

MAYOR
Hal J. Rose

DEPUTY MAYOR
Andrea Young

COUNCIL MEMBERS
Diana Adams
Pat Bentley
John Dittmore
Daniel McDow
Stephen Phrampus



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CITY COUNCIL WORKSHOP

MINUTES

June 21, 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 Diana Adams, Pat Bentley, Stephen Phrampus and Daniel McDow.

Attending Remotely: Council Member John Dittmore.

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, Public Works Director Mark Piccirillo, Planning Director Christy Fischer, Jacobs Project Manager Brian Mascher, Building Official Tom Forbes, Assistant Finance Director Candice Blake, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

Attending Remotely: Finance Director Margi Starkey.

Council Member McDow moved to allow Council Member Dittmore to attend remotely. Council Member Bentley seconded the motion, which passed unanimously

4. BUDGET WORKSHOP

City Manager Morgan presented the preliminary numbers for the fiscal year 2022-2023 budget, which was based on the priorities established by Council at the workshops held this past spring. The expenditure appropriations, transfers and additions to reserves

total \$50.75 million, a 7.1 percent increase from 2021-2022. Much of the increase is attributable to an increase in appropriations for capital improvement and major maintenance projects, and an increase in budgeted water and sewer enterprise reserves. The general fund budget would be \$18.47 million, which is an increase of 4.4 percent.

City Manager Morgan stated there were 37 capital improvement and major maintenance projects proposed, totaling \$22.919 million. He reviewed the funds that would be used to pay for the projects, noting that \$3,433,800 would come from the General Fund. He then reviewed several of the different projects and the estimated outlays.

Mayor Rose asked about the funding for the new Building Department building. City Manager Morgan explained that the \$2.2 million would come the General Fund balance of assigned funds from the Building Department.

Council Member Phrampus asked about the \$25,000 for the Council Chamber. City Manager Morgan stated that funds had been put aside to provide for an architect to assist with alternatives. Mayor Rose expressed concern that doing this would put the project off for another year.

Mayor Rose commented on the \$125,000 budgeted for the Parks master study and thought that Parks and Recreation staff would be able to recommend what was needed to be done. City Manager Morgan reminded Council of the process that had been completed for the development of the West Melbourne Community Park, which was successful and had included public input. The master plan that will include all of the parks would be beneficial to direct future projects.

Council Member Phrampus asked about designated parking areas for Clements Wood Park and Jan Lieson Crossroads Park. City Manager Morgan stated that a master plan would outline where the future parking should be located. Council Member Phrampus and Mayor Rose both expressed concern that no actual improvements would be made in the next budget year.

Council Member McDow asked about the Melbourne Estates project. City Manager Morgan stated that they had not been able to find the funding for the additional water line. He hoped to bring a project to Council for consideration that would allow the City to do a portion of the water lines and provide guard rails along Henry Avenue. Council discussed using the American Rescue Plan Act (ARPA) funds to complete the Melbourne Estates project.

Mayor Rose asked if the ARPA funds would be used for the water plant. City Manager Morgan explained that there were time limits on the expenditure of the funds. Therefore, the proposal was to use a portion of the ARPA funds to complete work needed for the distribution system. Council Member Phrampus stated he would prefer using the funds to complete the Melbourne Estates project for both the stormwater and water lines, which was what was originally proposed when it went out to bid. City

Manager Morgan stated staff would come back and provide alternatives for funding the Melbourne Estates project with current funding and the impacts on future capital projects.

City Manager Morgan also presented information on the millage rates for the ad valorem property tax proposing a rollback of the millage rate or a number between the current rate and the rollback rate. Council discussed the different rates and the expected changes in revenue. Council also discussed expected changes in other revenues and the funds available in reserves. City Manager Morgan reminded Council that they would be voting on this item at their next meeting in July.

City Manager Morgan stated that there were no new positions proposed for the next budget year that would be funded through the general fund. For other funds, there would be an additional maintenance worker for the Public Works department.

5. RECESS

Council recessed the workshop at 6:50 p.m. and reconvened to the Regular City Council meeting at approximately 6:58 p.m.

