

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

September 7, 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, John Dittmore, Stephen Phrampus and Daniel McDow.

Also present: City Manager Tim Rhode, Interim City Attorney Cliff Repperger, Assistant City Manager Tom Bradford, Deputy Police Chief Rich Cordeau, Public Works Director Mark Piccirillo, Jacobs Project Manager Brian Mascher, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

4. Council Conceptualization of Long-Term Space Requirements, Building Size and Configuration and Conceptual Site Layout for New Building Department Building. City Manager Rhode presented information on a conceptual layout for the new building department building to be located north of City Hall. He provided a background on how the project began as a task assigned by Council. From Council's discussion at a past meeting, a suggestion was made to have a second floor to be designated as the Council Chamber. He explained that the building was initially proposed for 7,000 square feet. It would be connected to the existing City Hall by a walkway with an overhang because utilities prevented the buildings to be connected. He stated that it had also been proposed to increase the square footage to make a larger building.

Council asked about foot traffic, parking, and a possible bridge from the second floor of City Hall to the second floor of the new building.

Mayor Rose asked about justification for a new building when development was shrinking. It was explained that there were still permits for renovations and maintenance.

Mayor Rose expressed concern that the departments were not fragmented and that an additional plan should be brought back to Council. He did not believe that the administrative offices on the second floor of City Hall were as functional as it could be. In addition, more space was needed for the growing city. He suggested looking into building a new well-designed, functional building next door with either one or two floors. The existing 2nd floor of City Hall could be used for additional space for the building department and meeting rooms.

City Manager Rhode stated there appeared to be a consensus on adding a second floor and stated he would come back to Council at the end of October with further information on space needs and the percentage of the new building that would contain amenities such as elevator, bathrooms, and corridors.

5. RECESS

Mayor Rose recessed the workshop at 6:23 p.m. and reconvened to the Regular City Council meeting at approximately 6:30 p.m.

CITY COUNCIL REGULAR MEETING

MINUTES

September 7, 2022

6. CALL TO ORDER

Mayor Rose called the regular meeting to order at 6:30 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, John Dittmore, Stephen Phrampus and Daniel McDow.

Also present: City Manager Tim Rhode, Interim City Attorney Cliff Repperger, Assistant City Manager Tom Bradford, Finance Director Margi Starkey, Deputy Police Chief Rich

Cordeau, Public Works Director Mark Piccirillo, Human Resources Director Jennifer Curran, Planning Director Christy Fischer, Jacobs Project Manager Brian Mascher, Building Official Tom Forbes, Systems Administrator Christian Arsenault, City Clerk Cynthia Hanscom, and members of the public.

Council Member Dittmore moved to add an agenda item on the selection for Police Chief. Council Member Phrampus seconded the motion, which passed unanimously.

Council Member Phrampus moved to add a discussion on the Fire Study data analysis. Council Member Dittmore seconded the motion, which passed unanimously.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Presentation of Representative Randy Fine. A special presentation was made to Representative Randy Fine expressing appreciation for appropriation support for the flood risk reduction grant.

Introduction of New Employees. Public Works Director Mark Piccirillo introduced Construction Inspector Francois Philippe, who started with the City on August 15, 2022. Deputy Chief Rich Cordeau introduced Crossing Guard Emily Patterson, who started with the City on July 22, 2022

10. PUBLIC HEARINGS

Proposed FY 2022-2023 Millage Rate and Budget. City Manager Rhode presented the 2022-2023 millage rate and budget. He explained this was the first budget hearing, notice of which had been made to property owners. He was proposing adoption of the rolled-back millage rate of 2.1186.

Mayor Rose opened the public hearing. There being no public comment, he closed the public hearing.

Several Council Members commented their comfort with the rolled-back rate given that there would be an overall increase in revenue and the City had continually been able to put money in reserves. There was concern expressed with future expenditures given the higher costs for capital improvements.

Council Member Adams moved to adopt the tentative fiscal year 2022-2023 millage rate of 2.1186 per thousand dollars of taxable value. Council Member Bentley seconded the motion, which passed unanimously.

