information relevant to their experience, residency, and interest in serving on the Charter Review Committee.

B. Appointment of Chairman

Nominations were received as follows:

- Ms. Herman nominated Vicki Drumheller.
- Mr. Borden nominated Richard Gillmor.

Written ballots were collected and retained in accordance with public records requirements.

Result: Vicki Drumheller elected Chair.

C. Appointment of Vice-Chairman

Nominations were received as follows:

- Mr. Scheskowsky nominated David Moore.
- Mr. Flynn nominated Grace Reed.

Written ballots were collected and retained in accordance with public records requirements.

Result: Grace Reed elected Vice Chair.

The City Manager thanked committee members for their service and emphasized the importance of the charter review process. He advised members that he is available to answer questions or provide information related to charter matters or city operations.

D. Establish time and frequency of meetings

Chair Drumheller reviewed the proposed meeting schedule through April. Members discussed potential conflicts, including the April 6 meeting occurring the day after Easter. The Interim City Attorney advised that the schedule is flexible and may be adjusted if necessary. Meetings were tentatively set for Mondays at 6:00 p.m., with Zoom participation available when needed.

6. STAFF MATTERS

No additional staff matters were raised.

7. COMMITTEE MEMBER MATTERS

No additional committee member matters were raised.

8. ITEMS FOR NEXT AGENDA

Chair Drumheller emphasized the importance of preparation between meetings. The committee agreed to begin its substantive review with Article I, through page seven of the charter.

Members were encouraged to review this section in advance and bring notes, questions, and suggested concepts for discussion.

The Interim City Attorney reiterated that the goal is to identify substantive issues appropriate for voter consideration, generally limiting proposed amendments to approximately six to eight items.

9. AJOURN

10. Being no further business, Chair Drumheller adjourned the Charter Review Committee meeting at 6:43 p.m.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Chair Drumheller

## PART I CHARTER<sup>1</sup>

### ARTICLE I. CREATION AND POWERS<sup>2</sup>

#### Sec. 1.01. Creation and powers.

The City of Sebastian, Florida, as now established, shall continue to be a municipal body politic and corporate in perpetuity under the name "City of Sebastian" and, under that name, shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.

#### Sec. 1.02. Extraterritorial powers.

In addition to the powers enumerated herein, the city shall be vested with all extraterritorial powers heretofore granted by the prior Charter of the City of Sebastian, Florida, as follows:

- (1) *Acquisition of property.* To acquire by purchase, gift, devise, condemnation, lease or otherwise, real or personal property or any estate therein, or riparian right or easements therein, within or without the city, to be used for any municipal purpose, including cemeteries or places for burial of the dead; streets and highways, public parking lots or spaces; bridge and tunnels sites; the construction of a telephone system; plants, works and wells and other equipment necessary for supplying said city with water, ice, gas for illuminating and heating purposes, and electric power for illuminating, heating and other purposes; the location of waterworks and sites for public utility works; the establishment of houses of detention and correction; hospitals for the cure or detention of the sick; jails; market houses, public parks, playgrounds, airports, docks, sea walls, yacht harbors, wharves, warehouses, promenades; plants for cremating, neutralizing or otherwise destroying sewerage, garbage and refuse; for extension of sewer and drainage pipes and watermains; and for any public or municipal purpose; and to improve, sell, lease, pledge or otherwise dispose of same or any part thereof for the benefit of the city, to the same extent that natural persons might do, in the manner provided in this Charter. Any land purchase in excess of ten percent of the general fund of the current budget year shall require two appraisals. If the purchase price is in excess of the average of two appraisals, approval of the purchase would require a supermajority vote of four members of Council.

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<sup>1</sup>Editor's note(s)—Printed herein is the Home Rule Charter of the City of Sebastian adopted by Ordinance Number O-78-9 on October 9, 1978, and approved at referendum on December 11, 1978. The Charter became effective January 1, 1979. Obviously misspelled words have been corrected without notation. Words added for clarification have been added in brackets. Amendments have been included and are indicated by a history note immediately following the amended section.

State law reference(s)—Municipal Home Rule Powers Act, F.S. ch. 166; Charter amendments, F.S. § 166.031.

<sup>2</sup>State law reference(s)—Home rule powers generally, F.S. § 166.021.

