

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
APRIL 11, 2000

A regular meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 8:45 p.m. by Mayor John A. Buckley.

1. Reverend Sandy Hill, Good Shepherd Church gave the invocation.
2. All present gave the Pledge of Allegiance to the Flag of the United States of America.
3. Roll Call.

Present:	John A. Buckley	Mayor
	Ed Palmer	Vice Mayor, District 2
	Steven Beltz	Council Member, District 1
	Priscilla M. Poole	Council Member, District 3
	Grace Walker	Council Member, District 4
	Cheryl Palmer	Council Member, District 5
	Loretta Isenberg-Hand	Council Member, District 6
	Henry J. Hill	City Manager
	Paul R. Gougelman, III	City Attorney
	Cathleen A. Wysor	City Clerk
	Bud Emerson	Assistant City Manager
	Peggy Braz	Planning and Zoning Administrator

4. PROCLAMATIONS AND PRESENTATIONS

None.

5. APPROVAL OF MINUTES - Special Meeting – March 21, 2000

Moved by Beltz/E. Palmer for approval. Motion carried unanimously.

6. CITY MANAGER'S REPORT

Mr. Hill reported that staff is pursuing a Front Porch Florida grant for the Booker T. Washington neighborhood. An update on the neighborhood plan for the north area will be returned to Council in the near future.

Additionally, Mr. Hill distributed a copy of the City Manager's 1999 Annual Report.

7. PUBLIC COMMENTS

Eric Ellebracht, Tyler Avenue, stated that not too long ago the city approved an ordinance allowing vehicles to be seized and impounded when there is no criminal arrest made. He noted that we have not seized any vehicles yet because the ordinance is litigation prone, and we still have prostitution.

UNFINISHED BUSINESS

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8. ORDINANCE NO. 2000-26 (County Water and Sewer Franchise): (Public Hearing/Second Reading) A proposed ordinance to implement a water franchise agreement between the City and Brevard County. (First Reading 3/28/00)

Attorney Gougelman read Ordinance No. 2000-26 by title. Mr. Hill reported that the county approved the agreement at their April 4 meeting. There were no comments from the audience.

Moved by E. Palmer/Hand for approval of Ordinance No. 2000-26. The roll call vote was:

Aye: Beltz, Poole, Walker, C. Palmer, Hand, E. Palmer, and Buckley

Nay: None

Motion carried unanimously.

9. ORDINANCE NO. 2000-27 (Firefighters' Pension DROP Plan): (Public Hearing/Second Reading) A proposed ordinance providing a deferred retirement option plan (DROP) for firefighters. (First Reading 3/28/00)

Attorney Gougelman read Ordinance No. 2000-27 by title. There were no comments from the audience.

Moved by Poole/C. Palmer for approval of Ordinance No. 2000-27. The roll call vote was:

Aye: Beltz, Poole, Walker, C. Palmer, Hand, E. Palmer, and Buckley

Nay: None

Motion carried unanimously.

NEW BUSINESS

10. COUNCIL ACTION RE: Purchase Order for Apollo Boulevard Sanitary Sewer Renovations, Project No. C99311, Madsen-Barr/Phillip Utilities Management Corporation, Longwood, FL - \$74,580.00.

Mr. Hill reported that Orange County has an approved contract for sewer rehabilitation by installing a fiberglass liner inside the existing pipe. Staff is proposing to piggy-back that contract to complete planned sewer rehabilitation work on Apollo Boulevard. This is a unit price contract for cleaning and lining on a linear foot basis. The cost varies according to pipe diameter. The cost for the 18" sewer on Apollo is \$60.00 per linear foot.

The Apollo work is a FY98/99 capital improvement project that had a budget of \$345,000. Approximately \$270,000 of sewer rehabilitation was performed by Metro Sewer Services based on a June 1999 award; however, staff is not satisfied with their work. The budget balance is approximately \$75,000. (The cost for 18" sewer lining was \$60.87 in that contract.) Staff wishes to complete the project utilizing a new contractor under the current Orange County contract.

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The recommendation is for approval of a purchase order to Madsen-Barr/Philip Utilities Management Corporation, Inc. on a unit price basis with the total amount not to exceed \$74,580.

Mr. Palmer asked why the work of Metro was unsatisfactory. Mr. Hill said they were not performing as required; the company had equipment failures, staffing problems, and faulty liner installation.

Responding to Mrs. Palmer, Mr. Ralls stated he is not aware of any unsatisfactory work that would have to be redone. The problem is that staff had to force them to do the work right. The project required a lot of inspections and it reached the point where it was not worth the effort.

A brief discussion followed.

Moved by Walker/Beltz for approval of the recommendation. Motion carried unanimously.

Recessed: 9:05 p.m.
Reconvened: 9:16 p.m.

11. COUNCIL ACTION RE: Consent Agenda

Mrs. Poole referenced “j” and asked how much longer the services will go on. The Mayor said probably another one and one-half years because of the regulations.

Mrs. Palmer referenced “a” and said she believes this is a fantastic idea. She asked the total cost of improvements. Mr. Hill said his guess is \$2,000 - \$3,000 in terms of concrete; the city will do the work. Mr. Palmer added that the lighting does not relate to the parking lot. It has to do with crime control and was recommended by the Police Department.

Following a brief discussion, Mrs. Palmer said she was looking for a dollar amount for the record. She added that it looks as if we are getting a “lot of bang for the buck.”

Moved by Walker/E. Palmer for approval of the consent agenda, items “a – m.” Motion carried unanimously.

The consent agenda was approved as follows:

- a. A lease agreement between the city and St. Paul’s United Methodist Church, Inc. for use of church property as a public parking lot in the Eau Gallie area.
- b. Renewal of Mutual Aid Agreement with the City of Vero Beach for police services.
- c. Resolution No. 1634: A resolution authorizing application to the Florida Department of Education, Food and Nutrition Management, for funds to sponsor four Summer Food Service Program sites.

