

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
Andrea Young

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



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

## CITY COUNCIL WORKSHOP

### MINUTES

April 19, 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 Batchelor, John Dittmore, and Daniel McDow.

Attending Remotely: Council Member Stephen Phrampus.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Assistant City Manager Tom Bradford, Assistant City Manager Tim Rhode, Police Chief Rick Wiley, Human Resources Director Kimberly Gale, Jacobs Project Manager Brian Mascher, Finance Director Margi Starkey, Planning Director Christy Fischer, Parks and Recreation Director Rich Boprey, Systems Administrator Christian Arsenault, Assistant City Clerk Eric Popham, and members of the public.

#### 4. BUDGET WORKSHOP – REFINEMENT OF CITY COUNCIL BUDGET PRIORITIES for FISCAL YEAR 2022-2023

City Manager Morgan reviewed the goals and priorities raised by City Council at the previous budget workshop. These topics included:

- Master Plan for All City Parks
- Improved Park Maintenance
- Improved U.S. 192 and Interstate 95 Landscape Maintenance
- Fire Alternatives Study
- Sustainability - Creation of a new Sustainability Advisory Board
- City Council Chamber Upgrades
- Henry Avenue Guard Rail
- City Manager Office Staffing

Mayor Rose agreed with the master plan for the parks but did not want to wait years to accomplish some of the desired goals for our City parks. He also believed the Field of Dreams was under-utilized. He proposed a position to promote and advertise the availability of the equipment at the Field of Dreams to help promote and advertise, along with new equipment. Lastly, Mayor Rose observed that there is currently no plan for parks north of U.S. 192 or west of I-95. Deputy Mayor Young agreed with a position at the West Melbourne Community Park tasked with advertising and scheduling events.

Council discussed the improved maintenance at U.S. 192 and I-95 and the expected costs.

Council Member Dittmore suggested tabling the creation of a sustainability advisory board until after receipt of the report and Council agreed.

Deputy Mayor Young suggested that the space in the new Building Department building for an updated Council Chamber. City Manager Morgan stated that pursuing this idea would require a skilled architect to design the building and would be a larger undertaking.

As part of the suggestion for guard rails on Henry Avenue, Council Member Bentley suggested improving the school crosswalk areas for Henry Avenue.

In addition to the priorities presented, Deputy Mayor Young discussed street sweeping within the City and its effectiveness with different types of curbing. City Manager Morgan responded by describing the current contract and stated he would look at it to see what options would be available.

Mayor Rose raised the issue of traffic and how the flow of traffic can be improved within the City. He also suggested a review of City code which may need to be reviewed or updated to determine if improvements can be made. Lastly, Mayor Rose expressed that the building which Jacobs uses needs to be updated.

## **5. RECESS**

*Council recessed the workshop at 6:46 p.m. and reconvene to the Regular City Council meeting at approximately 6:52 p.m.*

## **CITY COUNCIL REGULAR MEETING**

### **MINUTES**

April 19, 2022

## **6. CALL TO ORDER**

Mayor Rose called the meeting to order at 6:52 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, and Daniel McDow.

Attending Remotely: Council Member Stephen Phrampus.

*Council Member Dittmore moved to allow Council Member Phrampus to participate remotely, Council Member Bentley seconded the motion, which passed 7-0.*

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, Jacobs Project Manager Brian Mascher, Finance Director Margi Starkey, Planning Director Christy Fischer, Parks and Recreation Director Rich Boprey, Systems Administrator Christian Arsenault, Assistant City Clerk Eric Popham, and members of the public.

## **9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS**

**Introduction of New Employees.** Finance Director Starkey introduced Assistant Finance Director Candice Blake, who started with the City on April 4, 2022, and Customer Service Representative Teresa Defranc, who started with City on March 18, 2022.

## **10. PUBLIC HEARINGS**

**Small Scale Amendment and Rezoning for City-Owned Park Hill Properties.** Planning Director Fischer presented the first reading of ordinances for a small-scale comprehensive plan map amendment and rezoning for five City-owned parcels located on Park Hill Boulevard.

Planning Director Fischer described current zoning and the proposed changes to zoning and the process of changing future land use maps and the purposes of making the change to the land use for these properties. In addition, Planning Director Fischer discussed impacts to the area under current land use versus future land use. Planning Director Fischer reviewed the zoning and noted that this land is already City-owned and being used by the municipality.

