

MAYOR
Hal J. Rose

DEPUTY MAYOR
Andrea Young

COUNCIL MEMBERS
Pat Bentley
John Dittmore
Daniel McDow
Stephen Phrampus



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CITY COUNCIL REGULAR MEETING

MINUTES

June 7, 2022

1. CALL TO ORDER

Mayor Rose called the regular meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT MEDITATION

Mayor Rose expressed his sadness at the recent loss of Captain Carlos Navedo with the West Melbourne Police Department. He announced that services would be Saturday and asked for a moment of silence for his family.

Mayor Rose led the Pledge of Allegiance.

3. ROLL CALL

Attending: Mayor Hal Rose, Deputy Mayor Andrea Young, and Council Members Pat Bentley, 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 Police Chief Rich Cordeau; Public Works Director Mark Piccirillo, Jacobs Project Manager Brian Mascher, Planning Director Christy Fischer, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

4. APPOINTMENT TO FILL VACANCY ON THE CITY COUNCIL

Mayor Rose announced that 12 inquiries had been made into the vacancy with six applications submitted with two applications later withdrawn. Therefore, Council was asked to interview four candidates for the Council vacancy.

Diana Adams, 2045 Botanica Circle, introduced herself and spoke on her dedication to public service. She was asked about the future hiring of a new police chief and replied that it was an opportunity for a fresh perspective. Ms. Adams also stated that good communication was important with the residents. West Melbourne does a good job of moving projects along and she would like to see that continue. Ms. Adams was also

asked about handling confrontation with Council when there are disagreements. She replied that there would be differing opinions but ultimately the Council needed to do what was best for the City. Ms. Adams stated that she was pursuing public service to connect with the residents through a city leadership role and hoped that her shared experiences would have an impact.

William Johnson, 413 Murano Drive, introduced himself and spoke on his interest to serve the community and the City. He noted that one of his goals would be to maintain resilience and sustainability and hope to evaluate the infrastructure so that it is sustainable and will last longer. When asked about hiring a police chief, he would hope to see someone that can be a good face for the City and be able to lead the force by example. He also stated he would like to see a more connected community for walking and hoped to be able to address the high cost of housing.

Adam Gaffney, 2474 Tuscarora Court, introduced himself and noted that he had lived in West Melbourne for 13 years and believed in giving back to the community. He had served on many of the City's boards and had served on Council for four years. Because of that experience, he believed he would be a good choice to serve for the next six months. When asked about the future hiring of the Police Chief, Mr. Gaffney stated that Chief Wiley had done a good job and believed an individual should be chosen with similar experience to lead the department. When asked why he would not be running for a seat on Council in November, Mr. Gaffney stated that he hoped to run again in the future but was reluctant to dedicate the number of hours at the present time.

Justin Matoska, 746 Preakness Drive, attending remotely, introduced himself and expressed interest in being more active in the community. If selected, he hoped he could learn more about the City in the next five months with the goal of running for office in the November election. When asked about hiring the new chief, he hoped to bring in an individual with law enforcement experience and the ability to interact well with the citizens. He stated his goal would be to work to make improvements to the park system, in particular to the maintenance and expansion of amenities. He also expressed concern with encouraging intelligent growth.

Following the interviews, Mayor Rose distributed paper ballots for Council to make a selection from the four candidates.

City Clerk Hanscom collected the paper ballots and indicated there were four votes for Diana Adams from Mayor Rose and Council Members Dittmore, Bentley, and Phrampus. There were two votes for Adam Gaffney from Deputy Mayor Young and Council Member McDow.

Council Member Dittmore moved to select Diana Adams as the interim Council Member to serve the unexpired term ending November 22, 2022. Council Member McDow seconded the motion, which passed 6-0.

Following the Oath of Office, Ms. Adams took her seat on the dais.

5. PUBLIC HEARINGS

Revisions to Chapter 71, Natural Resources and Stormwater, Article IV, Landscaping and Tree Preservation. Planning Director Fischer presented the second reading of an ordinance to modify Chapter 71 to strengthen the landscape codes for tree and landscape requirements to save trees or require more tree replacements while balancing market and development rights.

City Attorney Richardson read Ordinance No. 2022-09, in title only:

ORDINANCE NO. 2022-09

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 71, NATURAL RESOURCES AND STORMWATER, ARTICLE IV, LANDSCAPING AND TREE PRESERVATION, DIVISION 1. – TREE PRESERVATION, DIVISION 2. – TREE REMOVAL AND REPLACEMENT, AND DIVISION 3. LANDSCAPE AND BUFFER REQUIREMENTS; UPDATING THE LANDSCAPE AND TREE CODES; 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. 2022-09, revising the landscape and tree codes to provide more stringent requirements for tree removal, preservation and general landscaping subject to the City Attorney's review and revision for formatting. Council Member Bentley seconded the motion, which passed 6-1, with Council Member Dittmore opposed.

