

MAYOR
Hal J. Rose

DEPUTY MAYOR
S Pat Bentley

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



CITY HALL
2240 Minton Road
West Melbourne, FL 32904
Phone: (321) 837-7774
Fax: (321) 768-2390
www.westmelbourne.org

CITY COUNCIL REGULAR MEETING

MINUTES

October 15, 2019, at 6:30 p.m.
City Council Chamber

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, Information Technology Director Tom Bradford, Police Chief Rick Wiley, Human Resources Director Kimberly Gale, Planning Director Christy Fischer, Public Works Director Mark Piccirillo, Jacobs Project Manager Brian Mascher, City Clerk Cynthia Hanscom, and other members of the public.

4. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Introduction of New Employees. Police Chief Wiley introduced Police Officer Logan Gibbons, who started with the City on October 3, 2019. Public Works Director Piccirillo introduced Maintenance Worker Garrett Hembree, who started with the City on October 11, 2019.

5. PUBLIC HEARINGS

Buena Vida's Cottages Comprehensive Plan Amendment and Rezoning. Planning Director Fischer asked Council to postpone the public hearing until November 19, 2019.

Council Member Dittmore moved to postpone the comprehensive plan map amendment and rezoning action on the project called "The Cottages at Buena Vida" to the

November 19, 2019, City Council meeting. Council Member Gaffney seconded the motion, which passed unanimously.

Small Scale Comprehensive Plan Amendment and Rezoning for 1.15 acres of property located on the West Side of Coastal Lane and North of U.S. 192. Planning Director Fischer presented a proposal from St. Johns River Water Management District to place a stormwater pump station on a 1.15 acre property located on the west side of Coastal Lane.

Planning Director Fischer indicated the property had a land use designation for urban density residential and the proposal was to change the land use to institutional. She reviewed the maximum impacts on density and infrastructure. She noted that there would be no building but there would be some electrical panels and pipes. She stated the use was consistent with the land use goals, objectives and policies.

Planning Director Fischer reviewed the rezoning request and explained that institutional use is different than other zoning districts because it requires a conceptual plan approval. The City does not have vacant sections of land already zoned institutional. She presented the initial site plan and stated that any changes would require this to come back for re-approval.

Planning Director Fischer stated the Council was also being asked to approve the first reading of an ordinance to rezone the property from R-3 Multiple-Family to Institutional. She presented a map showing the surrounding uses and advised that the use would be compatible.

City Attorney Richardson read, in title only, Ordinance Nos. 2019-25 and 2019-26:

ORDINANCE NO. 2019-25

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE FOR A 1.15 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE WEST SIDE OF COASTAL LANE, EAST OF I-95, AND NORTH OF U.S. 192, LYING IN SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AND AS MORE FULLY DESCRIBED HEREIN FROM UD-RES (URBAN DENSITY RESIDENTIAL) TO INST (INSTITUTIONAL); PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2019-26

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING A 1.15 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE WEST SIDE OF COASTAL LANE, EAST OF I-95, AND NORTH OF U.S. 192, LYING IN SECTION 3, TOWNSHIP 28 SOUTH, RANGE 36 EAST, AND AS MORE FULLY DESCRIBED HEREIN FROM R-3 (MULTIPLE-FAMILY DWELLING) TO P-1 (INSTITUTIONAL); PROVIDING AN EFFECTIVE DATE.

Mayor Rose opened the public hearing.

City Attorney Richardson reminded Council that this was a quasi-judicial public hearing and Council would need to disclose if they visited the site or had any discussion with the developer or citizens. Council Member Young disclosed that she had attended a meeting that was held to explain the project to residents.

