

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
JUNE 27, 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

Absent:	Richard Contreras	Council Member, District 1 (two-week active military duty assignment)
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4. PROCLAMATIONS AND PRESENTATIONS

Mayor Buckley announced that “Essentials Spas” was presented the June Beautification Award.

5. APPROVAL OF MINUTES – June 13, 2000 Regular Meeting

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

6. CITY MANAGER’S REPORT

Mr. Hill noted that the 2000 Water Quality Report was distributed to Council.

By consensus, Council approved the City Attorney’s vacation request for July 3, 5, 6, and 7.

7. PUBLIC COMMENTS

None.

UNFINISHED BUSINESS

8. ORDINANCE NO. 2000-36 (A&V 233): (Public Hearing/First Reading) A proposed ordinance to abandon and vacate a 16 foot wide alley between Lots 10 through 14, Block

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5, Replat of Outlots 21-23 (2125 and 2155 Avocado Avenue) (Applicants – Allen and Minnie Lindsey and Andrew Egan) (Postponed by Council 6/13/00)

Attorney Gougelman read the ordinance by title. Staff recommended that the item be further postponed since the abutting property owners have not been able to resolve the matter.

Moved by Poole/C. Palmer to postpone Ordinance No. 2000-36 until the July 11 Council Meeting. Motion carried unanimously.

NEW BUSINESS

9. COUNCIL ACTION RE: Contracts for repair and painting of the Patrick Air Force Base water storage tank.
- a. Contract for repair and painting of the Patrick Air Force Base elevated water storage tank, Worth Contracting, Jacksonville, FL - \$448,500.00.
 - b. Supplement No. 39 to continuing consultant's contract to provide construction contract administration and tank inspection, Frazier Engineering, Inc., Melbourne, FL - \$31,000.00.

Mayor Buckley referenced the City Manager's memorandum, which indicates that the city has received a bid protest on this item. The recommendation is to postpone this award until the bid protest has been heard.

Moved by Poole/E. Palmer to postpone this item until the bid protest has been resolved. Motion carried unanimously.

10. COUNCIL ACTION RE: Consent Agenda

Moved by Hand/Walker for approval of the consent agenda, items "a – e."

Mr. Palmer asked for a further explanation on item "c". Mr. Hill stated that, as indicated, this purchase would place the city in a position to proceed with the Police ready car program if approved by Council during the budget process. He stressed that at this point, he is not prepared to make a recommendation to fund the ready car program. The approval of these five vehicles would be used to offset the purchase of five vehicles in the upcoming budget.

Responding to Mr. Palmer, Mr. Hill said that Council would not be taking action that is irreversible by voting for this item.

Mrs. Poole stated that she would like information from other cities of similar size that have this program. Also, she would like to know the number of officers who live outside the city. Mr. Hill agreed that a substantial number of officers live outside the city; however, he noted that there are many advantages to this program, including the availability of officers and the positive impact the cars would have during shift change.

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Mr. Hill added that the addition of five cars is worth considering, especially since we do have a smaller fleet than desirable. This is aside from the question of the ready car program.

Mrs. Palmer questioned this action and noted that Council has already reviewed the ready car program and decided not to proceed. Mayor Buckley said he recalls that several Council Members expressed opposition to this; however, he does not believe the City Council took an official position.

Mr. Hill replied that this is the minimum step necessary to proceed. He stated that if Council is not willing to consider the ready car program, then we should not proceed with this purchase.

Mayor Buckley stated that this is a prudent approach. He added that if Council does not proceed with the ready car program during the budget hearings, then these vehicles would take the place of vehicles that were scheduled for replacement.

Mr. Palmer agreed and pointed out that the presence of a police car sends a message and acts as a deterrent regardless of where it is parked. He added that his question has been answered; the vote at this meeting will not have an affect on a later decision.

Mrs. Palmer stated that it would be nice to receive the additional information before being asked to vote on another step towards implementation.

