

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
Andrea Young

COUNCIL MEMBERS  
Daniel Batcheldor  
Pat Bentley  
John Dittmore  
Daniel McDow  
Stephen Phrampus



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## CITY COUNCIL WORKSHOP

### MINUTES

April 5, 2022

#### 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

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

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Assistant City Manager Tom Bradford, Assistant City Manager Tim Rhode, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Human Resources Director Kimberly Gale, Public Works Director Mark Piccirillo, Finance Director Margi Starkey, Planning Director Christy Fischer, 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 Morgan presented the calendar for the FY 2022-2023 budget. This is the first of five workshops to prepare for the budget. He noted that this was the opportunity for Council to set the priorities for the community.

City Council reviewed the previous year's priorities which included a discussion on the current status of construction of a water plant, stormwater projects, road projects, the comprehensive plan re-write, and park projects.

Council provided a list of possible projects and priorities:

- Step up the preventive maintenance at the existing parks to include replacement of older equipment and maintenance of the ball fields.

- Make improvements to existing park facilities, such as revamp the Field of Dreams, provide spectator stands for the skate park, and provide stainless steel fixtures in the park restrooms.
- Create four pickleball courts or a pickleball complex.
- Continue with maintenance of the I-95/U.S. 192 interchange landscaping.
- Create a master plan for the Park House property, such as reuse of the Park House for senior programming and/or consider moving the dog park from the current location to the Park House property.
- Consider providing more senior services or developing a senior center/community center, possibly as a second story above the proposed building department building.
- Add and improve parking availability at City parks.
- Consider a comprehensive master plan for upgrades for improvements and not just maintenance of City parks that will cover several budget years with at least one project funded for FY 2022-2023.
- Consider walking/jogging trails that follow the canals and could connect communities.
- Potential property acquisition for a fire station.
- Create a sustainability advisory board.
- Consider upgrades and modernization to the Council Chamber in the form of lighting, air conditioning, audio visual needs, with a suggestion to move the air handler unit that is located behind the dais.
- Safety rails along Henry Avenue where the road abuts the canal.
- Maintain City Manager office staffing to include two assistant city manager positions.

Council also discussed setting the future identity of the City and what kinds of development should occur. It was noted that many of these types of issues would be addressed through the Comprehensive Plan Rewrite process.

## **5. RECESS**

*Council recessed the workshop at 7:05 p.m. and reconvened to the Regular City Council meeting at approximately 7:10 p.m.*

## CITY COUNCIL REGULAR MEETING

### MINUTES

April 5, 2022

#### 6. CALL TO ORDER

Mayor Rose called the meeting to order at 7:10 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 Andrea Young, and Council Members Pat Bentley, Daniel Batchelder, John Dittmore, Stephen Phrampus and Daniel McDow.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Assistant City Manager Tom Bradford, Assistant City Manager Tim Rhode, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Human Resources Director Kimberly Gale, Public Works Director Mark Piccirillo, Finance Director Margi Starkey, 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

**Introduction of New Employees.** Planning Director Fischer introduced Administrative Assistant Stefanie Lascoux, who started with the City on March 23, 2022.

**Interview Applicants for Planning and Zoning Board Vacancy.** Council conducted interviews of Vernon Anderson and Stephanie Kelly for a vacancy on the Planning and Zoning Board. A decision on the appointment was set for April 19, 2022.

**Interview Applicants for Board of Adjustment.** Council conducted an interview of Corina Savela for a vacancy on the Board of Adjustment. A decision on the appointment was set for April 19, 2022.

#### 10. PUBLIC HEARINGS

**Small Scale Amendment and Rezoning for Orange Grove Avenue.** Planning Director Fischer presented the second reading of ordinances for a small scale comprehensive plan amendment and rezoning for property located at 571 Orange Grove Avenue. Council approved the annexation of this property last month. She asked for disclosures and there were none.

Planning Director Fischer said the property owner proposed to construct a single-family residence, which was compatible to surrounding properties and in compliance with the comprehensive plan. She reviewed the infrastructure impacts and noted there were no impacts. Planning Director Fischer reviewed the rezoning noting that it would be restricted to single-family use. The Planning & Zoning Board met on March 8 and recommended approval of both the comprehensive plan amendment and the rezoning.

