

MAYOR
Hal J. Rose

DEPUTY MAYOR
Stephen Phrampus

COUNCIL MEMBERS
Diana Adams
Pat Bentley
John Dittmore
Daniel McDow
Andrea Young



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CITY COUNCIL WORKSHOP

MINUTES

April 4, 2023

1. CALL TO ORDER

Mayor Rose called the workshop to order at 5:00 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

Attending: Mayor Hal Rose, Deputy Mayor Stephen Phrampus, and Council Members Diana Adams, Pat Bentley, John Dittmore, Daniel McDow, and Andrea Young.

Also present: City Manager Tim Rhode, City Attorney John Cary, Assistant City Manager Tom Bradford, Police Chief Gregory Vesta, Public Works Director Mark Piccirillo, Finance Director Candice Blake, Human Resource Director Jennifer Curran, Jacobs Project Manager Brian Mascher, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

4. BUDGET WORKSHOP – DISCUSSION OF STRATEGIC CITY COUNCIL PRIORITIES

City Manager Rhode stated that he was asking Council to come up with projects, ideas and goals for the 2023-2024 budget. He reviewed the calendar for the 2023-2024 budget process.

Council reviewed the following items as possible goals and or accomplishments for future budget years:

- Sidewalks for the tennis courts;
- Handicapped parking at the Park House;
- Gymnasium/senior center, with possible use of Veterans Memorial Complex site;

- New Council Chambers within the new building department building;
- Fixed speed signs on existing sign posts;
- Yellow blinking crosswalk signalization areas for uncontrolled intersections, focusing on areas where children need to cross the road;
- Carpeting on the second floor of City Hall;
- Kitchen area for City Hall
- Capital improvements for the Space Coast Field of Dreams geared to both younger and adult populations;
- Building Department staffing (less private contractors);
- Competitive with wages and benefits, focus on lower paid employees;
- Street sweeping alternative for Hollywood Estates and other neighborhoods without curbs;
- Budget for future parks improvements;
- Parking at Clements Wood Park;
- Improve parking for Tallwood Park;
- New sound system for outdoor events;
- Audio crosswalks near Hammock Landing;
- Landscaping plan for medians on Minton Road and along US 192;
- Implement higher minimum wages for city employees;
- Continue focus on flood risk reduction;
- Marketing plan to brand the City as growth continues, including public safety and possibly promoting tourism through the arts;
- Communication improvements to reach local business and residents;
- Long-term financial planning/revenue streams (P corporations);
- Consider planning to reach Class A biosolids at sewer plant;
- Painting of bike paths to make them stand out;
- Continue to focus on low taxes and maintenance of healthy reserve; and
- Investigate alternative funding sources for potential fire department.

Council asked about the proposed tax rate. City Manager Rhode indicated he did not have the information yet to predict a recommendation that will be made by staff.

Council also asked about pay raises for employees. City Manager Rhode stated that the results of the Compensation and Class study would be presented in May. He reminded Council that this would insure that the wages being paid to employees were competitive. He also reminded Council that they would renegotiating a Police Union contract which would impact the wages for officers.

When asked if reserves would be used, City Manager Rhode predicted the budget for some infrastructure projects would require that reserve money be used.

Council asked about future funding for the water plant. City Manager Rhode stated that he hoped to provide three options for borrowing and would come to Council for a recommendation.

City Manager Rhode indicated he would come back to Council to refine the budget priorities at a workshop on April 18, 2023.

5. RECESS

Council recessed the workshop at 6:05 p.m. and reconvened to the Regular City Council meeting at approximately 6:13 p.m.

CITY COUNCIL REGULAR MEETING

MINUTES

April 4, 2023

6. CALL TO ORDER

Mayor Rose called the regular meeting to order at 6:13 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

Attending: Mayor Hal Rose, Deputy Mayor Stephen Phrampus, and Council Members Diana Adams, Pat Bentley, John Dittmore, Daniel McDow, and Andrea Young.

Also present: City Manager Tim Rhode, City Attorney John Cary, Assistant City Manager Tom Bradford, Police Chief Gregory Vesta, Public Works Director Mark Piccirillo, Finance Director Candice Blake, Human Resources Manager Jennifer Curran, Planning Director Christy Fischer, Jacobs Project Manager Brian Mascher, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Proclamation for Water Conservation Month. Mayor Rose presented a proclamation naming April as Water Conservation Month to James Cannon, Intergovernmental Coordinator with the St. Johns River Water Management District.