Council Member Dittmore moved to approve the tentative 2022-2023 budget. Deputy Mayor Young seconded the motion.

Deputy Mayor Young pointed out a typographic error in the budget that would need to be corrected prior to the final budget hearing.

Council Member Phrampus asked about the change in the City Manager's budget as a result of the recommended rolled-back rate by Council. City Manager Rhode explained that the change was \$80,000 and had been absorbed through the contingency.

Council then voted on the motion to approve the tentative 2022-2023 budget, which passed unanimously.

Deputy Mayor Young moved to set a public hearing for 6:30 p.m. on Wednesday, September 21, 2022, to consider final adoption of the 2022-2023 millage and budget. Council Member Adams seconded the motion, which passed unanimously.

Annual Stormwater Utility Budget and Assessment Roll. Assistant City Manager Bradford presented a resolution adopting the 2022-2023 stormwater fund budget with no change in the annual stormwater utility fee methodology or rates.

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

Council Member Bentley moved to adopt Resolution No. 2022-18 adopting the 2022-2023 stormwater fund budget and certifying the stormwater utility assessment as presented by Brevard County with no change in the annual stormwater utility fee methodology or rates. Council Member Phrampus seconded the motion, which passed unanimously.

City Manager's Administrative Purchasing Limit. Mayor Rose stated a request was made to allow the City Manager to spend up to \$25,000 without taking the request to Council for approval. This was the second reading of Ordinance No. 2022-18 increasing the City Manager's purchasing limit from \$15,000 to \$25,000.

Interim City Attorney Repperger read Ordinance No. 2022-18, in title only:

ORDINANCE NO. 2022-18

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE I, IN GENERAL, SECTION 2-10, POWERS OF THE CITY MANAGER; UPDATING THE CITY MANAGER'S PURCHASING AUTHORITY LIMIT; 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 Phrampus moved to approve the second reading of Ordinance No. 2022-18 increasing the City Manager's purchasing limit authority from \$15,000 to \$25,000. Council Member McDow seconded the motion, which passed unanimously.

Comprehensive Plan Map Amendment and Rezoning for Toby Platt Property Located South of US 192 and East of St Johns Heritage Parkway for Pulte Home Company. Planning Director Fischer presented the second reading of Ordinance Nos. 2022-10 and 2022-11 to change the land use and zoning for a property located south of U.S. 192 and east of St. Johns Heritage Parkway, which would be developed by Pulte Homes. She provided a staff analysis for the future land use and rezoning. She noted that there were no issues with the state agency review, but the Florida Department of Transportation (FDOT) had expressed concerns about the traffic on U.S. 192 and I-95.

Planning Director Fischer reminded Council that the applicant's civil engineer had met with Brandywine residents regarding the buffer proposed. Property owners were noticed about the proposed change and the Planning & Zoning Board, acting as the planning agency, had recommended approval of both ordinances.

Interim City Attorney Repperger 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.

Mayor Rose opened the public hearing.

Kim Resenka, legal representative for Pulte Homes, reminded Council that this plan had been presented in June with the approved development agreement. The proposal was

to have single-family homes and townhouses on the property. No residents from Brandywine had appeared at the last meeting regarding concerns.

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

Council Member Phrampus moved to approve the second 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. Council Member Adams seconded the motion.

Council Member Adams commented on the concerns expressed by FDOT and the City's responsibility. Planning Director Fischer stated FDOT had issued an advisory comment should there be a need to address future concerns with traffic capacity.

Deputy Mayor Young asked if the development would be gated. Aaron Struckmeyer, Land Planning and Entitlements Manager with Pulte Homes, stated that the development would be gated and would come back to Council for approval once the traffic study is completed and the subdivision plans are finalized.

Deputy Mayor Young asked if there would be two entrances. Planning Director Fischer answered that there would be two entrances, which was covered in the development agreement.

Council then voted on the motion to approve the second reading of Ordinance No. 2022-10, which passed unanimously.

