

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

June 20, 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, Finance Director Candice Blake, Human Resources Director Jennifer Curran, Planning Director Christy Fischer, Public Works Director Mark Piccirillo, Project Manager Brian Mascher, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, Deputy City Clerk Eric Popham, and members of the public.

4. BUDGET WORKSHOP

City Manager Rhode and Finance Director Blake presented a draft preliminary budget for fiscal year 2023-2024 with an overview of revenues and expenditures. A list of the top 10 capital projects were provided. City Manager Rhode stated the City will not be increasing the number of personnel on staff but will have several departmental reorganizations. A budget timetable was presented to Council with the next major event occurring on July 18 when Council will set the millage rate. City Manager Rhode stated the City will be operating on a balanced budget and is proposing a roll-back millage rate of 2.0081 which will result in a revenue increase of \$125,000.

Deputy Mayor Phrampus asked about the possibility of a Public Relations Officer position within the City. City Manager Rhode proposed utilizing a position within the City which may come open in the near future.

Council Member Adams and Mayor Rose stated they think it may be a better plan to NOT use the roll-back rate so that the City would have the ability to set aside funds for various projects in the future.

Council Member Dittmore did not support increasing the millage rate for ad valorem taxes because the City currently has a healthy amount of funds in reserve and was projecting additional funds for reserves from the current budget year. Several Council Members agreed.

Council Member McDow asked about future growth and noted that this could impact the tax revenue in future years. City Manager Rhode responded the growth of single-family residence development will phase out in 3-5 years, and this should be followed by consistent growth in the commercial and multi-family sector.

5. RECESS

Council recessed the workshop at 5:54 p.m. and reconvened to the Regular City Council meeting at 6:00 p.m.

CITY COUNCIL REGULAR MEETING

MINUTES

June 20, 2023

6. CALL TO ORDER

Mayor Rose called the regular meeting to order at 6:00 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, Finance Director Candice Blake, Human Resources Director Jennifer Curran, Planning Director Christy Fischer, Public Works Director Mark Piccirillo, Systems Administrator Christian Arsenault, Deputy City Clerk Eric Popham, and members of the public.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Employee Introductions. Finance Director Candice Blake introduced Utility Billing Operations Manager Emidio Laboy Pacheco, who started with the City on June 5, 2023. Public Works Director Mark Piccirillo introduced Facilities Technician Carl Riley and Equipment Operator Jay Squier, both of whom started with the City on May 30, 2023.

10. PUBLIC HEARING

Small Scale Comprehensive Plan Amendment and Rezoning Request for Property located on the Southeast Corner of Ellis Road and John Rodes Boulevard. Thomas Sullivan, attorney with GrayRobinson Law Firm, speaking for the developer, asked for a continuance until the July 18 City Council Meeting.

Bobbie Seigler of 700 S. John Rodes Blvd #B-1, Melbourne, stated she has a shop in that area and was concerned with current level of traffic as well as any increase. Ms. Seigler cited the City has a lot of gas stations within the surrounding area now.

Bryan Russell of 700 S. John Rodes Blvd #C-2, Melbourne, stated he was an owner within the John Rodes Commerce Park as well as some surrounding undeveloped land. Mr. Russell pointed out the current zoning is for light industrial and warehouse and it should remain so. Not only due to traffic but due to the fact that within 1 exit north and south along I-95, there are approximately 12 other gas stations. Mr. Russell added that, per information from Florida Department of Transportation, while improvements are made to the expansion of Ellis Road, there will be lane closures which will further exacerbate traffic congestion.

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

Council Member Dittmore asked if any items for the project had been coordinated with the City of Melbourne. Planning Director Fischer stated when the project was first brought up several months ago, there have been multiple conversations about the project with the City of Melbourne.

Council Member Dittmore moved to approve the continuance for these items until July 18. Mayor Rose seconded the motion, which passed unanimously.

Revisions to Chapter 72, Signage for Certain Zoning Districts. Planning Director Fischer presented information on Ordinance No. 2023-11, amending the sign code for properties located within the C-NH, C-W, IB, and GTWY-1 zoning districts. She noted that as changes have taken place in the City, not all zones were affected equally and the proposed changes in the ordinance allow for better alignment across multiple zones.

City Attorney Cary read Ordinance No. 2023-11, in title only:

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 72, SIGNS, SECTION 72-10, TEMPORARY SIGNS WITH PERMITS REQUIRED; Section 72-14, PERMANENT ON-SITE SIGNS; SECTION 72-15, OFF-SITE DIGITAL SIGNS, AND SECTION 72-18, SIGN REGULATIONS SUMMARY CHART OF THE CODE OF ORDINANCES TO PROVIDING FOR SIGN REQUIREMENTS FOR THE C-NH (COMMERCIAL NEW HAVEN), C-W (COMMERCIAL WICKHAM), IB (INTEGRATED BUSINESS DISTRICT), AND GTWY-I (GATEWAY INTERCHANGE) ZONING DISTRICTS; 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 Adams moved to approve the first reading of Ordinance No. 2023-11, amending the sign code for properties located within the C-NH, C-W, IB, and GTWY-1 zoning districts. Council Member Bentley seconded the motion, which passed unanimously.