Presentation of Completion Certificates to the 2023 Citizens Leadership Academy. Mayor Rose and City Manager Rhode presented certificates of completion to those completing the 2023 Citizens Leadership Academy.

10. PUBLIC HEARING

Small Scale Comprehensive Plan Map Amendment and Rezoning for Property located at 4340 West New Haven Avenue (Volvo Dealership). Planning Director Fischer presented the second reading of Ordinance Nos. 2023-08 and 2023-09 to approve the small scale comprehensive plan map amendment and rezoning for property located at 4340 West New Haven Avenue. She reminded Council that this was for the Volvo dealership and Council had approved the annexation at a previous meeting.

City Attorney Cary reminded Council that the rezoning was a quasi-judicial hearing and asked for additional disclosures on communication or visits to the property. There were no disclosures from Council.

Planning Director Fischer provided a map showing the location of the 4.2 acre site which would be maintained as a Volvo dealership. She noted that dealership had sent a letter, which was included with the agenda, stating that the car wash would be for the dealership only. Planning Director Fischer reviewed the future land use changes and the changes in zoning as well as the uses for the surrounding properties. She reviewed the impacts and the connections to the City sewer system. She confirmed that the property rights analysis was balanced with community interest. Both the comprehensive plan amendment and the rezoning were recommended for approval by the Planning & Zoning Board on March 14.

City Attorney Cary read Ordinance Nos. 2023-08 and 2023-09 in title only:

ORDINANCE NO. 2023-08

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 4.2 ACRE PARCEL OF LAND LOCATED AT 4340 W. NEW HAVEN AVENUE AND AS MORE FULLY DESCRIBED HEREIN FROM BREVARD COUNTY CC (COMMUNITY COMMERCIAL) TO CITY OF WEST MELBOURNE COM (COMMERCIAL); PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING A PARCEL OF LAND 4.2 ACRES LOCATED AT 4340 W. NEW HAVEN AVENUE FROM BREVARD COUNTY BU-1 (GENERAL RETAIL COMMERCIAL) TO CITY OF WEST MELBOURNE C-P (COMMERCIAL PARKWAY) WITH ICO (INTERCHANGE COMMERCIAL OVERLAY); PROVIDING AN EFFECTIVE DATE.

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

Council Member Adams moved to approve the second reading of Ordinance No. 2023-08 to adopt the future land use map amendment on approximately 4.2 acres of property located at the northeast corner of the intersection of Valencia Road and W. New Haven Avenue from Brevard County CC (Community Commercial) to City of West Melbourne COM (Commercial). Council Member Bentley seconded the motion, which passed unanimously

Council Member Adams moved to approve the second reading of Ordinance No. 2023-09, rezoning 4.2-acres from Brevard County BU-1 (General retail commercial) zoning designation to the City of West Melbourne C-P (Commercial Parkway) zoning designation with the ICO (Interchange Commercial Overlay). Deputy Mayor Phrampus seconded the motion, which passed unanimously.

Code Amendment to C-NH and C-W for Automotive Repair Facilities. Planning Director Fischer presented the staff initiated first reading of Ordinance No. 2023-07, revising the Commercial New Haven (C-NH) and Commercial Wickham (C-W). When the CRA districts were consolidated, a table had been created listing the uses permitted, conditional or prohibited. However, there was discrepancy in the table regarding automotive repair. The proposed ordinance would define vehicle repair facility and correct the table to insure consistency between the C-NH and C-W. She reported the Planning & Zoning Board reviewed the ordinance at their meeting of March 14 and recommended approval.

City Attorney Cary read, in title only, Ordinance No. 2023-07:

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 98, ZONING, ARTICLE III. DISTRICTS, OF THE CODE OF ORDINANCES TO AMEND DIVISION 21, COMMUNITY REDEVELOPMENT AREA DISTRICTS (C-NH AND C-W) ELIMINATING AUTOMOTIVE REPAIR FACILITIES, MINOR AND MAJOR; AMENDING VEHICLE REPAIR, MINOR AND MAJOR FOR CONSISTENCY; ELIMINATING REFERENCE TO AUTOMOTIVE REPAIR FACILITIES AND REFERENCING VEHICLE REPAIR FACILITIES; AMENDING CHAPTER 63, ARTICLE I, INCORPORATING A DEFINITION FOR VEHICLE REPAIR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

Council Member Bentley moved to approve the first reading of Ordinance No. 2023-07, revising the Commercial New Haven and Commercial Wickham zoning districts. Council Member Dittmore seconded the motion.

Deputy Mayor Phrampus asked if this would cover other repair services such as marine and cycle. Planning Director Fischer stated that it would cover marine services as well as motorcycle. She noted that it was never the intention that one repair service should have a different review process.