Richard Koller, Jones Edmunds & Associates Inc., 3910 S. Washington Avenue, Titusville, stated he was representing the St. Johns River Water Management District (SJRWMD). He provided a background on the lagoon-wide feasibility study with the intent to reduce nutrient loading. The M-1 canal flowed east to the Indian River. The proposed project was to divert a portion of that runoff into a stormwater area to the west. An adjustable weir will be located east of Evans Road and within the M-1 canal. The pump proposed to be located at the site off of Coastal Lane would pump the water to the stormwater treatment area to the west. The treatment area would work to remove the nutrients and then the water would flow further west to the St. Johns River. The weir would not impact the flood elevations. Lastly, he stated the pumps would be submerged and were designed to create minimal noise.

Deputy Mayor Bentley noted that the pump would be close to residential properties and was concerned about the noise. He asked if there was another location with a similar set up that he could visit to determine if the noise of the pump would be minimal. Mr. Koller stated he could provide a location. He noted the residents had not expressed concerns about the noise, but had expressed concerns about the weir. Planning Director Fischer reminded Council that a legal notice was published and notices were sent to property owners with 500 feet of the subject property; however, there were no concerns received from property owners.

Deputy Mayor Bentley asked what affect the weir would have during a storm. Mr. Koller stated that the weir would be up and the pumps would be running under normal conditions. This would affect the water levels furthest from the pump. It was expected that water levels could be as much as 2-3 feet higher in the canal. However, for an expected storm event, the weir would be lowered and the condition of the canal would be similar to existing conditions. City Manager Morgan stated that there would be an established protocol for the operation of the weir, which would be dropped for a storm event.

Mark Crosby, engineer with the SJRWMD, stated when the weir is up, the canal may be higher in some spots and lower in other areas. Deputy Mayor Bentley expressed concern for the drainage to the M-1 canal that runs west of Ashley Manor to Sheridan Road. Raising the M-1 water levels by 36 inches could create negative impacts.

Council Member Batcheldor noted the redirection of the water will occur regardless of Council's decision on the comprehensive plan approval or the rezoning. Although there could be higher levels of water closer to the weir, the flow will be reduced by the aid of the pump. Mr. Koller stated that pumps will serve to remove water from the canal and

there could be a drawing-down effect. Without either, the condition would be the same but the flow would be going to the lagoon.

Deputy Mayor Bentley asked the source of the water in the canal. Mr. Koller explained it was rain and ground water. The system would pump the run-off and divert it to the west. The intent is to intercept contaminated water and treat it rather than let it run unchecked into the lagoon.

Council Member Young asked if this was being done in other locations. Mr. Crosby stated there were other areas that the SJRWMD redirects storm water.

Council Member Young asked about the pump. Mr. Koller stated it would be an electric pump but would not be pumping during the hurricanes. If the power goes out, the weir would deflate.

Mayor Rose asked about the gate valve at the stormwater treatment area that would open to the St. Johns River. He expressed concern that closing that gate could cause flooding problems in West Melbourne. Mr. Koller assured Council that controls will be in place, some of them automated, so that there would not be negative impacts to the City.

Mayor Rose asked the amount water that would flow into the stormwater treatment area. Mr. Koller stated, based on calculated flow rate, it was expected to be 10,000,000 gallons per day. Mayor Rose asked if the water would leave the pond from the top or the bottom. Mr. Koller stated it would be a surface weir.

Council Member Dittmore asked the expected reduction in pollutants for the lagoon because of this project. Mr. Koller stated that he was not sure.

Deputy Mayor Bentley asked if there would be any new sources of water directed to the M-1 Canal. Mr. Koller indicated there would no new sources of water.

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

Mayor Rose asked if there would need to be improvements to Coastal Lane. Planning Director Fischer stated, based on level of use, she did not believe that it would require to be paved.

Deputy Mayor Bentley asked that, before second reading, data be provided to show the levels of the water and the impacts. Planning Director Fischer stated she would see about getting that information from the reports from St. Johns River Water Management District.

Council Member Batcheldor moved to approve the small scale comprehensive plan amendment (SSA-2019-04) and the first reading of Ordinance No. 2019-25 to change the future land use on 1.15 acres of property located on the west side of Coastal Lane

and north of U.S. 192. Council Member Gaffney seconded the motion, which passed unanimously.