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- d. Resolution No. 1635: A resolution authorizing the City Manager to apply to the Florida Department of Transportation for the Federal Surface Transportation Program's Enhancement Program.
 - e. Contract to provide professional consulting services for telecommunication cost recovery to the city.
 - f. Purchase of 3 Pen-Link 7.0 Workstation telephone surveillance software for the Police Department, Pen-Link, Ltd., Lincoln, NE - \$12,000.00.
 - g. Purchase and application of Chipco® Choice™ Insect Control System, for 88 golf course acres (\$315 per acre), Rhone-Poulenc AG Company, Atlanta, GA - \$27,720.00.
 - h. Change Order No. 4. For D. B. Lee and Grant Street Wastewater Treatment Plants, Phase IIB Improvements, Project No. 96347, WPC Industrial Contractors, Inc., Jacksonville, FL \$22,765.52.
 - i. Right-of-way use agreement with Terrance A. Cronin and Kathleen M. Cronin on BonAir Avenue for dumpster enclosure.
 - j. One half of cost for contract for landfill monitoring services, Airport Engineering Company, Inc., to be shared with the Melbourne Airport Authority (city's share: \$16,692.50).
 - k. Purchase of additional drainage pipe repair service from awarded contractor, Fiberglass Materials & Coatings, Inc., Melbourne, FL - \$26,945.00.
 - l. Purchase of a Fairbanks Morse 5823 Rotating Assembly for the Wastewater Treatment Division, Sanders Company, Inc., Stuart, FL - \$19,300.00.
 - m. Emergency purchase materials for replacing drainage pipes in Dijon Avenue, various vendors - \$22,232.28.
12. COUNCIL ACTION RE: A request by the Andretti Thrill Park for an extension of operating hours on May 20-21, 2000, for Project Graduation.

From the agenda report: Andretti Thrill Park has requested authorization to extend its operating hours on May 20-21, 2000 to participate in Project Graduation. The normal hours on that day are 10:00 a.m. – 1:00 a.m. They would like to extend the time until 2:00 a.m. and then bring the students inside the main building for refreshments and games until 5:00 a.m. After midnight they would require all park patrons not associated with Project Graduation to leave the park.

Juan Castro, representing Andretti Thrill Park, was present.

Following a brief discussion, it was determined that the park did not conduct the New Year's Eve "youth lock in" previously approved by Council. Mr. Hill noted that the event was probably not held because of management difficulties.

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Mrs. Poole asked the cost to attend Project Graduation. Mr. Castro responded \$34.95/person, which includes meals and rides.

Moved by Hand/C. Palmer to extend the operating hours of Andretti Thrill Park until 2:00 a.m. on May 20-21, 2000 for Project Graduation. Motion carried unanimously.

13. COUNCIL ACTION RE: (Public Hearing) A request for approval of the proposed 2000-2005 Consolidated Plan and authorization for the City Manager to submit the 2000-2005 Consolidated Action Plan for inclusion in the Brevard County HOME Consortium's Consolidated Plan for 2000-2005.

Ms. Melinda Thomas, Housing and Community Development Director, briefed Council. This is consideration of the city's 2000-2005 Consolidated Plan, a planning document mandated by the U.S. Department of Housing and Urban Development. The Plan will provide direction in the allocation of funding for the city's Community Development Block Grant and its HOME Investment Partnership Program for the next five years by identifying and prioritizing the housing needs and the non-housing community development needs of Melbourne's low- and moderate-income persons and neighborhoods.

Projects and programs to be accomplished with the various grant funds must be selected and/or designed in such a way as to meet those identified needs. Council gave preliminary approval to the 2000-2005 Consolidated Plan on February 22. The document was advertised for a 30-day comment period.

The recommendation is for approval of the proposed 2000-2005 Consolidated Plan and authorization for the City Manager to submit the 2000-2005 Consolidated Plan for inclusion in the Brevard County HOME Consortium's Consolidated Plan for 2000-2005.

Mrs. Thomas responded to questions from Council.

Mayor Buckley opened the public hearing. There were no comments.

Moved by Hand/E. Palmer for approval of the recommendation.

Under the heading of "homelessness", Mrs. Palmer pointed out that over the next five years, the city will promote and support service programs for the homeless and those threatened with homelessness. She said she completely supports this and reminded Council that we need to remember our objective when non-profit groups appear before Council.

The question was called. Motion carried unanimously.

14. COUNCIL ACTION RE: (Public Hearing) A request for approval of the proposed projects and activities for the FY 2000-2001 CDBG Action Plan and authorization for the City Manager to submit the Plan for inclusion in the Brevard County HOME Consortium's Consolidated Action Plan for 2000-2001.

Mrs. Thomas reviewed the item. This is the adoption of projects, programs and activities for the city's 2000-2001 Community Development Block Grant (CDBG) Program. Council gave

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preliminary approval for the items to be included in the 2000-2001 CDBG Program on February 22. An advertisement in the Florida Today on March 13, 2000 outlined the proposed 2000-2001 Action Plan approved by Council and announced a 30-day public comment period and a final public hearing on April 11. The advertised plan reflected the anticipated FY 2000 CDBG Entitlement Grant of \$716,000 plus \$20,000 made available through project savings from previous years.

An extensive citizen participation process included several neighborhood meetings and a similar county-wide meeting was held for nonprofit agencies as part of the Brevard County HOME Consortium's efforts to identify priority housing and non-housing community development needs for the next five years.

Requests for proposals from non-profit groups resulted in 17 proposals. Staff requested input from other city departments. Non-profit groups made presentations to the Citizens' Advisory Board (CAB) on January 3, and on February 7 the board took final action on staff recommendations.

PROPOSED CDBG PROJECTS AND ACTIVITIES FOR PROGRAM YEAR 2000-2001

Public Services:

Boys & Girls Club – Melbourne Unit

Youth programs \$17,400

Brevard Alzheimer's Foundation, Inc.

Scholarships for day care program \$ 7,500

Child Care Association

Subsidized child care for children from low income households \$15,000

City of Melbourne Leisure Services

Summer camp scholarships for very low-income youth attending summer camps \$ 2,500

City of Melbourne Leisure Services

Transportation for youth & senior programs @ Carver, Brothers & Lipscomb parks \$ 5,000

ComeUNITY, Inc.

Youth entrepreneurship program \$ 5,000

Family Counseling Center of Brevard

Counseling services to children & their families \$10,000

Greater Melbourne Police Athletic League

Youth basketball leadership program \$12,500

PREVENT! Of Brevard/Robin's Nest

Transitional housing & supportive services for women recovering from substance Abuse \$12,500

The Salvation Army, Inc.