CITY COUNCIL REGULAR MEETING

AGENDA

June 21, 2022

6. CALL TO ORDER

Mayor Rose called the regular meeting to order at 6:58 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 Diana Adams, Pat Bentley, Stephen Phrampus and Daniel McDow.

Attending Remotely: Council Member John Dittmore.

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, Public Works Director Mark Piccirillo, Planning

Director Christy Fischer, Jacobs Project Manager Brian Mascher, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

Council Member Bentley moved to allow Council Member Dittmore to attend remotely. Council Member Adams seconded the motion, which passed unanimously.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Introduction of New Employees. Assistant City Manager Tom Bradford introduced GIS Analyst Natalie Jinkins, who started with the City on May 27, 2022. Public Works Director Mark Piccirillo introduced Water Distribution Worker Ryan Kilmer, who started with the City on May 27, 2022. Building Official Tom Forbes introduced Building Inspector Dianna Gosine, who started with the City on June 3, 2022.

10. PUBLIC HEARINGS

Transmittal of the Comprehensive Plan Map Amendment and Rezoning, for Toby Platt Property Located South of U.S. 192 and East of St Johns Heritage Parkway. Planning Director Fischer presented the first reading and request for transmittal for a large scale comprehensive map amendment for property located east of the St. Johns Heritage Parkway, bordered by the Space Coast Town Center to the north and Brandywine Estates to the east. The property was 51.38 acres and the developer was proposing to build single-family detached and attached townhouses. She presented an aerial of the site showing the concept layout. The land use was proposed to be changed from Brevard County Residential 1 and 2 to West Melbourne Medium Density Residential.

Planning Director Fischer also presented the rezoning request, noting the developer was asking the property be rezoned from Brevard County Agricultural Residential (AU) to City of West Melbourne Multi-Family Dwelling (R-2). Based on a suggestion made by staff, the developer met with the residents of Brandywine Estates on May 5.

The Planning & Zoning Board met on June 8 and recommended Council approve the transmittal and the first reading of both ordinances.

Planning Director Fischer also presented the development agreement for the subject property. The development agreement would limit density, preserve a natural buffer between the development and Brandywine Estates, regulate architectural features, and provide for landscape features adjacent to the St. Johns Heritage Parkway. She presented the concept plan for 124 townhouse lots and 131 single-family lots. Because there are over 200 units, two entrances were required and both would be along St. Johns Heritage Parkway. The development was proposed to be gated, which would come back to Council for approval.

Council Member Phrampus asked if the entrances were reviewed by the County. Planning Director Fischer stated the developers were working with the County and would need approval on both accesses.

Planning Director Fischer stated she had reviewed the agreement for consistency with the comprehensive plan and land development regulations. She provided slides showing the significant buffer areas along the front of St. Johns Heritage Parkway and the property line abutting Brandywine Estates, which would include a 55-foot vegetation buffer. The Planning & Zoning Board met on June 8 and recommended approval of the development agreement.

City Attorney Richardson read Ordinance Nos. 2022-10 and 2022-11, in title only:

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO PROVIDE FOR MD-RES (MEDIUM DENSITY RESIDENTIAL) LAND USE FOR A 51.38 ACRE PARCEL GENERALLY LOCATED WEST OF INTERSTATE 95, SOUTH OF US 192, AND EAST OF ST. JOHNS HERITAGE PARKWAY, 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. 2022-11

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING A 51.38 ACRE PARCEL OF LAND GENERALLY LOCATED WEST OF INTERSTATE 95, SOUTH OF US 192 AND EAST OF ST. JOHNS HERITAGE PARKWAY, AND AS MORE FULLY DESCRIBED HEREIN, FROM BREVARD COUNTY AU (AGRICULTURAL RESIDENTIAL) TO CITY OF WEST MELBOURNE R-2 (ONE-, TWO-, AND MULTI-FAMILY DWELLING); PROVIDING AN EFFECTIVE DATE.

City Attorney Richardson also explained that this was a quasi-judicial hearing and asked for disclosures from Council on visiting the site, meetings, or research done on the property. All of Council indicated that they had met with staff on this issue prior to the hearing. Council Member McDow stated he had also exchanged emails with one of the Brandywine residents. Council Member Adams stated she had driven by the site.

