

MAYOR
Hal J. Rose

DEPUTY MAYOR
John Dittmore

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



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CITY COUNCIL WORKSHOP

MINUTES

June 1, 2021

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 John Dittmore, and Council Members Pat Bentley, Andrea Young, Daniel Batcheldor, Stephen Phrampus and Daniel McDow.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Assistant City Manager Tom Bradford, Police Chief Rick Wiley, Finance Director Margi Starkey, Public Works Director Mark Piccirillo, Jacobs Project Manager Brian Mascher, Sr. Systems Administrator Christopher Timmons, City Clerk Cynthia Hanscom, and members of the public.

4. BUDGET WORKSHOP – PROPOSED CAPITAL IMPROVEMENTS AND MAJOR SEWER MAINTENANCE PROJECTS

City Manager Morgan presented proposed capital improvement and major sewer maintenance projects for possible inclusion in the preliminary budget for fiscal year 2021-2022. He stated that there were 27 projects with half of those projects continuing from the current year. The total costs for all the projects was \$19.242 million spread between the general fund, park in lieu fund, stormwater fund, capital improvement fund, water fund, Rescue Plan Act fund, and sewer fund.

City Manager Morgan reviewed the continuing projects and the new projects proposed.

Council Member Phrampus spoke on the proposed structure for a building department. He suggested that building department fees be reinstated since the funding for the building would use the reserve. Other Council Members agreed because the savings

did not appear to be passed along to the residents. City Manager Morgan noted that, if Council takes no action, the fee schedule would revert to the 2012 schedule October 1 2021.

Council Member Young asked about the Police Department budget and questioned the possibility of a new sign. Council discussed a new sign and agreed that they would like to see the costs. Deputy Mayor Dittmore suggested that another sign could be placed for both the City Hall and Police Department. Mayor Rose also asked for a report on the final cost for the Police Department renovations including the cost for delays.

Mayor Rose asked about the sewer plant projects. City Manager Morgan noted that the improvements to the processing improvements would be funded by large grants and would take 24 months to complete.

Mayor Rose asked about a break room for employees on the second floor of City Hall. It appeared that all other employees had some kind of break area but there was nothing for these employees.

5. RECESS

Council recessed the workshop at 6:11 p.m. and reconvened to the Regular City Council meeting at approximately 6:30 p.m.

CITY COUNCIL REGULAR MEETING

MINUTES

June 1, 2021

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 John Dittmore, and Council Members Pat Bentley, Andrea Young, Daniel Batchelder, Stephen Phrampus and Daniel McDow.

Also present: City Manager Scott Morgan, City Attorney Morris Richardson, Assistant City Manager Tom Bradford, Police Chief Rick Wiley, Finance Director Margi Starkey, Public Works Director Mark Piccirillo, Parks and Recreation Director Rich Boprey, Jacobs Project Manager Brian Mascher, City Clerk Cynthia Hanscom, and members of the public.

9. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

Introduction of New Employees. Parks and Recreation Director Rich Boprey introduced part-time Maintenance Worker James Giblin, who began working for the City on May 19, 2021. He also introduced Maintenance Worker Christopher Puzycki who began working for the City on May 24, 2021.

10. PUBLIC FORUM

Srimayi Tenah, 1044 Bryce Lane, West Melbourne, spoke about sustainability. She had grown up in West Melbourne and recently completed her masters degree in sustainability. She was excited about the different initiatives and if there was a plan in the City or a point of contact. City Manager Morgan stated that sustainability would be incorporated into the Comprehensive Plan update and he also reminded Council that he was proposing the recruitment of an intern to help the City develop sustainable initiatives.

11. CONSENT AGENDA

Deputy Mayor Dittmore asked that the minutes be modified on Page 7, to remove the language which indicated Deputy Mayor Dittmore wanted to prohibit panhandling, which was not his intent.

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

- Regular City Council meeting minutes for May 18, 2021, as amended.
- Resolution No. 2021-17 accepting the dedication of public water and sewer system improvement from Benchmark Melbourne 35 Associates Limited Partnership (West Melbourne Interchange Center subdivision) and authorize the City Manager to sign the Bill of Sale.

12. ACTION AGENDA

Illicit Discharge Detection and Elimination Ordinance. City Attorney Richardson presented an ordinance to prohibit illicit discharge and provide for enforcement penalties. He noted that this should have been done years ago and the City had been operating and enforcing the regulations as if they had been adopted into the local code.

City Attorney Richardson read, in title only, Ordinance No. 2021-16:

ORDINANCE NO. 2021-16

AN ORDINANCE OF THE CITY OF WEST MELBOURNE, FLORIDA,
PROVIDING FOR THE REGULATION OF NON-STORMWATER DISCHARGES
TO THE STORM DRAINAGE SYSTEM; PROVIDING FOR FINDINGS AND

LEGISLATIVE INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROHIBITION OF ILLICIT DISCHARGE; PROVIDING FOR PROHIBITION OF ILLICIT CONNECTION; PROVIDING FOR REPORTING OF ILLICIT DISCHARGES AND ILLICIT CONNECTIONS; PROVIDING FOR ENFORCEMENT, PENALTIES, AND LIABILITY FOR POLLUTION ABATEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Council Member Phrampus moved to approve on first reading Ordinance No. 2021-16, establishing methods for controlling the introduction of pollutants into the municipal separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System permit process. Deputy Mayor Dittmore seconded the motion.

