

MAYOR
Hal J. Rose

DEPUTY MAYOR
John Dittmore

COUNCIL MEMBERS
Daniel Batcheldor
Pat Bentley
Daniel McDow
Stephen Phrampus
Andrea Young



CITY HALL
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CITY COUNCIL REGULAR MEETING

AGENDA

For full agenda packet,
click this box

December 15, 2020, at 6:00 p.m.
City Council Chamber

*See notice regarding communications media technology and public participation
on page 6 of the Agenda

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT MEDITATION**
3. **ROLL CALL**
4. **ATTORNEY-CLIENT SESSION**

Pursuant to Section 286.011(8), Florida Statutes, the City Council will hold a private attorney-client session, which will not be open to the public, for the purpose of discussing settlement negotiations and strategy related to litigation expenditures in the case styled Dianne Levesque, as Personal Representative of the Estate of Donald Whitmer, Jr., etc., et al. v. City of West Melbourne, etc., et al., Case No. 6:19-cv-2187-Orl-40DCI, filed in the United States District Court for the Middle District of Florida, Orlando Division.

This attorney-client session shall take place during the regular City Council meeting of the same date. The Mayor shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. The estimated length of the attorney-client session is 30 minutes or less. The persons attending the attorney-client session shall be:

Hal J. Rose, Mayor
John Dittmore, Deputy Mayor
Daniel Batcheldor, Council Member
Pat Bentley, Council Member
Daniel R. McDow, Council Member
Stephen M. Phrampus, Council Member
Andrea Young, Council Member

Scott Morgan, City Manager
Morris Richardson, City Attorney
Frank Mari, Litigation Attorney
Margaret Eddy-Sheffield, Court Reporter, King Reporting

At the conclusion of the private attorney-client session, the open public meeting shall reconvene and the Mayor shall announce the termination of the session. A transcript of the attorney-client session shall be made part of the public record upon conclusion of the litigation.

5. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

A. Melbourne Regional Chamber of Commerce 95th Anniversary Proclamation

Mayor Rose will present a proclamation to recognize the 95th anniversary of the Melbourne Regional Chamber of Commerce.

B. New Employee Introduction *

Planning Director Christy Fischer will introduce Planner Daniel Martoma, who started with the City on December 3, 2020.

6. CITY COUNCIL CIVILITY PLEDGE

Mayor Rose recommends that each individual member of the City Council sign the City Council Civility Pledge to be posted in the Judge T. Mitchell Barlow Jr. Council Chamber.

7. PUBLIC HEARINGS

A. Future Land Use Map Amendment for a 57.31 Acre Property Located West of I-95.

Recommendation: Hold a public hearing and adopt the future land use map amendment (Amendment LSA 2020-01) to change the subject property from Medium Density Residential (MD-RES) to Parkway Interchange (P-I) with a policy addition of limiting the non-residential uses and approve the second reading of Ordinance No. 2020-07.

B. Rezoning of a 57.31 Acre Parcel West of I-95 and Southeast of St. Johns Heritage Parkway

Recommendation: Hold a public hearing and approve the second reading of Ordinance No. 2020-08 rezoning property from R-2 to GTWY-1 (Gateway Interchange) with the condition that the comprehensive plan amendment (large scale) is approved, including the intensity limit of the commercial and industrial to 25 % of the maximum building coverage.

C. Annex Property West of Brandywine Lane and I-95 and South of US 192

Recommendation: Hold a public hearing and approve the first reading of Ordinance No. 2020-13, annexing the property west of Brandywine Lane and I-95 and south of US 192.

D. Future Land Use Map Amendment for a 44.72 acre Property located west of Interstate 95, on Brandywine Lane

Recommendation: Hold a public hearing and approve the transmittal of the large scale comprehensive plan map amendment LSA 2020-02 to change the future land use of the property from Residential Two (RES-2) and Neighborhood Commercial (NC) to Parkway Interchange (P-I) and approval of the first reading of Ordinance No. 2020-14.

E. Rezone Property Located West of Interstate 95, off Brandywine Lane

Recommendation: Hold a public hearing and approve of the first reading of Ordinance No. 2020-15, rezoning property from AU to GTWY-I (Gateway Interchange) with the condition that the comprehensive plan map amendment (large scale) is approved.

F. Code Amendment Proposed by Sprengergarten, LLC to Allow for Entrance Feature Signs

Recommendation: Hold a public hearing and consider proposed Ordinance No. 2020-10 on first reading.

G. Epoch Apartments Comprehensive Plan Map Amendment and Rezoning

Recommendation: The application has been withdrawn by the applicant. A new application is anticipated.