Mayor Rose asked why this would not include Ellis Road. Planning Director Fischer stated that Ellis Road was part of the consolidated zoning but it could be added. She noted that there was some industrial zoning in that area.

Mayor Rose asked about golf carts. Planning Director Fischer stated repair of golf carts would be considered vehicle repair regardless of whether or not the vehicle was permitted on the road.

Council then voted on the motion to approve the first reading of Ordinance No. 2023-07, which passed unanimously.

Revision to Chapter 74, Off-Street Parking and Loading Areas. Planning Director Fischer presented the first reading of an ordinance to revise Chapter 74 for off-street parking and loading areas. She reminded Council that this had come before Council late last year and staff was asked to come back with a modified proposal. The proposed ordinance eliminates the parking ratio for a nightclub and provides a parking ratio for shopping centers. The parking space width, which is either 11 or 10 foot according to the code, was not changed. The parking ratios for various uses remain the same and parking studies can still be submitted for uses not listed. She stated that the general standards had been cleaned up and the ordinance encouraged parking lot lighting. A graphic was provided that showed the impacts of the lower ratio, which requires more parking.

Planning Director Fischer stated the ordinance had been recommended for approval by the Planning & Zoning Board on January 10, 2023, and the Business Advisory Board on February 27, 2023.

City Attorney Cary read Ordinance No. 2023-02 in title only:

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 74, DEVELOPMENT STANDARDS, ARTICLE II, OFF-STREET PARKING AND LOADING AREAS AND ACCESS, DIVISION 2. – OFF-STREET PARKING AND LOADING AREA, SECTION 74-53. – GENERAL STANDARDS; SECTION 74-55 – NUMBER OF PARKING SPACES REQUIRED; AND CREATING NEW SECTION 74-56. – PARKING SPACES FOR MIXED USE PROJECTS; UPDATING THE PARKING STANDARDS; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

Deputy Mayor Phrampus moved to approve the first reading of Ordinance No. 2023-02, amending the parking standards to require more parking for shopping centers under 70,000 square feet and criteria for mixed use developments. Council Member Dittmore seconded the motion.

Mayor Rose asked about smaller shopping centers that get restaurant uses and then fill up the parking lot. Planning Director Fischer stated that the parking ratios for retail and restaurants are different. Other cities have the same parking lot ratio for shopping centers.

Council then voted on the motion to approve the first reading of Ordinance No. 2023-02, which passed unanimously.

Town Center Overlay Southward Extension to Norfolk Parkway. Planning Director Fischer asked that Council continue the public hearing for the town center overlay until May 16, 2023.

Council Member Dittmore moved to continue the public hearing for the zoning text amendment until May 16, 2023. Deputy Mayor Phrampus seconded the motion, which passed unanimously.

11. PUBLIC FORUM

Mitch Miglis, 6050 Orangeview Drive, commented on a future agenda item to consider rezoning properties for a 24-unit subdivision in a well-established neighborhood adjacent to Melbourne Village. Campbell Drive is a short dead-end road with several small dead-end feeder streets. Maronda Homes was asking to rezone 9 acres to put in 24 homes with 65 foot width lots. The architecture in the neighborhood was diverse and the proposed development would not be compatible. Because of concerns with compatibility, flooding, and traffic, and the threat to destroy the quality of life in one of the oldest neighborhoods in West Melbourne, he was asking that Council deny the request.

12. CONSENT AGENDA

Council Member Dittmore moved to approve the Regular City Council minutes for Tuesday, March 21, 2023. Council Member Adams seconded the motion, which passed unanimously.

13. ACTION AGENDA

Appointment to Parks and Recreation Advisory Board. City Clerk Hanscom presented three applications for an appointment to the Parks & Recreation Advisory Board based on a resignation as of April 1.

Council recognized one of the applicants, Gregory Perlberg, who spoke on his desire to preserve and expand the parks. When asked about his interest in other Boards, Mr. Perlberg indicated that he would like to be considered for any of the other openings should they occur, especially Planning & Zoning Board. Council asked several questions of Mr. Perlberg on his interest in expanding the park system.

Deputy Mayor Phrampus stated he had shared the applications with Donald Curry, Chair of the Parks & Recreation Advisory Board, who expressed interest in seeing Meg Szczesdny-Pumarada appointed because it was the only committee she was interested in serving.

Council Members agreed that there were three well-qualified applicants. When asked, City Clerk Hanscom indicated the applicants were told that attendance at the meeting was not required.