Council Member Gaffney moved to approve the concept plan for the St. Johns River Water Management District. Council Member Young seconded the motion, which passed unanimously.

Council Member Young moved to approve the first reading of Ordinance No. 2019-26, which rezones 1.15 acres located on the west side of Coastal Lane, north of New Haven to Institutional zoning. Council Member Gaffney seconded the motion, which passed unanimously.

6. PUBLIC FORUM

There were no speakers from the public.

7. CONSENT AGENDA

Council Member Young moved to approve the following consent item. Mayor Rose seconded the motion, which passed unanimously.

- City Council meeting minutes for Tuesday, October 1, 2019.

8. ACTION AGENDA

Hydraulic Mini Excavator, John Deere 50G Replacement. Public Works Director Piccirillo presented a proposal to purchase a hydraulic mini excavator. He explained this would replace a 2005 excavator and the new purchase would be larger and more versatile. Included with the price would be the purchase of three buckets. The machine would be purchased from Dobbs Equipment and was priced from the Florida Sheriff's Association and Florida Association of Counties list.

Council Member Dittmore moved to approve the purchase of a hydraulic mini excavator from Dobbs Equipment, in the amount of \$55,156.25. Deputy Mayor Bentley seconded the motion, which passed unanimously.

WACHS, Single Turner Valve Maintenance Trailer (Valve Exerciser) Replacement. Public Works Director Piccirillo explained he was asking Council to replace a piece of equipment that was 12 years old. He noted that the valve program required that each valve was checked at least once a year. The purchase would include several attachments, one of which was a guillotine saw which would allow the crew to cut pipe in a safer manner. In addition, the unit has GPS that can transmit information about valve locations.

Deputy Mayor Bentley moved to approve the purchase of a single turner valve maintenance trailer (valve exerciser) replacement from E.H. WACHS Water Utility

Products, in the amount of \$79,494.00. Council Member Gaffney seconded the motion, which passed unanimously.

9. MANAGEMENT REPORTS

Chief of Police. Police Chief Wiley presented the Police Department report for September.

10. CITY COUNCIL REPORTS

Council Member Dittmore reported he had attended the IEMO basic in Tampa. One thing that he had taken away from the training was the need for a policy on disruptive behavior from the public at meetings. Council Member Dittmore asked the status of the Promise bakery. City Manager Morgan noted that they were getting close to being completed.

Deputy Mayor Bentley reported he had attended the West Melbourne Business Association meeting where a presentation had been made by Kathy Wilson from the Police Department. He commented that it was one of the best presentations and was well received. He reported he had attended the Space Coast League of Cities dinner and would be attending the Space Coast Economic Development Commission annual meeting. He also reported on the Tied Together program at the schools and commented that it was a great program that the students really enjoyed.

Council Member Young reported on the unpaved road in Woodland Manor that had been fixed by City crews. She thanked City staff for cleaning the canal behind Buffalo Street in Arrowwood, which had been completed with the Menzi Muck. She also distributed information from the Transportation Planning Organization and noted that the top project was the I-95/Ellis Road interchange.

Council Member Smith reminded everyone about the Trunk or Treat event and dance being held on October 25 at the West Melbourne Community Park.

Council Member Batcheldor thanked City staff for organizing travel to the IEMO basic training and stated it was worthwhile training.

Council Member Gaffney had no report.

Mayor Rose reported he had attended the Melbourne Chamber breakfast, West Melbourne Business Association and the Tied Together event. He stated he had attended a community leader forum and noted that the demographics in Florida showed a higher concentration of senior citizens; this demographics does not spend as much money so it limits sales taxes. Therefore, the legislature is looking for ways to bring in more revenue for state funding. He also reported on the Parker organization that was conducting sporting events at Field of Dreams at no cost. The Parker organization would be holding a 5K event on November 9 to benefit special needs children.

City Attorney Richardson stated that the City had a policy on interruption of meetings. He also reported he had recently attended training on handling meeting disruptions without violating first amendment rights.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 7:58 p.m.