Mayor Rose opened the public hearing.

Kim Resenka, attorney for the developer, introduced herself and others present representing the proposed development. She spoke on the development agreement

that would ensure compliancy and consistency with land use regulations as well as address architectural features and buffers for the adjacent Brandywine Estates.

She stated the proposal was compliant and consistent with land use regulations. When asked about the two entrances, Ms. Resenka replied that Brevard County would require two entrances and they had a preliminary meeting with the County.

City Attorney Richardson stated that there were a few minor corrections to the development agreement and he asked that, if approved, the approval be conditioned on final review by the City Attorney.

Council Member Phrampus asked about the accesses. Aaron Struckmeyer, with Pulte Homes, indicated the northern entrance would be for guests and residents. The southern entrance would be residents and emergency only.

Council Member Bentley stated that townhouse buildings have eight units but the elevation only shows six doors. Mr. Struckmeyer stated there was a door entry on the side for the end units, which would include a 2-car garage.

Mayor Rose asked if there would be one homeowners association. Mr. Struckmeyer indicated there would be one homeowners association with two different fee structures.

Mayor Rose asked about the building structure. Mr. Struckmeyer indicated the first floors would be concrete block. The second floor of the townhomes would be wood frame.

Council Member Adams asked about parking and traffic restrictions. Mr. Struckmeyer stated residents would not be restricted to a limited number of vehicles. He noted that there would be additional spaces throughout the area for parking. Council Member Adams commented that she would not want vehicles to be parking on the street restricting the access for emergency vehicles.

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

Council Member Phrampus moved to transmit the large scale comprehensive plan map amendment for property located south of U.S. 192, east of St. Johns Heritage Parkway to the State for their review. Council Member Adams seconded the motion, which passed unanimously.

Council Member Phrampus moved to approve the first reading of Ordinance No. 2022-10 changing the future land use of the Toby Platt property from Brevard County Residential 1 (RES-1) and Residential 2 (RES-2) to City of West Melbourne Medium Density Residential (MD-RES) land use designation, conditioned on the execution of the development agreement. Mayor Rose seconded the motion, which passed unanimously.

Council Member Adams moved to approve the first reading of Ordinance No. 2022-11 changing the zoning of the subject property from Brevard County Agricultural Residential (AU) to City of West Melbourne Multi-Family Dwelling (R-2), with the condition that the comprehensive plan map amendment is approved. Council Member Phrampus seconded the motion, which passed unanimously.

Council Member Phrampus moved to approve the development agreement to limit the use and density and layout of the proposed Pulte Homes development on 51.38 acres of vacant property located east of St. Johns Heritage Parkway, immediately south of Space Coast Town Center and west of Brandywine Estates, subject to the City Attorney review for form and consistency. Mayor Rose seconded the motion, which passed unanimously.

Integra Multifamily Site Plan. Planning Director Fischer presented the site plan for the Integra apartment project located at the northwest corner of U.S. 192 and St. Johns Heritage Parkway. She reminded Council that land use and zoning approval had been completed at a previous meeting.

City Attorney Richardson stated that because this was a quasi-judicial public hearing, he asked for disclosures from Council Members on discussions, communications, or site visits. All of Council indicated they had met with staff.

Planning Director Fischer reviewed the location of the property and noted that it would be north of the Space Coast Town Center, west of St. Johns Heritage Parkway. The parcel was 16.02 acres and zoned Gateway Interchange. The proposal was for a 319-unit multi-family apartment complex. She presented drawings of the site plan showing the layout and noted that upon approval, the developer must begin construction within 18 months. The plan was consistent with future land use and land use regulations. The developer would also need to provide recreation amenities or provide payment for the recreation fee in lieu fund prior to final site plan approval. The Planning & Zoning Board had met on June 8 and recommended approval with eight recommendations.

Planning Director Fischer stated that, because the property was zoned Gateway Interchange, the property must have a mix of uses; the remaining 8.65 acres not included in this site plan approval, must have a minimum of two non-residential uses. She noted that this was a condition of approval.

Mayor Rose opened the public hearing.