Mrs. Poole recalled the expense of the ready car program and said she fears that the program is getting its foot in the door with this item.

In response to Mrs. Palmer, Mr. Hill said he believes the additional information requested could be provided by the next meeting.

A brief discussion continued.

The question was called. Motion carried unanimously.

The consent agenda was approved as follows:

- a. Purchase and mount two Hardee H Steel Bodies (\$9,010 each) and shorten the frame and modify the 1989 HC chassis (\$700) to replace dump boxes on vehicles 817 and 818 for the Water Production Division, Hardee Manufacturing Co., Plant City, FL - \$18,720.00.
- b. Purchase of 360 composite meter boxes with lids (\$45.60 each) for the Water/Sewer Operations Division, U. S. Filter, Rockledge, FL - \$16,380.00
- c. Three year lease purchase of five 2000 Ford Police Pursuit Vehicles, Don Reid Ford, Maitland, FL - \$109,116.84.

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- d. Purchase of nine lots on Dove Street for stormwater treatment utilizing stormwater utility revenues in the amount of \$30,390.00.
- e. Annual contract for firefighter uniforms, Martins Uniforms, Tampa, FL - \$15,000.00.

11. ORDINANCE NO. 2000-37 (A&V #234): (Public Hearing/First Reading) A proposed ordinance to abandon and vacate a four-foot by 65-foot section of a 20-foot wide drainage easement along the western property line of Lot 10, the Sanctuary Subdivision, Phase III. (Applicant – Mohsen M. Zakeri)

The Attorney read the ordinance by title. There were no comments from the public.

From the agenda report: The applicant, Mohsen Zakeri, plans to construct a residence on the property. In order to accommodate the size of the home, Mr. Zakeri has asked that a four-foot wide by 65-foot long section of the 20-foot wide drainage easement be vacated. Although this is a public utility and drainage easement, the drainage system is private in the Sanctuary Subdivision.

There were no objections from city departments, local utility companies, and the Sanctuary Homeowners' Association. The recommendation is for approval.

Moved by E. Palmer/Walker for approval of Ordinance No. 2000-37. Motion carried unanimously.

12. ORDINANCE NOS. 2000-38 AND 2000-39 (CPA-2000-01/Z-2000-894): (Public Hearings/First Readings) Proposed ordinances to implement a minor Comprehensive Plan Amendment and zoning on the property from county RU-1-11 (Single-Family Residential) to R-1A (Single-Family Residential) on a 0.21-acre lot located on the west side of Croton Road, north of Aurora Road. (Applicants – Alice S. Denis and City of Melbourne) (P&Z 6/15/00)

The City Attorney read the ordinances by title. Ms. Braz briefed Council. The applicant is seeking approval for a minor Comprehensive Plan Amendment to establish a low density residential land use and change the zoning on the property from county RU-1-11 (Single-Family Residential) to R-1A (Single-Family Residential). The property was developed under county land development regulations and was annexed in January 1999.

The Planning and Zoning Board and staff recommended approval based on the findings outlined in the agenda package.

Moved by Hand/E. Palmer for approval of Ordinance No. 2000-38. Motion carried unanimously.

Moved by Walker/E. Palmer for approval of Ordinance No. 2000-39. Motion carried unanimously.

13. ORDINANCE NOS. 2000-40 AND 2000-41 (CPA-2000-02/Z-2000-895): (Public Hearings/

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First Readings) Proposed ordinances to implement a minor Comprehensive Plan Amendment establishing a Low-Density Residential future land use and R-A (Residential Holding District) zoning on three parcels located west of I-95, south of Lake Washington Road, north of Aurora Road (White Pine Drive) and east and west of Jones Roads. (Owner/Applicant – J. W. Woodson/B. J. Houze) (P&Z 6/15/00)

