

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
MAY 23, 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 7:30 p.m. by Mayor John Buckley.

1. Council Member Cheryl Palmer 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
	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

Mayor Buckley presented the following proclamations:

Recognizing the “2000 Melbourne Police Athletic League Blue Devils” for winning the State Basketball Championship March 17-19 in Lakeland, Florida. Accepted by Head Coach Brian Wetzel, Captain Ron Bell, and members of the team.

Recognizing “Jon Paul Burghardt” for achieving the Eagle Scout Award; accepted by Jon P. Burghardt.

“VFW Buddy Poppies Days”, May 26-29, 2000; accepted by Chris Pilger, Junior Vice-Commander, VFW Post 3991.

In addition, Mayor Buckley presented a Beautification Award to Holy Trinity Episcopal Church; accepted by Bill Snead, Junior Warden.

“Race Unity Day”, June 17, 2000; accepted by Dale Hooge, Taraneh Motlagh, Pete Meyers, Elmira Hooge, Siroos Motlagh, and David Slatery, Bahais of Melbourne.

5. APPROVAL OF MINUTES - April 25, 2000 Regular Meeting
- May 9, 2000 Regular Meeting

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

6. CITY MANAGER’S REPORT

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Mr. Hill reported that the second quarter budget review has been distributed to Council for review. This item will appear on the June 13 agenda for action.

Mr. Hill updated Council on the tests being conducted in the City Hall Annex I building.

Mayor Buckley referenced the memorandum from the City Manager recommending that a discussion item about state funding for the Police Athletic League be added to the agenda as Item 20.1.

Moved by E. Palmer/Walker to add Item 20.1 to the agenda. Motion carried unanimously.

7. PUBLIC COMMENTS

None.

UNFINISHED BUSINESS

8. ORDINANCE NO. 2000-23 (Rezoning Request/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) (Postponed by Council 4/11/00)

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

Ms. Braz introduced the item and Redevelopment Coordinator Cindy Dittmer reviewed the agenda report. Council postponed action on this item on April 11. At that time Council requested an additional zoning classification for the area proposed to be rezoned from C-2 to C-3. The objections to the C-3 zoning seemed to be the zero setbacks and the 80' height allowed in the C-3 district. Staff has reviewed the situation and suggested several alternatives:

1. Leave the zoning as it is now, which is C-2.
2. Change the zoning as proposed from C-2 to C-1, but leave the area proposed to be changed from C-2 to C-3 as C-2.
3. Change all the proposed C-2 zoning to C-1.
4. Create a C-4 district that limits height to 60 feet and requires a minimum 10-foot setback.
5. Make the changes as originally proposed.

Alternative 1 would leave things as they are now. It would allow automotive use to continue in the downtown area. The automotive use was the principal concern when the matter was originally brought forward by the Downtown Redevelopment Committee. Also, concern had been raised about the significant number of non-conforming residential uses in the C-1 areas.

Alternative 2 would change the area east of Riverview Drive and the area behind City Hall to

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C-1 but leave the C-2 area (east of U.S. 1, west of Riverview Drive and north of Strawbridge Avenue) as C-2. There were no objections from the C-1 area but it would leave the opportunity for additional automotive uses along the U.S. 1 corridor in the downtown area.

Alternative 3 is staff's original proposal. At several public hearings, the property owners in the core downtown area (east of U.S. 1, west of Riverview Drive and north of Strawbridge Avenue) objected to this suggestion.

After public meetings with those that objected to the change to C-1, they agreed to a change to C-3. Although this would limit some of the permitted uses, there was the trade off for intensity of development. If Council agrees to *Alternative 3*, there will be opposition from the property owners in the central area.

Alternative 4 is a new zoning district. There is very little difference between C-1 and C-3 now except for the intensity of development. The city would have little use for a C-4 district. It would tier down the height but there have been very few developments even approaching 80 feet in the downtown area.