Deputy Mayor Dittmore stated he had attended a presentation this week on reuse water and fertilization and the impacts of runoff on the Indian River Lagoon. He asked about fertilizing and overloading the system. City Manager Morgan stated the new aerobic process proposed for the sewer plant would improve the quality of reuse water by removing nutrients in the water.

Council then voted on the first reading of Ordinance No. 2021-16, which passed unanimously.

Water Plant Property Purchase. City Manager Morgan presented a resolution amending the 2020-2021 budget to purchase 3.39 acres of vacant land on Park Hill Boulevard. He stated this had been on the market for sale and was recommending the purchase for a future water plant. He provided a background on the City's prior attempts to purchase the property.

Council Member Bentley moved to adopt Resolution No. 2021-18 amending the 2020-2021 budget and approving the purchase of a vacant 3.39-acre property on Park Hill Boulevard owned by GTD Enterprises, LLC of Satellite Beach for the purchase price of \$319,500. Council Member Young seconded the motion.

Deputy Mayor Dittmore stated the property should be used for a water plant and no other use. City Manager Morgan stated that the Rescue Act Funds could only be used for water, sewer or broadband infrastructure and could not be used for other things, such as a park. He also noted that the City owns three other properties on the west side. The land purchase would square up the City's holdings. In addition, the east side could be used for the water plant while the west side could be used for any expansion needed by Public Works.

Mayor Rose asked if other funding could be used. City Manager Morgan stated that money from the water fund could be used. If a portion of the property was needed for another purpose, the water fund could be proportionally reimbursed for the cost. Council agreed with this change and City Manager Morgan stated that the resolution would be changed reflect the funding from the water fund.

Mayor Rose asked if there was need for an appraisal. City Attorney Richardson stated that an appraisal was not required.

Council then voted on the motion to adopt Resolution No. 2021-18 with the change to Section 3 for the funding of the purchase, which passed unanimously.

Elimination of Bryant Adams Park Court Lighting Fees. City Manager Morgan presented a resolution eliminating the fees for the use of the tennis and racquetball courts in the evenings. This was based on a discussion at the previous meeting. Mayor Rose asked if this would go through the Parks & Recreation Advisory Board. City Manager Morgan stated that he was responding to the direction of Council from a previous meeting. Mayor Rose commented that he felt this decision was circumventing the Advisory Board. Council Member McDow commented that the Advisory Board previously supported the action.

Council Member Phrampus moved to adopt Resolution No. 2021-19 eliminating the fees for nighttime tennis and racquetball court lighting at Bryant Adams Park. Mayor Rose seconded the motion, which passed unanimously.

City Attorney Classification Pay Grade. In response to a discussion by Council at the meeting of May 18, 2021, City Manager Morgan presented a resolution to amend the City's classification system to increase the pay grade for the City Attorney. He explained the pay grade change would not change the current salary but would allow for a higher salary to be considered.

Mayor Rose asked when the evaluation was due for the City Attorney. City Attorney stated his evaluation was usually conducted in August or September.

Council Member Bentley stated that he would not support an increase in the salary range unless the Council was doing something similar for the City Manager classification. He stated that the City Manager should be the highest paid position in the City.

Deputy Mayor Dittmore agreed, in theory, with Council Member Bentley; however, he stated the salary study did not come to that conclusion. He stated that it was not unusual to see the City Attorney paid more than the City Manager.

Council Member Phrampus moved to adopt Resolution No. 2021-21 approving an increased pay grade for the City Attorney classification. Council Member Young seconded the motion.

Council discussed that the City was currently running smoothly but that money was not the driving force for the City Attorney to consider employment elsewhere. Deputy Mayor Dittmore stated that there needed to be a game plan for what happens.

Mayor Rose asked about a true comparison of the salaries with all of the benefit costs and other financial perks provided in other cities. City Manager Morgan stated that a

report was being compiled but was not yet complete. It would be provided to Council when it was complete.

Council then voted on the motion to adopt Resolution No. 2021-21, which passed 6-1, with Council Member Bentley opposed.

Sunset of Parks and Recreation Advisory Board. City Manager Morgan presented a resolution to sunset the Parks and Recreation Advisory Board. This would have minimal fiscal impacts. The Board was created by resolution in 2007, which has been amended twice. Previously, the Board had a Council liaison who strongly influenced the Board and there had not been much success lately in getting the Board to come up with a plan for the parks.

