

MAYOR
Hal J. Rose

DEPUTY MAYOR
Pat Bentley

COUNCIL MEMBERS
Daniel Batcheldor
John Dittmore
Adam Gaffney
Barbara A. Smith
Andrea Young



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CITY COUNCIL WORKSHOP

MINUTES

April 2, 2019

1. CALL TO ORDER

Mayor Rose called the workshop to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT MEDITATION

Mayor Rose led the Pledge of Allegiance followed by a moment of silence.

3. ROLL CALL

Present: Mayor Hal Rose, Deputy Mayor Pat Bentley, Council Members Andrea Young, Barbara Smith, Adam Gaffney, John Dittmore, and Daniel Batcheldor.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Deputy City Manager Keith Mills, Finance Director Margi Starkey, Information Technology Director Tom Bradford, Human Resources Director Kimberly Gale, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Planning Director Christy Fischer, Parks and Recreation Director Rich Boprey, Jacobs Project Manager Brian Mascher, City Clerk Cynthia Hanscom, and other members of the public.

4. BUDGET WORKSHOP – DISCUSSION OF STRATEGIC CITY COUNCIL PRIORITIES

City Manager Morgan reviewed the schedule for the 2019-2020 budget process and provided a status report at mid-year for 2018-2019.

Charles Settgest, 7929 Timberlake Drive, asked Council to consider including in the budget possible staffing to improve the aesthetics of West Melbourne. He stated that traffic is congested and there were sections of the City that were filled with junk cars and debris in the streets. He added that some properties are not being maintained. More could be done through code enforcement to improve the aesthetics. He suggested the emphasis in the Building Department be changed to focus more on a nice clean and attractive place to live. He recommended that additional personnel be dedicated to code enforcement.

City Manager Morgan reviewed potential top strategic priorities for City of West Melbourne for next few years.

1. By July 1, 2019, bring the water plant feasibility analysis nearing completion to the City Council for the Council to determine whether or not to proceed with the development of our own water plant. Feasibility analysis is looking promising and should be presented to Council in June. If the Council decides to proceed, the City must design, permit and build a new water production plant. The City must also integrate the new plant into the City's existing and, each year over the next five years, improved water distribution system. In accordance with the May 16, 2013, agreement with the City of Melbourne, West Melbourne must give formal notice to Melbourne that West Melbourne has elected to develop its own water production plant not later than December 31, 2021, and start operation of West Melbourne's new independent water system not later than December 31, 2026.

Mayor Rose asked about funding for the water plant and start-up costs. City Manager Morgan noted that there would need to be a long-term debt to fund the project. Based on the financial study conducted by the Florida Rural Water Association, the cost of the bond could be absorbed by fees. The study also suggested that the water rates be adjusted to rely more on fixed costs and less on variable costs.

Mayor Rose asked if it would be prudent to start saving funds now. City Manager Morgan stated the plan was to pay down the existing water and sewer debt in order to secure more favorable borrowing for the water plant. He predicted the state revolving loan program could provide funding at between 2 and 3 percent interest.

Mayor Rose asked about the availability of underground water. City Manager Morgan stated the consultant will provide that information as part of their engineering study. He expected the report to be provided to City Council in June and believed Council will be comfortable making a decision once that information is received.

Council Member Dittmore asked if it was cheaper to borrow the funds rather than use reserves. City Manager Morgan stated the cost of the plant would be more than what was available in reserves. He reported that some reserve funds had been loaned to other funds and are not available. He also noted that some work would need to be done in the distribution system. He expected the costs to be about \$25 million. There would only be about \$3 million in reserve that could be used for this purpose.

Council Member Smith commented that the City should not continue to work with the City of Melbourne for the purchase of water. Based on recent events, it was clear that the Melbourne City Council was most concerned about their bottom line. She believed this was a step in the right direction to take the City's future in its own hands.