Alternative 5 appears to be the most reasonable solution. Typical planning practice would allow intensive development in a downtown area. It is generally believed such a mix of use and intensity is what makes a downtown area what it is and gives ambiance to a city. Downtown Melbourne is our urban core and should be developed with moderate intensity preserving the essence of community and history.

Staff continues to believe that *Alternative 5* is the best solution and Ordinance No. 2000-23 includes that alternative. Staff believes *Alternative 2* is the next most desirable solution.

Mrs. Poole pointed out that only four people attended the meeting on this proposal. Mrs. Dittmer said that was the meeting held in late December. Staff re-notified the property owners and a meeting was held in January. Nine to ten people attended the meeting in January and were in agreement with the proposal for C-3.

Mrs. Poole stated that she is very concerned about the 80' height. She noted that downtown was supposed to be a village type area and she would like for it to remain that way. She concluded by saying that the Planning and Zoning Board members commented that they would prefer to see individual property owners request rezoning (as opposed to one administrative rezoning).

Mrs. Palmer asked if the differences between the C-1 and C-3 zones are the setbacks, height limitation, and automotive use. Mrs. Dittmer responded that automotive use is not allowed in C-1 or C-3.

Mrs. Palmer said that the reason for going with C-3 is the potential to build an 80' tall building. Mrs. Dittmer said that is speculative; however, potentially there could be some buildings of this height.

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

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Moved by Hand/Walker for approval of Ordinance No. 2000-23.

Mrs. Palmer stated that in reviewing this, it appears that the differences between the C-1 and C-3 zones are the height limitation and setbacks. Even though we do not have any 80' tall buildings at this time, the purpose is to allow these buildings. She noted that she cannot visualize the downtown and river view areas with 80' tall buildings; therefore, in good conscience, she cannot support this ordinance.

Mayor Buckley pointed out that the river view area is not included in this proposal. Mrs. Braz displayed on the map the areas proposed for C-1 and C-3 zoning. Mrs. Poole commented that although there won't be condominiums along the river, they would be allowed across the street and they would cast shadows. Mrs. Poole repeated her concerns with this proposal.

Mr. Palmer said the area should remain as is and if individual property owners want a change, they can apply for a rezoning as opposed to a block/administrative rezoning. He added that we are not suffering under the current zoning.

Mrs. Palmer said if we allow 80' buildings across the street from the river, it would be a matter of time before the properties along the river would make the same request. She said she would be willing to support option 2.

Mayor Buckley said he does not believe people will begin building 80' tall buildings. He noted that very few developers are interested in building structures of that height here.

The question was called. The roll call vote was:

Aye: Walker, Hand, and Buckley

Nay: Poole, E. Palmer, and C. Palmer

Motion failed.

NEW BUSINESS

9. COUNCIL ACTION RE: Supplement No. 36 to Continuing Consultant's Contract for Trickling Filter Rehabilitation at Grant Street Wastewater Treatment Plant, Project No. C99321, Frazier Engineering, Inc., Melbourne, FL - \$61,500.00.

Mr. Hill briefed Council. This proposed supplement to Frazier Engineering's continuing consultant contract will provide the engineering services needed to rehabilitate the trickling filter at the Grant Street Wastewater Treatment Plant.

The trickling filter is the main treatment component of an existing treatment train having a capacity of 2.5 mgd. The unit is a large diameter structure with a rotating arm that sprays the sewage onto rock filter media. Biologic growth living on the media consumes the organic matter in the sewage. The rocks will be replaced with plastic media having a

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greater surface area. Under drains as well as pumps and piping will also be replaced. Although the primary goal is to overhaul the unit, these improvements will increase the treatment capacity of the train by 0.5 to 1.0 mgd.

The consultants will complete the bidding documents within 180 calendar days of the city's notice to proceed.

The recommendation is for approval of Supplement No. 36 to Frazier Engineering's continuing consultant contract in the amount of \$61,500.

Moved by C. Palmer/Walker for approval of the recommendation.

