

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
John Dittmore

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



# West Melbourne

## FLORIDA

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### CITY COUNCIL REGULAR MEETING

### MINUTES

October 6, 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

Attending in person: Mayor Hal Rose, Deputy Mayor John Dittmore, and Council Members Pat Bentley, Andrea Young, and Adam Gaffney.

Attending remotely: Council Members Barbara Smith and Daniel Batchelor.

Also present in person: City Manager Scott Morgan, City Attorney Morris Richardson, Police Chief Rick Wiley, Finance Director Margi Starkey, Information Technology Director Tom Bradford, Human Resources Director Kimberly Gale, City Clerk Cynthia Hanscom, and members of the public.

Attending remotely: Public Works Director Mark Piccirillo, Deputy Police Chief Rich Cordeau, and Jacobs Project Manager Brian Mascher.

#### 4. PRESENTATIONS/PROCLAMATIONS/INTRODUCTIONS

**Introduction of New Police Officers.** Police Chief Wiley introduced Police Officers James Johnson and Austin Souther, both who started with the City on October 2, 2020.

**Presentation from Brevard County Public Schools.** David Lindemann, Director of Planning and Project Management with Brevard Schools, presented on the important

decision to be made by voters to renew the sales surtax. He showed how the surtax had been used in the past and the proposed uses going forward.

Council Member Bentley noted that this had been approved for a six-year period and the School Board was now asking for an additional six-year period. He asked if this would become a permanent tax. Mr. Lindemann predicted that it would need to be added for an additional six years because of \$35,000,000 in annual debt which occurred because of the need to build schools as a result of the growth that occurred in 2006-2007.

## 5. PUBLIC FORUM

There were no comments from the public.

## 6. CONSENT AGENDA

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

- A. Approve the Regular City Council meeting minutes for Thursday, September 24, 2020.
- B. Approve Resolution No. 2020-23 accepting the dedication of water distribution and sanitary sewer systems for Sprengergarten, LLC, and authorize the City Manager to sign the Bill of Sale.

## 7. ACTION AGENDA

**Consideration of Employment Agreement Amendments.** Human Resources Director Gale asked Council to consider raises for the City Manager, City Attorney and Police Chief. She reminded Council that performance evaluations had been completed over the last few months.

Human Resources Director Gale also explained that a change was being requested for the Police Chief's contract to clarify past practice in the purchase of uniforms.

*Council Member Bentley moved to approve the amendment to the Chief's contract to cover past practice for uniforms and to provide for a 6 percent salary increase for the City Manager and 5 percent increases for the City Attorney and Police Chief. Council Member Young seconded the motion.*

Deputy Mayor Dittmore stated that he would agree that the City Manager should get a higher percentage increase but felt that the numbers were too high. He noted the increases were consistently 5 or 6 percent while the cost of living was much lower. Therefore, he said he could not support the 5 and 6 percentage increases.

Deputy Mayor Dittmore asked about revenue and amounts in the reserves. He also asked City Manager Morgan for his recommendation and City Manager Morgan indicated that he could not speak for the City Attorney or Police Chief but believed the percentage should be closer to 2-3 percent, reflecting the average increase for the non-represented employees. Deputy Mayor Dittmore stated that he would prefer a percentage that is somewhere in between Council Member Bentley's recommendation and City Manager Morgan's recommendation.

*Council Member Bentley moved to amend his motion to provide for a 4.5 percent increase for the City Manager and 4.0 percent for the City Attorney and Police Chief. Council Member Young removed her second to the motion. Deputy Mayor Dittmore seconded the new motion.*

Council Member Young stated that the three individuals had been good representatives for the City and believed the 6 percent and 5 percent increases were warranted and did not agree to the amendment.

Council Member Smith stated that funds were available and believed they needed to pay for exceptional performers. She noted that the salaries were not extremely high and believed it was wrong to ask Mr. Morgan what he should expect. She stated she would support the original motion with the higher percentages because it was fair.

Deputy Mayor Dittmore stated that he was aware that there was money now but wanted everyone to be aware that there were people that were struggling and there was no clear picture of what will happen in the future.

Council Member Batcheldor stated that total number would be very small when considering the entire budget but felt that it made a big difference in expressing how Council values the employees. Therefore, he supported the original motion and would be uncomfortable doing anything less.

*Council Member Bentley pulled his motion.*

*Council Member Smith moved to provide a 6 percent increase for the City Manager and 5 percent for the City Attorney and Police Chief to be effective October 2, 2020. Council Member Young seconded the motion.*

Mayor Rose stated that the City had a quality leadership team which makes the elected officials successful as well. He stated that the three positions work very well together and good things were happening.

*Council then voted on the motion to provide increases for the City Manager, City Attorney and Police Chief, which passed with a roll call vote of 7-0.*

*Deputy Dittmore moved to approve the minor contract amendment for the Police Chief for uniforms. Council Member Gaffney seconded the motion, which passed unanimously.*

**Additional Building Permit Fee Reductions.** City Manager Morgan presented Resolution No. 2020-24 to provide for additional building permit fee reductions. He reminded Council that they had taken actions to provide relief to small businesses. This resolution is based on a suggestion made at the September 24 meeting to look at further reductions in building permit fees that would assist people and encourage them to renovate their businesses and homes during the pandemic. He added that this would also allow the City to get closer to compliance by using the building reserves.

