

MAYOR
Hal J. Rose

DEPUTY MAYOR
John Dittmore

COUNCIL MEMBERS
Daniel Batchelder
Pat Bentley
Daniel McDow
Stephen Phrampus
Andrea Young



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CITY COUNCIL REGULAR MEETING

AGENDA

March 16, 2021, at 6:30 p.m.
City Council Chamber

For full agenda packet,
click this box

*See notice regarding communications media technology and public participation
on page 4 of the Agenda

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT MEDITATION

3. ROLL CALL

4. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

A. Introduction of New Employee *

Building Official Thomas Forbes will introduce Building Inspector II Robert Bitgood, who started with the City on March 15.

5. PUBLIC HEARINGS

A. Allowance for City-approved Limited Alcoholic Beverage Service in City Parks

Recommendation: Hold a public hearing and approve the second reading of Ordinance No. 2021-09, amending Chapter 10 – Alcoholic Beverages, Section 10-5 – Distance Requirement for Sale Near School, Church, Kindergarten, Nursery School, Child Care Center or Public Park, to allow for City lessees, concessionaires, contractors, and special event permit holders with alcoholic beverage licenses to operate within defined areas of public park and recreation areas.

B. Small Scale Amendment for Epoch West Melbourne

Recommendation: Hold a public hearing and approve the first reading of Ordinance No. 2021-10 to change the future land use on 5.37 acres of property located at 3685 Minton Road from the current designation of Commercial to Urban Density Residential.

C. Rezoning of Property for Epoch West Melbourne

Recommendation: Hold a public hearing and approve the first reading of Ordinance No. 2021-11 to change the zoning designation on 5.37 acres of property located at 3685 Minton Road from C-1 to R-3.

6. PUBLIC FORUM

Persons wishing to speak must fill out a Request to Speak form and hand it to the City Clerk. Comments will be limited to three (3) minutes per person. Public Forum will be limited to thirty (30) minutes.

7. CONSENT AGENDA

A. Approve the Regular City Council meeting minutes for March 2, 2021.

B. Approve the purchase of two new Ford F-150 4-wheel drive replacement trucks for the Building Department for a total cost of \$54,086.00.

8. ACTION AGENDA

A. First Amendment to Promise Café Lease Agreement

Recommendation: Approve the First Amendment to Agreement Between the City of West Melbourne and Promise Inc.

B. Settlement Agreement - Levesque v. City of West Melbourne, et al.

Recommendation: Approve the mediated settlement agreement in the case of Dianne Levesque, as Personal Representative of the Estate of Donald Whitmer, Jr. v. City of West Melbourne, et al., Case No. 6:19-cv-2187-Orl-40DCI in the United States District Court for the Middle District of Florida, Orlando Division.

C. M-1 Canal Water Main Extension Project

Recommendation: Award the bid for the M-1 Canal Water Main Project to Young's Communication, LLC, in the base bid amount of \$2,265,606.23, and authorize the City Manager to execute a contract.

D. Renew Contracts with Primary and Alternate Adjunct City Engineer

Recommendation:

- 1) Approve an agreement with Bowman Consulting Group, Ltd., Inc. for adjunct City Engineer services, and authorize the City Manager to execute the agreement; and
- 2) Approve an agreement with CivilSurv Design Group, Inc. as the alternate firm for adjunct City Engineer services, and authorize the City Manager to execute the agreement.

E. Expenditure of Forfeiture Funds in accordance with the Florida Contraband Forfeiture Act

Recommendation: Authorize the expenditures of Forfeiture Funds in the amount of \$27,500 in accordance with the Florida Contraband Forfeiture Act and adopt Resolution No. 2021-10 amending the adopted 2020-21 budget to increase approved general fund expenditures by \$27,500.

F. Proposed Brevard County Fire Services Special Assessment Increase

Recommendation: Deputy Mayor John Dittmore has asked Council to discuss the proposed thirty-five percent (35%) Brevard County Fire Services Special Assessment rate increase and provide direction to City staff.

9. CITY COUNCIL REPORTS *

Council Member Daniel Batcheldor
Deputy Mayor John Dittmore
Council Member Pat Bentley
Council Member Andrea Young
Council Member Daniel McDow
Council Member Stephen Phrampus
Mayor Hal Rose

10. ADJOURNMENT – TIME CERTAIN NOT LATER THAN 10:30 P.M.

* THERE ARE NO ATTACHMENTS OR BACKGROUND INFORMATION ON THESE ITEMS.

NOTICE REGARDING COMMUNICATIONS MEDIA TECHNOLOGY
AND PUBLIC PARTICIPATION

NOTICE IS HEREBY GIVEN that the West Melbourne City Council will hold a regular meeting at 6:30 p.m., on Tuesday, March 16, 2021, to which all persons are invited. The meeting will be conducted in City Council Chambers at the Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida 32904. The meeting will be broadcast live and on demand for members of the public to view on the City's YouTube channel, which may be reached via links on the City's website (www.westmelbourne.org), or by entering the following address in your web browser: https://www.youtube.com/channel/UC0rw9-ZqduSTcs6uBNU7_ag.

Pursuant to the United States Center for Disease Control social distancing guidelines, the City Council Chambers will be set up to insure six feet of physical separation between participants or protective shielding. Additional people will be accommodated respecting social distances in an adjacent overflow room in which the meeting will be broadcast live. Should members of the public seated in the overflow room wish to be heard, they will be invited into the City Council Chambers for the purpose of speaking at the appropriate time. Face coverings are required inside the City Council Chambers and all City facilities.

Anyone who wishes to provide public input without personally appearing at the meeting may do so by sending an email to citycouncil@westmelbourne.org. All emails must be received prior to 4:00 p.m. on Tuesday, March 16, 2021. All emails will be provided to the Mayor and each of the City Council Members. Should you wish to have your comment read aloud by City staff at the meeting, please indicate that in your email. The reading of public comments received by email will be limited to three (3) minutes.

All persons wishing to be heard should appear in person at these hearings or send written comments to the City Clerk. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may 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 based (Chapter 286, Florida Statutes). In compliance with the American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at 837-7774 at least 48 hours in advance of this meeting.