

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 REGULAR MEETING

MINUTES

October 1, 2019

1. CALL TO ORDER

Mayor Rose called the meeting to order at 6:30 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/Capital Projects Director Keith Mills, Finance Director Margi Starkey, Information Technology Director Tom Bradford, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Human Resources Director Kimberly Gale, Public Works Director Mark Piccirillo, Jacobs Project Manager Brian Mascher, City Clerk Cynthia Hanscom, and other members of the public.

4. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Presentation by Hospice of St. Francis for Lights of Love. Kristie Henry-Roling, Lead Bereavement Coordinator with Hospice of St. Francis, invited Council to participate in the Third Annual Lights of Love ceremony to be held on Thursday, November 14, 2019, in West Melbourne Community Park. She explained that Hospice of St. Francis offered grief counseling and conducted an annual ceremony to honor those who have passed. She explained that they would be holding three community memorial services throughout Brevard County and West Melbourne Community Park was chosen as one of the locations. She stated the ceremony would be at 6:00 p.m. The tree would stay lit until the end of January.

Introduction of New Employee in Public Works. Public Works Director Mark Piccirillo introduced Mechanic Hector Mora who started with the City on September 23, 2019.

5. PUBLIC FORUM

There were no comments from the public.

6. CONSENT AGENDA

Deputy Mayor Bentley moved to approve the following consent agenda. Council Member Gaffney seconded the motion, which passed unanimously.

- Approve the City Council meeting minutes for Tuesday, September 17, 2019.
- Approve the recommended recipient of the Business of the Quarter for the 4th quarter of 2019.
- Approve Resolution No. 2019-15 accepting the dedication of roadway system improvements and drainage infrastructure for the final segment of Durham Drive, and authorize the City Manager to sign the Bill of Sale
- Adopt Resolution No. 2019-10 approving the transfer of City-owned property to the State of Florida in support of the State's U.S. 192 and Hollywood Boulevard/Evans Road Improvement Project.

7. ACTION AGENDA

Water Plant Feasibility Study Final Report and Recommendations. City Manager Morgan stated that the final report for the Water Plant Feasibility Study had been distributed to Council. The consultant, Hazen and Sawyer, did a tremendous job on the report and assisting staff to move towards building a water plant. The report was detailed and each Council Member had individual briefings as well as a workshop.

City Manager Morgan reviewed the recommendations, noting that he was recommending deferring formal notice to City of Melbourne.

Deputy Mayor Bentley moved to accept the final City of West Melbourne Water Treatment Plant Feasibility Study dated September 2019 prepared by Hazen and Sawyer, determined to proceed toward the likely development of a City of West Melbourne Water Treatment Plant, deferring formal notice to the City of Melbourne until additional engineering is completed, selected the existing City of West Melbourne Public Works and Wastewater Treatment Plant property as the location of the proposed West Melbourne Water Treatment Plant, and authorized the City Manager to execute task orders with Hazen and Sawyer to seek to secure a Consumptive Use Permit from the St. Johns River Water Management District for a City of West Melbourne allocation of

Floridian Aquifer groundwater and to design and bid a test/production well to the Floridian Aquifer. Council Member Gaffney seconded the motion.

Deputy Mayor Bentley commented that he would like to see an extension of the City Manager's contract to insure that the water plant will be completed under the current City Manager. City Manager Morgan noted that his agreement runs through the summer of 2022. The plant will not be in operation at that point.

Mayor Rose asked what possible pitfalls could occur. City Manager Morgan stated they had asked the consultant if there could be difficulties that could bring the project to a halt and they could not find anything. Mayor Rose asked what would happen if they could not find water. City Manager Morgan stated the test production well would provide the needed analysis.

Mayor Rose raised concerns on the location of the wells. City Manager Morgan explained that there were seven sites that could be used and they are recommended to be north/south of the proposed plant site. The consultant suggested that there be three operation wells, with the ability to go to four or five wells at a later date. The next step was to gather the data which would give the best information. He indicated that they would need to confirm at least five of the possible sites.

Mayor Rose asked the next step if the test production site was suitable. City Manager Morgan stated that this would provide raw water quality information so that they could begin designing the plant.

Mayor Rose asked about the consumptive use permit that was needed from the St. Johns River Water Management District. City Manager Morgan stated that the City would seek ground water from the Floridian Aquifer. From preliminary discussions, it was believed that St. Johns River Water Management District would grant the permit. He explained one of the task orders to be approved tonight would allow the consultant to begin the process of assisting the City in applying for the permit, which would provide for the allocation of water.

Mayor Rose asked the next step after the permit was obtained. City Manager Morgan explained that they would need to pre-qualify the contractors. The City would be asking for assistance for this phase from the consultant.