6. PUBLIC FORUM

Robert Griffin, 895 Shoshone Lane, in the Falls of Sheridan neighborhood, distributed handouts and stated he was speaking for the other residents. He noted the property located at 9075 Ellis Road had become a truck stop. There were trucks that park their refrigerated trucks with the refrigeration units running all the time. The refrigerator units run on diesel fuel which also creates an odor problem. The refrigerated units were 53 feet long; there were currently about 10-12 of these units located on the property. In addition the trucks would start up to leave between 4-5 a.m. and run until about 7 a.m. The trucks would return at various times of the evening and throughout the night. The neighborhood no longer had any quiet time. Mr. Griffin stated that there was a pending code violation at this location. He stated he was concerned that any approvals would not cause impacts to the residences. He provided a series of photographs showing the storage trailers parked on the lot and the view from residential backyards.

City Attorney Richardson stated that the property owner has been informed that he is in violation. This type of use would require a site plan be submitted and approved. He

stated this would come before Council because of the development agreement that is in place for the property. Staff would continue to monitor the situation and inspect the property for noise violations.

7. CONSENT AGENDA

Mayor Rose asked that approval of Resolution No. 2022-10 for development fees be pulled from the consent agenda.

Council Member Phrampus asked that approval of Resolution No. 2022-13 for exchanging a position in the Parks and Recreation Department be pulled from the consent agenda.

Deputy Mayor Young moved to approve the following consent agenda. Mayor Rose seconded the motion, which passed unanimously.

- Regular City Council meeting minutes for Tuesday, May 17, 2022.
- Authorization for the City Manager to execute an agreement with Konica Minolta for the five-year lease of eight copy machines to serve City Hall, Police Department, Recreation Department and Public Works.
- Designate Mayor Hal Rose to be the voting delegate at the Florida League of Cities 96th Annual Conference.

Development Fees. Mayor Rose questioned the exemption of the charge for annexations less than 10 acres. Planning Director Fischer stated that there were thresholds that were linked to the comprehensive plan process. Usually requests for annexation were greater than 10 acres. Mayor Rose suggested that the exemption apply to those properties with less than 5 acres.

Deputy Mayor Young moved to adopt Resolution No. 2022-10 for development fees with the change to reduce the no-fee annexation to less than 5 acres. Mayor Rose seconded the motion.

Council Member Phrampus asked how many houses could be built with the 5 acre exemption. Planning Director Fischer stated that subdivision regulations usually have two houses per acre. Council Member Phrampus stated that it would like to see the exemption lower than 5 acres. Mayor Rose agreed.

Mayor Rose withdrew his second to the motion and directed this come back to Council with suggested changes.

Position Exchange in the Parks & Recreation Department. Assistant City Manager Bradford stated that Council discussions had included a desire to provide more programming at the Field of Dreams. Rather than create a new position, it is proposed to exchange the current recreation supervisor position to a coordinator position. He

noted that the Field of Dreams Board of Directors had met and were not interested in funding a position, so City staff prepared the proposal to address Council's concerns.

Council Member Phrampus stated he did not want to give up a recreation position. He would rather create a new position and keep the existing staffing levels in place.

Council discussed the current level of staff at the parks and the status of the maintenance for the parks. Assistant City Manager Bradford stated they were waiting to fill the recreation supervisor position, but they had two applicants that would be a good fit for the redesigned position.

Mayor Rose stated that he would like to see this position at a higher pay grade. Assistant City Manager Bradford indicated the pay grade assigned to this position aligned with other coordinator position in the City. He added that this coordinator position would work in conjunction with the existing coordinator position in the Parks and Recreation Department.

Council Member Bentley stated he agreed with the position exchange because he believed it would provide additional programming for the Field of Dreams. If it does not work as expected, this can come back to Council for further consideration.

Council Member Bentley moved to adopt Resolution No. 2022-13 exchanging one Recreation Supervisor position for one Coordinator I, Special Populations position in the Parks and Recreation Department, and asked that staff report back to Council in six months on the status of the working being performed by the selected employee. Council Member McDow seconded the motion, which passed 5-2, with Mayor Rose and Council Member Phrampus opposed.

8. ACTION AGENDA

Corradino Group Consultant Contract. City Attorney Richardson noted that, on March 15, City Council had approved the hiring of the Corradino Group to complete the update to the Comprehensive Plan. Following the negotiations, Council is now being asked to approve the contract for the amount of \$132,500.