Attorney Gougelman read the ordinances by title. Ms. Braz briefed Council. The applicants are seeking approval for a minor Comprehensive Plan Amendment establishing a Low-Density Residential future land use and R-A (Residential Holding District) zoning for the three parcels. The properties were annexed in May 2000 and are vacant

The adjacent parcels in the city have a future land use of low density residential and are zoned R-A. The property is the subject of a City Council approved settlement agreement, which affords the applicant the right to build 60 homes on a minimum of one-acre lots using septic systems; appropriate Health Department approvals are required. The proposed future land use and zoning are the only appropriate designations for these lands. The city's Comprehensive Plan, Future Land Use Element, site-specific policies for Study Area V, limits residential density on the adjacent property to one unit per acre without central sewer.

The Planning and Zoning Board and staff recommended approval based on the findings listed in the agenda package.

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

Moved by C. Palmer/Walker for approval of Ordinance No. 2000-40.

In response to Mrs. Poole's question about the settlement agreement, Mrs. Braz stated that she believes the applicant is tied to the court ordered layout. Mr. Gougelman referenced the settlement agreement, which states "...such subdivision shall be comprised of no more than 60 such lots platted and the development project shall be developed in a manner substantially similar to preliminary Layout No. 1..."

Mrs. Poole asked if the applicant could seek a variance to this. Attorney Gougelman replied that any party could seek an amendment to the court order. He cautioned against discussing the septic tanks since that was the central issue in the litigation.

Mrs. Poole stated that she will not vote for an item that will allow septic tanks so close to our water supply.

The question was called. Motion carried. (Mrs. Poole voted nay for the reasons stated.)

Moved by E. Palmer/C. Palmer for approval of Ordinance No. 2000-41. Motion carried unanimously.

14. ORDINANCE NOS. 2000-42 AND 2000-43 (CPA-2000-03/Z-2000-896): (Public Hearings/First Readings) Proposed ordinances to implement a minor Comprehensive Plan

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Amendment establishing an Industrial future land use and M-1 (Light Industrial) zoning on a 9.879-acre property located on the east side of North Drive, south of Sarno Road and north of Dow Road. (Owner/Applicant – Trio Industrial LL.C/City of Melbourne. (P&Z 6/15/00)

Attorney Gougelman read both ordinances by title. Ms. Braz briefed Council. The applicant is seeking approval for a minor Comprehensive Plan Amendment establishing an Industrial future land use on the property and M-1 (Light Industrial) zoning. This is consistent with the existing county zoning of Light Industrial and Industrial future land use.

The property, developed under county land development regulations, was annexed in April 2000. The property is developed with an industrial office building. The assignment of a future land use and the supporting zoning are the remaining actions to complete the land development regulation process.

The Planning and Zoning Board and staff recommended approval based on the findings listed in the agenda package.

There were no comments from the audience.

Moved by Walker/Hand for approval of Ordinance No. 2000-42. Motion carried unanimously.

Moved by E. Palmer/Hand for approval of Ordinance No. 2000-43. Motion carried unanimously.

15. ORDINANCE NO. 2000-44 (LDR 2000-03 AND FOC 2000-04): (Public Hearing/First Reading) A proposed ordinance to make the placement of bus benches subject to city approval and to prohibit their use for advertising. (Applicant – City of Melbourne) (P&Z 6/15/00)

Attorney Gougelman read Ordinance No. 2000-44 by title. Mrs. Braz briefed Council. Bus bench advertising is currently permitted by a process that requires the City Manager's approval and is regulated through the Sign Code. At the October 12, 1999 meeting, Council decided that bus benches should only be placed by government agencies and without advertising of any type.

Bus benches are desirable for the public transit riders; however, the advertising amounts to additional signage, which is neither welcome nor desirable. In fact there has been difficulty encountered with attempted placement of benches in the city solely for the purpose of advertising.

The Planning and Zoning Board and staff recommended approval of LDR-2000-03 with the findings listed in the agenda package. The Planning and Zoning Board found that the proposed ordinance is consistent with the Comprehensive Plan.