Mr. Palmer asked about testing to ensure the system works. Mr. Ralls explained that we are not using Frazier beyond the construction phase; we are paying them to design and build the system.

A brief discussion followed regarding testing. Mr. Palmer said he is trying to determine if this system is going to be tested to ensure it works. Mr. Ralls said the system would be put on line and the only way to test it is to look at the degree of treatment after it has been on line; that could take a while. Mr. Hill added that testing is not included in the scope. If at the conclusion it doesn't appear to be working, testing may be conducted from an operational standpoint to determine why it is not working. At that point, there would be additional services. A brief discussion followed.

Mrs. Hand asked why only one monthly site visit by the engineer is scheduled. Mr. Ralls replied that on the smaller projects, more than one visit is not required. Additionally, the city provides inspection services with its own staff.

Mrs. Poole asked what action we would take if the system did not work. Mr. Ralls said he did not anticipate that the system would not work; it is not an experimental unit.

Mrs. Palmer asked whether our recourse would be against the engineering crew or the construction crew if the system did not work. Mr. Ralls replied that if the system doesn't perform, we would have to identify whether it was a design problem or a construction problem.

The question was called. Motion carried unanimously.

10. COUNCIL ACTION RE: Task Order No. 3 with CH2M Hill for Application Programming, Lake Washington Surface Water Treatment Plant Improvements, Project No. C97371 - \$831,325.00.

Mr. Hill reviewed the agenda report. The proposed task order is to provide software programming necessary to remotely monitor and operate the new Surface Water Treatment Plant. The programming requirements for this project are highly complex. This is primarily due to the level of control needed to maintain the high-rate treatment for the highly variable source water seen in Lake Washington.

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Originally, this work had been planned for the construction contractor; however, there were reservations that the contractor would not provide the level of customization needed. Problems have been encountered by other jurisdictions that have resulted in significant change order requests. Therefore, a proposal from the plant's design engineering firm, CH2M Hill, was requested that would address the city's concerns.

The bulk of the programming effort consists of the following:

- Developing software standards, control narratives and test procedures - this will include a manual of the custom features and will be used as a basis for all programming and future testing.
- Application program development - this includes configuring, set-up and testing the controls on the city hardware.
- Control system programming - this includes developing the software programming and documentation for the control system and developing the layout of the workstations.
- Control system interfaces - includes integrating of all existing and new control systems into the central control system.
- Historical data trending - includes configuring the computer system to collect data for trending analysis, which will help predict how the plant operates under various conditions.
- Software testing and field startup - includes preparing testing procedures, conducting system testing and determining system readiness and performance.

Training and documentation on the system controls will also be provided. The total proposed fee to perform this complex and necessary programming effort is \$831,325. The recommendation is for approval of Task Order No. 3 to CH2M Hill's contract in the amount of \$831,325.

Ed Davis, Matt Alvarez, and Bernie Jacobsen, CH2M Hill, provided Council with an overview and noted that this project is an integration of the monitoring and control hardware and software for the plant. The application programming is important to this project because it will optimize the city's investment in the new plant. They concluded by describing the primary tasks that will be involved with the project.

Mrs. Walker asked the life expectancy of the system. Mr. Davis said the system will last as long as we want it to. He added that in reality, the hardware will be obsolete before the system starts physically working. Mr. Jacobsen stated that the life expectancy is 20 years; however, new technology will be available making the system obsolete before then.

Mrs. Palmer questioned technical support in the future. Pat Fleming, Assistant Utilities Director, explained that they have proposed technical support for two years; an additional

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task order will be presented for the support. Mr. Davis said they will provided at least two to three months testing when the facilities go on line. They will not just walk away from the project.

Mrs. Palmer asked if another contractor would have been privy to the design data and water quality analysis. Mr. Alvarez replied yes – that information would have been available to another contractor. However, he stressed that they are eliminating the third party interpreter guessing what they wanted done.

Mrs. Poole pointed out that with CH2M Hill being involved from the beginning, change orders will be eliminated.