Council Member Bentley moved to approve the second 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). Council Member Phrampus seconded the motion, which passed unanimously.

11. PUBLIC FORUM

Joe Detchler, 115 Fillmore Avenue, Cape Canaveral, stated he was with the United States Tennis Association, which supports pickleball. He stated that he is a tennis instructor and 30 percent of his fees goes to the City. He has more students than he can handle. When teaching in Viera, he pays \$3 for the court no matter how many students. He stated he had no issue with pickleball but believed the tennis courts were needed. He suggested that the City extend out the courts so that four tennis courts could still be used for tennis. In addition, the courts that were to be converted to pickleball were in the shade for a portion of the day. He stated he had written to Council and expressed concern for reducing the number tennis courts available.

Wayne Cattell, 2440 Oakcrest Lane, stated he had started playing tennis five years ago. He agreed that the interest in pickleball had increased. He spoke about the courts and the one that was in the shade. He did not see why two courts would need to be converted and believed that the courts would be empty. The courts were just renovated with a new surface and nets. He suggested that pickleball lines be painted on the tennis courts so that they could be used for both tennis and pickleball, which would be fair to everyone.

Amanda Pruneau, 2765 Madrigal Lane, stated that both her kids loved tennis and were hooked after only one class. She stated the lessons are affordable and good for the kids. She stated that Mr. Detchler had 70 kids from 4 to 12 years of age just in West Melbourne. She stated that he had done so much for the kids and forming the leagues. Reducing the number of courts would be a mistake. Even if the classes were held in one of the courts, the adults would not want to play next to the kids that were learning ball control. Therefore, she asked that lines be added to the two courts with net adjusters so that both pickleball and tennis could be played on the same court. This would provide more flexibility for the residents.

12. CONSENT AGENDA

Universal Engineer Sciences Contract. Mayor Rose asked about the contract for professional building inspection and plan review services with Universal Engineering Sciences. Building Official Forbes explained that the Building Department was currently understaffed and having difficulty in filling the vacancies. The proposed contract would provide for these services during the shortage of staff. Mayor Rose raised concerns on how to attract and retain employees and stated he would prefer building services be provided by City employees.

Council Member Dittmore asked if they were behind in scheduling of inspections. Building Official Forbes stated they were behind in the annual inspections required for fire. Council Member Dittmore stated that the fire inspections should receive priority. Building Official Forbes noted that they were concluding interviews with the fire inspector and hoped to fill that gap soon.

Council Member Adams asked if projects were being prioritized or done as they are received. Building Official Forbes indicated that inspections and plan review were being scheduled as requests are received.

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

- Regular City Council meeting minutes for Tuesday, August 9, 2022.
- Contract with Universal Engineering Sciences, LLC, (“Universal”) for the provision of professional building inspection and plan review services.

- Resolution No. 2022-19 accepting the dedication of public water and sewer system improvements from Space Coast Town Centre I, LLC (Space Coast Town Center East Phase I), and authorize the City Manager to sign the Bill of Sale.

13. ACTION AGENDA

Resolution Naming Streets for Epoch West Melbourne Apartments. Planning Director Fischer presented Resolution No. 2022-17 naming the private internal driveways in Epoch West Melbourne apartments. This is being done in order to complete the 9-1-1 requirements for driveways.

Council Member Adams moved to approve Resolution No. 2022-17 naming the private internal driveways in Epoch West Melbourne apartments. Council Member McDow seconded the motion, which passed unanimously.

Award of Construction Bid – U.S. 192 Watermain Crossing Phase 2 Project. City Manager Rhode presented the results from a sealed bid for the construction of watermains crossing under U.S. 192. Two bids had been received, with Young's Communication being the low bidder. He noted the project was not long but was complicated as it ran under the state roadway and it would be imperative that utilities were not impacted.

Council Member Phrampus moved to award the construction bid for the U.S. 192 Watermain Crossing Phase 2 Project to Young's Communication LLC, in the amount of \$553,251.30 and authorized the City Manager to execute a contract. Council Member Adams seconded the motion, which passed unanimously.

