

MAYOR
Hal J. Rose

DEPUTY MAYOR
John Dittmore

COUNCIL MEMBERS
Daniel Batcheldor
Pat Bentley
Adam Gaffney
Barbara A. Smith
Andrea Young



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CITY COUNCIL REGULAR MEETING

MINUTES

March 3, 2020

1. CALL TO ORDER

Mayor Rose called the meeting to order at 6:30 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

Present: Mayor Hal Rose, Deputy Mayor John Dittmore, Council Members Pat Bentley, Barbara Smith, Andrea Young, Adam Gaffney, and Daniel Batcheldor.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Deputy City Manager Keith Mills, Information Technology Director Tom Bradford, Building Official Tom Forbes, Police Chief Rick Wiley, Deputy Chief Rich Cordeau; Planning Director Christy Fischer, Finance Director Margi Starkey, Jacobs Project Manager Brian Mascher, Jacobs VP of Maintenance and Operations Elliot Wheeler, Maintenance Supervisor Mike DeBerry, City Clerk Cynthia Hanscom, and other members of the public.

4. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Irish-American Heritage Month Proclamation. Mayor Rose presented a proclamation to representatives of the Ancient Order of Hibernians in America proclaiming March as Irish-American Heritage Month.

Water Conservation Month Proclamation. Mayor Rose presented a proclamation to Abby Johnson, Intergovernmental Coordinator for Government Affairs with the St. Johns River Water Management District, proclaiming April as Water Conservation Month.

Presentation of IEMO IV Certificate. Deputy Mayor Dittmore presented the completion certificate for IEMO IV to Mayor Rose.

Introduction of New Employee. Public Works Director Mark Piccirillo introduced Maintenance Worker Andrew Preman, who started with the City on February 18, 2020.

Presentation by Brevard Tobacco Initiative. Gabby Gillespie, Rachel Deal, and Ashley Baxton, Students Working Against Tobacco, presented information on the dangers of cigarettes and vaping and asked for the City's support to seek elimination of the sale of candy-flavored tobacco and to restrict smoking in public spaces such as parks. They explained that their main focus was to limit the sale of nicotine products.

CDBG Fair Housing Presentation. Council received a short training from Scott Modesitt, of Summit Professional Services, on fair housing laws. He reviewed a handout on fair housing laws and protected categories. Additional information was available on the City's website on federal laws and how to file a complaint.

5. PUBLIC HEARING

Application for FFY 2019 Community Development Block Grant. Scott Modesitt, Grant Administrator for the City with Summit Professional Services, asked that Council hold a public hearing to receive comment on potential application for CDBG funds.

Mr. Modesitt indicated the Florida Small Cities Community Development Block Grant Program is a competitive grant program that awards funds to eligible cities, counties, towns and villages. An eligible city must have a population under 50,000. He reviewed the regular categories and activities which would allow for a grant of \$750,000 for housing rehabilitation, neighborhood revitalization, or commercial revitalization. He also noted that there was an economic development category that can be submitted at any time if there is a business expressing interest.

Mr. Modesitt stated that the Citizens Advisory Task Force had met earlier in the day and had expressed interest in a neighborhood revitalization project for a waterline, sidewalks, or flood risk reduction project.

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

Deputy Mayor Dittmore asked if there were areas of the City that were targeted. Mr. Modesitt explained that income surveying had been done in the past which determined the Cannova Park and Melbourne Estates neighborhoods qualified as low- to moderate-income; therefore, the City was interested in considering a project in these areas. He stated that if there were other areas that citizens felt there was a need, he could survey that area to determine eligibility.

Deputy Mayor Dittmore asked if a business would need to be located within the City to be considered for the economic development category. Mr. Modesitt replied that the business would need to be within the City limits.

Council Member Batcheldor asked about the point system and if the scale was adjusted for traditionally low-income families or for specific careers, such as first responders, teachers, single-income families or military. Mr. Modesitt stated there were no other scale; however, the City could provide for preference within a housing rehabilitation program.

Council Member Batcheldor asked if potential current properties outside the City could receive funding if annexed. Mr. Modesitt stated, under the economic development program category, support of a business needing grant funding could be considered if annexed.

Council Member Batcheldor moved to proceed with developing a grant application in the regular category and set a second public hearing for May 5. Council Member Bentley seconded the motion, which passed 7-0.

Council Member Batcheldor moved to proceed with at FFY2019 Community Development Block Grant in the economic development category should an eligible project be identified. Mayor Rose seconded the motion, which passed 7-0.

6. PUBLIC FORUM

Ken Parks, Children's Home Society of Florida, spoke on a new campaign they were conducting for the Space Coast Circle of Heroes to make people aware of the work that is being done. The Society serves 1,500 children through three major initiatives. The current challenge is to show parents that they are the most important hero for their children and, through counseling, get them to a point where the children no longer need foster care. This is an attempt to solve the problems that people face.

Stephen Phrampus, 3401 Watergrass Street, spoke on the recent outbreak of the coronavirus and precautions that can be taken to protect first responders. City Manager Morgan reported on a meeting with the State Health Department officials and Brevard County Managers. Chief Wiley stated that the department remains hyper-sensitive to germs and that hand sanitizers are provided throughout the police station, as well as alcohol wipes in the vehicles.