City Attorney Richardson read the two proposed ordinances in title only:

**ORDINANCE NO. 2022-07**

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 FIVE (5) PARCELS OF LAND TOTTALLING 4.51 ACRES LOCATED ON PARK HILL BOULEVARD, SOUTH OF HENRY AVENUE, AND AS MORE FULLY DESCRIBED HEREIN FROM LD-RES (LOW-DENSITY RESIDENTIAL) TO INST (INSTITUTIONAL); PROVIDING AN EFFECTIVE DATE.

**ORDINANCE NO. 2022-08**

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING FIVE (5) PARCELS OF LAND TOTALING 4.51 ACRES GENERALLY LOCATED ON PARK HILL BOULEVARD, SOUTH OF HENRY AVENUE, AND AS MORE FULLY DESCRIBED HEREIN FROM R-1AA (SINGLE-FAMILY RESIDENTIAL) TO P-1 (INSTITUTIONAL); PROVIDING AN EFFECTIVE DATE.

City Attorney Richardson reminded Council the zoning portion is quasi-judicial and asked for disclosures regarding outside communications prior to the public hearing. Council Member Bentley disclosed the receipt of a public email about this topic.

Mayor Rose opened the public hearing.

Johann Brockhausen, 3363 Alice Street, spoke about the water plant and expressed concern for the potential impacts to surrounding property values. Mr. Brockhausen said he heard the City Council has a goal to increase beautification within West Melbourne and requested the City landscape and fence the areas of the plant location to the surrounding streets to aid with beautification of this area.

Joshua Slattery, 451 Park Hill Boulevard, expressed concern about increased traffic from Park Hill Boulevard and that many vehicles were ignoring posted speed limits. Additionally, Mr. Slattery raised the issue of odor from the existing sewer plant. He expressed concerned about property values.

Cynthia Rigsby, 431 Park Hill Boulevard, asked if there was any other possible route which could be used by utility vehicles to access the area. Ms. Rigsby also stated that due to traffic being very bad in the past, law enforcement was parked in her yard to deter problems. She also questioned whether there is a conflict having a sewer and water plant in close proximity to each other.

Council Member Bentley asked for an update regarding odor from the sewer treatment plant. City Manager Morgan described the causes of odor and the steps which have been taken to mitigate that. Council Member Dittmore asked if there is an alternative to

the current equipment to help reduce the odor problem. City Manager Morgan provided insight into measures that are being considered to add an additional step which could improve the conditions. Council Member Dittmore expressed that we need to have a more concrete plan and timeline to correct the odor issue.

Michael Wilson, 377 Dorsett Drive, agreed the water plant was a good idea and wanted to re-emphasize the landscaping plans for the water plant. Mr. Wilson expressed concern about the odor from the sewer plant and that it has been particularly worse this past year.

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

*Council Member McDow motioned to approve the first reading of Ordinance No. 2022-07, the small-scale comprehensive plan map amendment to change the future land use on five City-owned parcels from Low Density Residential to Institutional. Deputy Mayor Young seconded the motion, which passed unanimously.*

*Council Member Batcheldor motioned to approve the first reading of Ordinance No. 2022-08, rezoning five (5) parcels of land totaling 4.51 acres generally located on Park Hill Boulevard, south of Henry Avenue, and as more fully described herein from Single-Family Residence to Institutional. Mayor Rose seconded the motion, which passed unanimously.*

**Small Scale Amendment and Rezoning for Fred Boozer Property.** Planning Director Fischer presented the first reading of ordinances for a small-scale comprehensive plan map amendment and rezoning of 6.29 acres of property located 320 feet west of Minton Road at the northwest corner of Minton Road and Norfolk Parkway, with addresses of 3780 and 3820 Minton Road

Planning Director Fischer provided background related to the property which will be called Sawgrass Lakes Center. She presented information on traffic impact and capacity of the property. Planning Director Fischer did mention that the development agreement for this property would limit the industrial use to only allow indoor self-storage and not the full range of uses with an industrial designation.

City Attorney Richardson read the ordinances in title only:

#### **ORDINANCE NO. 2022-05**

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 THE WESTERNMOST 6.29 ACRE PORTION OF THE PARCELS OF LAND LOCATED AT 3780 AND 3820 MINTON ROAD, AND AS MORE FULLY DESCRIBED HEREIN, FROM COM (COMMERCIAL) TO IND (INDUSTRIAL); PROVIDING AN EFFECTIVE DATE.