Mrs. Palmer asked if this portion of the project has been budgeted. Mr. Hill said yes and Mrs. Fleming added that around \$900,000 was incorporated into the original budget for this portion of the project.

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

At this time, Council considered item 13. Immediately following item 13, Council recessed and then resumed with the agenda.

Recessed: 9:07 p.m.
Reconvened: 9:18 p.m.

11. COUNCIL ACTION RE: Construct bridge over M-1 Canal at the 4th Hole, Melbourne Municipal Golf Course, Project No. C97402, Murray Logan Construction, West Palm Beach, Florida - \$98,000.00.

Mr. Hill briefed Council. This is a proposed contract to construct a vehicular bridge across the M-1 Canal on the Melbourne Golf Course. The new bridge will replace an older bridge that was structurally damaged by floodwaters from Hurricane Erin.

Replacement of the bridge has been delayed by a combination of funding limitations and additional archaeological review which was necessary due to the area's prior history. The bridge was designed to carry golf course maintenance vehicles but will be used by golfers as well. It will be constructed from a type of structural steel that will oxidize on the surface to form a protective coating. The bridge was also designed to be above 100-year floodwaters based on hydraulic modeling of the M-1/Crane Creek drainage basin.

The city received four bids for this project and the low bid at \$98,000 is from Murray Logan Construction, Inc., West Palm Beach. The consultants are familiar with this firm and believe it is qualified for this project.

The city's standard contract requirements will apply to this project. The bridge must be constructed within 150 calendar days or the contractor will be subject to liquidated damages of \$200.00 per day.

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The recommendation is for approval of the construction contract with Murray Logan Construction, Inc. in the amount of \$98,000.

Moved by Hand/E. Palmer for approval.

Mr. Palmer asked if any of this would be covered by insurance. Mr. Hill replied that he will verify the status; however, he believes this was below the city's deductible.

In response to Mrs. Poole, Mr. Ralls said the old bridge is going to be moved to the Harbor City Golf Course.

The question was called. Motion carried unanimously.

12. COUNCIL ACTION RE: Consent Agenda

Moved by E. Palmer/Hand for approval of Items 12 (a) through (f). Motion carried unanimously.

The consent agenda was approved as follows:

- a. Lease Agreement with Mr. Joseph Flammio for public parking on vacant property located on the northwest corner of Highland Avenue and Eau Gallie Boulevard.
- b. Supplement No. 35 to the Continuing Consultant's Contract for Bidding/Construction Phase Services for Canova Beach Ground Storage Tank, Frazier Engineering, Inc., Melbourne, FL - \$19,500.00.
- c. Contract for banking and investment services, SunTrust Bank.
- d. Annual contract for purchase of approximately 41,095 gallons of Sodium Hydroxide (Caustic Soda Liquid), PB&S Chemical Co., Inc., Orlando, FL - \$38,310.69.
- e. Purchase of codification services for City Code (for the period ending September 30, 2000), Municipal Code Corporation, Tallahassee, FL - \$19,500
- f. Purchase/installation of GameTime playground equipment from Dominica Recreation Products; Longwood, FL - \$17,129.00.

13. RESOLUTION NO. 1639: A proposed resolution for naming of a parcel of land across from the Melbourne Library as Charlie Tharrington Park.

Mr. Hill informed the audience that Mr. Tharrington retired from the city earlier this month after 32 years of exemplary service as a maintenance worker in the Leisure Services Department. He added that if he had to select one employee to represent all others for dedication and enthusiasm, it would be Charlie Tharrington.

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Charlie Tharrington joined Mayor Buckley at the podium. Mayor Buckley read the resolution in its entirety.

Moved by E. Palmer/Poole for approval of Resolution No. 1639. Motion carried unanimously.

14. COUNCIL ACTION RE: A presentation by the City's external auditors, Hoyman, Dobson & Company regarding the audit of the City's financial statements for the 1998/1999 fiscal year.