Bruce Moia, engineer with MBV engineering, agreed with the conditions. The site plan was the residential component of the mixed use project. The property owner would develop the remaining 8+ acres for commercial. He stated this was a busy intersection and they would be working with the Florida Department of Transportation and Brevard County on the turn lane off of St. Johns Heritage Parkway. He also provided information on the amenities to be provided for the complex. He stated that allowable density was 22 units per acre and they were proposing just under 20 units per acre.

Also, there would be a regional lift station that would extend to the north providing gravity sewer connections to other properties.

Council Member Phrampus commented on the colors of the buildings and suggested brighter colors be used.

Council Member McDow asked about handicap access and what would happen if the elevator was not working. Mr. Moia stated that the buildings were considered handicap accessible because there would be an elevator onsite. However, most handicap units would be on the first floor.

Council Member McDow asked about the curved road accessing the residential units off of St. Johns Heritage Parkway. Mr. Moia explained it would be a shared access with the commercial uses. There would be a gate for the residential properties which would slow traffic entering the neighborhood. Council discussed the access and the possible queuing of vehicles.

Mayor Rose asked about the building construction. Mr. Moia stated it would be wood with fiber cement siding.

Mayor Rose asked about trees and was told that they would be adding trees to the property.

Deputy Mayor Young asked about covered parking and Mr. Moia believed there would be plenty of spaces. He noted that they would have an area for recreational vehicle parking as well. Planning Director Fischer stated that the total number of spaces shown on the plan was slightly higher than the two spaces required per unit.

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

Council Member Phrampus moved to approve the initial site plan for a 319-unit apartment community known as "Integra at Heritage Commerce Park", located at the northwest corner of the U.S. 192 and St. Johns Heritage Parkway with the following conditions:

- 1) Obtain outside agency permits prior to final site plan approval.*
- 2) Pay the fee in lieu of public recreation dedication and enter into the recreation fee agreement.*
- 3) Install right turn deceleration lanes on St. Johns Heritage Parkway and U.S. 192.*
- 4) In order to ensure viability of the site landscaping, any of the plant species not listed in the approved landscape manual and proposed for installation shall be reviewed on a case-by-case basis.*
- 5) Submit for Council review the two proposed community gates.*
- 6) The remaining 8.65 acres at the NW corner of U.S. 192 and St. Johns Heritage Parkway must have a minimum of two (2) nonresidential uses (commercial, industrial or institutional) per the Parkway Interchange future land use policy.*

- 7) *Demonstrate compliance with FEMA and other regulatory agency requirements for a development within a flood hazard area. Engineer shall certify the proposed development will not have adverse impact on adjacent properties and related flood hazard area.*
- 8) *Dedicate a 10 foot by 10 foot square area at the southwest corner of the property to a government agency such as the City or County for any future expansion or roadway connection revisions to the private driveway known as BJ Lane.*

Council Member McDow seconded the motion, which passed 6-1, with Council Member Bentley opposed.

Comprehensive Plan Map Amendment, Rezoning, and Amendment to the Development Agreement for Space Coast Town Center. Planning Director Fischer presented the first reading for a comprehensive plan map amendment, rezoning, and subsequent amendment to the development agreement for the Space Coast Town Center. This would add 4.65 acres to the project that was formerly a Brevard County retention pond.

City Attorney Richardson stated that because this was a quasi-judicial public hearing, he asked for disclosures from Council Members on discussions, communications, or site visits. All of Council indicated they had met with staff. Both Mayor Rose and Council Member Phrampus indicated they had also met with the developer.

Planning Director Fischer stated that in order for Space Coast Town Center to use the property, the correct designation would need to be placed on the property. The proposed change would amend the land use from Brevard County Community Commercial (CC) to West Melbourne Parkway Interchange (PI). She provided staff analysis and noted that it was consistent with the comprehensive plan.

Planning Director Fischer also reviewed the proposed rezoning for the property which would change the zoning from Brevard County Transient Tourist Commercial (TU-2) to Gateway Interchange (GTWY-1). She presented a rezoning analysis and noted that it was compatible with surrounding uses. Public notices had been sent with no responses from surrounding property owners.