Transitional housing and supportive services for homeless families \$ 5,000

Vietnam Veterans of Brevard

Housing & supportive services for homeless veterans \$15,000

Subtotal Public Services

\$107,400

Public Facilities and Improvements:

Fee Avenue Park

Toddlers' play area \$15,000

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Carver Park	
Reconstruction of basketball court	\$15,000
Lipscomb Park	
New restrooms for baseball field	\$35,000
Grant Street Community Center	
Replacement A/C unit; building addition feasibility study	\$20,000
<u>Scattered Site Paving Projects</u>	
Unimproved right-of-way paving to sections of the following streets: Seagrape Drive, Branch Street, and Dunham Street.	<u>\$264,250</u>
Subtotal Public Facilities & Improvements	\$349,250
<u>Administration:</u>	
<u>Program Administration</u>	\$140,700
General program administration	
<u>Fair Housing Continuum, Inc.</u>	
Fair Housing Education & Outreach	<u>\$ 2,500</u>
Subtotal Administration	\$143,200
<u>Other:</u>	
<u>Code Enforcement</u>	\$ 65,000
Demolition and Clearance	\$ 25,000
Housing Services	
Activity delivery for HOME-funded Tenant Based Rental Assistance Program	\$ 18,000
Melbourne Housing Authority	
Replace front doors @ Temple Terrace	<u>\$ 28,150</u>
Subtotal Other	\$136,150
<u>GRAND TOTAL</u>	\$736,000

The recommendation is for approval of the proposed projects and activities for the FY 2000 CDBG funding; the 2000-2001 CDBG Action Plan; and authorization for the City Manager to submit the plan for inclusion in the Brevard County HOME Consortium's Consolidated Action Plan for 2000-2001 and execute all necessary documents.

Mrs. Hand asked why the program administration fees are so high. Mrs. Thomas said because of the longevity of staff. The city is allowed to spend 20% on this activity while the other programs allow 10%. The actual cost approaches \$300,000. She added that the programs don't come cheap; they are complex. Longevity brings an extra cost; however, at the same time it assures quality.

In response to Mrs. Walker, Mrs. Thomas discussed each member of her staff and their qualifications. Mrs. Walker clarified that she was not questioning their ability; however, she thought it would be interesting to know their background.

Mrs. Palmer asked if the Code Enforcement Officer's salary was included in the program administration or the code enforcement activity. Mrs. Thomas replied it is in code

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enforcement. Mrs. Palmer said she will vote for this and noted that the city has done a wonderful job; however, she believes we are treading on thin ice with the code enforcement section. Mrs. Thomas explained that code enforcement is specifically allowed; it is a special category. We are definitely not on thin ice; the city has been audited for many years with no problems.

Following a brief discussion, Mrs. Thomas commented that citizens have stated that we need more code enforcement action, especially with the removal of junked cars. She can't imagine the rehabilitation and demolition program working well without the code enforcement component. Mrs. Thomas added that if the CDBG funds did not fund this activity, the General Fund would. And, at one time, these activities were paid by the General Fund. Mrs. Palmer replied that she believes this activity should still fall under the General Fund.

Mayor Buckley opened the public hearing.

Bobbie Davidson, Child Care Association of Brevard County, Inc., discussed the history of the agency and the work that they do for low to moderate income families in the Melbourne area. She added that for every dollar approved by Council, they are able to generate \$11 from state and federal funds.

Phillip Kolodziej, President and CEO of the Family Counseling Center, noted that they have been providing services in Melbourne for over 36 years. The CDBG funding enables them to provide special counseling to low and moderate income families. He thanked Council for its support.

Mr. Beltz referenced the extra information in the package regarding the center and noted that it cleared up many of his questions.

Sherry Bold Dew, Salvation Army Transitional Housing Program, stated that they are requesting \$8,000 in funding. She thanked Council for earmarking \$5,000 for the transitional housing program. She explained the program and noted the services they provide.

Ms. Dew responded to Mrs. Palmer's questions regarding the transitional housing program. Mrs. Palmer recommended that local churches be contacted to provide temporary child care for those in the program attending classes.

Mayor Buckley said he understands the request; however, he referenced the review process that this item has gone through. He pointed out that to make the additional funds available, funding would have to be taken from another organization.

Mrs. Walker said she is concerned about this and recommended \$1,000 be taken from three other proposals in order to fund this request. The Mayor noted that staff has done an extensive analysis of all the requests and most organizations are receiving less than what they requested. He pointed out that the Salvation Army is receiving the level of funding they received last year.

Mr. Palmer commented that there are a lot of sources of income for transitional housing that don't appear in the proposal. For instance, Section 8 provides funding for this program. He

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noted that the program is valuable; however, he believes Captain Fuller was pleased with the \$5,000 that was allocated.

Moved by C. Palmer/Walker to move \$1,000 from the Police Athletic League to the Salvation Army.

Mrs. Poole objected and stated that staff has done an extensive study prior to making the recommendation.

Mrs. Palmer said PAL does a wonderful job; however, she does not believe \$1,000 would make or break the PAL grant.

Mayor Buckley, Vice Mayor Palmer, and Council Member Poole said they cannot support the motion.

The question was called. The roll call vote was:

Aye: Walker, C. Palmer, and Hand.

Nay: Beltz, Poole, E. Palmer, and Buckley.

Motion failed.

Moved by Poole/E. Palmer for approval of the recommendation. Motion carried unanimously.

15. COUNCIL ACTION RE: (Public Hearing) A request for approval of the proposed activities for FY 2000 HOME funds and authorization for their inclusion in the Brevard County HOME Consortium's Action Plan for 2000-2001.

From the agenda report. Brevard County has advised the city that the Brevard County HOME Consortium will receive \$1,343,000 in FY 2000 HOME funds from the U.S. Department of HUD. Melbourne's share of the FY 2000 HOME funds is \$248,601.

The Citizens' Advisory Board considered and approved staff's proposal for the use of FY 2000 funds on February 7. Council subsequently gave preliminary approval to the CAB/staff recommendations at its meeting on February 22. The proposed use of HOME funds was advertised on March 1 for public comment for a period of 30 days. No comments have been received to date.

Staff recommends that the following activities (at funding levels indicated) be included in Melbourne's proposed FY 2000 HOME Program:

Owner-occupied Housing Rehabilitation Program	\$ 50,000
Tenant Based Rental Assistance Program	103,451
CHDO Set-Aside (15% Minimum)	37,290
South Brevard Habitat for Humanity – Land Acquisition for Affordable Housing	33,000
Administration (10% Maximum)	<u>24,860</u>
TOTAL	\$248,601

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The recommendations meet the priority needs and objectives cited in the Proposed 2000-2005 Consolidated Plan.