Chas Hoyman, Hoyman, Dobson & Company, reviewed the highlights of the financial statement, discussed the audit approach, and responded to questions. He noted that the city received the best report possible from its outside auditors.

Mr. Palmer asked how the city compares with other cities with regard to debt service. Mr. Hoyman replied that the amount of debt in the General Fund is low compared to other municipalities; the city has virtually no general obligation debt.

Mrs. Walker said it appears from the chart that we need to increase our reserves. Mr. Hoyman reported that the city has made significant improvements. He said it would make sense financially to increase the reserves \$300,000 - \$500,000 each year over a long period.

Mr. Hoyman concluded by thanking the finance staff for help in preparing the report.

15. ORDINANCE NO. 2000-33 (Rezoning Request Z-2000-897/Bailes Family Limited Partnership): (Public Hearing/First Reading) A proposed ordinance to rezone property from C-1 (Neighborhood Commercial) to C-2 (General Commercial) located on the west side of Wickham Road, north of Eau Gallie Boulevard, immediately north of the Don Olson Tire Store. (Applicant – Bailes Family Limited Partnership) (Representative – Tom Ustler) (P&Z 5/11/00)

Attorney Gougelman read Ordinance No. 2000-33 by title.

Mrs. Braz briefed Council. The applicant is seeking approval for rezoning the property from C-1 (Neighborhood Commercial) to C-2 (General Commercial), without a site plan. The site abuts C-2 zoning to the south and to the north, and C-1 zoning to the west. The C-2 zoning to the south has a conditional use for an automobile service station, approved in 1997.

The site has a future land use of Commercial and it is surrounded by the same Commercial future land use on the south, west and north. The site is served by Wickham Road, which is maintained by Brevard County, and is currently operating at a level of service "D". Commercial uses surround this site. Residential uses occur to the west of the adjoining commercial site. The applicant is seeking the same zoning that is on the abutting property.

The Planning and Zoning Board and staff recommended approval of Z-2000-897.

There were no comments from the public.

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Moved by C. Palmer/E. Palmer for approval of Ordinance No. 2000-33. Motion carried unanimously.

- 16 ORDINANCE NO. 2000-34 (Conditional Use Request CU-2000-03/Personal Service Business): (Public Hearing/First Reading) A proposed ordinance to implement a conditional use for a personal service business (beauty salon) in a C-1A Zoning District (Professional Offices and Services District), located on the east side of Harbor City Boulevard between Thomas Barbour Drive and Ballard Drive. (Applicant – Harbor City Professional Center, Inc.) (Representative – Richard Wagner) (P&Z 5/11/00)

Attorney Gougelman read Ordinance No. 2000-34 by title.

Mrs. Braz reviewed the report. This business received an occupational license through expedited business licensing procedures, subject to Zoning and Code Enforcement approval. The zoning review revealed the need for the conditional use prior to the license being granted.

The beauty salon is replacing medical offices, which have the most intense parking requirements in the Code (eight spaces per doctor or one per 175 square feet, whichever is greater). The parking space requirement for a beauty salon is two spaces per station, six spaces total.

The Planning and Zoning Board and staff recommended approval of CU-2000-03.

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

Moved by Walker/Hand for approval of Ordinance No. 2000-34. Motion carried unanimously.

17. COUNCIL ACTION RE: A request by the Citizens' Advisory Board to rename Main Street Park in honor of Carol Williams Glanton. (Requested by Cleave S. Frink, Chairman)

From the agenda report: This is a request from Cleave Frink, Chairman of the Citizens' Advisory Board, to rename Main Street Park in honor of Reverend Carol Williams Glanton. Reverend Glanton recently retired from a long-term career with the Department of Children and Families. She has been active in the community for many years and played a significant role in establishing the Martin Luther King, Jr. Library at the site of the former Simmons Plaza. The location of the park is across the street from where Reverend Glanton grew up and is two blocks from where she pastors her church.