## **ORDINANCE NO. 2022-06**

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING THE WESTERNMOST 6.29 ACRE PORTION OF PARCELS OF LAND LOCATED AT 3780 AND 3820 MINTON ROAD, AND AS MORE FULLY DESCRIBED HEREIN, FROM C-1 (LOW DENSITY COMMERCIAL) TO M-1 (LIGHT INDUSTRIAL AND WAREHOUSING); PROVIDING AN EFFECTIVE DATE.

City Attorney Richardson reminded Council the zoning and development agreement portion is quasi-judicial and asked for disclosures. Council Member Dittmore disclosed a prior business relationship with Mr. Masone, who spoke on behalf of the developer. City Attorney Richardson stated he reviewed the disclosure from Council Member Dittmore and determined it did not rise to the level of a conflict or require Council Member Dittmore to abstain from voting. Council Member Phrampus disclosed that he had previous contact last year with Mr. Masone regarding this property and had seen the plans at that time. Mayor Rose disclosed that he had conversations with Mr. Masone.

Danielle Shoot, 506 Horsemint Road, expressed her opposition to the development of a storage unit at this location. She believed it would be unattractive. She stated she would rather have a restaurant or bar in the area.

Tony Masone, 4275 Alyssa Lane, Melbourne, spoke on behalf of the applicant and addressed concerns from the previous speakers. He explained the development agreement would exclude all uses except the indoor storage facility. He added that the proposed type of facility had some of the lowest traffic impacts.

Council Member Phrampus asked about the location of a retention pond. Planning Director Fischer noted that more detail is in the proposed development agreement but did say that a water retention area is required for the site to be developed.

*CLERK'S NOTE: The following motions were made later in the meeting and are placed in this section for continuity purposes.*

*Council Member Batcheldor motioned to approve the first reading of Ordinance No. 2022-05 small scale comprehensive plan map amendment to change the future land use on 6.29 acres of property located 320 feet west of Minton Road at the northwest corner of Minton Road and Norfolk Parkway. Council Member McDow seconded motion, which passed 6-1, with Deputy Mayor Young opposed.*

*Council Member Batcheldor motioned to approve the first reading of Ordinance No. 2022-06, rezoning 6.29 acres of the 9.69-acre properties located at the northwest corner of Minton Road and Norfolk Parkway from Low Density Commercial to Light Industrial and Warehousing. Council Member Dittmore seconded the motion, which passed 6-1, with Deputy Mayor Young opposed.*

**Sawgrass Lakes Center Development Agreement.** Planning Director Fischer presented the development agreement to limit the development to an indoor self-storage facility in the proposed Sawgrass Lakes Center. This site is located near the northwest corner of Minton Road and Norfolk Parkway. She described signage, landscaping, and sizes of the proposed units.

Council Member Phrampus asked if the developer would be willing to put into the development agreement to not seek access onto Norfolk Parkway. Mr. Masone stated that it can be considered but they were not the land owners along Norfolk Parkway. Council Member Phrampus stated that without that item in the development agreement, he would not be willing to support this item.

Mayor Rose and Council Member Bentley spoke on the traffic in the area and access to the proposed site. Mr. Masone suggested adding language that any future access to Norfolk Parkway would need to be brought back to Council for approval.

Planning Director Fischer stated that the development agreement would only apply to that the area proposed to be rezoned to industrial and would not be part of the property that would remain zoned as commercial.

Cole Oliver, representing the developer, stated that while they may not know exactly what will be put in the commercial areas of the property, they do know that it will only be what is allowed per the zoning.

Mayor Rose closed the public hearing with no further comments.

*Council Member Dittmore moved to table the development agreement until the second reading of the comprehensive plan amendment and rezoning ordinances. Mayor Rose seconded the motion, which passed unanimously.*

**Amend Tree Preservation and Landscaping Requirements.** Planning Director Fischer recommended Council postpone the public hearing for the landscape code amendment until May 17, 2022 so that the staff can finalize changes.

*Council Member Dittmore motioned to postpone the public hearing for the landscape code amendment until May 17, 2022 so that the staff can finalize changes. Council Member McDow seconded, and the motion 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. Council Member Bentley seconded the motion, which passed unanimously.*

- Regular City Council meeting minutes for Tuesday, April 5, 2022.