The recommendation is for approval of the proposed activities for FY 2000 HOME funds and authorization for their inclusion in the Brevard County HOME Consortium's Action Plan for 2000-2001.

There were no comments from the public.

Moved by E. Palmer/Hand for approval. Motion carried unanimously.

16. COUNCIL ACTION RE: Council consideration of Brevard County's Stormwater Assessment Credit Policy.

Mr. Hill briefed Council. When Council adopted a Stormwater Utility assessment in 1999, a 50% across the board credit for all assessed parcels was adopted. This was because there would not be time to incorporate the Brevard County stormwater utility credit policy.

The county's credit policy recognizes subdivisions and individual properties with stormwater management facilities. The facilities are regularly inspected to ensure proper maintenance. Credits can be removed if required maintenance is not performed.

Under county policy, properties with stormwater management facilities receive a 20% maintenance credit. Then, depending upon the amount of stormwater controlled, additional design credits can be received, resulting in an overall credit of up to 100%. In the unincorporated area, the average credit for eligible parcels is approximately 45%.

At this point, the County Surface Water Improvement staff is asking if Council wishes to consider removing the 50% credit and implementing the formal credit policy. The county staff believes the credit policy will result in a more fair and equitable assessment for Melbourne's residents by recognizing the contribution of existing stormwater management facilities. It is anticipated that adoption of the credit policy in lieu of the across the board 50% credit would increase Melbourne's stormwater assessment revenue to \$1.3 - \$1.4 million annually, reflecting approximately \$250,000 to \$300,000 in credits issued. This range was estimated based upon past experience. Final numbers will depend upon actual analysis of systems in place.

Should Council decide to implement a credit policy and eliminate the 50% credit, county staff expects to be able to assign credits in time for the November 2000 billing. A separate resolution adopting a "credit" system would be required.

Ron Jones, Brevard County Surface Water Management, explained that the county credit policy levels the playing field for each parcel that has a stormwater system approved in accordance with the design of the day. All that have a system consistent with this would receive a 20% maintenance credit. He added that they have already identified the parcels that have these systems. In implementing the design credit portion, he said that an analysis is performed of each facility and a credit is assigned from 20% - 100% with the average 1980 - 1990 systems receiving a 45% - 50% credit. This is consistent with the 50% across the board credit granted by Council.

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Continuing, Mr. Jones discussed the advantages with a credit system. The first is that instead of providing an across the board credit, the city is taking into consideration that there are some parcels trying to offset flood control and they have incurred a cost for implementing a system. The second is that it provides an incentive-based program for the continued maintenance of those facilities. As part of that program, facilities are inspected every other year. Those parties who have expended funds and are continuing with maintenance receive credit at a higher degree than those with systems that are old or not maintained.

Mrs. Hand asked what the increase in cost would be to the homeowner by going with the county's credit system. Mr. Jones said the city has assessed \$36 with a 50% reduction; therefore, the actual bill is \$18 (per ERU). For a single-family structure located in a subdivision built in 1980 or 1990, the bill would probably not change. For a home built when there were no design standards, that property owner would pay more. The average property owner would probably not note a significant increase and typically, the parties that don't have a system and aren't paying for continued maintenance would see a 50% - 100% increase.

Mr. Palmer said he does not believe it is fair for someone who lives in an older area to be penalized because no stormwater plan is implemented.

Mr. Jones said a different way of viewing this is to look at their contribution to water quality. It is probably significantly higher in areas that do not have a system. Rather than being penalty based, the credit system is oriented towards recognizing those parties that are paying for their relative contribution to the problem.

Mr. Palmer stated that before voting on this, he believes Council needs to have a proposal that is descriptive in nature and indicates what is going to happen to those people who live in older parts of Melbourne. The description should include how they will be compensated if they make changes and if a baffle box would result in a reduction. Council needs to review a plan in order to justify this change.

Mr. Hill said that was the intention of raising this discussion. Council needs to determine if staff should proceed this year or put this issue off and not address during the next billing cycle.

Mayor Buckley asked how many families would be impacted by a 100% increase.

Mr. Jones said they have done preliminary work and have identified properties that are served by a system. However, a lot of the areas in Melbourne are older and based on what they have seen and heard at the public meeting, there are a lot of needs out there. He added that he doesn't believe the purpose of this is for the county to "sell" the city anything. Should Council wish to move forward with a full rate and go with the credit policy, then they need authorization fairly quickly; this is strictly a timing issue.

Moved by E. Palmer/Hand to continue with the 50% across the board reduction to allow time for county/city staff to return with a credit policy that Council can understand.

Mrs. Walker asked the credit review process. Mr. Jones described the ranking sheet that is used to look at the design of the system. He noted that it is a very clear-cut process.

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Mrs. Palmer pointed out that she was the only member who voted against the stormwater utility. Since that time she has observed things that have convinced her of the need to expend funds. She lives in an older part of Melbourne that is going to require some improvements. She said she supports providing an incentive for people who have done the work. The credit program will allow for the systems to be inspected and to ensure they are maintained. The credit would be contingent on someone maintaining their facility and keeping it up to par.

Mrs. Poole expressed support for going with the full rate and said there are many things that need to be done. We have requirements that have to be met and improvements have to be made to keep pollutants out of our water bodies.

Mr. Beltz said a credit system is the only way to take into account the systems people have paid for and continue to pay to maintain. If we don't implement a policy, we would remove the incentive to maintain. He added that the longer we continue with the 50% across the board reduction, the harder it will be to get rid of it.

A brief discussion followed.

The question was called. The roll call vote was:

Aye: Walker, C. Palmer, Hand, E. Palmer, and Buckley

Nay: Beltz and Poole

Motion carried.

17. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

The Mayor confirmed for Mrs. Hand that he is the voting delegate for the Space Coast League of Cities and he will poll Council in the future on items that require a vote.

Mrs. Poole referenced the Legislative Bulletin (dated April 7) that indicates the House Community Affairs Committee passed a bill, which tilts the growth management law in favor of developers. She asked for Council's support in sending a letter of opposition. Several members indicated they have not had time to read the information. No action was taken.

Following a brief discussion, Council agreed to conduct the ribbon cutting/opening ceremony at the Police Department's Babcock Street facility on April 25 at 6:00 p.m.