Council Member Young moved to appoint Gregory Perlberg to the vacancy on the Parks & Recreation Advisory Board with term ending November 2023. Council Member McDow seconded the motion.

Council asked about the applicants that were not appointed insuring that they were notified and that their applications were kept on file. Council also asked how Board members are reappointed each year in November when terms expire, and City Clerk Hanscom reviewed the process.

Council then voted on the motion to appoint Gregory Perlberg, which passed 5-2 with Council Member Bentley and Phrampus opposed.

Professional Engineering Task Order for Westbrooke Flood Risk Reduction Project. Assistant City Manager Bradford presented a task order from Infrastructure Solution Services for a Westbrooke flood risk reduction project. The project would be funded with a \$460,000 grant as result of a state appropriation and City local funding. As part of the scope, the engineer will be involved with the neighborhood residents and come back with a design.

Council Member Dittmore moved to authorize the City Manager to execute a professional engineering task order with Infrastructure Solution Services for engineering of a Westbrooke Flood Risk Reduction project in the not-to-exceed amount of \$110,000. Council Member Adams seconded the motion.

Council Member Dittmore spoke on the problems with the C-70 canal on the south side and the construction of the culverts. Assistant City Manager Bradford stated the engineers would be review the entire area. Because the study was from 2012, the solution to the flooding problems may be different then that proposed by the original engineers. Council Member Dittmore also spoke about the timeline for the project and Assistant City Manager Bradford stated the task order provided an end date of September 30, 2023. Council Member Dittmore encouraged the engineer to coordinate with the Melbourne-Tillman Water Control District.

Mayor Rose asked if the plan was to redo the work of the previous engineer. Assistant City Manager Bradford indicated the previous study was only a concept plan and not a fully engineered plan. The scope would be to review the concept and determine if other measures are needed.

Council then voted on the motion, which passed unanimously.

Professional Engineering Task Order for Norfolk Parkway and Shallow Creek Boulevard Traffic Signal. Assistant City Manager Bradford presented a task order for the Norfolk Parkway and Shallow Creek Boulevard Traffic signal. He estimated the overall cost of the improvement would be \$750,000, using funds redirected from the Heritage Oaks/Doherty Drive extension project. The timeline for the project would be 4-6 months for design and permitting with 7-9 months for construction.

Council Member Bentley moved to authorize the City Manager to execute a professional engineering task order with Bowman Consulting Group, LTD. Inc. for the Norfolk Parkway and Shallow Creek Boulevard traffic signal in the not-to-exceed amount of \$88,950.

Council discussed the delays with the traffic signal at Imagine Way and Hollywood Boulevard. Assistant City Manager Bradford indicated some of the delays were because of difficulty in getting parts. However, another large part of the time was because the City was coordinating the design with future widening of Hollywood Boulevard.

Deputy Mayor Phrampus spoke about the future widening of Norfolk Parkway. He stated that there had been two accidents in the last two months and believed this was a good direction for the City to avoid some of the accidents at the intersection.

Council then voted on the motion, which passed unanimously.

14. CITY COUNCIL REPORTS

Council Member McDow had no report.

Council Member Adams spoke on the volunteer junior achievement program in the school system and Keep Brevard Beautiful trash bash. She expressed appreciation for the communication that occurred with the resurfacing of streets in the City and acknowledged Chief Vesta and his staff for the handling of the incident on Technology Drive.

Deputy Mayor Phrampus reported on several events he had attended including the swearing in at the Police Department, the Farm Share food event and the Florida Cricket Conference event in Palm Bay. He also commented on his attendance at the yearly Zonta Chocolate Festival where Council Member Adams received the Yellow Rose for Community Excellence Award.

Council Member Dittmore asked about the rezoning for the property at Campbell Drive. City Manager Rhode stated staff was proposing one-on-one briefings with Council Members following the Planning & Zoning Board meeting. City Attorney Cary reminded Council that the rezoning was quasi-judicial which required Council to make a decision based on the evidence provided at the hearing. Council Member Dittmore also spoke on the waste collection contract between the City of Melbourne and Waste Management.

Council Member Bentley asked about paving on Sheridan at John Rodes Boulevard and City Manager Rhode indicated he would look into it.

Council Member Young had no report.

Mayor Rose reported the Spring into Fitness event concluded this week and encouraged everyone to enter their minutes. He also reported on the Farm Share event and wished everyone a happy Easter.

City Attorney Cary reported on a recent question that had been raised on the ability of the City Manager to report on conversations held with other Council members, noting that there was a professional responsibility that private conversation remain private.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.