Since this is a proposed renaming of a park, Council's policy is as follows: *"When the renaming of a park is requested, residents within 500 feet of the park shall be notified by staff prior to Council consideration of the renaming."*

If Council desires to proceed with a renaming, staff would send the notices and action would be scheduled for the June 13 Council meeting.

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Cleave Frink, Chairman, Citizens' Advisory Board, presented the request and listed Reverend Glanton's accomplishments. He added that Carol Williams Glanton is one of the bravest women that he knows and he believes this is an appropriate request.

Moved by E. Palmer/Hand to proceed with the renaming. Motion carried unanimously.

18. ORDINANCE NO. 2000-35 (General Employees' Pension Plan): (First Reading) A proposed ordinance to amend the General Employees' Pension Plan to provide for the DROP benefit, the Senior Management Class, and to allow the City Attorney to opt out of the General Employees Pension Plan.

Attorney Gougelman read Ordinance No. 2000-35 by title.

Moved by Hand/Walker for approval of Ordinance No. 2000-35. Motion carried unanimously.

19. COUNCIL ACTION RE: A request for approval of proposed projects and priorities as suggested by the Melbourne Transportation Committee to be presented to the Brevard County Metropolitan Planning Organization.

Mr. Hill briefed Council. Each year the Florida Department of Transportation (FDOT) and the Brevard County Metropolitan Planning Organization (MPO) request a list of the city's proposed five-year transportation improvement program (TIP). As the current year projects begin implementation they are dropped from the list and are replaced with a new fifth year project. The TIP consists of two lists: one for locally (city and county) funded transportation improvements and one for state and federally funded improvements. We have been asked not to include or restate projects already in the work program. Projects that have a new phase of implementation proposed are included in the request.

The Melbourne Transportation Committee met to discuss what new projects, eligible for state and federal funding, should be included in the upcoming TIP and the local TIP. For the most part, the recommended list is a continuation of projects with additional phases identified in future years. Due to scheduling it is not likely that the new phase of the selected projects could be included for state or federal funding until FY 2004/2005 or later. Although projects presently not included in the work program are presented, the recommendations include providing funds to implement projects that are now under study. The list approved by the Transportation Committee and the suggested priority is as follows:

STATE AND FEDERAL FUNDING REQUESTS FY 2003/2004

Highway Capacity

1. Design for 6-laning of Wickham Road - NASA Boulevard to Lake Washington Road.
2. Right-of-way construction for 6-laning of Palm Bay Road - R.J. Conlan to I-95.
3. Right-of-way acquisition for the Pineda Causeway extension from U.S. 1 to I-95.
4. Design of improvements to Babcock Street based on findings of the PD & E (1999).
5. Construction funding for U.S. 192 widening in Osceola County.

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6. I-95 widening to 6 lanes.
7. Design and right-of-way for Ellis Road widening to four lanes between John Rodes Boulevard and Wickham Road.
8. Interchange Justification Report and Ellis Road extension to I-95 and westward to U.S. 192 at proposed Palm Bay Beltway.
9. John Rodes Boulevard design for widening between U.S. 192 to north of Eau Gallie Boulevard.
10. Design for the widening of Sarno Road to four lanes between Wickham Road and Eau Gallie Boulevard.
11. Apollo Extension Study Area implementing recommended options.

Traffic Operations

1. Right-of-Way/Construction of the realignment of the Wickham/NASA/Ellis intersection.
2. Traffic Signal/Operations Improvements for U.S. 1 from Sarno Road to Aurora Road.

Multimodal

1. Amtrak Station at Melbourne International Airport property

LOCALLY FUNDING PROJECTS

Projects to be developed from local funding sources include both county and city maintained roadways. The projects proposed on the city street system include those listed in the attached 2001-2005 spreadsheet. The list has been modified slightly from last year to indicate new projects that have been implemented or not considered necessary at this time.

In addition, the city may want to request that Brevard County implement projects on the county roadway system within and in proximity to the city. The county has tentatively approved expenditure of gas tax revenue for several projects on county roads in the city. The county is in the process of selecting consultants to do design work on these projects.