Council discussed the amount negotiated and that it was higher than estimated. Mayor Rose asked if they should go to the next best consultant from the list of those firms that had submitted a proposal. City Attorney Richardson stated that Council could do that but the difference between the budgeted and contracted amount was not significant and the City would want to have the best firm for the Comprehensive Plan.

Mayor Rose asked if something was added to the scope of services. Planning Director Fischer stated that they did not add anything but the scope would include obtaining more public participation. She noted that the process has three tasks: public engagement and background, data review and analysis, and then drafting the final document. Depending on the visioning and public engagement, it may not be a complete rewrite of the plan.

Council Member Dittmore moved to authorize the City Manager to enter into an agreement with the Corradino Group, LLC for \$132,500 to conduct the City of West Melbourne 2040 Comprehensive Plan revision project, subject to City Attorney review, revision, and approval of the final contract document. Council Member McDow seconded the motion, which passed unanimously.

Clement's Wood Park Playground Equipment Replacement. Assistant City Manager Bradford explained this project would replace the playground structure at the park. The cost for the replacement would be under the budgeted amount of \$80,000. He reminded Council that the equipment that would be replaced had been moved from the former Brevard County Max K. Rodes Park in 2014. The Parks & Recreation Advisory Board had meet on May 11 and recommended the proposal from GameTime be sent to Council for consideration.

Council Member Phrampus stated he had visited the park and the swing sets appeared to be in good shape and suggested they could be repurposed. Assistant City Manager Bradford stated that the brackets that hold the chains appear to be the issue. He would need to look into the cost to determine if the equipment is structurally sound and safe.

Council Member Adams stated that the Parks & Recreation Advisory Board had reviewed the proposal and asked about the cost difference of maintaining the equipment versus replacing. She noted the overall concern of the Board was safety. It is not known if the older parts would be available to fix the equipment.

Mayor Rose asked about ground cover. Assistant City Manager Bradford stated the mulch was a separate and would not be included in the cost. He indicated it would be playground safe mulch.

Mayor Rose also suggested City staff and equipment could be used to remove the old equipment. Council Member Adams noted that there was a timeline to the quote. If some of the variables were further researched, it could cause the cost to go higher. Assistant City Manager Bradford added that a significant delay could also require the project be funded in next year's budget. Mayor Rose urged staff to consider if anything could be reused.

Council Member Bentley moved to authorize the City Manager to execute an agreement with GameTime for the removal and disposal of existing playground equipment at the Clement's Wood Park and install a new playground equipment package (Lake Tansi PrimeTime), to include a large primary structure with several slides, loop ladder and climbing areas along with a separate three-bay swing structure and Sensory Wave Seat for \$77,331.24. Council Member Adams seconded the motion, which passed unanimously.

9. CITY COUNCIL REPORTS

Council Member Phrampus asked that the budget discussion for the next workshop include modernization in the building permitting process department to speed up the documentation of inspections. Assistant City Manager Bradford indicated the inspectors

have laptops in the field and can log in enter results so that the public can see the results immediately.

Council Member Dittmore had no report.

Council Member Bentley reported the Police Pension Board would be meeting the next day to consider proposals for actuary services.

Deputy Mayor Young stated she would be attending the ceremony for Captain Carlos Navedo on Saturday and the MPO AC meeting in Haines City later this month. She reported on the Mayor's breakfast which was another great event with Mayor Rose doing a great job representing the City.

Council Member McDow congratulated the officer who received an award at the Palm Bay Chamber luncheon this month. He reported he would be attending IEMO training the following week. He also reported on several events he had attend in the previous week.

Council Member Adams thanked the other applicants with interest in serving on City Council because she believed it was important that residents are willing to serve the community. She thanked Council for their trust and looked forward to working together.

Mayor Rose welcomed Ms. Adams. He also reported on the Mayor's breakfast which was held in May. He complemented the City Attorney and public works staff for getting the banners up along West New Haven for Memorial Day. He also thanked Council Member Bentley for asking Representative Randy Fine for funding for a drainage project, which had been approved by the Governor. He announced the Space Coast League of Cities dinner hosted by the City of West Melbourne and Melbourne Village would be held on June 13 at the Kennedy Space Center Visitors Complex.

Mayor Rose asked for an update on the splash pad. Assistant City Manager Bradford reported that all the uprights are in and they are now waiting on the canopy structures. He predicted that it would still be 2-3 weeks before completion. City Manager Morgan noted that the Brevard County Health Department would need to issue a permit similar to a public swimming pool before they could officially re-open.

Mayor Rose asked what would be discussed for the budget workshop on June 21. City Manager Morgan replied that Council would be reviewing the draft budget.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 8:58 p.m.