Planning Director Fischer presented the first amendment to the 2019 Space Coast Town Center development agreement and noted that it would further restrict the property. The additional acreage would modify the master plan. She presented the survey of the property and noted the same features that enhance the appearance of the development would be included. All access to the additional acreage would be through the internal road system. She stated the agreement was consistent with the comprehensive plan and the land development regulations.

The Planning & Zoning Board met on June 8 and recommended approval of the comprehensive plan map amendment, the rezoning, and the amendment to the development agreement.

City Attorney Richardson read Ordinance Nos. 2022-12 and 2022-13 in title only:

ORDINANCE NO. 2022-12

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 PARCELS OF LAND TOTALLING 4.65 ACRES LOCATED ON THE EAST SIDE OF ST. JOHNS HERITAGE PARKWAY, SOUTH OF U.S. 192 AND AS MORE FULLY DESCRIBED HEREIN FROM BREVARD COUNTY CC (COMMUNITY COMMERCIAL) TO CITY OF WEST MELBOURNE PI (PARKWAY INTERCHANGE); PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2022-13

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, REZONING PARCELS OF LAND TOTALING 4.65 ACRES GENERALLY LOCATED ON THE EAST SIDE OF ST. JOHNS HERITAGE PARKWAY, SOUTH OF U.S. 192 FROM BREVARD COUNTY TU-2 (TRANSIENT TOURIST COMMERCIAL) TO CITY OF WEST MELBOURNE GTWY-I (GATEWAY INTERCHANGE); PROVIDING AN EFFECTIVE DATE.

Mayor Rose opened the public hearing.

Council Member Phrampus asked about the Fulcher property that was approved by Council at the meeting of July 20. He remembered the approval had brought the total acreage near to the 200-acre limit. City Attorney Richardson stated the agreement was not yet in effect. Council Member Phrampus stated that, going forward, he would be opposed to changing the rules for one developer unless there is a significant gain for the City.

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

Deputy Mayor Young moved to approve the first reading of Ordinance No. 2022-12 amending the future land use of a 4.65 acre retention pond from Brevard County Community Commercial (CC) to West Melbourne Parkway Interchange (PI). Mayor Rose seconded the motion, which passed unanimously.

Deputy Mayor Young moved to approve the first reading of Ordinance No. 2022-13 rezoning a 4.65 acre property from Brevard County Transient Tourist Commercial (TU-2) to Gateway Interchange (GTWY-1) with the condition that the comprehensive plan map amendment is approved. Council Member Adams seconded the motion, which passed unanimously.

Deputy Mayor Young moved to approve the first amendment to the 2019 Space Coast Town Center development agreement, including the revised conceptual master plan,

incorporating the former Brevard County 4.65 acre property. Council Member Phrampus seconded the motion, which passed unanimously.

11. PUBLIC FORUM

There were no speakers during the public form.

12. CONSENT AGENDA

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

- Regular City Council meeting minutes for Tuesday, June 7, 2022.
- Resolution No. 2022-10 which adopts the revised development fee schedule updating fees.
- Resolution No. 2022-14 setting the revised City Council meeting schedule for calendar year 2022.
- Appointment of John Frazier to the Business Advisory Board with a term ending November 2022.

13. ACTION AGENDA

Space Coast Town Centre Re-Plat. Planning Director Fischer presented the replat for the Space Coast Town Center to add the final phase 1A. This would create Lot 2, which the master developer was proposing to sell to a residential developer. Access would be provided through the private road network. Planning Director Fischer stated the replat was consistent with the land development process and had been reviewed by other departments. The Planning & Zoning Board met and recommended approval with conditions.

Council Member Bentley moved to approve the final plat for Phase 1A of the Space Coast Town Centre East subdivision which creates Lot 2 in the mixed use development (located west of I-95, east of St. Johns Heritage Parkway and south of U.S. 192) with the following conditions:

- 1) The comprehensive plan amendment, rezoning and the development agreement revision must be approved prior to recordation of the plat Mylar.*
- 2) Submit a Trip Vesting Report signed by a traffic engineer per the 2018 Development Agreement between Space Coast Town Centre, LLC and the City of West Melbourne.*
- 3) Developer either posts an infrastructure performance bond or builds the subdivision improvements prior to recordation of the plat Mylar.*

Deputy Mayor Young seconded the motion.