Council Member Batcheldor asked why the public works property was selected when it needed significant distribution improvements. City Manager Morgan noted that the overall site assessment for this location showed that it was better location. He discussed the other sites and the distribution improvements needed for the public works property. He noted that the biggest difference in the scoring of the locations was that the public works site scored the highest for concentrate disposal by using the existing deep well.

Mayor Rose stated that the report recommended additional data collection and pilot testing. City Manager Morgan explained the data would be collected from the test production well. He noted the task order to be approved tonight would have the consultant address the concerns.

Mayor Rose asked about safe water versus good taste. City Manager Morgan stated the recommendation was to use the Floridian Aquifer rather than surface water. The taste and color can be designed into the treatment process to produce the best color and taste.

Council Member Dittmore referenced the reverse osmosis water treatment schematic and asked about the bypass system. City Manager Morgan stated the test production well would provide true numbers and the treatment that would be needed.

Albert Muniz, Hazen and Sawyer, stated that the next step in the process would provide more information about the quality of the water. City Manager Morgan thanked the Hazen and Sawyer team for all the work on the report. Mayor Rose asked if there was an expected change in the team at Hazen and Sawyer. Mr. Muniz stated he did foresee any changes.

Council then voted on the motion to proceed with the plans for a water plan, which passed unanimously.

Annual Street Resurfacing. Public Works Director Piccirillo presented the proposal to award a contract to Asphalt Paving Systems. The proposal was to piggyback on the Lee County contract with Asphalt Paving Systems. The contractor would be honoring the bid price and the quote to chip seal 20 streets, which would cost \$446,079.80, which is within the amount budgeted.

Mayor Rose asked if the City could be assured that the price quoted was the best price. Public Works Director Piccirillo stated that it was the lowest bid from the bid process conducted by from Lee County. Asphalt Paving Systems is honoring the same price for chip sealing. He noted that the process is new and there were no local companies available that offer this process. He assured Council that they were getting a good price. Mayor Rose commented on the cost for mobilization and traffic management and thought there could be some savings in the cost.

Council Member Young moved to award the contract to Asphalt Paving Systems Inc., in the amount of \$446,079.80 for annual street resurfacing. Council Member Gaffney seconded the motion.

Mayor Rose asked if the City would be monitoring the work. Public Works Director Piccirillo stated that they would be monitoring. He explained the work would be those roads that were at 70-80 percent quality. The work would prolong the life of the street by 10 years. Mayor Rose stated he was concerned about the surface having a

washboard effect. Public Works Director Piccirillo stated that, if there were any issues, the contractor would come back and fix the surface.

Deputy Mayor Bentley stated that this seemed to be similar to what we do with state contracts for automobiles. He asked if they could look back at the number of miles of roadway to determine how much was really paid to verify that this was a good price. Public Works Director Piccirillo stated that they could provide that information. Deputy Mayor Bentley indicated there should be a standard price for coating and he would like to see what a local company would charge without the mobilization costs that are necessary. Public Works Director Piccirillo stated that there are no local companies that do chip seal.

Mayor Rose asked the thickness of the roadway. Public Works Director Piccirillo stated that regular paving would require milling. The process being done was a coating that is on top of the road. They would not want to add any depth to the roadway.

Council then voted on the motion to award the contract to Asphalt Paving Systems, which passed unanimously.

Term Contract for Odor Control Service at Ray Bullard Water Reclamation Facility Headworks Structure. Public Works Director Piccirillo presented a term contract for odor control services at the sewer plant. He stated the odor control system was installed in the 1990s. The proposal was to replace the system with a similar unit as that at the lift station at the corner of Minton Road and Henry Avenue. It would be the same provider, Evoqua, but would be a smaller unit and would take up less space. He explained there would be a one-time fee for mobilization and installation. There were no complaints from the current unit at the Minton/Henry lift station. The contract would be a lease and Evoqua would maintain the unit.

Mayor Rose asked why the unit would be smaller. David McCullough, representing Evoqua, stated that the difference was the design of the air flow, which is why the unit at the treatment plan could be smaller. Mayor Rose asked if there would be other odors. Mr. McCullough stated there could be other odors created by the digester unit.

Mayor Rose asked what would happen if it did not work. Mr. McCullough stated that they guarantee the work; if it does not work, Evoqua will make it work or remove the unit with no charge.

Council Member Young moved to authorize the City Manager to execute a Term Contract with Evoqua Water Technologies, LLC, for odor control services at the Ray Bullard Water Reclamation Facility Headworks Structure. Council Member Batchelor seconded the motion, which passed unanimously.

Annual Review of the Police Chief's Performance. Human Resources Director Gale stated Police Chief Wiley had been with the City as Police Chief for the last seven years. She stated that an evaluation had been conducted and he received an overall

score of 4.2 out of 5, which indicates a commendable performance. She asked Council to accept the evaluation and consider a salary increase.