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

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Moved by Poole/C. Palmer for approval of Ordinance No. 2000-44.

Mrs. Walker asked if there are any governmental agencies that wish to place bus benches. Mr. Hill replied that the city has placed some benches; however, Space Coast Area Transit still has not worked out its plan for benches/shelters. He added that he has advised SCAT that this ordinance would preclude the placement of benches with advertising.

A brief discussion followed regarding several benches in the city.

The question was called. Motion carried unanimously.

16. COUNCIL ACTION RE: A request for removal of the Board of Commissioners, Melbourne Housing Authority. (Requested by Theodore Willing, Ramshur Towers Tenants' Association)

From the agenda report: Mr. Theodore Willing, characterizing himself as the spokesperson for the Ramshur Towers Tenants' Association, has requested to address Council regarding removal of the Melbourne Housing Authority Board of Commissioners.

The Housing Authority Commissioners are appointed by the Mayor with Council's concurrence. There is no City Code prescribed method for possible removal of a Housing Authority Member. However, Florida Statutes, Section 421.07, does provide the method, which must be followed. It reads:

"For inefficiency or neglect of duty or misconduct in office, a commissioner of an authority may be removed by the mayor with concurrence of the governing body, but a commissioner shall be removed only after he or she shall have been given a copy of the charges at least 10 days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings together with the charges and findings thereon, shall be filed in the office of the clerk."

Theodore Willing, 1279 Houston Street; Apartment 304, stated that he is the spokesperson for the Ramshur Towers Tenants' Association. He referenced his request and asked Council to take action.

For clarification, Mayor Buckley said he thought the Tenants' Association had officers. Mr. Willing replied yes and added that he was asked to represent the association. Mayor Buckley noted that there are no officers present. Mrs. Walker said she received a call from a person who said Mr. Willing was not authorized to be a representative. Mr. Willing responded that he is empowered to act in this regard. He is appearing before Council as member and spokesperson of the association rather than as an officer.

Mr. Willing proceeded and explained that he has lived at Ramshur Towers a little over three years. He found an accessibility problem with the pier about six months after he

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moved in. Subsequent to his request, a walkway was installed.

Mrs. Palmer asked Mr. Willing to confirm that some problems have been taken care of. Mr. Willing said yes; however, when other problems were pointed out, he was met with a certain amount of resistance. And, that is when things started to deteriorate. Continuing, he discussed problems with deteriorating kitchen cabinets, the length of time it took to have the construction debris removed (two and one-half years), continuous problems with the elevators, and leaking doors.

Mr. Palmer noted that the building is about 30 years old and looks nice from the outside. Mr. Willing agreed that the problems are with the interior. Mr. Palmer asked the role of the resident managers. Mr. Willing explained that the resident managers do not get involved with the tenants as far as problems/complaints with the units unless there is an emergency. A tenant who has a problem has to lodge a complaint with the maintenance department.

Mr. Palmer asked if some of the problems not being corrected relate to budgetary constraints. Mayor Buckley said Mr. Chavers (Executive Director of the Housing Authority) has confirmed that it is all a matter of finances. They do what they can; Ramshur Towers is only 38% of the Melbourne Housing Authority budget. They have other facilities that also have to be taken care of.

A brief discussion followed regarding the amount of time some problems have gone unresolved. Mayor Buckley reported that just recently, the federal government has allowed funding for renovation. Previously, this type of funding was not available. Additionally, HUD did an assessment of the Housing Authority and gave them good marks; they are doing their job.

Mr. Willing stated that they never take a tenant with them when they make their inspection. He added that he does not know what the inspection consists of.

Mrs. Palmer questioned if the city should send an inspector when safety issues are raised. Mrs. Poole recommended that the City Council encourage the Housing Authority to send a tenant when inspections are being conducted.

Mr. Willing stated that they would like an opportunity to show that they are willing to compromise. There are many things that need repair, which do not require a large amount of funding.