Mr. Beltz announced his resignation from City Council effective April 24. He read a letter into the record and cited changes in his job situation as the reason for the resignation. The changes have impacted his schedule and he will not be able to finish his term.

Mr. Beltz addressed each member of Council. He told Mr. Palmer that it has been a pleasure sitting next to him for the past one and one-half years. He added that he knows Mr. Palmer puts a lot of effort into his work. He stated to Mrs. Poole that it is obvious she puts in the most work of anyone. He added that he wished they could part on good terms, but that

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would probably be impossible since she considered the censure motion to be a personal attack.

Mr. Beltz said that it has been a pleasure serving with Mrs. Walker. He commented that she adds a distinct amount of dignity to the City Council. He noted that Mrs. Palmer struggles through the issues as she feels the pain from both sides of the issue. He added that is an admirable trait.

He stated that Mrs. Hand's words of wisdom and her experiences have been helpful. She has managed through the years to balance work, family, and church. Although it is a struggle, he said she has carried it very well. Mr. Beltz commented that it has been a special pleasure having Mayor Buckley hold the gavel. He noted that the Mayor has taken us through many meetings filled with turmoil and confusion and has always held things together.

Continuing, Mr. Beltz stated that Henry Hill, Paul Gougelman, and Cathy Wysor are great representatives of staff. He noted that it is amazing to watch the amount of effort and dedication they put into keeping our city out of so many problems. He commented that he can't say enough of their contributions to the community. For the most part, staff gets no recognition, puts in a tremendous amount of effort, and takes quite a bit of abuse.

Mrs. Walker stated that she is saddened by Mr. Beltz's announcement. Mayor Buckley wished Mr. Beltz the best in the future. Mrs. Poole thanked Mr. Beltz for his words about her dedication and added that she now knows why he made the offer to resign; he had intended to resign regardless. Mr. Beltz replied that is true; however, he added that he still feels if she resigned, it would help the healing process.

Mayor Buckley stated that Council has 30 days to fill the position. He asked for consensus to direct the City Clerk to advertise for interested applicants.

Moved by Buckley/E. Palmer to direct the City Clerk to advertise the vacancy in the District 1 seat. Motion carried unanimously.

18. ADJOURNMENT

Moved by Walker/E. Palmer for adjournment. Motion carried unanimously.

The meeting adjourned at 11:12 p.m.

City Clerk – 5/3/00

Approved by Council: _____

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A recessed regular meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 7:30 p.m. by Mayor John A. Buckley.

Present:	John A. Buckley	Mayor
	Ed Palmer	Vice Mayor, District 2
	Steven Beltz	Council Member, District 1
	Priscilla M. Poole	Council Member, District 3
	Grace Walker	Council Member, District 4
	Cheryl Palmer	Council Member, District 5
	Loretta Isenberg-Hand	Council Member, District 6
	Henry J. Hill	City Manager
	Paul R. Gougelman, III	City Attorney
	Cathleen A. Wysor	City Clerk
	Bud Emerson	Assistant City Manager
	Peggy Braz	Planning and Zoning Administrator

Items 1 through 9 were heard at the March 28 Council meeting.

UNFINISHED BUSINESS

10. COUNCIL ACTION RE: Discussion regarding the naming of a street in Melbourne after Dr. Martin Luther King, Jr. (Continued from 3/28/00)

Mayor Buckley reported that public comments were received at the March 28 meeting. The item is now before Council for action. He reported that he and the City Manager met with several members of the South Brevard African-American community about narrowing the selection of streets to be considered. Also, the members in attendance were asked to obtain consensus from property owners along the street and to work with other municipalities if the street selected travels through other cities.

Moved by Buckley/Walker to postpone this item to allow the South Brevard African-American community time to survey and develop a recommendation.

Mrs. Hand asked the timeframe. The Mayor said that has been left open because of the time it will take to develop a survey. Three or four different streets have been discussed; however, at this point we do not know what street will be selected.

Mrs. Palmer commented on the letter received from a citizen suggesting that a new road be named so that there wouldn't be any changes imposed on property owners. Mrs. Palmer added that she believes this proposal is agreeable to most people.

Mrs. Poole stated that many people have recommended to her that the item be placed on the November ballot.

Mrs. Palmer replied that she would oppose pursuing a referendum. She explained that Council represents all of the people in Melbourne.

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Mrs. Hand agreed and added that is just a sneaky way to ensure no street is named after Martin Luther King, Jr.

Regarding the referendum suggestion, Mr. Beltz said it would be just as bad for the citizens of Melbourne to override a name change as it would be for the Council to do it. The people who should have input are the ones who live near the street renaming.

Mr. Palmer stated that it is premature to discuss the issue until a recommendation has been made.

Mrs. Walker said she has received calls and suggestions from people suggesting that Palm Bay High School be renamed Martin Luther King, Jr. High School.

The question was called. Motion carried. (Mrs. Hand voted nay.)

NEW BUSINESS

11. COUNCIL ACTION RE: Contract for Rehabilitation and Painting of the Patrick Air Force Base Elevated Water Storage Tank, Project No. 99300.
- a. Rehabilitation and painting of the elevated water storage tank at Patrick Air Force Base, Weavertown Environmental Group, McDonald, PA - \$343,000.00.
 - b. Supplement No. 33 to Continuing Consultant Contract for Construction Administrative Services for the Rehabilitation and Painting of the Patrick Air Force Base Elevated Water Storage Tank, Frazier Engineering, Inc., Melbourne, FL - \$31,000.00.

Mayor Buckley summarized the memorandum from the City Engineer, which explains that the bidder has taken another job and has asked for a delay. Therefore, the recommendation is to re-bid this item.

Moved by Poole/C. Palmer to remove this item from the March 28 agenda and re-bid as recommended by the City Engineer. Motion carried unanimously.

Items 12 and 13 were heard at the March 28 Council meeting.

14. ORDINANCE NO. 2000-23 (Z-1999-867/Downtown Rezoning Amendments): (Public Hearing/First Reading) A proposed ordinance to rezone an 18-block portion of the downtown Melbourne area located north of Strawbridge Avenue, west of the Indian River Lagoon, south of Fee Avenue and east of Livingston Street. (Applicant – City of Melbourne) (P&Z 3/16/00)

Attorney Gougelman read Ordinance No. 2000-23 by title.