City Attorney Richardson read, in title only, Ordinance Nos. 2022-02 and 2022-03:

#### **ORDINANCE NO. 2022-02**

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR LD-RES (LOW DENSITY RESIDENTIAL) LAND USE ON 1.0 ACRES OF NEWLY ANNEXED LAND LOCATED AT 571 ORANGE GROVE AVENUE AND AS MORE FULLY DESCRIBED HEREIN; ESTABLISHING AN APPROPRIATE LAND USE FOR THE PROPERTY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; EXTENDING THE GOALS, OBJECTIVES, AND POLICIES AND OTHER LAND USE PLANNING REQUIREMENTS TO THE PROPERTY; AND, PROVIDING AN EFFECTIVE DATE.

#### **ORDINANCE NO. 2022-03**

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING A NEWLY ANNEXED 1.0 ACRE PARCEL OF LAND LOCATED AT 571 ORANGE GROVE AVENUE, AND AS MORE FULLY DESCRIBED HEREIN, FROM BREVARD COUNTY RU-1-9 (SINGLE-FAMILY RESIDENTIAL) TO CITY OF WEST MELBOURNE R-1A (SINGLE-FAMILY DWELLING); 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 second reading of Ordinance No. 2022-02, adopting the comprehensive plan map amendment to City of West Melbourne Low Density Residential (LD-RES) for the property located at 571 Orange Grove Avenue. Council Member Phrampus seconded the motion, which passed unanimously.*

*Council Member Dittmore moved to approve the second reading of Ordinance No. 2022-03, rezoning property located at 571 Orange Grove Avenue to Single-Family Residential (R-1A) from Brevard County's Single Family Residential Use (RU-1-9). Council Member Phrampus seconded the motion, which passed unanimously.*

**Code Amendment for Screened Porches to Extend Into Rear Yard Setback.** Planning Director Fischer presented the second reading of Ordinance No. 2022-04 to revise the code to allow certain screened porches to extend into a portion of the rear yard setback of single-family residential lots. She explained the code change would allow rear yard encroachment within 15 feet of the property line. The current language

in the code would require a 25-foot setback. She noted that specific criteria was provided in the amendment for screened rooms with a hard roof.

Mayor Rose asked what would be allowed if there was a screen roof. Planning Director Fischer stated that a screened structure with a screen roof is permitted to within 7.5 feet of the rear property line.

City Attorney Richardson read, in title only, Ordinance No. 2022-04:

**ORDINANCE NO. 2022-04**

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 98, ZONING, ARTICLE V, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2 – HEIGHT, YARD AND AREA REQUIREMENTS, SECTION 98-1003. YARD ENCROACHMENTS, AND DIVISION 3 – ACCESSORY STRUCTURES, SECTION 98-1047. SCREEN ENCLOSURES; DELETING SECTION 98-1048. CALCULATION FOR COMPLIANCE WITH LOT COVERAGE IN RESIDENTIAL DISTRICTS; 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.

*Council Member Phrampus moved to approve the second reading of Ordinance No. 2022-04 for code revisions to allow certain screened porches to extend into the rear yard setback of single-family residential lots. Council Member Dittmore seconded the motion.*

Council Member Bentley asked if this would encourage the reduction of green space. Planning Director Fischer stated that it would allow for the reduction of green space but there are already other structures permitted in the setback area, such as sheds. Council Member Bentley also asked about impacts on drainage from the additional lot coverage. Planning Director Fischer noted that there may be easement areas that restrict structures in the setback.

*Council then voted on the motion, which passed 7-0.*

**Preliminary Site Plan for Legacy of West Melbourne Apartments.** Planning Director Fischer asked Council to postpone the public hearing because changes are needed on the site plan based on comments from the County on access to John Rodes Boulevard.

Council discussed having this brought forward when it was ready rather than postponing the public hearing to a date certain.

City Attorney Richardson stated that the developer would be required to cover the cost for re-advertising. Council could continue this to a future meeting without listing a date certain. Staff will provide notice to residents and publish a legal advertisement when the developer is ready.

*Council Member Dittmore moved to postpone the public hearing to a future meeting for the initial site plan for a 199-unit apartment community known as Legacy at West Melbourne, located east of I-95, west of John Rodes Boulevard and north of Sheridan Road. Council Member Phrampus seconded the motion, which passed unanimously.*

## **11. PUBLIC FORUM**

There were no comments from the public.

## **12. CONSENT AGENDA**

*Council Member Dittmore moved to approve the following consent agenda. Mayor Rose seconded the motion, which passed unanimously.*

- Regular City Council meeting minutes for Tuesday, March 15, 2022.