2. To reduce flood risk for some of the City's older neighborhoods lacking modern drainage, continue in 2019-2020 to design and permit potential stormwater improvement projects on the portion of the storm drainage systems serving West Melbourne that are the City of West Melbourne's responsibility. In 2020-2021 make

applications for external funding for the construction of these designed and permitted potential projects.

Mayor Rose asked if stormwater fees could be increased. City Manager Morgan stated that this had been done last year and could be considered again. He did not believe an increase would provide the funding necessary to complete many of the larger projects, which are substantial. He believed that tapping into the grant funding would allow the City to get projects designed and be in a better position for other funding sources. Deputy Mayor Bentley expressed his opposition to considering a rate increase next year.

3. To improve water quality impacting the Indian River Lagoon and to expand and improve the City's wastewater collection and treatment system, develop proposed sewer system improvement projects in 2019-2020 and make applications for external funding for converting an additional neighborhood off of Sheridan Road from septic to sewer and for improving wastewater treatment plant processes that improve the quality of water distributed in the City's reuse distribution system. If external funding is received, construct these projects in 2020-2021.
4. As the City's strategic goal for providing for the long-term expansion of the City's park system, seek to acquire additional property immediately west of the City's West Melbourne Community Park properties.

City Manager Morgan stated that he had a conversation with a realtor for property off of Flanagan Avenue. The City's appraiser was working on this and the City may be in a position to make an offer on three properties west of the park. He stated that there was 'in lieu' recreation fee funding that could only be used for capital improvements or purchase of land for recreational use.

5. As a relative strategic priority, prioritize improvements in salaries and benefits for existing City employees over adding additional employees, asking management to achieve greater efficiencies as the City grows.

City Manager Morgan stated that his philosophy was to keep the head count down and increase salaries of existing personnel. He cautioned that the City had added many new positions in the last two years.

Council Member Young expressed concern that employees doing more than one job can get stressed so that it would not matter how much they are paid if they are overwhelmed. She agreed that they needed to be mindful of increasing staff. City Manager Morgan stated that any new position focus would be on adding staff to the front line positions that provide direct service to the citizens.

6. Update, as may be needed, the City's current Comprehensive Plan based upon landowner applications on the remaining Greenfield properties in the City limits representing approximately 20% of the land mass within the City. Within the next five years, update the data set in the Evaluation and Appraisal Report and adopt a

new Comprehensive Plan with a horizon year of 2040, which will essentially represent full build-out of the City.

City Manager Morgan stated that the last update to the Comprehensive Plan was in 2010 and it was good practice to do so every 10 years. He noted that they would not need to do a complete evaluation and appraisal. Currently, the City is approximately 80 percent built out. Mayor Rose asked if this would be done by an outside consultant. City Manager Morgan stated that outside assistance would be needed.

7. Develop and secure, in 2020-2021, Community Redevelopment Agency Board approval of a strategic direction for the Joint West Melbourne-Brevard County Community Redevelopment Agency.
8. Consistently over each of the next five years, continue to provide adequate budget authority for major maintenance required to keep the City's existing infrastructure in good repair. This includes roadways, the water distribution system, the sewer collection and treatment system, maintenance of the City-owned portion of the three public stormwater systems serving West Melbourne, maintenance of the City's parks, and maintenance of the City's buildings, major fixed assets, and vehicles. As part of this effort, continue to fund the internal vehicle replacement fund and continue to adopt annual updates of the five-year street maintenance plan and the five-year vehicle replacement plan.
9. By July 1, 2019, select and empanel a committee of citizens for developing proposed Charter amendments for the City Council to consider placing on the November 3, 2020, ballot for the citizenry to vote on.

Council Member Dittmore asked if the City would be advertising to fill this committee. City Attorney Richardson stated that he would be working with the City Clerk to put together an application. Specific individuals will be asked to apply, such as graduates from the City's leadership academy. If Council was agreeable, they would begin to work on getting applications for Council's consideration.