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- (2) *Docks, wharves, sea walls.* To establish, construct, maintain, operate and control public landings, piers, wharves and docks within and without the city, and to acquire lands, riparian rights or other rights and easements necessary for such purposes; to control and regulate the operation of boats and the speed thereof; to lay and collect reasonable duties, charges or fees on vessels or watercraft coming into or using such landings, wharves, and docks; to regulate the manner of using any and all wharves and docks within and without the city and the rates of wharfage or charges to be paid by vessels or other watercraft using the same.
  - (3) *Use of public lands and waters.* To regulate and control the use and occupancy of the waters, waterways, water bottoms, wharves, causeways, bridges, beaches, streets, thoroughfares, alleys, parks, public lots, and other public places in the city and municipally owned or leased property within or without the city limits; and to impose and enforce adequate penalties for violation of such rules and regulations.
  - (4) *Public utilities.* To furnish any and all local public services, including but not limited to electronic communication, electricity, gas, water, lights, or transportation, and to charge and collect necessary fees or charges therefor; to purchase, hire, construct, own, extend, maintain, operate or lease any public utilities, electric light system, telephone and telegraph system, waterworks and plants, ice plants, and works, gas plants and distribution systems, bus or transit systems, radio broadcasting stations, television stations, cablevision rebroadcasting systems, telephone systems, or other public utility; to establish, impose and enforce rates and charges for supplying such services or conveniences by the city to any person, persons, firm or corporation; to furnish any and all local public services to persons, firms, industries, or municipal corporations residing or located outside of the limits of said city. To acquire in any lawful manner in the State of Florida such water, lands and lands under water as the city council may deem necessary for the purpose of providing an adequate water supply for said city and the piping and conducting of the same, to make reasonable rules and regulations for promoting the purity of its said water supply and protecting the same from pollution and for this purpose to exercise full police powers over all lands comprised within the limits of the water shed tributary to any such supply wherever such lands may be located in the State of Florida.
  - (5) *Abatement of nuisances.* To compel the abatement and removal of all nuisances within the city or upon the property owned by the city beyond its corporate limits, at the expense of the person or persons causing the same, or of the owner or occupant of the grounds or premises whereon the same may be.
  - (6) *Stock.* To provide for inspecting and regulating the sanitary condition of all butcher pens, meat markets, or other places within and without the city limits, where the products of same are sold within the city limits, and to provide penalties for the violation of such regulations.
  - (7) *Airports.* To purchase, acquire, take hold, establish, construct, equip, maintain and operate municipal airports, landing fields, hangars, aviation terminals and administration buildings, runways depots, warehouses, garages, repair shops, oil and fuel tanks or stations, or other necessary appurtenances for the use of airplanes and other aircraft, and to acquire or lease any and all real property within the corporate limits, or within ten (10) miles of the boundaries thereof for such purpose; to set apart and use for such purpose any real property owned or leased by the city, whether or not originally acquired by condemnation, purchase or lease for another purpose; to adopt and enforce reasonable rules and regulations governing the use of such municipal airports; to employ airport directors, airport managers, employees or agents in connection with such operation; to impose fees or charges in connection with the use of such airport or airport facilities; to sell gasoline or other supplies necessary in connection with the operation of such airports; to provide lounges, eating places, refreshment parlors and other facilities in connection with such municipal airports; to let or lease to private persons or corporations portions of said airports for building sites, hangar space, concessions or other uses for a term not to exceed thirty (30) years; to prescribe and promulgate reasonable rules and regulations for the operation of such airports, and to exercise supervision and control of such operation; to accept and

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receive grants from the state and federal governments and any body politic for the construction, maintenance, operation and management of such airport facilities.