## **13. ACTION AGENDA**

**Private Driveway Renaming for Eden at Heritage Lakes.** Planning Director Fischer asked Council to consider a resolution officially renaming a private internal driveway in Eden at Heritage Lakes. She stated that it would rename one of the driveways. The property owner is asking that “Forte Place” be replaced with “Captain Place.”

*Council Member Dittmore moved to approve Resolution No. 2022-08, officially renaming a private internal driveway in Eden at Heritage Lakes. Council Member Phrampus seconded the motion, which passed unanimously.*

**Lake Ashley Circle, Dundee Circle, and Manor Place Septic-To-Sewer Project.** Assistant City Manager Rhode presented an engineering task order for the septic-to-sewer project for three neighborhoods off of Sheridan Road. He reminded Council that this project would be paid through grants with the Florida Department of Environmental Protection (FDEP) in the amount of \$3,433,300 and Save Our Indian River Lagoon (SOIRL) in the amount of \$3,952,500. Staff would be pursuing additional funding through the St. Johns River Water Management District.

Assistant City Manager Rhode reminded Council that the authorization for the engineering had been approved in January. However, given the cost of the task order, this was being brought back to Council for further consideration. He indicated the proposed task order was for \$884,120, which would be for the design and permitting portion of the project. The total project was estimated at \$7,390,000. He reminded Council that the septic-to-sewer projects were very time consuming and requires significant work with each property owner.

*Council Member Dittmore moved to authorize the City Manager to execute the professional engineering task order with Infrastructure Solution Services for design, permitting, bidding, funding assistances, and construction services for the Lake Ashley Circle, Dundee Circle, and Manor Place Septic-to-Sewer Project in the not-to-exceed amount of \$884,120. Council Member McDow seconded the motion.*

Council Member McDow asked if there had been any push back from the residents. Assistant City Manager Rhode indicated they had just begun the process of notifying property owners. Several calls were received about the timing of the project as well as questions from property owners about individual characteristics for the property, such as dog fences and landscaping that would need to be addressed.

Council Member Bentley added that the residents in his neighborhood for Ashley Manor were surveyed and 96 percent of the residents were in favor of the project. He added that he believed Manor Place had a similar response. He believed there was overwhelming support for the project.

Mayor Rose asked about the estimate of \$7.4 million and how much of that would be covered by grants. Assistant City Manager Rhode noted that they had enough to cover the project with the two grants. However, because of inflationary changes since the project estimate was established, staff would be pursuing additional grant funding from St. Johns River Water Management District in the next cycle.

Mayor Rose asked if additional funding could be provided from the Save Our Indian River Lagoon. City Manager Morgan noted that the funding level was based on the amount of nitrogen removed from the lagoon which would not change. He also noted that the St. Johns River Water Management District grant would not pay for engineering so they would be submitting for that funding later. It was noted that property owners would also be funding a portion of the project at \$3,000 per property, which could be paid over a three-year period.

*Council then voted on the motion to authorize the City Manager to sign the task order, which passed 7-0.*

#### **14. CITY COUNCIL REPORTS**

Council Member Dittmore asked for an update on the Woodland Drive flooding issue. Assistant City Manager Rhode replied heavy rains flooded the site of the Buena Vida Cottages. The Public Works crew was on site and pumped water to avoid flooding the neighborhood. The developer has indicated that they expect the work on the stormwater to be completed by the end of the week.

Council Member Dittmore also commented about recruitment for the Police Chief. Council discussed the recruitment process and when that would begin.

Council Member Bentley had no report.

Deputy Mayor Young reported on an event she had attended for a chiropractor that had been in business for 20 years.

Council Member McDow reported on a Zoom call he had attended with Congressman Bill Posey and that he was provided a tour of the Imagine School from Principal Brian DeGonzague. He reported it was a difficult weekend for local veterans because they

were stranded in Washington D.C. following their Honor Flight. He also reported on the ribbon cutting the following day for the composting program that would be managed by Keep Brevard Beautiful at the City-owned land on Park Hill Boulevard.

Council Member Phrampus congratulated Chief Wiley on his pending retirement and thanked him for his work with the City.

Council Member Batcheldor spoke on the odors from the wastewater treatment plant. City Manager Morgan stated he would look into the reason that was occurring.

Mayor Rose reported he had attended a Civilian Military meeting in Grant and several chamber events. He also reported the Mayors' Fitness Challenge had ended last Saturday and he would be attending the awards ceremony the following Saturday.

**15. ADJOURNMENT**

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