1. Construct intersection improvements on Croton Road at Parkway Drive and Post Road.
2. Construct a center turn lane on Sarno Road between Wickham Road and Iroquois Avenue (in front of Jimmy Moore Park).
3. Prepare engineering plans and obtain necessary right-of-way to extend Turtle Mound Road from Aurora Road to Eau Gallie Boulevard.
4. Resurface and improve Croton Road on those segments not included in the current county widening project.
5. Provide intersection improvements at Aurora Road and Wickham Road (channelization, etc.).
6. Construct a center turn lane on Lake Washington Road west from Wickham Road to Kingsmill Avenue.
7. Construct a right turn lane on Sarno Road westbound at Croton Road.

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The recommendation is for approval of the proposed projects and priorities (state and federal funding requests FY 2004-05, locally funded projects FY 2004-05 and county roadway system improvements) as suggested by the Transportation Committee.

Mrs. Poole asked who comprises the Transportation Committee. Mr. Hill said it is chaired by Bill McCord, Planning and Zoning, and includes staff from the Engineering Department (Rory Dittmer and Ron VanNess), and Police Department (John Porter).

Mrs. Hand said she has concerns about item 3 from the state and federal list (Pineda Causeway extension). Mr. Hill said that was a project identified in last year's MPO priorities. He noted that it is outside the city limits and if Council is uncomfortable, the item can be eliminated.

Mrs. Hand stated that the item is extremely controversial; private property and businesses will be destroyed.

Moved by Walker/Hand to eliminate item 3 from the state and federal funding list (highway capacity). Motion failed. (C. Palmer, E. Palmer and Buckley voted nay.)

Mrs. Palmer stated that this project would directly impact the traffic on Wickham Road.

Mr. Palmer asked what happened to the right turn lane on Eau Gallie Boulevard. Mr. Hill said it is on the priority list and is in the design and right-of-way process.

Mrs. Palmer stated that the Transportation Committee did a great job in identifying projects. The needs are obvious and will result in improved traffic flow.

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

Mrs. Hand said she will support the motion; however, she objects to the right-of-way acquisition for the Pineda Causeway extension.

The question was called. Motion carried unanimously.

20. COUNCIL ACTION RE: Board Appointments

- a. Planning and Zoning Board – one regular member

Moved by E. Palmer/Poole to appoint Paul LaFleur as the regular member. Motion carried unanimously. (Term through 12/12/01)

Mayor Buckley called for nominations for the alternate member seat (vacated by Paul LaFleur).

Mrs. Palmer nominated Randal Beale and Mrs. Poole nominated Carol Marx. (There were no other applicants available.) The roll call vote was:

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

Marx: Poole

Appointed: Randal Beale (term through 1/24/03)

Added to the agenda:

- 20.1 Council Action Re: A letter to Governor Bush encouraging his approval of line item 1146A (\$250,000 appropriation), which would benefit the Melbourne Police Athletic League.

Mr. Hill reported that we were advised by representatives of PAL that funding has been included in the proposed state budget for the Greater Melbourne Police Athletic League. The funding would be used to support current PAL programs as well as introduce additional training in computers, self-esteem, character building, college entrance exam prep, etc.

Moved by Walker/Hand for authorization for the Mayor to send a letter in support of the funding. Motion carried unanimously.

21. COUNCIL ACTION RE: Appointment of a Council Member from District 1 to replace Steven Beltz.

For the record: At the April 11 City Council meeting, Steve Beltz submitted his resignation effective April 24. Following the resignation, a notice advertising the vacancy and soliciting for interested applicants was published in the Florida Today in the April 16 and 30 editions. The following submitted a letter of interest along with a resume:

Bradford, Edward D.
Contreras, Richard P.
Devillers, Rene A.

Mongeau, Albert G.
Porcella, Thomas W.
Wicelinski, Thomas

Mrs. Palmer asked the attorney if Council is required by law to make this appointment. Mr. Gougelman explained that under the Charter, City Council has a 30-day time period to make the appointment. If the appointment is not made, the Charter compels the City Clerk to immediately call a special election to fill the vacancy. However, the date the election is to occur would be open to discussion.