Following a brief discussion, Mayor Buckley said the main problem (in trying to take action) is that there is not a real representative of the tenants' association present. It is one person writing letters continually. The Housing Authority has indicated that it is a matter of money.

Mr. Palmer said he also believes there has been miscommunication and perhaps a lack of coordination and cooperation. He offered to visit Ramshur Towers, since it is in his district, along with the Chairman of the Melbourne Housing Authority, to try and resolve

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some of the issues. He concluded by stating that Council's concern is that decent, affordable housing be provided and he believes this can be worked out within the budget restraints.

A brief discussion followed.

17. COUNCIL ACTION RE: A request for a waiver of the six month waiting period to return to the Board of Adjustment for a variance for a sign at the Walgreen's Store at the corner of Harbor City Boulevard and Montreal Avenue. (Requested by Jacie Stivers)

Mayor Buckley introduced the item. This is a request for a waiver of the six-month waiting period to return to the Zoning Board of Adjustment. James E. and Jacie Stivers requested a variance to allow a second wall sign on the north building façade of the recently built Walgreen's at the corner of U. S. 1 and Eau Gallie Boulevard. The request is for a smaller sign below that reads "Pharmacy". The board denied the variance on April 24. The Stivers wish to ask the board to reconsider their request because they feel that the consultant they hired did not accurately represent the request. They think they can more clearly depict their request and the reasons for the request.

The recommendation is to allow James E. and Jacie Stivers to return to the Zoning Board of Adjustment for a rehearing on V-00-19.

Mrs. Poole stated that she attended the meeting when this item was denied. She informed Council that the Stivers were present at that meeting and spoke. She added that she believes they had their opportunity and there has been no change in the request. Mrs. Poole concluded by discussing the request as it relates to the Code.

Mayor Buckley stated that Council's role is to rule on whether the six months time limit should be waived. Mrs. Poole replied that according to Code, the applicant is to provide a sufficient change to the request to cause Council to waive the time period.

Moved by Hand/Walker for approval of the recommendation.

Mrs. Poole asked if this action would establish a precedent. Mayor Buckley said Council is simply being consistent with past practice. Mrs. Palmer added that Council is following policy and deciding each waiver on a case by case basis. Mrs. Poole restated that there has been no change in the request.

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

Recessed: 8:51 p.m.
Reconvened: 9:02 p.m.

18. COUNCIL ACTION RE: A proposal to relocate the shuffleboard courts currently located at the Front Street Civic Center.

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From the agenda report: An agreement has been reached between the Melbourne Shuffleboard Club, the Trailer Haven Club, and the Melbourne Airport Authority to relocate the Melbourne Club from Front Street Park to the courts at Trailer Haven. As part of this agreement, the city shall construct four additional shuffleboard courts, purchase a storage building, dismantle and install two light poles, and extend the shade overhangs at the Trailer Haven Complex, no later than October 1, 2000. Council approved approximately \$10,000 to resurface and fence the Front Street courts. That funding, along with an additional \$14,000, would allow the improvements to be made at the Trailer Haven facility to accommodate the move.

The costs include:

Construct four additional courts (Nidy Co.)	\$15,388
Purchase storage shed	\$ 3,500
Install and dismantle two light poles (Facilities Maintenance)	\$ 600
Extend overhang	<u>\$ 4,000</u>
Total	\$23,488

The additional funding is available in the Capital Improvement Program's *311 Miscellaneous Projects*.

Once the facilities are relocated to Trailer Haven, the city can plan for improvements to Front Street Park. The Downtown Redevelopment Committee is considering options for use of the space.

The recommendation is for Council to approve relocating the Melbourne Shuffleboard Club to Trailer Haven and the required funding from the Capital Improvement Program's *311 Miscellaneous Projects* to increase the existing project for the Melbourne courts by \$14,000 for improvements to accommodate the move.