Council Member Phrampus expressed concern for the roadway and vehicular access given the amount of roadways that would dead-end.

Mayor Rose asked about traffic impacts. Planning Director Fischer explained that they are granted a certain number of trips as of part of the trip vesting agreement. The Florida Department of Transportation and Brevard County will be keeping an eye on the development to insure that they do not go over the number of trips.

Council then voted on the motion to approve the re-plat, which passed unanimously.

Final Plat for West Melbourne Interchange Center – Unit Four. Planning Director Fischer presented a plat for Unit Four of the West Melbourne Interchange Center. She reminded Council that final plat approval had been granted in 2015. The required infrastructure was in place. The proposal was to replat Lot 10 into two lots (Lots 10 and 12). Planning Director Fischer provided an analysis and informed Council that the plat was consistent with land development regulations. The Planning & Zoning Board had reviewed the plat at their meeting of June 8 and recommended approval.

Council Member Phrampus moved to approve the Final Plat for Unit Four of the West Melbourne Interchange Center (a re-plat of an existing commercial subdivision at the corner of Hollywood Boulevard and Palm Bay Road). Council Member McDow seconded the motion.

Mayor Rose asked about the road alignment across Hollywood Boulevard that would connect with the exiting traffic from Walmart. John Rehak, of Benchmark Melbourne 35 Associates, stated that there were no plans to make improvements to the intersection but there would be internal improvements. Council discussed this intersection as well as other connections to the property and the importance of addressing traffic safety.

Mayor Rose asked if there would be a new hotel at this location. Mr. Robert Robb, Robb & Taylor Engineering, stated that they were proposing to come in with a site plan approval in the future.

There being no further discussion, Council voted on the motion to approve Final Plat for Unit Four, which passed unanimously.

Waste Management Solid Waste Collection Rate Request. City Manager Morgan presented a request from Waste Management, the solid waste collection franchise holder for the City. The current agreement is through September 30, 2023. The contract language allows for Waste Management to impose, by contract language formula, yearly rate increases up to 4 percent. In addition, the contract allows Waste Management to ask Council for a rate increase for more than 4 percent for extraordinary circumstances. Based on a letter dated May 18, 2022, City Manager Morgan believed that the request by Waste Management for an increase of 8.81 percent had some merit.

City Manager Morgan provided examples of the impacts for increases at 4 percent, 4.93 percent and 8.81 percent.

Dina Reider-Hicks, Public Affairs Manager, and George Chandler, Senior District Operations Manager, were present. Ms. Reider-Hicks stated that a franchise agreement provision was written into the agreement regarding increased inflation and rising fuel costs. Over the past 18 months, costs have increased 22 percent, which included labor, vehicle maintenance, equipment, and general operations. The request for 8.81 percent will result in an additional 60 cents per month for West Melbourne residents. She stated they were very aware that families will be impacted by this decision and appreciated their support.

Council Member Bentley stated that the City would renegotiate rates in 2023. He hoped that the City's cooperation on this issue would be taken into consideration when discussing a future contract. Ms. Reider-Hicks stated that their facility was located in West Melbourne and they valued the partnership with City.

Council Member Bentley agreed that Waste Management was a good partner and moved to allow the 8.81 percent increase as requested. Deputy Mayor Young seconded the motion.

Council Member Phrampus stated that the full cost of living was being requested. He asked if Waste Management would be willing to extend the contract. Ms. Reider-Hicks stated that she did not have the authorization to make that determination. Council Member Phrampus stated he did not believe that it was appropriate to renegotiate contract provisions that were agreed upon by both parties. Council Member Dittmore stated that there was already an inflationary measure built into the contract by allowing Waste Management to increase rates up to 4 percent each year. He stated that the City had honored their portion of the contract and unless Waste Management wanted to bring something to the table, he did not believe they should allow any more than 4 percent.

Council discussed a percentage increase between the 4 percent permitted and the 8.81 percent requested. Council Member Bentley stated that if costs have truly gone up by 20 percent, Waste Management was only asking for a portion of that increase. He believed that residents would agree that 8.81 percent was reasonable.