- (8) *Contracts with other governmental agencies.* To enter into contracts with the State of Florida or any of its subdivisions or agencies, and with the United States of America or any department or any agency thereof, in order to purchase, lease or acquire property, real and personal, within or without the limits of the territorial boundaries of the city, for any municipal purpose, and to sell, alienate, convey, lease or otherwise dispose of same for the benefit and advantage of said city.
- (9) *To convey to United States or State of Florida.* To acquire real estate or any interest therein, located within or without the territorial limits of said city, by purchase, gift, devise, condemnation or otherwise, for the purpose of giving, granting or conveying the same to the United States of America or the State of Florida, or any lawful agency or subdivision thereof, whenever the city council of said city shall deem it advisable, beneficial and to the best interest of said city so to do, or in order to induce the construction of public institutions and public works of any and all kinds.
- (10) *Golf course.* To acquire, construct, own and operate a golf course or golf courses and all such buildings and improvements as said city may deem necessary or desirable for use in connection therewith, within or outside of the limits of said city; to use any lands now owned by said city for the purpose of a golf course or golf courses, and to acquire by purchase, lease, condemnation or otherwise for such purposes any lands within or outside the limits of said city as it may deem necessary or desirable, to charge reasonable admissions, rentals or fees for the use or enjoyment of such golf course or golf courses by the users thereof, and prescribe reasonable rules and regulations for the use and operation thereof.
- (11) *Eminent domain.* To exercise the right and power of eminent domain, that is, the right to appropriate property within or without the territorial limits of said city for the following uses or purposes: For streets, lanes, alleys and ways, for public parks, squares and grounds, for drainage and for raising or filling in land in order to promote sanitation and healthfulness, for reclaiming and filling when lands are low or wet or overflowed, altogether or at times and entirely or partly, for the abatement of any nuisance, for the use of water pipes and for sewage and drainage purposes, for laying wires and conduits under the ground, for city buildings, waterworks, pounds, electric power plants, bridges, sea walls, bulkheads, causeways, docks, golf courses, airports and any and all other powers granted to said city by this Charter and for any other municipal purpose and for any other purpose granted by law, all of which shall be coextensive with the powers of the City of Sebastian exercising the right of eminent domain and the absolute fee simple title to all property so taken and acquired shall vest in said city unless the city seeks to condemn a particular right or estate in such property. That the procedure for the exercise of eminent domain or the condemnation of any lands or property under this subsection shall be the same as is provided by the general laws of the State of Florida with respect to eminent domain. The city shall not use the power of eminent domain for a project having the purpose of transferring rights in the properties acquired to a private party in pursuit of economic development.

(Res. No. R-88-16, § 2, 1-13-88; election of 3-14-89; Ord. No. O-93-21, §§ 1—3, 1-12-94, election of 3-8-94; Ord. No. O-99-18, § 1, 11-3-99, election of 3-14-00; Ord. No. O-05-19, § 1, 10-26-05, election of 3-14-06; Ord. No. O-06-09, § 1, 10-11-06, election of 3-13-07; Ord. No. O-11-07, § 2, 7-13-11, election of 11-8-11; Ord. No. O-21-06, § 2(Att.), 6-23-21, election of 11-2-21)

State law reference(s)—Municipal home rule powers, F.S. ch. 166.

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**Sec. 1.03. Intergovernmental relations.**

The city may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise with any city, county, state, the United States or any agency or governmental unit thereof.

State law reference(s)—Intergovernmental programs, F.S. ch. 163.

**Sec. 1.04. Boundaries.**

The corporate limits of the city shall be as presently established or as hereafter changed pursuant to state law.

State law reference(s)—Municipal annexation or construction, F.S. ch. 171.

**Sec. 1.05. Existing businesses may continue after annexation.**

Any real property upon which a lawful business is being conducted at the time the same is taken into the corporate territory of the city, during the continuance of the same business it shall be granted the same privileges, immunities and exemptions as though any such business had been conducted within the city for the time of operation prior to annexation to the city at such location.

**ARTICLE II. CITY COUNCIL**

**Sec. 2.01. Composition.**

There shall be a city council consisting of five (5) council members elected by the qualified voters of the city at large.

(Ord. No. O-91-29, § 1, 1-8-92; Ord. No. O-93-03, § 1, 1-27-93)

**Sec. 2.02. Eligibility.**

No person shall be eligible to hold the office of council member unless he or she is a qualified elector in the city and actually continually resided in the city for a period of one (1) year immediately preceding the final date for qualification as a candidate for said office. Once elected or appointed, the council member must maintain a continuous physical residency and voter registration in the City of Sebastian throughout their term of office.

(Ord. No. O-84-1, § 1, 2-1-84; Ord. No. O-93-03, § 2, 1-27-93; Ord. No. O-21-07, § 2(Att.), 6-23-21, election of 11-2-21)

**Sec. 2.03. Election.**

(a) [T]here shall be held a general election of two (2) council members on the first Tuesday following the first Monday in November of each even-numbered year and of three (3) council members in each odd-numbered year.

(b) The city elections shall have at large voting.

(Ord. No. O-91-29, § 1, 1-8-92; Ord. No. O-93-03, § 3, 1-27-93; Ord. No. O-06-11, § 1, 10-11-06)