Mr. Hill noted that at the time Council approved funding to resurface and fence the Front Street courts, there was a degree of concern raised about fencing and closing off access to the front of the facility. At the beginning of the year, the Downtown Redevelopment Committee raised concerns that resurfacing and fencing the facility would preclude expansion of the facility or any other planned uses at the facility. Council then agreed to attempt a solution. That prompted the latest rounds of discussion. Although this item comes with additional costs, it addresses the desires, is the best solution, and would allow for sanctioned, competitive events.

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

Mrs. Hand recalled that the city agreed to have shuffleboard courts at Front Street Park and she feels we need to stick to that commitment. She added that a move to Trailer Haven would be costly and not the most cost-effective use of Airport property. Additionally, she questioned how long Trailer Haven would be in existence. When Trailer Haven is gone, there will no longer be shuffleboard courts. She added that any planned

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renovations to Front Street Park (as proposed by the Downtown Redevelopment Committee) would be costly.

Mayor Buckley said he is aware that the Melbourne Shuffleboard Club spoke with the Melbourne Senior Center about the move to Trailer Haven, and they all expressed their desire to move. He added that he feels the move will take away the problem of having to fence Front Street and move the entrance to the facility. Overall, this is something that would help the City of Melbourne and the Front Street area.

Mrs. Poole agreed with the Mayor and pointed out that the new courts would allow the players to have competition. She does not believe that this move would cost more than remodeling the entrance to Front Street.

Mrs. Hand referenced the report, which indicates that an agreement has been met with the Airport Authority. She asked when the board approved this. Mayor Buckley said staff (Jim Johnson and Richard Ennis) approved it. Mrs. Hand said that the "Authority" implies the board and she would not have voted for this agreement.

Mrs. Palmer expressed concern about the portion of the agreement that provides for termination if a Comprehensive Plan or zoning change is made to the Trailer Haven property. The city agreed to keep the shuffleboard courts and they would only be able to remain on Airport property until the Airport Authority decides to build something on that site. Additionally, she agreed that Trailer Haven is the least cost-effective use of Airport property. She concluded by saying the term of the agreement is through December 2025; however, she is not sure Council is getting true data on how long the shuffleboard courts will exist.

Mrs. Poole stated that the shuffleboard courts weren't supposed to be in the front of the Front Street Park facility; they were supposed to be in the parking lot on the south side.

Mrs. Walker said she has a problem that the Airport Authority board has not authorized this agreement.

Joe Mullins, 4112 Knight Avenue, discussed the history of this issue. He stated that numerous commitments were made by members of Council and a stipulation was made that there would be separate shuffleboard courts and a building. The lease (Melbourne Harbor) provided that money would be used for recreation purposes and the first purpose was to rebuild the courts and provide space at Front Street Park. The architectural drawings indicated that this was too costly; therefore, Council made another commitment to provide a room at Front Street Park with the courts being located in front of the facility. However, all that was provided was a closet. Continuing, Mr. Mullins stated that over a year ago, Council voted to put \$10,000 in the budget to get the courts ready for the tournaments in October. However, the study got stalled. The players decided they couldn't fight City Hall. The president, vice president, and members have indicated to him that they have been strong-armed into accepting this agreement.

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Mrs. Poole said if the members were not happy with this agreement, they would be at this meeting registering their concerns.

Mr. Hill clarified that neither he nor the Leisure Services Director strong-armed anyone into this agreement. They have talked to various people and spent hours and hours on this issue. He added that there has been a change of leadership in the Melbourne Shuffleboard Club since the original folks approached Council. The current president is very much in favor of this and he never expressed concern that he was being forced. The officers and members viewed this as an opportunity.

Continuing, Mr. Hill said he does not know what the agreement was in 1980. He believes Council made some sort of commitment without a specific document. That is the reason a written agreement is being presented on this item. Mr. Hill added that we need to look at what is necessary as opposed to what happened in 1980. Front Street is a highly used facility that is an asset. The shuffleboard courts located in front of the building conflict with that. The shuffleboarders realize that they can't be successful and accommodated at the Front Street facility.