10. Consistently over each of the next five years, continue to provide adequate budget support to insure the priority operational needs of the Police Department are met.
11. With respect to the City's near and longer term financial health:
 - commit faithfully over the next five years to continue the City's practice of funding the Police Officers Pension in an amount greater than the annually established actuarial minimum;

Council discussed the funding level of the Police Pension plan and that it was close to being fully funded. Council Member Smith stated that the additional funding over the minimum may be available in future years to spend on other things. She suggested that additional payments could be made to the plan every other year to keep it fully funded.

Council Member Dittmore suggested a policy be established to earmark funds for any shortfall in the plan. City Manager Morgan cautioned on setting such a policy as the earmarked funds could not then be used for an emergency. He stated that in recent years, the City has not earned much on its idle cash, but the Police Pension fund has been earning at a higher rate; therefore, it has made sense to use the idle cash for extra funding of the pension plan.

- commit faithfully over the next five years to continue to reduce the City's remaining water/sewer debt such that maximum access to public and private debt markets for financing the lion's share of the potential construction of a new water plant is achieved;
- consider a modest sewer rate increase (2.7 percent) to become effective October 1, 2019, and evaluate the potential need for considering further increases biannually; if so, would advertise in water bills in May;

Council Member Young asked if additional sewer accounts, because of growth, offset other costs. City Manager Morgan stated that additional sewer infrastructure impacts the cost. He noted that there may be a need to increase staffing with Jacobs, the maintenance operator for the sewer plant. He stated that a modest increase could get the City into a better financial position.

Council Member Young asked if there was a proposal to add to the reuse system. City Manager Morgan stated there would not be additional customers added to the system.

- continue to realize positive cash flows in the water fund and, in two or three incremental steps over a five year period, consider modification of the City's water rate structure to increase the relative share of the fixed portion of the rate and to reduce the relative share of the variable portion of the rate as recommended in the Florida Rural Water Association report received by the City Council on February 21, 2017; currently our structure is tilted to the variable side and it is desirable to go to debt markets with better rate structure;
- restore to a positive fund balance the Joint West Melbourne-Brevard County Community Redevelopment Agency fund by September 30, 2019;
- restore to a positive fund balance by September 30, 2021, the stormwater special revenue fund; and

City Manager Morgan noted that there had been a substantial increase in stormwater fees last year, which was the first in 13 years. He noted that it may be better to do small increases less infrequently. He stated that a small increase would not put the City at a competitive disadvantage with unincorporated Brevard County.

- continuously over the next five years, commit to strictly adhering to the City Council's officially adopted policy of maintaining a minimum general fund reserve of 20% of annual expenditures.

Mayor Rose noted that Council has been prudent about putting money away for emergencies and he believed this was good planning.

Mayor Rose asked about beautification measures for Minton Road landscaping. City Manager Morgan stated that the County Transportation Planning Organization is working to update the south traffic model to determine if the current roadway can support future traffic. The County is currently contracting to retime the lights between U.S. 192 and Palm Bay Road. Because the roadway would need to be two lane when intersecting with U.S. 192 and Wickham Road, the City was asking if congestion could be alleviated with more turning lanes between Eber Boulevard and U.S. 192 but not widening 'through lanes' through this reach. He also stated that a hold over goal from last year is to look at the street lighting. There is an order in place through Florida Power & Light engineering for new light fixtures on the newly installed concrete poles. This may be able to be done at minimal costs on Minton Road from Henry Avenue to just south of Flanagan Road.

5. RECESS

Council recessed the workshop at 6:52 p.m. and reconvened to the Regular City Council meeting at 7:02 p.m.

CITY COUNCIL REGULAR MEETING

MINUTES

April 2, 2019

6. CALL TO ORDER

Mayor Rose called the meeting to order at 7:02 p.m.

7. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT MEDITATION

Mayor Rose led the Pledge of Allegiance followed by a moment of silence.