8. PUBLIC FORUM

Persons wishing to speak must fill out a Request to Speak form and hand it to the City Clerk. Comments will be limited to three (3) minutes per person. Public Forum will be limited to thirty (30) minutes.

9. CONSENT AGENDA

A. Approve the Regular City Council meeting minutes for November 24, 2020.

B. Approve the Special City Council meeting minutes for December 6, 2020.

- C. Adopt Resolution No. 2020-31 setting the City Council meeting schedule for calendar year 2021.
- D. Approve the purchase of a vehicle for the Parks and Recreation Department.

10. ACTION AGENDA

- A. Water Rate Adjustment

Recommendation: Introduce (first reading) Ordinance No. 2020-17 effective March 1, 2021, increasing water service charges and reducing water consumption charges, and set a public hearing to consider adoption (second reading) of the ordinance for January 19, 2021.

- B. Five Year Capital Improvement Plan Update

Recommendation: Approve the first reading of Ordinance No. 2020-18 updating the City's Five Year Capital Improvement Plan, and set a public hearing and second reading for January 19, 2021.

- C. Operation of Golf Carts on Private Roads

Recommendation: Consider proposed Ordinance No. 2020-16 on first reading.

- D. Biological Nutrient Removal Upgrades and Permitting at the Ray Bullard Water Reclamation Facility

Recommendation: Authorize the City Manager to execute the professional engineering task order with Infrastructure Solution Services (ISS) for Biological Removal Upgrades and permit renewal services at the Ray Bullard Water Reclamation Facility in the not-to-exceed amount of \$590,760.

- E. Replacement of Motor Control Center on Headworks Structure

Recommendation: Approve and award the contract to Revere Control Systems, Inc. to replace the motor control center for the headworks structure at the Ray Bullard Water Reclamation Facility for \$63,008.

- F. Lining (Cured-In-Place Piping) of Sewer Pipes

Recommendation: Award the contract for lining (cured-in-place piping) of sewer pipes to Insituform Technologies, LLC. for \$249,534.20.

G. Expenditure of Forfeiture Funds in accordance with the Florida Contraband Forfeiture Act

Recommendation: Authorize the expenditures of Forfeiture Funds in the amount of \$28,500 in accordance with the Florida Contraband Forfeiture Act, and adopt Resolution No. 2020-32 amending the adopted 2020-21 budget to increase approved general fund expenditures by \$28,500.

11. CITY COUNCIL REPORTS *

Deputy Mayor John Dittmore
Council Member Pat Bentley
Council Member Andrea Young
Council Member Daniel McDow
Council Member Stephen Phrampus
Council Member Daniel Batcheldor
Mayor Hal Rose

12. ADJOURNMENT – TIME CERTAIN NOT LATER THAN 10:30 P.M.

* THERE ARE NO ATTACHMENTS OR BACKGROUND INFORMATION ON THESE ITEMS.

NOTICE REGARDING COMMUNICATIONS MEDIA TECHNOLOGY
AND PUBLIC PARTICIPATION

NOTICE IS HEREBY GIVEN that the West Melbourne City Council will hold a regular meeting at 6:00 p.m., on Tuesday, December 15, 2020, to which all persons are invited. The meeting will be conducted in City Council Chambers at the Veterans Memorial Complex, 2285 Minton Road, West Melbourne, Florida 32904. The meeting will be broadcast live and on demand for members of the public to view on the City's YouTube channel, which may be reached via links on the City's website (www.westmelbourne.org), or by entering the following address in your web browser: https://www.youtube.com/channel/UC0rw9-ZqduSTcs6uBNU7_ag.

Pursuant to the United States Center for Disease Control social distancing guidelines, the City Council Chambers will be set up to insure six feet of physical separation between participants or protective shielding. Additional people will be accommodated respecting social distances in an adjacent overflow room in which the meeting will be broadcast live. Should members of the public seated in the overflow room wish to be heard, they will be invited into the City Council Chambers for the purpose of speaking at the appropriate time. Face coverings are required inside the City Council Chambers and all City facilities.

Anyone who wishes to provide public input without personally appearing at the meeting may do so by sending an email to citycouncil@westmelbourne.org. All emails must be received prior to 4:00 p.m. on Tuesday, December 15, 2020. All emails will be provided to the Mayor and each of the City Council Members. Should you wish to have your comment read aloud by City staff at the meeting, please indicate that in your email. The reading of public comments received by email will be limited to three (3) minutes.

All persons wishing to be heard should appear in person at these hearings or send written comments to the City Clerk. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with the American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at 837-7774 at least 48 hours in advance of this meeting.