Council Member Phrampus stated that he was a proponent of the boards and committees as they help guide the Council in making decisions. He believed this was a failure of this committee to perform in the way that we would like. Because he had served on this Board in the past, Council Member Phrampus asked Council Member McDow for his opinion on the matter. Council Member McDow stated that he was in favor of keeping the board with the hope that they provide proper direction.

Deputy Mayor Dittmore commented on a recent social media rant by the Vice-Chair of the Board, which stated that the City's park performance was pathetic. However, Deputy Mayor Dittmore stated he had not seen him come forward to Council with any suggestions or recommendations for improvements.

Mayor Rose expressed opposition to the resolution and believed the City Council needed the Board for advisement when making decisions about the parks.

Council observed that the next meeting of the Board was July 14. The Board should be provided the opportunity to meet and discuss the issues.

Deputy Mayor Dittmore moved to table the Resolution until the meeting of July 20, which would be after the Board met on July 14. Council Member Batchelor seconded the motion, which passed unanimously.

Council Member McDow asked that the City Manager attend the Parks & Recreation Board Meeting on July 14.

Property Lease to Keep Brevard Beautiful. City Manager Morgan presented a one-year lease of the rear yard of the City-owned property at 3125 Fell Road to Keep Brevard Beautiful for a community composting program. He provided a history of how the City acquired the property. He stated the Parks crew was currently using the space as an interim space until their new maintenance facility was complete.

City Manager Morgan stated that he had received a call from a representative from Waste Management who expressed concern that the City has the exclusive franchise for pick-up and disposal of garbage. He did not believe that this was in conflict, but the franchise agreement with Waste Management could be amended.

City Attorney Richardson stated that one part of the agreement had been amended after distribution to amend the portion on termination.

Council Member Phrampus asked if the composting material could create an odor problem. If so, he would not want it near the park. City Manager Morgan stated the contract could be terminated within 30 days if there was an odor problem. Council Member Phrampus asked if the materials would be offered to the residents. City Manager Morgan stated that he believed the product would be made available to the public.

Deputy Mayor Dittmore asked if the City was trying to find a purpose for the property. He stated there were other properties that could be used, such as the properties that were owned by the City on Park Hill Boulevard.

Mayor Rose asked how much land would be made available to Keep Brevard Beautiful. City Manager Morgan stated it would be a small-scale and less than two acres. Mayor Rose stated that he was in favor of composting but agreed that it could attract rodents.

Mayor Rose added that a handicapped space should be provided for this property as part of the upcoming budget.

Council Member McDow agreed that composting initiative was available in Titusville and Cocoa and Keep Brevard Beautiful was looking for a southern location. He did not believe that the location should derail the concept and encouraged that it move forward.

Council Member Young stated that it was a beautiful property and hoped to have a community garden. Although she was in favor of composting, she would not want it to be there.

Council Member Batcheldor agreed that he liked the concept but uncomfortable with the location.

Council Members discussed other uses for the property and possible groups that would be able to use the property.

Council Member Phrampus moved to not approve the one-year lease of the rear yard of 3125 Fell Road to Keep Brevard Beautiful. There was no second and the motion failed.

Council asked that staff look into another location for the program.

13. CITY COUNCIL REPORTS

Council Member Phrampus reported he had attended a tour at the Marine Resource Council and met with the developers of the Space Coast Town Center.

Council Member Batcheldor reported he had declined meetings with the developers of the Space Coast Town Center. He asked about residents concerns with the noise

ordinance and if there were any updates. City Attorney Richardson replied that he was gathering model ordinances and working with code enforcement to insure that regulations could be enforced.

Deputy Mayor Dittmore spoke about the trash along I-95 and at the US 192 interchange. He asked that staff look at how the City might take over the grass mowing and litter removal at the interchange from Florida Department of Transportation (FDOT), with some potential funding from FDOT.

Council Member Bentley reported he had also attended the presentation at the Marine Resource Council and meet with the Space Coast Town Center developers. He also asked about the excess reserves in the building fund and asked for reassurance that funds could be used for staff to take classes and/or training to increase the level of certifications. Council asked that a report on the building fund be brought back at the next Council meeting.

Council Member Young had no report.

Council Member McDow reported he continued to work with the planning for the Special Olympics in October. He thanked everyone for their support on sustainability, and announced that June was Caribbean-American Heritage Month with events throughout June. He also noted that June was Pride Month and asked all of the Council to join him in celebrating diversity.

Mayor Rose reported that the Space Coast League of Cities dinner would be June 14, Flag Day, and would be held at the Field of Dreams at the West Melbourne Community Park.

Mayor Rose asked about the tree fund. City Manager Morgan reported on the balance. Mayor Rose believed the tree ordinance could be improved and suggested the City's ordinance mirror the ordinance in Titusville or Palm Bay. Council Members agreed that staff should prepare an amendment for their consideration.

Mayor Rose also asked for an update on the recruitment of the Assistant City Manager and suggested that additional vehicles be proposed in the next year's budget for use by the staff.

14. ADJOURNMENT

There being no further business, the meeting adjourned at 8:44 p.m.