8. ROLL CALL

Present: Mayor Hal Rose, Deputy Mayor Pat Bentley, Council Members Andrea Young, Barbara Smith, Adam Gaffney, John Dittmore, and Daniel Batchelder.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Deputy City Manager Keith Mills, Finance Director Margi Starkey, Information Technology Director Tom Bradford, Human Resources Director Kimberly Gale, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Planning Director Christy Fischer, Jacobs Project Manager Brian Mascher, City Clerk Cynthia Hanscom, and other members of the public.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Introduction of New Employees. Public Works Director Mark Piccirillo introduced Water Supervisor Timothy Thibert, who started with the City on March 11. Parks and Recreation Director Rich Boprey introduced Recreation Supervisor Denise Brockway, who started with the City on March 8, Maintenance Worker Frank Heske, who started with the City on March 11, and Maintenance Workers Jonathan Caceres and John Keable, both who started with the City on March 25.

Proclamation for Water Conservation Month. Mayor Rose presented a proclamation to Abby Johnson, Intergovernmental Coordinator for Government Affairs with the St. Johns Water Management District, proclaiming April as Water Conservation Month.

10. PUBLIC HEARINGS

Revise the Use Thresholds in Future Land Use Designation for Parkway Interchange in Volume 1, Future Land Use Element of the Horizon 2030 Comprehensive Plan. Planning Director Fischer presented a revision to the use thresholds for the Parkway Interchange future land use designation, which was proposed by the property owner. She reminded Council that in 2016, Tuck Ferrell had asked that the City create a designation that allowed for mixed uses for the area along U.S. 192 and flanking both sides of St. Johns Heritage Parkway. The designation was the Parkway Interchange designation and the current project name is the Space Cost Town Center. To change the limits on the mix of uses in this designation, it would be considered a large scale amendment and require a transmittal to the State to determine if there are state impacts. The purpose of their future land use designation changes is to allow additional apartments to be built on the site, thereby changing the previous emphasis for a non-residential to a residential development to occupy a majority of the site. The developer was asking for a change from 25 percent for multi-family to 65 percent for multi-family.

City Planner Fischer reviewed the impacts this change would make to the site, noting that the maximum dwelling units would go from 977 to 2541. She reviewed the level of service impacts and noted that multi-family uses would generate less trips than commercial uses and would decrease water and sewer impacts as well. She reported the Planning & Zoning Board met last week and voted in favor of the transmittal.

Mayor Rose opened the public hearing.

Philip Nohrr, 1795 W. Nasa Boulevard, Melbourne, spoke about the proposed development, noting that it was in a key location in West Melbourne. There were 170 acres that were split by the St. Johns Heritage Parkway. He reminded Council this proposal was before Council as a transmittal for a Comprehensive Plan amendment and would be back before Council as the development moves forward. He stated that the 65 percent multi-family use as requested is the maximum amount and the actual amount of residential versus commercial would depend on the market.

Robert Gorlow, 7485 Fairway Drive, Miami Lakes, explained the market necessitates a different approach to attracting users and providing flexibility to ensure financial success. The strategy is to target employees or potential employees of the major aerospace, defense, and technology companies in the area. Millennials want a walkable environment. The current plan as shown represents 50 percent multi-family. The end result should be an office-campus type user while at the same time creating an economically successful project. The anchor will be the multi-family use. Ultimately, the overall goal is to build and market a community.

Council Member Young spoke about the multi-family use and asked for reassurance that the use was upscale. Mr. Gorlow explained that investors are creating an environment or a community that would insure the highest value and higher rents. He noted that in some cases the employers in the area would buy a number of units for their employees.

Ms. Young asked if this would be a golf cart community. Mr. Gorlow stated they would be working on providing golf cart access. The internal streets are meant to be private to increase the intimacy of the community.

Council Member Batchelor stated that Council does what is best for West Melbourne residents and not just what is best for the consumers. He stated he was disappointed that the plans were not more imaginative. He stated he was struggling to support the dominance of apartment development. He stated that he would support 40 percent for multi-family use. He would rather see plans for development that helps existing residents rather than new residents.