A brief discussion followed regarding leaving the position vacant and allowing the voters to decide in November. Mrs. Hand said if there were two – three years remaining in the term, she could see that. However, with just a few months remaining, it doesn't make sense to leave the position vacant.

Mrs. Palmer said her concern after speaking with the applicants is that most are planning to run in November. She is afraid it will look like Council is endorsing a candidate for the November election.

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Mayor Buckley stated that is definitely not the intent. He added that he believes we have six good candidates; it will be a difficult choice.

Mrs. Walker said she would object to leaving the position vacant because Council has the authority to make the appointment; therefore, Council should make the appointment. Additionally, she referenced the cost of conducting a special election.

Mrs. Poole asked that each candidate be allowed to address Council. By consensus, Council agreed.

Ed Bradford, 2690 Chapparral Drive, reviewed the resume submitted to Council and referenced his prior experience as a council member in Peachtree City, Georgia. He noted that he feels he is qualified for the position and encouraged Council to fill the vacancy at this meeting.

Richard Contreras, 3022 St. Helen's Way, explained his qualifications and referenced his service on two of the city's volunteer advisory boards. He stated that he feels he is qualified to fill the position and would appreciate Council's support.

Rene Devillers was not present.

Al Mongeau, 3061 Park Village Way, explained that although he doesn't have municipal experience, he did manage a multi million-dollar budget in Laos. He reviewed his resume and stated that the advantage to appointing him is that he doesn't need the money, is fully retired, and has the time and energy to devote to the position.

Tom Porcella, 1696 PGA Boulevard, explained that he previously withdrew his name from consideration because he was not well. However, after reconsideration, he re-submitted his request. He noted the numerous Council meetings he has attended in the past along with his service on two city volunteer advisory boards. He asked Council to take into account his history of service to the city and appoint him to the vacancy.

Thomas Wicelinski, 3170 Cedar Bay Drive, stated that he serves on the Board of Directors of the Baymeadows Homeowners' Association. He noted that he has no political ties or allegiances to anyone; however, if he is not selected, he will not lack of things to do.

Mrs. Poole read a statement encouraging Council to appoint Tom Porcella. She referenced his dedication, concern, and service as a member of two city boards. She added that she believes he is the most qualified and deserving citizen and listed his military accomplishments and service.

Mrs. Poole nominated Tom Porcella.

Mrs. Walker nominated Richard Contreras and pointed out that he was the runner up during the last election.

Moved by Hand/Walker to close the nominations. Motion carried unanimously.

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Mrs. Walker thanked each applicant and noted that this is a difficult decision. Mrs. Palmer said because of her feelings about the voters being able to make the choice, she believes the only thing she can do is support Richard Contreras, who had the backing of a number of voters. Mr. Palmer commended all who expressed an interest in filling the position. Mrs. Hand stated that each candidate is qualified. Mayor Buckley expressed appreciation to the applicants and encouraged all to continue with their service to the community.

The question was called. The roll call vote was:

Porcella: Poole and E. Palmer

Contreras: Walker, C. Palmer, Hand, and Buckley

Appointed: Richard Contreras (Term through November 2000)

22. COUNCIL ACTION RE: Oath of Office and seating of new Council Member from District 1.

Attorney Gougelman administered the oath of office to Richard Contreras. Mr. Contreras signed the oath and joined the Council table.

23. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Mr. Hill updated Council on the County Commission meeting regarding the expansion of the courthouse facilities. The commission voted to defer action for 30 days while county staff gathers additional information. A general discussion followed regarding this issue.

24. ADJOURNMENT

Moved by Hand/E. Palmer to adjourn. Motion carried unanimously.

The meeting adjourned at 11:00 p.m.

City Clerk – 6/5/2000

Approved by Council: _____

Attachment to official minutes: Oath of Office for Richard Contreras