Replace Chapter 66 Administration. A public hearing was held to approve the first reading of Ordinance No. 2023-12, deleting in its entirety Chapter 66 Administration and creating a new Chapter 64 Administration.

Planning Director Fischer presented background and information related to reorganization of the City Code to improve consolidation, format and makes it easier when the Code is converted to online format.

City Attorney Cary read the Ordinance No. 2023-12, in title only:

ORDINANCE NO. 2023-12

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, DELETING CHAPTER 66, ADMINISTRATION IN ITS ENTIRETY AND CREATING AND APPROVING A NEW CHAPTER 64, ADMINISTRATION; 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.

Deputy Mayor Phrampus asked if this action made changes to approving authorities. Planning Director Fischer responded that no changes were made to the approval process, but did combine and present the information in a more concise manner as opposed to an applicant needing to look through multiple areas of the City code.

Council Member Bentley moved to approve the first reading of Ordinance No. 2023-12, deleting in its entirety Chapter 66 Administration and creating a new Chapter 64 Administration. Council Member Adams seconded the motion, which passed in a 7-0 vote.

11. PUBLIC FORUM

There were no comments from the public.

12. CONSENT AGENDA

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

- Approve the Regular City Council minutes for Tuesday, June 6, 2023.
- Adopt Resolution No. 2023-09 rescinding the Recreation Impact Fee Agreement for Legacy Apartments.

13. ACTION AGENDA

Professional Services Task Order for Fire Department Financial Feasibility Study. City Manager Rhode provided a brief background of the Stantec Consulting Services and how the company became involved in this project. He introduced Peter Napoli of Stantec Consulting Services, who attended remotely.

Peter Napoli of Stantec Consulting Services, provided information on his background and experience in this area. Mr. Napoli then discussed that since the feasibility study has been completed and what should be the next steps the City should take moving forward. Specifically, his organization will look at the City's general fund moving forward 5-10 years, and what options for funding a fire department might be whether it is general fund, millage rate, etc.

Council Member Dittmore asked if Stantec would be able to provide a millage rate comparison based on current costs with using Brevard County Fire and Rescue services. Mr. Napoli stated he will definitely be able to do that as part of his services but that the numbers would be speculative until such time that the City would be ready to provide services.

Mayor Rose asked what options are available to cover the start up of a fire department. Mr. Napoli replied essentially it will either come from City general fund or a millage rate increase which means paying for the development of a fire department while still paying for services from Brevard County Fire and Rescue. Mr. Napoli stated his financial forecast will look out 10-15 years.

Council Member Young asked how many stations would this forecast cover. City Manager Rhode stated the City Administration will work with Mr. Napoli to get several models showing different number of stations.

Council Member Dittmore clarified that the City cannot collect a fire assessment fee until the City is prepared to provide services and therefore the City will need to front the cost of the fire department until that time. Council Member Dittmore also stated that if the City does a bond initiative it will need to pay the bond related costs from the general fund until the City can utilize a fire assessment fee. Mr. Napoli responded that was correct and that this was the only method to fund a project like this is via the general fund or through taxes.

Council Member McDow asked how long the process would take and what other items may come up as “red flags”. Mr. Napoli stated creating this financial feasibility study will take approximately 3-6 months. He then followed up that if the current general fund is sufficient for operations, then the City could look at what steps it should take to add this project into general funding. Mr. Napoli stated if there was a significant funding issue which is already present within the City’s general fund, that would be the biggest road-block. The goal of this study is to determine if the current millage rate is sufficient to cover operating costs of the City.

Deputy Mayor Phrampus clarified that this study will provide recommendations on how the City should provide for start-up costs for the fire department. Mr. Napoli confirmed that this study will look and see if the City has the capacity to set aside funds to help build the funds and also if the City decides to borrow the funds what impact that will have on the City.

Mayor Rose asked for clarification on whether or not a fire assessment fee would save money when compared to a millage rate. Mr. Napoli responded that he could not answer that at this time as it is too early in the process; however, in general, a fire assessment fee will impact residents differently than a millage rate increase. Mayor Rose asked if there was a way for the City to recoup any upfront costs for the fire department. Mr. Napoli responded the only real option is to increase the millage rate. When the City reaches a point where it can use an assessment fee, the City will be restricted with only charging an assessment fee that covers the operating cost of the fire department in that operating year.

Council Member Bentley stated that an assessment fee seems more equitable versus an ad valorem tax since, regardless of property size, each resident will be paying an equal share for service. Mr. Rhode followed-up by stating, currently in Brevard County, residents are paying a mixture of assessment fee and ad valorem.

Council Member Dittmore asked a question about how frequently the City will be able to adjust a fire assessment fee. City Manager Rhode stated the rate can be adjusted annually.