Mayor Rose asked if employees would be permitted to work from home. City Manager Morgan stated that it would depend on the job but was a possibility to reduce the spread of the virus. Mayor Rose also suggested that doors and handrails be wiped down on a regular basis.

7. CONSENT AGENDA

Council Member Young moved to approve the following consent agenda. Mayor Rose seconded the motion, which passed with a vote of 7-0.

- Approve the City Council meeting minutes for Tuesday, February 18, 2020.
- Receive the Annual Report of the West Melbourne/Brevard County Joint Community Redevelopment Agency for FY 2018-2019.

8. ACTION AGENDA

FY 2018-2019 Comprehensive Annual Financial Report. Finance Director Starkey presented the FY 2018-2019 Comprehensive Annual Financial Report. She introduced Yvonne Clayborne with Carr, Riggs & Ingram, who presented the audit report and the financial statements. Ms. Clayborne reviewed the compliance report noting that there were no significant issues. She noted that a change as of January 1, 2019, limits the amount that can be carried over from excess building permit funds. She stated that there was an agenda item with staff's suggestion for reducing the carry-over amounts.

Council Member Smith moved to receive the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2019. Council Member Bentley seconded the motion, which passed unanimously.

Reduction of Building Permit Fees. City Manager Morgan presented a proposal to reduce the building permit fees by 50 percent. He stated that the fund balance for building permit fees was \$3.6 million, which is \$2.7 million over the allowable amount. Even assuming a significant downturn, it would take 3.5 years to reduce the balance to be compliant. At the time the rates were established in 2012, the rates were just covering the costs. Since then, there has been a significant growth in the number of permits, with significant high-value development of hotels and apartment buildings. The change in the law does not provide guidance on how long or in what manner the overages should be reduced.

Deputy Mayor Dittmore asked if the City were permitted to offer credit to builders if certain amenities are provided as part of their project. City Attorney Richardson indicated the City must either reduce fees or rebate fees. It would not be acceptable to develop a quid pro quo system on the fees.

Deputy Mayor Dittmore stated he would like to see what other cities are doing. He stated he had talked with the City Attorney prior to the meeting on a determination by another city attorney that had opined that a reserve fund could be maintained separate and apart from the overage.

Mayor Rose stated he would not support the proposed resolution because he felt that they were rushing into a solution. He believed there could be ways to reduce the overage through expenditures, such as charging the services provided by other departments. He believed there could be a better way to work out a system to refund the fees, particularly to the residential homeowners that paid for a single permit, such as replacing a roof. City Manager stated that refunding the fees would have to be done equitably. City Attorney Richardson reminded Council that the rebate would be provided to the individual that paid the fee, which would be the developer and/or contractor and not the homeowner.

Council Member Bentley asked when something would need to be decided. City Attorney Richardson explained that the law was passed in July 2019; therefore, he believe it was important for the City to development a plan. Council Member Bentley suggested waiting to see what other cities are doing. City Manager Morgan stated that they could move forward with reducing the fees and then address the overage. Council Member Bentley suggested the fees could be reduced by 25% to show that the City was trying to address the problem.

Council Member Smith suggested hiring additional staff to help the department. City Manager Morgan stated that they had done that last year by adding the Deputy Building Official position and just recently adding an Inspector position. He stated that the City could not “spend our way out of the problem.”

Council Member Batcheldor stated the language of the statute did not provide guidance on how this was to be done and agreed a decision could be delayed.

Deputy Mayor Dittmore asked about capital expenditures for the Building Department. City Manager Morgan reviewed several of the recent larger expenditures.

There was no motion on the resolution. Staff will bring this item back to Council at a future meeting.

Training Facility Signage on Police Building. City Manager Morgan presented a proposal for suggestions on the signage for the Police Department. Chief Wiley presented pictures of the facility as well as original drawings. He stated that as recommended by Council Member Smith, she would like to have the “training facility” sign removed and replaced with a lighted police badge. The sign over the front entrance should be replaced with “West Melbourne Police Department” all on one line with the same size letters.

Council Member Smith moved to remove “West Melbourne” and replace with “West Melbourne Police Department” with the same size letters and all on one line; remove the “training facility” signage and put up a 5 foot by 5 foot backlit Police patch. Council Member Gaffney seconded the motion.

Council discussed other solutions such as painting the building or the sign itself. When asked about the financial impact of the proposal presented by Chief Wiley on behalf of Council Member Smith, Chief Wiley indicated the costs would be \$14,075. Council discussed using the project funds available based on the fines from the contractor for the delay in the project.

Council then voted on the motion to replace the Police Department signage, which passed 6-1, with Mayor Rose opposed.

9. CITY COUNCIL REPORTS

Council Members Young, Smith, Batcheldor, Gaffney, and Deputy Mayor Dittmore had no reports.

Council Member Bentley reported he had attended the Civilian Military group and had received a presentation on the changing of the name for Patrick Air Force Base to Patrick Space Force Base. He noted that the Space Coast League of Cities dinner would be Monday, March 9, and the City of West Melbourne would be hosting at the Space Coast Field of Dreams.

Mayor Rose reported the Mayor's walks at 12:00 noon on Tuesdays and Thursdays were well-attended with representatives from the Parks and Recreation Department and Jacobs. He reminded everyone that the Presidential Preference Primary would be March 17. Mayor Rose also commented on a call that he made to the City as a resident with an issue with water pressure and stated the situation was handled very professionally.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 9:01 p.m.