Mrs. Dittmer, Redevelopment Coordinator, briefed Council. The request is to rezone nine of the 19 blocks from C-2 (General Commercial) to C-3 (Central Business) and rezone 10

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blocks from C-2 to C-1 (Neighborhood Commercial) The request affects 165 lots and covers approximately 31.04 acres.

The majority of the proposed rezoning is within the boundaries of the Downtown Melbourne redevelopment area. The properties have maintained their existing zoning for many years including prior to the merger of the City of Melbourne and the City of Eau Gallie. Rezoning has taken place in the past in this section of the downtown area to change properties over from C-2 to C-1 for residential use.

In December 1999, after notices were mailed indicating the city's intent to rezone the area from C-2 to C-1 for property north of Strawbridge and east of U. S. 1, the city received several letters of opposition. Some were concerned about losing the conforming conditions of their properties. Similar concerns were stated at the Planning and Zoning Board hearing on December 28, 1999. As a result, the staff reevaluated the situation and held a public hearing for the property owners on January 18. The public and staff concurred that much of the area could be rezoned to C-3 and still meet the objectives of the rezoning. (Staff did not believe the river front properties should be C-3.) The Downtown Redevelopment Committee discussed the proposed rezoning at their February 3, 2000 meeting and approved the recommendation for C-3 zoning.

Since the second advertisement proposing the change from C-2 to C-3 was mailed, the city has not received any objections from any of the affected property owners. One property owner located within 500 feet of the area proposed for rezoning from C-2 to C-1 objected at the February 24 Planning and Zoning Board hearing.

This proposal would change the area on both sides of U. S. 1 from C-2 to C-3. A proposed change from C-2 to C-1 is planned for the properties abutting the lagoon. A second set of properties is proposed for a zoning change from C-2 to C-1, west of the FEC Railway, between Palmetto Avenue and Fee Avenue. Some of this area is not within the official boundary of the downtown redevelopment area.

Staff is proposing the change for several reasons. The proposed zoning change will more accurately reflect and implement policies in the Comprehensive Plan, Future Land Use Element, such as Objective 1c, which reads as follows:

“Encourage mixed uses in downtown activity cores and other suitable areas, using innovative design standards to provide an attractive appearance and offset any negative impacts.”

Objective 1, Policies a, b, g and j, relate to the regulation of land development and mitigation of negative impacts, promoting best development practices, and the promotion of mixed uses in appropriate areas. Objective 6 of the Future Land Use Element promotes the reduction or prohibition of non-compatible commercial intrusion into residential areas. Most specifically, policies 6e and f read as follows:

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“In areas designated on the Future Land Use Map as mixed commercial and residential uses, commercial development will be limited to low intensity commercial uses with improved access controls and buffering;

“Permit only professional or low intensity commercial development adjacent to residential areas.”

A site specific policy for the downtown area reads as follows:

“The Central Business District area can accommodate mixed-use development. Design standards will be used to allow for the development of commercial/office and residential mixes in keeping with the established aesthetic appeal of the area.”

City Code, Chapter 10, Community Planning and Development, Article IV, Downtown Redevelopment Plan, Section 10-101, establishes the downtown area plan. This section states the four findings of the plan and procedures to implement the plan including a pledge to carry out the plan. These findings support reducing the automobile oriented commercial intensity in the downtown area in favor of the development of mixed-use neighborhood development/redevelopment, which is less dependent upon automobile access. The “intent to implement” subsection, specifically states that changes in zoning may be appropriate to implement the plan.

This action could be the first large scale zoning change implemented since adoption of the redevelopment plan in the 1980’s. These changes will bring land development code standards, and especially zoning in the downtown area, into greater conformity with the City’s Comprehensive Plan and the intent of the Downtown Redevelopment Plan.

These include the need to allow for the continuance of residential uses in these areas as provided for under the existing code and to eliminate the potential of developing non-compatible uses on these properties such as automotive service stations, auto sales lots, indoor commercial recreation structures, and other non-neighborhood oriented commercial development. Any properties that are now being used for permitted commercial purposes that are not permitted in a C-1 or C-3 zoning district could continue but would become a grandfathered, non-conforming use. As an example, the Texaco station and the Mobil station became non-conforming when the 1972 Code was adopted; they continue to exist as grandfathered properties.

An area west of U.S. 1 and adjacent to the area was recently rezoned from C-2 to C-1. This includes the renovated Ice House, the old Con’s Motorcycle Shop, and the Burger King.

The Planning and Zoning Board and staff recommended approval of rezoning the following:

- a. Block 3, Lots 3, 3.1 and 3.3, of W.T. Wells No. 5, Plat Book 7, Page 10, Block 4, Lot 2, of W.T. Wells No. 4, P.B. 1, Page 159 from C-2 (General Commercial) to C-1 (Neighborhood Commercial).

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- b. Block 7, Lots 2, 3 and 4, Blocks 8, 10, 17, 30, 35 and 36, and Block 29, Lots 7, 10, 11 and 13-16 of Camps Plat of Melbourne, Plat Book 1, Page 54 from C-2 (General Commercial) to C-1 (Neighborhood Commercial).
- c. Blocks 9, 11, 12, 15 and 16 of the Powells Resubdivision, Plat Book 1, Page 84; Blocks D, 5 and 6 of W.T. Wells No. 4, Plat Book 1, Page 159, and Block 13, Camps Plat of Melbourne, Plat Book 1, Page 54, from C-2 (General Commercial) to C-3 (Central Business District) with the above listed findings.

Mrs. Poole pointed out that the Downtown Redevelopment Committee did not go along with this change at its first meeting on this issue. Also, she expressed concern that only eight or nine property owners attended a meeting involving 165 parcels.

Mrs. Dittmer replied that she believes one member was opposed to this change at the first meeting of the Downtown Redevelopment Committee. She also clarified that there are 165 lots; however, many property owners have several lots, which make up one parcel.

Mrs. Poole discussed her concern with the change to C-3, which would allow an 80' building next to a residence. She stated that this would have a negative affect on the residential property owner.

Mrs. Dittmer pointed out that the majority of the Downtown Redevelopment Area has been zoned C-3 for a number of years, yet a huge number of 80' buildings have not developed. The potential has been there, but it is based on market.

Mrs. Poole said the people promoting the change are the people who would like to see tall buildings.

Mr. Beltz asked if a height limitation would be possible in this zoning district. Mrs. Dittmer said she doesn't think so because 80' is a permitted height in that zoning district.