Mr. Hill stated that Mrs. Palmer's concern is valid. The caveat regarding the change of zoning or Comprehensive Plan was added by the Airport. Their concern is that through some action of the FAA, Trailer Haven may go away. However, everyone is aware how difficult it would be to make that happen. Trailer Haven consists of 700 units and 1,000 residents. The Airport has not taken any action to close down the Trailer Haven facility.

Mr. Mullins stated that Council was previously provided pictures of a wrought iron fence, which would be attractive around the Front Street facility. He added that a \$10,000 expenditure has now increased to \$23,500, not including the cost of demolition or what someone has in mind for the expansion of Front Street.

Mrs. Walker stated that the Airport constantly holds the FAA over the city. The FAA can come in and make any kind of ruling they choose. She added that it is not city property. Because of these reasons and the fact that the Airport Authority Board has not approved this, she cannot support the motion.

Mr. Hill said he is not sure if the Executive Director is authorized to reach this agreement or if he would have returned to the board for authorization. City staff's feeling was that the city ought to go first since we are initiating the request and providing the funding.

Mrs. Poole stated that this discussion is ridiculous. She can't think of anything worse than moving the entrance at the Front Street facility to the north side. It would be costly and would take part of the parking. She added that all concerned have agreed to this. She concluded by asking if Council listens to the people or just one person who pulls the strings.

Mrs. Palmer stated that her only serious problem with this issue is that the city is investing money into a project that gives no guarantee of being there for more than a few years.

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Mr. Palmer pointed out that the city just spent \$450,000 installing water and sewer lines in Trailer Haven. He does not believe Trailer Haven is going away any time soon – or the city would not have invested a half million dollars.

The question was called. The roll call vote was:

Aye: Poole, E. Palmer, and Buckley

Nay: Walker, C. Palmer, and Hand

Motion failed.

19. COUNCIL ACTION RE: Consideration of proposed street name change of Almond Boulevard and Pecan Street to “Reverend Johnie Scott Boulevard.” (Applicant – Ms. Della Scott Thomas)

Mr. Hill briefed Council. The city received a petition to change the name of Pecan Street and Almond Boulevard, between Camphor Way and Lipscomb Street, to Reverend Johnie Scott Boulevard.

The applicant, Ms. Della Scott Thomas (daughter of Reverend Scott) has circulated the petition and obtained the signatures of abutting property owners. The names on the petition have been confirmed for property ownership. The petitioners represent an absolute majority of owners whose front footage amounts to greater than 50% of the total front footage abutting the streets (at 59.6%)

The only direct city cost associated with the proposed street name change would be replacing the street signs at three intersections. These are approximately \$60 per sign. However, older street signs are being replaced with more reflective signs so these signs would eventually be replaced anyway.

The proposed name change will not have an unfavorable impact on natural or historical resources in the region and will have no adverse effect on the public health, safety, welfare, economic order or aesthetics of the region or the city. The proposed name would be less confusing for emergency response by using a single name for the two block long continuous street, which presently has two names. Brevard County’s Address Assignment/E-911 System office has approved the proposed name for use.

The recommendation is for Council to authorize the City Manager to draft an ordinance and schedule a public hearing for the proposed street name change.

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

20. RESOLUTION NO. 1645: A resolution authorizing application to the Department of Justice for a Community Oriented Policing Services Making Officer Replacement Effective (COPS

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MORE) 2000 grant.

Attorney Gougelman read the resolution by title. Mr. Hill reported that the city is requesting authorization to apply for the Department of Justice's (DOJ) Community Oriented Policing Services (COPS) Making Officer Redeployment Effective (MORE) 2000 grant. This grant is for the funding of two Community Service Officers.