Norfolk Parkway and Shallow Creek Intersection Options. Assistant City Manager Bradford presented alternatives for the intersection of Norfolk Parkway and Shallow Creek Boulevard. The project was listed with the Council's strategic priorities and had a \$750,000 allocation. He introduced Chris Walsh with Traffic Engineering Data Systems.

Mr. Walsh provided an analysis of the traffic noting that the morning and afternoon traffic with the schools was challenging. He presented maps showing the current conditions and the number of trips and turning movements. He explained the highest counts were in the morning. He also spoke on the pedestrian and bicycle traffic. Mr. Walsh provided several alternatives which included traffic signals and roundabouts. The least expensive alternative would include a traffic signal with an eastbound turn lane.

Mayor Rose noted that the morning hour traffic issues were solved by a public service aide to direct the traffic. Therefore, he asked why they were doing this when the problem appeared to be solved. Mr. Walsh noted that the public serve aide does a good job of controlling the traffic, and it functions better than a traffic signal. He noted that a traffic signal could operate during school peak hours and then operate flashing

yellow at other times. Council discussed the timing of the signal that could be altered as needed.

Council Member Phrampus stated the public service aide at this intersection was not meant to be long-term solution. The signal would reduce staffing needs. He asked if the traffic study had indicated additional measures were needed. Mr. Walsh stated that the study indicated that traffic needed to be addressed; however, one possible solution would be to continuing using staffing during peak hours to address the flow of traffic. He recommended this not be done long-term.

Council discussed the future four-laning of Norfolk Parkway if development occurred to the west. It was also noted that funding assistance had been provided by the Pineapple Cove Classical Academy to address the traffic problems. He noted that cost savings from the intersection improvements at Minton Road and Norfolk Parkway were proposed to be used for this intersection. The community had been told that improvements would be made and it would be a shame to retract on that promise.

Council Member Phrampus moved to select Alternative 1 from the traffic control analysis study for future design and construction of a traffic signal and eastbound left-turn lane at the intersection of Norfolk Parkway and Shallow Creek Boulevard. Council Member McDow seconded the motion.

Council Member Bentley asked if would be better to have an officer there for the day until development is proposed to the west. Mr. Walsh agreed that the officer had done a good job, but the bigger issue was the left turn lane. He also stated that the four-laning of Norfolk Parkway would occur far in the future and the signal would provide an interim solution so that the intersection would not need to have an officer for the next 20 years.

Council then voted on the motion to select Alternative 1 and instruct staff to come back with a task order, which passed unanimously.

Council then recessed for a break at 8:55 and reconvened at 9:02 p.m.

City Attorney Candidate Interviews. Human Resources Director Curran presented a modified list of candidates for City Attorney. She stated the applications were reviewed by former City Attorney Morris Richardson and he had recommended that three of the five candidates move forward.

Council discussed interviewing each candidate individually or interviewing each candidate as a group. It was noted that any Council Member could ask for individual interviews.

Council discussed one candidate that had indicated an interest in working remotely if it was permitted. Council Members stated that they would not want to have the City Attorney working from another city. Interim City Attorney Repperger cautioned

eliminating a candidate at this point. City Manager Rhode agreed stating that the candidate had indicated willingness to work five days a week in the office.

Council asked at what point a background would be conducted. City Manager Rhode stated that it would be completed once a conditional offer was accepted.

Council Member Adams moved to hold interviews with each candidate collectively as a group on Saturday, October 8, 2022, starting at 9:00 a.m. Council Member Phrampus seconded the motion.

Mayor Rose stated that he would like to have individual meetings scheduled with each candidate.

Council then voted on the motion, which passed unanimously.

City Council Meeting for Police Chief Interviews. Council Member Dittmore stated that interviews with the Police Chief candidates were scheduled for Saturday. However, he would prefer to see some background information on the candidates before providing further input. He asked that interviews be conducted by the City Manager only. Following a preliminary background, he would be more comfortable confirming the appointment.