Mr. Hill said the 80' height exists in the C-3 district. That district is basically the downtown district and at some point there was a consideration that taller buildings would be appropriate in the downtown areas. The question here is whether C-3 should be expanded to this area. Mrs. Dittmer added that City Council reviews site plans in the Downtown Redevelopment District. Mrs. Poole replied that if 80' is allowed, Council would not be able to deny the request.

Mrs. Palmer said she is also bothered by the height. Regarding the non-conformity of the two gas stations, she asked if any other existing auto facilities enjoy that same relationship with the city. Mrs. Dittmer replied yes and pointed out that both stations have increased their retail area, which has also reduced their non-conformity.

Mrs. Palmer asked who appeared at the February 24 Planning and Zoning Board meeting to object. Mrs. Poole said she objected because of the devaluation of property.

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Mrs. Palmer asked if there was a way to proceed at this meeting without the 80' height. Attorney Gougelman said not that he is aware of. Elimination of the 80' height would basically turn this into a different zoning district. The 80' height is one key factor that distinguishes C-3 from C-2 and C-1.

Mr. Hill said the C-3 zones are principally the downtown districts; that is typically where you would find taller buildings. Mrs. Poole replied that we don't have to have C-3 zoning. Mr. Gougelman said that is Council's prerogative.

Following a brief discussion, Mayor Buckley opened the public hearing.

Eric Ellebracht, Tyler Avenue, asked if the limitation on indoor commercial recreation would limit bars and coffeehouses.

Mrs. Dittmer replied no.

Frank Louiselle, 612 Palmetto Avenue, stated that Mrs. Poole spoke on his behalf (at the Planning and Zoning Board meeting). He expressed concern about the look of high-rise buildings and asked Council to give this item a lot of thought.

Mrs. Poole agreed that this item needs to be reviewed carefully; it could devastate the Downtown area.

Moved by Poole/C. Palmer to refer this item back to staff. Following clarification by the Mayor, the maker/seconders agreed that staff should review the possibility of creating a new zoning category in the downtown area with a restriction on the height of buildings.

Mrs. Poole read comments made at the Planning and Zoning Board meeting by Mr. Outlaw. Mr. Outlaw stated that he did not feel the city should administratively make these changes; individual property owners could apply for a rezoning.

Mr. Palmer asked what precipitated this action. Mrs. Dittmer explained that the current C-2 zoning does not allow for residential use, so there is a conflict with the Land Use. Staff started reviewing the area behind City Hall and then realized the area west of U. S. 1 had the same problem.

Discussion continued.

The question was called. Motion carried unanimously.

Mrs. Braz noted that this is a two-part zoning. Part has been proposed for C-3 zoning and the large areas along the river and City Hall proposed for C-1. She asked if the intent is to have the entire area C-1. Mayor Buckley said Council is referring to the C-3 areas.

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15. ORDINANCE NO. 2000-24 (AR-2000-128): (Public Hearing/First Reading) A proposed ordinance to annex three parcels and a portion of the Jones Road right-of-way, located west of I-95, south of Lake Washington Road, north of White Pine Drive (Aurora Road) and east and west of Jones Road. (Owner/Applicant – J. W. Woodson/William D. Woodson/City of Melbourne) (P&Z 3/16/00)

Attorney Gougelman read Ordinance No. 2000-24 by title.

Mrs. Braz briefed Council. The three parcels consist of 6.78 acres Parcel A (part of Tax Parcel 8) 3.10 acres, Parcel B (part of Tax Parcel 28) 2.25 acres, Jones Road right-of-way and gas line easement on House property, 1.43 acres. The properties are located west of I-95, south of Lake Washington Road, north of White Pine Drive (Aurora Road) and east and west of Jones Road.

Mr. Woodson requested annexation of Parcel A and property, which includes Parcel B in 1987. City Council denied the application because the applicant was requesting R-1AAA zoning (Z-489). This request was made before adoption of the Comprehensive Plan in 1988. The House property to the south was annexed in 1999 (AR-1999-124) and included all of the House property with the exception of that portion located east of Jones Road. This was omitted to avoid creating an enclave. This action will complete the annexation of the House property. The adjacent property owned by the applicant may be developed with septic systems based on a recent court order.

The properties are adjacent to the existing city limits. The northerly 700 feet of the Jones Road right-of-way will be annexed into the City with the annexation of Parcel A and the remainder of the House property. The applicant is requesting the annexations to include all of his property within the city. The majority of the applicant's property is located within the city. The applicant has not submitted an application for an amendment to the Comprehensive Plan or to establish zoning on the property. These actions will be submitted later and included with several proposed amendments to the plan scheduled for June 2000. It is anticipated that the applicant will be requesting Low-Density Residential land use and R-A (Residential Holding) zoning. This is consistent with the Comprehensive Plan and identical to the land use and zoning of the adjacent property within the City. The annexation will permit the future development of all the applicant's property to a single city standard consistent with area development and with the court order affecting the Woodson property. The annexations will provide for a more compact city boundary.

Several area residents spoke in opposition to the annexation. Their concerns indicated that they did not want the property to develop and they did not want access to the property through their neighborhood.

The Planning and Zoning Board and staff recommended approval with the findings as listed in the agenda package.

Mrs. Poole asked who proposed the annexation. Mrs. Braz replied that Mr. Woodson asked for the annexation. Mr. Gougelman added that this came up in the discussion with

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regard to the Woodson litigation. It was a factor in the discussion of the settlement. The reason is that the majority of the property is in the city; however, there are small portions that are in the county. This would create a nightmare with development regulations.

Mrs. Poole said that at least six people in the area are opposed to this. She reported that when we receive excessive rain, everything backs up. The findings in the package note that services are available with the exception of sanitary sewer. This means there will be more septic tanks.

Mayor Buckley opened the public hearing.

Dan Stark, 5180 Sand Lake Drive, said he objects to the request because of access. Until there is access via a city road, he and all the neighbors in the area will be opposed.

Moved by C. Palmer/Walker for approval of Ordinance No. 2000-24.

Mrs. Palmer said she wished that the residents were aware how much taxpayers' money has been spent on lawsuits with this property.

Mr. Beltz asked if the applicant was present.

Mr. Hill mentioned that this annexation does not impinge on the development plan that has been before Council and has been litigated. We have a court order that requires the development of that property. This annexation would bring all the development under one jurisdiction so it could be better superintended.