Council Member Gaffney moved to accept the summary results of the Police Chief's annual performance evaluation. Mayor Rose seconded the motion, which passed unanimously.

Deputy Mayor Bentley asked for Chief Wiley's response to comments. Chief Wiley stated that he believed the evaluation was fair and appreciated the comments and suggestions. Deputy Mayor Bentley suggested Chief Wiley meet individually with each Council Member to address any questions and concerns.

Council Member Smith moved to provide a 5 percent increase. Council Member Young seconded the motion.

Council Member Dittmore stated that based on the salary ranges provided for other cities and the County, the increase would put him at a higher rate than most cities. Because there were some issues that he believed the Chief needed to work on, he suggested the increase be 3.5-4.0 percent.

Council Member Smith stated the Chief has a number of years of experience and she did not feel the increase was inappropriate. She stated that Chief Wiley had made the City's Police Department a model agency and he should be praised for his work.

Council Member Dittmore stated that it was important as a Council Member to allocate money and provide oversight. He believed there were items of concern, particularly in regards to the issue with the retiring K9.

Deputy Mayor Bentley asked the average increase for employees. Human Resources Director Gale stated that the average was 4.5 percent. Deputy Mayor Bentley stated that he would hope to see his comments in the evaluation addressed but he would not be opposed to a 5 percent increase. The Chief's overall score showed a commendable score and his increase should reflect that.

Council Members spoke about Council Member Batcheldor's participation in the evaluation. Council Member Batcheldor stated that, given the short time that he had been on Council, he was reluctant to provide a score for the evaluation.

Mayor Rose suggested that the three contract employees provide Council with a self-evaluation in the future. Deputy Mayor Bentley agreed.

Council discussed the current pay band for the Police Chief as it compares to other police departments.

Council Member Dittmore stated that given the raises provided as part of the union agreement, as well as the average raise for employees, he withdrew his objection to the 5 percent increase.

Council then voted on the motion to provide a 5 percent increase to Chief Wiley, which passed unanimously.

Annual review of the City Attorney's Performance. Human Resources Director Gale reported that City Attorney Morris Richardson had been with the City for four years as of September 1. Per his agreement, he is to be evaluated each year. She stated that she had compiled the results and the overall score was 5.0, which is a superior performance.

Council Member Bentley moved to accept the summary results. Council Member Gaffney seconded the motion.

Mayor Rose stated that the City Attorney does an excellent job. He provides counsel to Council but is also a key part of the management team of the City.

Council reviewed the current salary for the City Attorney and compared it with other cities. Council Member Dittmore commented that he believed that the City Attorney salary was low and believed this was a very specialized position.

Deputy Mayor Bentley stated that the City Attorney was above the mid-point but he believed he was a star employee. He believed the range provided from the Evergreen study was low and should be reviewed.

Deputy Mayor Bentley moved to provide a 6 percent increase. Mayor Rose seconded the motion.

Council Member Smith commented that she attended the Code Enforcement Board meetings and the City Attorney interacts well with public and represents the City while keeping the Board on track without taking over the meeting.

City Attorney Richardson stated that he appreciated the feedback, not only now but throughout the year.

Council then voted on the motion to provide a 6 percent increase, which passed unanimously.

8. CITY COUNCIL REPORTS

Council Member Gaffney asked for an update on the Doherty Drive road extension, clearing the debris at the I-95 interchange, and for an analysis for the cost difference for leasing vehicles versus purchasing. Lastly, Council Member Gaffney asked that the

County be contacted to allow for a “do not block” for the access to the 7-Eleven from Eber Boulevard.

Council Member Dittmore commented on the intersection issues and the problems associated with traffic backing up onto Minton Road at the Eber Boulevard intersection. He also asked for an update on Sawgrass Lakes and the traffic issues.

Deputy Mayor Bentley noted that more work needed to be done at the I-95 intersection. He also asked that the County be contacted regarding cleaning of the M-1 Canal between Sheridan Road and U.S. 192.

Council Member Young reported on her attendance at the Vision Zero by the Space Coast Transportation Planning Organization. She noted that the main cause of crashes is running traffic signals.

Council Member Smith reported on the Trunk or Treat event to be held at the West Melbourne Community Park on October 25. She also reported on non-competitive sports classes at the Field of Dreams and that they were open to all children.

Council Member Batcheldor had no report.

Mayor Rose reported he had attended the grand opening for the remodeling of Buena Vida, the Civilian Military meeting, and the legislative update at the port. He also reported that the Field of Dreams had a scholarship program available for those families that did not have the money for hats or shirts for sporting programs.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 8:29 p.m.