City Manager Morgan explained there were two parts to the resolution, which was to waive and reduce certain permits through September 30, 2021, and for the cost to be reduced by 30% percent for those permits with more significant value, which are based on construction valuation. If no further action is taken after September 30, 2021, the resolution provides that fees would revert to 2012 adopted levels.

*Council Member Young moved to adopt Resolution No. 2020-24 providing for building permit fee reductions to supplement Resolution No. 2020-22-approved reductions to assist in the economic recovery from impacts of the COVID-19 pandemic. Mayor Rose seconded the motion.*

Mayor Rose asked if businesses would be contacted. City Manager Morgan stated they would notify contractors that pull building permits to ask that they pass along the savings to the owners.

At the request of Mayor Rose, City Manager Morgan provided an update on the status of the Building Department reserves and employee recruitment for vacant positions.

*Council then voted on the motion to adopt Resolution No. 2020-24, which passed 7-0 in a roll call vote.*

**Purchase of Two BMW Police Motorcycles.** Police Chief Wiley requested approval to purchase two BMW motorcycles to replace two Harley Davidson motorcycles. He stated that the Harley Davidson motorcycles were to be sold to a sheriff's office in South Carolina for \$12,000 each, and a donor had come forward willing to donate \$30,000 to offset the costs. Chief Wiley stated the BMW motorcycles are safer, quieter, have lower vibration, and are designed for the equipment needed for a police motorcycle. Chief Wiley also spoke on the expected maintenance on the motorcycles.

*Deputy Mayor Dittmore moved to authorize the purchase of two BMW R 1250 RT-P Police Motorcycles, from BMW Motorcycles of Jacksonville for \$54,000, and adopt Resolution No. 2020-25 amending the adopted 2020-2021 budget to increase projected general fund revenues and approved general fund expenditures each by \$54,000, contingent on receiving the donation and the sale of the Harley Davidson motorcycles. Council Member Bentley seconded the motion.*

Mayor Rose asked when the purchase would occur. Chief Wiley noted that the sheriff's office in South Carolina wanted to pick up the motorcycles as soon as possible. The

purchase on the BMW motorcycles would wait until confirmation on the receipt of the donation check. He noted the motorcycles are in stock and would be in quickly. He expected that the motor officers would be without vehicles for only a few weeks.

Mayor Rose asked about training. Chief Wiley stated that he expected the training to be only a few days and would be simply on the unique features of the BMW motorcycles.

Mayor Rose asked why the bid would not go to the local bidder. Chief Wiley stated that the lowest bidder was from Jacksonville.

Mayor Rose asked about correspondence that indicated an agreement had been reached on September 17. Chief Wiley stated that he had made it clear to the sheriff's office in South Carolina that final approval would be needed by City Council.

Mayor Rose asked that Council be informed when the Harley Davidsons leave and when the new BMW motorcycles were on the road.

*Council then voted on the motion to authorize the purchase of two BMW motorcycles, which passed unanimously.*

## **8. CITY COUNCIL REPORTS**

Council Member Young reported she had attended the Code Enforcement Board meeting last week. She also thanked the Public Works staff for collecting the debris that was dumped on Feast Road.

Council Members Bentley, Batchelder and Gaffney had no report.

Deputy Mayor Dittmore invited people to participate in a food drive on October 28 from 9-10 a.m. at the Melbourne Church of Christ on Hollywood Boulevard through the Second Harvest organization. He also spoke about the recent corruption revealed in an adjoining city and encouraged other Council Members to meet with developers at City Hall with a staff member present.

Mayor Rose spoke about the current political race in West Melbourne and was encouraged that it appeared to be a clean campaign. He also reported that Field of Dreams and Ave's Ice Cream were both open at the West Melbourne Community Park. He spoke about current conditions for the pandemic and asked for a report from the City Manager.

City Manager Morgan reported he had extended the mask ordinance that had been approved by Council in July. Because the Governor has extended the state of emergency in Florida until November 3, he expected that he would continue extending the mask ordinance until at least that time.

City Attorney Richardson reported on the results of the Code Enforcement Board meeting which included almost three hours of testimony on the issue that was raised by a resident at the last meeting during the public forum. He noted the property owner, Madison Holdings, at 9075 Ellis Road, was permitted to burn the debris from his property but was prohibited from burning debris brought in from other properties. He noted the Florida Department of Environmental Protection (DEP) had issued a warning. Council Member Smith commented that she had been affected by the smoke and thanked the City staff for following up so quickly.

#### **9. RECESS TO CLOSED SESSION**

There being no further business, the meeting recessed to a closed session at 7:53 p.m., which was held in accordance with Florida Statutes Section 447.605 (1) to provide authority to the employer negotiator in labor negotiations with employees represented by the Coastal Florida Police Benevolent Association.

#### **10. ADJOURNMENT**

The closed session was adjourned at 8:00 p.m.