The estimated cost of these two positions is \$60,004 and through this grant program, the DOJ offers 75% funding for one year. Therefore, the DOJ grant application is on a 75:25 (Grantor:Grantee) matching basis and will require \$15,011 from the General Fund once the grant is awarded.

These positions are proposed in the Melbourne Police Department's FY 2000-2001 budget. The addition of Community Service Officers has been cost effective in relieving sworn officers from various duties not requiring their services. If these positions are approved and the grant is awarded, it will reduce city funding for at least one year. The grant application deadline is June 30. Application for the grant will not preclude Council from ultimately deciding not to fund the proposed positions. However, if application is not made by June 30, and Council approves allowing the positions later this summer, it will not be possible to receive the offset funding.

In response to Mrs. Poole, Mr. Hill said this is a year to year grant.

Mrs. Palmer asked for a ballpark figure of the pay scale. Chief Chandler replied that a starting officer makes approximately \$27,000 and a CSO \$16,000 - \$17,000. The city currently has five CSO's.

Moved by Hand/E. Palmer for approval of Resolution No. 1645. Motion carried. (Mayor Buckley voted nay because once staff is on board, it would be hard to cut the funding.)

Mrs. Palmer said the CSO's are not sworn officers and there will be cost savings. She believes the city will save money in the long run.

21. COUNCIL ACTION RE: A request for approval of agreements with Brevard County for six School Resource Officers and one Truancy Interdiction Officer.

From the agenda report: These are contract renewals between the city and Brevard County School Board for six School Resource Officers and one Truancy Interdiction Officer.

The School Resource Officers would be assigned to Eau Gallie High School, Melbourne High School, Palm Bay High School, West Shore Junior/Senior High School, Johnson Junior High School and Stone Junior High School.

The contract is for \$130,331 reimbursement by the School District based on 190 school days for 50% of pay and benefits of the officers.

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Moved by E. Palmer/Walker for approval of agreements with the School Board of Brevard County for six School Resource Officers and a Truancy Interdiction Officer. Motion carried unanimously. (Five votes. Mrs. Poole left the Council Chamber at 9:48 p.m. before the vote was taken.)

22. COUNCIL ACTION RE: A request for consideration of a possible Lease Agreement for one acre of city property located at 701 South Babcock Street.

Mr. Hill reported that we have been approached about the possibility of leasing a portion of the parcel the city acquired as a part of the 701 South Babcock Street property bought for the Police Department.

Our property included a total of four acres. Three of the acres are used for the building and paved parking. The remaining acre at the rear of the parcel is undeveloped. The request is to lease this acre for the development of a parking lot to serve a major employer contemplating moving into the former Zayre's space in the NASA Plaza. As a part of the requirements of the employer, sufficient parking spaces are necessary. However, it is not possible to accommodate all the parking on the NASA Plaza property. A total of 750 spaces are needed.

At this point the owners of NASA Plaza are seeking assurance that the city would lease, on terms to be finalized, the acre for use as a parking lot of approximately 100 spaces for a period of at least 10 years. At a minimum, the developed parking lot would revert to the city at the end of the lease.

Approval of a lease will not conflict with the needs of the Police at this facility. If and when the property was needed by the city, it would likely be for use as parking.

Council would have to approve by resolution the final negotiated lease. At this point the owners would like assurance by Council that the lot will be leased, assuming satisfactory terms can be arranged.

Mayor Buckley polled Council, which unanimously agreed in concept with the lease.

23. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Following a brief discussion, Council established August 1 and August 3 as the budget workshop dates.

The new gazebo at Wells Park will be dedicated during the intermission of the Melbourne Municipal Band's July 27 concert.

Vice Mayor Ed Palmer invited Council Members to serve on the judge's reviewing stand during the Fourth of July parade.

Mrs. Poole returned to the Council Chamber at 10:01 p.m.

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24. ADJOURNMENT

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

The meeting adjourned at 10:04 p.m.

City Clerk - 7/7/00

Approved by Council _____