Council discussed what was being done in other municipalities and if there had been contracts negotiated mid-term.

Council then voted on the motion to allow the 8.81 percent increase, which passed 5-2, with Council Members Dittmore and Phrampus opposed.

Employment Agreement with City Manager Designee Tim Rhode. City Attorney Richardson presented the employment agreement appointing Tim Rhode as the City Manager. He reminded Council that they had selected Mr. Rhode as the City's next

manager at the meeting of May 3 and instructed staff to begin negotiation after an extensive background investigation. He noted the agreement was similar to that prepared for City Manager Morgan and included a 3-year plus one month term. The salary was \$150,000 with the opportunity for annual increases. He presented a summary of the salary and amenities provided to city managers in other cities.

Council Member Dittmore expressed concern with the language on the monthly allowance. Because this was paid as part of the salary, the City Manager had taxes taken from the payment. He suggested the City Manager use staff to coordinate reservations and payment for the monthly events. For those things that could not be paid in advance, such as taking a Council Member for lunch, a City issued credit card could be used. Council Member Phrampus agreed that routine expenses should be the same as that for Council.

Council Member Phrampus also stated the raises received should be merit-based and be tied to the annual evaluation. This would provide some consistency and could allow for a cap on the increase.

Mayor Rose asked the contract include a 6-month evaluation during the first year. He also spoke in opposition to using the same evaluation form.

Council Member Adams moved to extend the meeting past 10:30 p.m. Mayor Rose seconded the motion, which passed unanimously.

Council also discussed the five days of administrative leave that was requested prior to September 1. Although it was important that Mr. Rhode work with Mr. Morgan as much as possible over the next few months, it was understood that it was more beneficial to take leave prior to September 1.

Council Member Dittmore moved to approve and authorize the Mayor to sign an employment agreement appointing Tim Rhode as City Manager effective September 1, 2022, and establishing his compensation and conditions of employment, as provided for in Article V of the City Charter, with an addition of requesting a 6-month evaluation during the first year and modifying the expense allowance to utilize City staff to schedule and pay for events with the use of a credit card. Council Member Phrampus seconded the motion, which passed unanimously.

14. CITY COUNCIL REPORTS

Council Member Dittmore had no report.

Council Member Bentley thanked those involved with planning the Space Coast League of Cities dinner on June 13 where the City of West Melbourne and Town of Melbourne Village hosted at the Kennedy Space Center.

Deputy Mayor Young asked for an update on the Keep Brevard Beautiful composting program. City Manager Scott Morgan stated that the program was up and running but there did not appear to be a great deal of interest from the community. Deputy Mayor Young also asked for an update on the concerns raised by the speaker during the public forum at the meeting on June 7. City Attorney Richardson replied that the Code Enforcement Board had met and found the property in violation. The trucks would need to be removed by a time certain and the property owner will need to submit a site plan to be able to store the vehicles on the lot.

Council Member McDow asked if information was sent to residents on the composting program. City Manager Morgan indicated the information provided by Keep Brevard Beautiful had been sent out with the City's newsletter, which was mailed with the utility bills. Council Member McDow stated the City should do more to support the program. He reported that he had attended the IEMO training in Jacksonville.

Council Member Adams reported she had attended the Space Coast League of Cities and a symposium on housing and homelessness. She thanked City staff for her onboarding process and encouraged the public to participate in the composting program.

Council Member Phrampus noted that the Norfolk Parkway project was moving along and he thanked the staff for getting this done.

Mayor Rose stated he had attended the Space Coast League of Cities dinner and thanked the Kennedy Space Center for being a good host. He expressed appreciation to the Police Department for the memorial service for Captain Carlos Navedo.

Mayor Rose asked for an update on the splash pad. Assistant City Manager Bradford reported that the canopy shades were being installed. The flooring will be completed once the canopy is installed. At that point, they would be calling the Health Department for the permit.

Mayor Rose asked for an update on the fire study. City Manager Morgan indicated the consultant continued to work on the study and he believed they were on schedule to report to Council.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 11:02 p.m.