City Manager Rhode stated that staff had done a preliminary screening of the eight finalists but not a full background.

Council Member Phrampus explained the Charter had been changed in 2020, which was approved by the voters, to have the City Manager hire a Police Chief with confirmation by Council. Therefore, he would suggest that the candidates be interviewed by the City Manager. Council was the policy makers and should support the City Manager to handle the administration.

Council Member McDow agreed that this was different than hiring the City Attorney because of the reporting structure. He believed they were being invited into the hiring process because the City Manager was new. He stated he would support the City Manager in his decision. However, if another panel is needed to help him in making that decision, he would support that as well. Mayor Rose and Deputy Mayor Young stated the Police Chief was more of a public position given that it had so much outreach in the community.

City Manager Rhode stated he was comfortable in making a recommendation to City Council. However, he wanted to insure the process was fair and open.

Council Phrampus moved to go forward with the Meet and Greet scheduled for Friday evening and then have City Manager Rhode conduct the interviews on Saturday with a single candidate recommendation with a second possibility should the first choice not

accept the offer or fail the background. Council Member Dittmore seconded the motion, which passed unanimously.

Interim City Attorney Repperger indicated that he would send out information to Council on questions and the laws in the interviewing process.

Mayor Rose asked that time be scheduled to meet with each candidate.

Fire Study. Council Member Phrampus commented that he had received the fire services data analysis packet which referred to calls for response by paramedics. However, he was to understand that the City was proposing to take fire calls but not emergency medical service calls. Adding emergency medical services training would add substantial costs. Council Member Dittmore agreed that the fire services fee was separate and could be pulled from the County assessment.

City Manager Rhode stated the analytical data which is the basis for the report is comprehensive and they would look at all alternatives including providing services from the County or any other City. All municipalities in Brevard County have fire paramedic services but the County provides transport. The completed study will reveal options and solutions. He noted that it would be a comprehensive review and asked that staff be provided the opportunity to present the report in October.

14. CITY COUNCIL REPORTS

Council Member McDow reported on events he had attended highlighting a meeting with Keep Brevard Beautiful.

Council Member Adams reported on her attendance at a presentation on recycling and composting attended by Keep Brevard Beautiful and Waste Management. She also attended the Space Coast Symposium with good discussions on growth. Additionally, she spoke with the City Manager on communication ideas and participated in a night-time ride-a-long with the Police Department.

Council Member Phrampus commented on the Florida League of Cities conference in August. He also thanked the Olive Garden Restaurant for a recent contribution to the Police Department. He asked for an update on the status of the pickleball courts. Assistant City Manager Bradford responded that the Council had voted to approve and staff had moved forward with the vendor. He added that the 2022-2023 budget included a master plan study for the parks which may show that more tennis courts or more pickleball courts are needed.

Council Members Dittmore and Bentley had no report.

Deputy Mayor Young reported she had attended the Space Coast Symposium and represented the City at the memorial celebration for Mark Vorce, a former member of

the Planning & Zoning Board and several other committees. She also updated Council on items that would be before the Transportation Planning Organization.

Mayor Rose agreed that the Florida League of Cities conference was a valuable event with good workshops and speakers. He also announced that Mayor Mike Blake from Cocoa was selected as the second vice-president with the Florida League of Cities. He stated that he had been selected for the Board for the Florida League of Mayors. He commented that Home Depot had done a good job at the Police Department for the memorial for Captain Carlos Navedo. Mayor Rose also reported on several other events he had attended, including the retirement dinner for former City Manager Scott Morgan, the retirement celebration for former Police Chief Rick Wiley, and the luncheon for former City Attorney Morris Richardson. Additionally, he announced there would be a Tied Together event later in the week at Johnson Junior High School.

15. ADJOURNMENT

There being no further business, the meeting adjourned at 10:33 p.m.

Hal J. Rose, Mayor

Cynthia Hanscom, City Clerk