## 13. ACTION AGENDA

**Annual Comprehensive Financial Report for FY Ending September 30, 2021.** Finance Director Starkey presented the Annual Comprehensive Financial Report. She also recognized the hard work and efforts of the entire staff of the department.

Ms. Debbie Goode, Audit Partner with Carr, Riggs, & Ingram, presented the annual audit reporting that it was a “clean audit”. There were no findings of problems with internal control within the City.

*Council Member Bentley moved to receive and file the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended September 30, 2021. Deputy Mayor Young seconded the motion, which passed unanimously.*

**Employee Benefits Plan.** Human Resources Director Gale presented the group insurance renewal for plan year 2022-2023. The only substantive change for the employee benefits are in medical coverage in that the City’s medical plan would be changed to Cigna. Council raised questions regarding the process, protection of personal information, and co-pays and out-of-pocket expenses. Mr. Brian Dinklage, Senior Vice President with Hylant, stated that using data from previous years, the expectation is that costs for employees will be lower.

Several Council Members expressed concern based on personal experiences with Cigna as a provider for medical insurance.

*Council Member Bentley moved to adopt Resolution No. 2022-09 approving the City’s group insurance plans for the 2022-2023 plan year, provided by the following vendors:*

INSURANCE TYPE	VENDOR
Medical	Cigna
Health Reimbursement Account (HRA)	Amer flex
Dental	Principal
Vision	Principal
Life & Disability	Lincoln Financial Group
Employee Assistance Program (EAP)	Lincoln Financial Group
Flexible Spending Account (FSA)	Ameriflex
Supplemental Options	Colonial Life & MetLaw

*Council Member Batcheldor seconded the motion, which passed unanimously.*



**Appointment to the Planning and Zoning Board.** Council considered the applicants for the Planning and Zoning Board.

*Council Member Dittmore moved to appoint Vernon Anderson to the Planning and Zoning Board. Council Member Phrampus seconded the motion.*

Council Member Dittmore expressed his support for Mr. Anderson. Council Member Batchelor expressed concern that a resume was not provided with the application. Deputy Mayor Young stated that, while impressed with Mr. Anderson, the other applicant, Stephanie Kelly, had actual planning experience.

*Council voted on the motion to appoint Vernon Anderson, which passed 6-1, with Council Member Batchelor opposed.*

**Appointment to the Board of Adjustment.** Council considered the appointment of Corina Savela to the Board of Adjustment with a term ending November 2023.

*Council Member Dittmore moved to appoint Corina Savela to the Board of Adjustment with a term ending in November 2023. Deputy Mayor Young seconded the motion, which passed unanimously.*

#### **14. MANAGEMENT REPORTS**

**America's Best Value Inn Follow-up Report.** City Attorney Richardson presented a follow-up report on the status of crime-related activity at the America's Best Value Inn.

City Attorney Richardson provided history information and comparisons which showed improvement overall. The report showed an approximate 50 percent decrease in service calls/incidents at the property. City Attorney Richardson recommended that monitoring continue with a report in three months.

**Sustainability Report.** Planning Director Fischer and Planning Intern Malia Staker presented the City of West Melbourne Sustainability Report and answered questions.

Council Member Dittmore commented that the metrics did not appear to be related to West Melbourne. He suggested future reports should be tailored to what is happening in West Melbourne.

Council Member McDow stated that this type of report needs more time and should not be rushed. He stated this report was a good starting point.

#### **15. CITY COUNCIL REPORTS**

Council Members Bentley, Phrampus, Dittmore, and Deputy Mayor Young had no reports.

Council Member McDow reported that Sandy Nicholson, who was seated in the audience, was honored by Brevard County in the Month of Older Americans.

Council Member Batcheldor announced his last day on Council would be May 31, 2022, because he would no longer be a resident of the City after that date.

*Council Member Dittmore motioned to extend the meeting. Mayor Rose seconded the motion, which passed unanimously.*

Mayor Hal Rose reported the 2022 Mayors' Fitness Challenge ended and presented the City with a certificate showing 336,856 total minutes of exercise.

City Attorney Richardson explained the process for Council to appoint someone to fill the seat until the election in November. Council agreed the City Attorney should prepare an application and advertise the process. Council would consider the applications at their meeting of June 7, 2022.

## **16. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:40 p.m.