Mr. Gorlow stated the development would be marketed to the defense and aerospace community with a vibrant retail use. He noted that they could only do what the market allows. The goal was to make it attractive. He noted that mail order companies such as Amazon reduced the viability of the small stores and malls. He believed the plan was more imaginative than a strip mall and a marked departure from anything else that was being developed in the City.

When asked about the percentage of multi-family use shown on the concept drawing, Mr. Gorlow stated that it was shown at 50 percent but the investors would need a cushion to agree to the proposal.

Deputy Mayor Bentley believed the investors were taking all the risk. He did not believe that 65 percent multi-family was unreasonable.

Deputy Mayor Bentley moved to approve the transmittal of the comprehensive plan amendment which revises the mixed use thresholds in the Parkway Interchange future land use designation. Council Member Young seconded the motion.

Mayor Rose asked about the transportation. Mr. Gorlow explained the internal roadways would be private and would not be maintained by the City.

Council Member Dittmore asked if the state review of the comprehensive plan change could change the outcome. City Attorney Richardson noted that it would go to the state for comments because it is a large scale amendment. If there were no impacts at the state level, he doubted that they would take issue with the proposal. Planning Director Fischer agreed, stating that there would be a limited scope to their review, which would be the impacts on U.S. 192.

Council Member Smith confirmed that this would come back before Council before final approval. City Manager Morgan replied that it would and added that the plan would go before the Planning and Zoning Board and Board of Adjustment. Council Member Smith stated she liked the concept of having people live and shop in the same community rather than a truck stop.

Mayor Rose asked what would come back before Council for review. Planning Director Fischer stated the subdivision plan would come back before Council for consideration. City Attorney Richardson explained that this is unique because the Comprehensive Plan Amendment is legislative and may affect broad properties; however, in the case of this amendment, it would only affect this project. Council Member Batchelor stated that he believed the change would set a precedent for changing the relative ratio of other mixed uses properties.

Council then voted on the motion to approve the transmittal of the Comprehensive Plan Amendment, which passed 6-1, with Council Member Batchelor opposed.

Engineering Standards Manual and Code Amendment. Planning Director Fischer presented the second reading of an ordinance to remove language from the code and incorporate engineering standards into a technical document entitled the "Engineering Standards Manual." She reminded Council that this had been a project that had been in the works for several years.

City Attorney Richardson read, in title only, Ordinance No. 2019-06:

ORDINANCE NO. 2019-06

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE ADOPTION OF AN ENGINEERING STANDARDS MANUAL; AMENDING CHAPTER 74, DEVELOPMENT STANDARDS, ARTICLE II, OFF-STREET PARKING AND LOADING AREAS AND ACCESS, DIVISION 4, PARKING LOT CONSTRUCTION STANDARDS, AND ARTICLE IV. SOLID WASTE CONTAINMENT; CHAPTER 82, STREETS, SIDEWALKS AND PUBLIC WAYS; AND CHAPTER 90, UTILITIES TO REMOVE ANTIQUATED REFERENCES TO INFRASTRUCTURE EQUIPMENT AND OBSOLETE CONSTRUCTION PRACTICES IN THE CODE OF ORDINANCES; PROVIDING FOR INCLUSION OF THE REFERENCE TO THE "ENGINEERING STANDARDS MANUAL" IN THE CODE, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Rose opened the public hearing. There being no comments, he closed the public hearing.

Council Member Dittmore moved to approve the second reading of Ordinance No. 2019-06, deleting certain technical specifications in the code related to water, sewer, pavement, and adopting these technical specifications in one central document called the 'West Melbourne Engineering Standards Manual'. Council Member Young seconded the motion, which passed unanimously.

City Manager Morgan thanked the staff and Eric Flavell, Adjunct City Engineer, for their work on this project.

Land Development Regulations Moratorium on Road Extensions Beyond the City's Municipal Boundaries. City Attorney Richardson presented the second reading of Ordinance No. 2019-07 to place a moratorium on applications for development approvals that would allow the extension of West Melbourne public and private roads beyond the City's municipal boundaries.