Council Member Adams moved to authorize the City Manager to execute an agreement incorporating professional services for task order #1 with Stantec Consulting Services Inc for the Fire Department Financial Feasibility Study in the not-to-exceed amount of \$30,400. Council Member McDow seconded the motion, which passed with a 6-1 vote with Council Member Bentley in the negative.

Parks Master Plan Consulting Services. Assistant City Manager Bradford provided background on the process for a Parks Master Plan and the value of utilizing GAI Consulting INC.

Council Member Adams asked what aspects of GAI Consulting helped to put them in the lead during request for proposal scoring. City Manager Rhode responded that, while all of the firms were excellent, GAI had a very strong proposal with a national presence, and had knowledge of the City of West Melbourne from other projects.

Mayor Rose asked if the scope of service would look different if there were more funds available. Assistant City Manager Bradford believed the current proposals were very comprehensive and a good representation of the direction the City intends with the parks.

Deputy Mayor Phrampus moved to authorize the City Manager to enter into an agreement with GAI Consultants, LLC. for Parks Master Plan consulting services in the not-to-exceed amount of \$123,800. Council Member Adams seconded the motion, which passed unanimously.

Amending Speed Hump Policy. City Manager Rhode presented information about the City's policy relating to speed humps. Mr. Rhode stated, while the City has a very good process and policy for installing speed humps, the City currently does not have a comprehensive policy for removing speed humps.

John Tice, 67 Stephenson Drive, provided first hand insight noting the ineffectiveness of speed humps in his area. Most cars do not slow down but actually speed up when crossing the speed humps. Additionally, because of the current drainage construction, many of the speed humps are currently partially removed.

Council Member Adams clarified the policy will require 75 percent of home owners to agree not 75 percent of residents. City Manager Rhode confirmed the policy will state homes not residents.

Council Member Young asked if the policy will be for resident or homeowner. City Manager Rhode confirmed the policy states resident.

City Manager Rhode reminded Council that no matter the language the decision on whether or not to remove speed humps, Council will decide on whether or not they should be removed.

Council Member Adams moved to approve the update to the Speed Hump Policy with an amendment to change the language of “resident” to “homeowner”. Mayor Rose seconded the motion and accepted the language change, which passed unanimously.

Six Month Review of the City Attorney’s Performance. Human Resources Director Curran presented the summary of the results of the six (6) month performance evaluation for City Attorney Cary.

Deputy Mayor Phrampus moved to review the summary results of the City Attorney’s six (6) months performance evaluation and, by motion, accept the summary results. Mayor Rose seconded the motion, which passed unanimously.

14. CITY COUNCIL REPORTS

Council Member Young thanked several members of the West Melbourne Police Department. Council Member Young then reported on the Ellis Road Partner meeting and the next steps needed to help with the awarding of upcoming grants.

Council Member McDow attended several functions around the County over the last several weeks, including the Economic Development Commission Board Meeting.

Council Member Adams gave recognition to the City Staff for the recent Space Coast League of Cities dinner hosted by West Melbourne and Melbourne Village. Council Member Adams attended a recent Planning and Zoning Board meeting and provided kudos to the members of that board for their efforts and volunteerism. Additionally, she attended the Disadvantage Transportation Board focusing on the needs of not only disabled individuals but those who are older/aging and those with various medical needs. Council Member Adams reminded all Council Members that Ethics Form 1 for Statement of Financial Interests were due by July 1.

Deputy Mayor Phrampus attended the Space Coast League of Cities dinner and recently met with City Staff regarding the City’s budget.

Council Member Dittmore had no report.

Council Member Bentley attended several events and provided appreciation to City Staff. Council Member Bentley mentioned the City did receive a grant in the approximate amount of \$700,000 for the septic to sewer conversion project occurring along Sheridan Road.

Mayor Rose attended the Space Coast League of Cities dinner. He reminded everyone that the July 4th holiday was soon and fireworks are now legal. There would be no meeting the first week of July. As a result of the major hail storm on April 26, the city received over 600 permit applications for roof repairs. Mayor Rose talked about grants and noted that other municipalities using lobbyist services appeared to have a higher success rate.

Council Member Dittmore asked City Manager about return of investment (ROI) on City funds. City Manager provided a quick and brief overview of how the ROIs are distributed among City departments.

Council Member McDow asked what was the amount and what project was affected by the grant which the city did not receive and what was the plan as a result. City Manager Rhode responded that the grant was for \$363,000 for the stormwater reduction project for canal C-70 in Westbrooke subdivision and at this time the City does not have it as part of the Capital Project plan for this upcoming year.

Council Member Young inquired about the status of the Melbourne Estates project and if the City was on timeline. City Manager Rhode stated the project must be completed by March 2024 and was 40 percent complete.

15. RECESS TO CLOSED SESSION

Council recessed at 8:14 p.m., followed by a closed session in accordance with Florida Statutes Section 447.605 (1) to provide authority to the employer negotiator in labor negotiations with employees represented by the Coastal Florida Police Benevolent Association.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 9:37 p.m.