William Woodson, applicant, came forward.

Mrs. Hand stated that she is concerned about flooding in the area and the septic tanks. She asked if the drainage system is better than it was before.

Mr. Woodson said he would leave the drainage issues up to his engineer.

In response to Mrs. Palmer, Mr. Hill said typically the engineering plans are not part of Council's material; however, the drainage would have to be presented to the SJRWMD and the city for review during the development process.

Attorney Gougelman said there was a specific plan of development approved as part of the settlement agreement. He assured Council that the drainage system would have to go through SJRWMD and the city and meet all the standards. In essence, the battle with the project has been fought and settled through resolution of the case.

Mrs. Poole asked if Council could insist on a road being constructed. She noted that there is only one access in the area and the applicant was supposed to pave Jones Road; however, he refused to. She added that there is trouble with septic tanks being located by Lake Washington, which is our water source.

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Attorney Gougelman said with regard to Jones Road, that was included as a condition of the preliminary plat and imposed on the developer. That resulted in a lawsuit against the city and we lost. The city is not in a position where it can force the paving of Jones Road.

Attorney Gougelman confirmed for Mr. Palmer that the state and county control all of the septic tank permitting.

Mrs. Palmer asked the applicant if he has plans to provide additional ingress/egress. Mr. Woodson replied not at this time. He added that he believes the Transportation Element of the Comprehensive Plan provides for a lateral along I-95 that would connect Lake Washington Road to Jones Road. He said he would provide for easements if that were to happen.

The question was called. Motion carried. (Mrs. Poole voted nay.)

16. ORDINANCE NO. 2000-25 (AR-2000-129): (Public Hearing/First Reading) A proposed ordinance to annex a developed industrial office building located east of North Drive, south of Sarno Road and north of Dow Road. (Owner/Applicant – Trio Industrial LLC/Craig Rathbun) (P&Z 3/16/00)

Attorney Gougelman read Ordinance No. 2000-25 by title.

Mrs. Braz briefed Council. The annexation is for a developed industrial/office building. The property consists of 9.879 acres and is located east of North Drive, south of Sarno Road and north of Dow Road.

The property was developed under county regulations in 1985. The County zoning is IU (Light Industrial). Most of the properties along the southerly portion of North Drive were annexed in 1998.

The property is adjacent to the existing city boundary on three sides and is only separated by the city on the fourth side by a drainage canal. This is the last developed property along North Drive that has not been annexed into the city. The North Drive right-of-way adjacent to the property is now within the city limits and is maintained by the city. The applicant is requesting the annexation to obtain city services.

The applicant has not submitted an application for an amendment to the Comprehensive Plan or to establish zoning on the property. These actions will be submitted later and included with several proposed amendments to the plan scheduled for June 2000. Most likely the applicant will be requesting or the city will be recommending industrial land use and M-1 (Light Industrial) zoning. This is consistent with the plan and identical to the zoning of the adjacent property within the City. The proposed land use and zoning will not create a non-conforming condition since the property is now used for office and light industrial uses. The annexation will provide for a more compact city boundary. Upon annexation, the development will be permitted to connect to the city sewer system and decommission the existing septic system.

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The Planning and Zoning Board and staff recommended approval with the findings as listed in the agenda package.

Mayor Buckley opened the public hearing. There were no comments.

Moved by Poole/E. Palmer for approval of Ordinance No. 2000-25. Motion carried unanimously.

17. COUNCIL ACTION RE: A request by Habitat for Humanity for the city to waive its liens on Lots 7 and 10, and clear the title and donate Lot 17, Block A, Replat of Outlot 16 on Southland Avenue.

This is a request by the South Brevard Habitat for Humanity for the city to consider a policy of waiving liens on properties to be used to construct homes.

One of the goals of the South Brevard Habitat for Humanity is to build at least 10 houses in the Southland/Steele Avenue area of North Melbourne. Several lot owners have agreed to donate their lots, but they have significant liens in favor of the city for maintenance.

The South Brevard Habitat for Humanity, Inc. has requested an indication that the city would be willing to waive these liens once the property is purchased by Habitat for Humanity. The lots involved include Lots 7 and 10 Block A, Replat of Outlot 15, both of which are on Southland Avenue. The liens are generally in the amount of \$1,000 to \$3,000.

Habitat for Humanity is also interested in Lot 17, Block A of the same replat, which is owned by the city. However, a title search has revealed significant title problems that would preclude its use by Habitat in its present state. They have inquired as to whether the City Attorney could contribute toward clearing the title on this lot and then donate the land to the Habitat for Humanity.

Jim Sisserson, chairman of the site selection committee for South Brevard Habitat for Humanity, thanked the city and staff for help in eliminating substandard housing. He explained that Lots 7 and 10 have been offered to Habitat, but they have maintenance liens (\$301 on Lot 7 and \$1,175 on Lot 10). He asked the city to waive those liens so they can begin construction. He added that they are a non-profit organization and like to put every bit of funding into the construction of homes.

In response to Mrs. Poole, Mr. Sisserson said Lots 7 and 10 are under private ownership; they are asking the city to donate Lot 17.

Regarding the title problems on Lot 17, Mr. Palmer asked if title insurance would resolve the issue. Mr. Sisserson said he is not a property attorney; however, he knows that title defects can be cleared through a number of ways. He said he is asking for the city to donate its legal staff in clearing the title to Lot 17.

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Mrs. Palmer asked what would be involved in clearing the title. Attorney Gougelman replied that without knowing the nature and number of the liens, he does not know.

Moved by Beltz/Hand to waive the liens on Lots 7 and 10 and direct Attorney Gougelman to return with additional information about clearing the title on Lot 17.

Mr. Sisserson commented that he will provide the title information that he has obtained so far to Mr. Gougelman.

Responding to Mr. Hill, Mr. Beltz said he would prefer to leave the liens on Lot 17 until Council is aware of the problems.

The question was called. Motion carried unanimously.

Items 18 through 20 were heard at the March 28 Council meeting.

21. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Tom Porcella, 1696 PGA Boulevard, commended Council for postponing action on the street renaming issue in order to develop a fair solution. Additionally, he submitted an agenda item request for the April 25 agenda for Council to reconsider the March 28 vote taken on the resolution to censure Council Member Poole.

22. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

City Clerk – 4/26/00

Approved by Council: _____