City Attorney Richardson read, in title only, Ordinance No. 2019-07:

ORDINANCE NO. 2019-07

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, FLORIDA IMPOSING A TEMPORARY MORATORIUM ON APPLICATIONS FOR DEVELOPMENT ORDERS OR DEVELOPMENT PERMITS RELATING TO THE EXTENSION OF WEST MELBOURNE PUBLIC OR PRIVATE ROADS BEYOND THE CITY'S MUNICIPAL BOUNDARIES; PROVIDING FOR AN AREA IMPACTED, TEMPORARY MORATORIUM IMPOSED, EXTENSION OF MORATORIUM; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Rose opened the public hearing. There being no comments, he closed the public hearing.

Council Member Dittmore moved to approve on second reading Ordinance No. 2019-07, establishing a moratorium on applications for development approvals that would allow the extension of West Melbourne public and private roads beyond the City's municipal boundaries, for a period of six months or until a regulatory ordinance has been duly considered and acted upon by City Council, whichever time is shorter. Council Member Gaffney seconded the motion, which passed unanimously.

11. PUBLIC FORUM

There were no comments from the public.

12. CONSENT AGENDA

City Manager Morgan noted that the agenda item for Resolution No. 2019-10 to approve the transfer of City-owned Hollywood Boulevard street property to the Florida Department of Transportation (FDOT) for future widening should be removed, as after preparing of the staff report, a representative for FDOT had indicated that FDOT and

Brevard County would be discussing which agency should receive some or all of this property.

Council Member Young moved to approve the following consent agenda. Council Member Gaffney seconded the motion, which passed 7-0.

- Approve the Regular City Council meeting minutes for Tuesday, March 19, 2019.

13. MANAGEMENT REPORTS

Director of Public Works. Public Works Director Mark Piccirillo provided a response to a citizen's flooding concern at 682 John Hancock Lane. He showed a map of the property and noted that the flow of street water was dependent on the swale drainage along the road. The location below this property is the highest point of the main road so that from this break point, water drains both ways. He stated there was a 6-inch elevation gain from center of the road immediately in front of the residence to the foundation of the property. The rear of the property is where flooding occurs. He suggested the property owner could create a drain along the side the property that could help to get water from the back of the property to the street.

Joshua Ketter, 682 John Hancock Lane, expressed his appreciation for Council's consideration. He spoke on flooding in his home and measures that he had taken to reduce the flood risk. Council discussed several ideas that might help but that would entail work being done by private property owners.

14. CITY COUNCIL REPORTS

Deputy Mayor Bentley had no report.

Council Member Young stated she had attended training in Orlando for the Transportation Planning Organization which was very informative.

Council Member Smith had no report.

Council Member Batcheldor stated he had heard of residents' concerns of low water pressure in Manchester Lakes and asked staff to look into this. He also suggested residents be reminded to do what they could to prepare for hurricane season.

Council Member Gaffney had no report.

Council Member Dittmore stated that he supported the City's movement toward building a water plant and agreed with Council Member Smith that the City of Melbourne was not looking out for West Melbourne. He stated that building a water plant should be a priority but he was concerned about the cost to build the plant.

Mayor Rose reported he had attended the "Ride with Jim" where there had been a speaker on tourism. The next ride was schedule in May to hear about the library system. He reported the Relay for Life would be on April 6 at Field of Dreams at West

Melbourne Community Park. He also reported that the Mayor's Fitness Challenge had ended and the awards ceremony would be at Wickham Park on April 13.

City Manager Morgan and City Attorney Richardson reported on legislative updates.

City Manager Morgan reported that the City was continuing to work with Space Coast Area Transportation (SCAT) to look at three remaining bus stops in West Melbourne and minor improvements to bring them to ADA compliance. He added that a bus shelter for the stop on Norfolk Parkway would be installed by City staff for the residents of Promise after delivery of the shelter from SCAT.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 9:06 p.m.