

CITY OF MELBOURNE, FLORIDA  
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL  
SEPTEMBER 26, 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. Father Frank Smith, Ascension Catholic 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
	Richard Contreras	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

Mayor Buckley read and presented the following proclamations:

“A Week of Civility”, October 1-7, 2000; accepted by James Luce, Chairman, Week of Civility Steering Committee.

“Fire Prevention Week”, October 8-14, 2000; accepted by Banard Taylor, Fire Inspector, City of Melbourne.

5. APPROVAL OF MINUTES - September 5, 2000 Budget Public Hearing and September 12, 2000 Regular Meeting.

The Mayor reported the following revision to the September 5 special meeting minutes requested by the City Clerk:

Page 8, revise the motion to adopt the budget as follows: “Moved by E. Palmer/Poole to adopt a 2000-2001 tentative budget of \$109,354,513 **(plus the revenues and expenditures associated with the Local Law Enforcement Block Grant Funds)**.”

Moved by Hand/Walker for approval of the September 5 minutes as revised and the September 12 minutes.

Mrs. Poole referenced the September 5 minutes, page 2, where Joe Mullins stated that the Henegar Center is a for-profit organization. She asked if a notation could be added to the

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minutes clarifying that the Henegar Center is a non-profit organization.

Moved by Poole/C. Palmer to add a notation to the September 5 minutes, page 2, that the Henegar Center is a non-profit organization. Motion carried unanimously.

The question was called on the main motion, as amended. Motion carried unanimously.

6. CITY MANAGER'S REPORT

Mr. Hill reminded Council that the annual Board Reception will be held at 6:00 p.m. on October 25, Front Street Civic Center.

Mr. Hill will determine for Vice Mayor Palmer the anticipated completion date of the replacement ground storage tank at Canova Beach.

7. PUBLIC COMMENTS

Eric Ellebracht, 1948 Tyler Avenue, expressed concern about employees operating city vehicles while using cellular phones.

A brief discussion followed regarding possible state legislation on this issue. Mr. Hill agreed with Mrs. Poole that enforcement seems to be a big stumbling block. He added that we encourage our employees to operate vehicles in a safe manner and many of our phones are hands free. He concluded by saying he would ask our safety people to reinforce this issue with our employees.

UNFINISHED BUSINESS

8. ORDINANCE NO. 2000-58 (Z-2000-900): (Public Hearing/ Second Reading) A request for rezoning of a 2.98-acre parcel from C-1A (Professional Offices and Services) to C-2 (General Commercial) located on the south side of Hibiscus Boulevard, east of the entrance to the Melbourne Square Mall. (Owner/Applicant/Representative – Granite Properties, Mike Lawley, David Menzel, Sam Henderson, John Futchko and Jerry Trachtman) (First Reading 9/12/00)

Attorney Gougelman read Ordinance No. 2000-58 by title. There were no public comments.

Moved by Contreras/Hand for approval of Ordinance No. 2000-58.

Mrs. Poole said she is pleased that the applicant, Mike Lawley, stated at the last meeting that he would ensure that precautions are placed in the lease (regarding environmental concerns) and that uses would be in accordance with the lease.

The question was called. The roll call vote was:

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

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Nay: None

Motion carried unanimously.

9. ORDINANCE NO. 2000-60 (Z-2000-902): (Public Hearing/Second Reading) A request for rezoning from I-1 (Institutional) to C-3 (Central Business District) for property located on the south side of New Haven Avenue south and west of the intersection with Livingston Street on a portion of two platted lots. (Owner/Applicant/Representative – Henegar Center/Jerry Brees/City of Melbourne) (First Reading 9/12/00)

Mr. Gougelman read Ordinance No. 2000-60 by title. There were no public comments.

Moved by Poole/C. Palmer for approval of Ordinance No. 2000-60. The roll call vote was:

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

Nay: None

Motion carried unanimously.

NEW BUSINESS

10. COUNCIL ACTION RE: Consent Agenda

Moved by Hand/E. Palmer for approval of the consent agenda.

Mr. Hill responded to questions; no items were removed from the consent agenda.

The question was called. Motion carried unanimously.

The consent agenda was approved as follows:

- a. Purchase of FloStop II 4" – 12" Tapping and Pivoting Head Line Stop System and MJ Adapter, for the Water Distribution Division, Porter Associates of Eustis, FL - \$45,576.00.
  - b. Purchase of automotive parts, supplies and filters for Fleet Management Division, Central Auto Parts, Orlando and Melbourne, FL - \$60,000.00.
11. COUNCIL ACTION RE: A request for extension of hours until 2:00 a.m. on October 6, 2000 for a youth revival outing at Andretti Thrill Park.

From the agenda report: Mr. Juan Castro, Director of Sales and Marketing for the Andretti Thrill Park, has requested consideration by Council for extending the Park hours October 6, 2000 to 2:00 a.m. A youth rally is planned and teenage youth groups from various locations will be arriving and staying locally. This would be a private function for

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the revival from 11:00 p.m. until 2:00 a.m. The city has not experienced any problems with the extension of hours at this location for church sponsored events.

Kyle Hipsley, representing Andretti Thrill Park, briefed Council on the event and asked for approval of the request.

Moved by C. Palmer/Contreras for approval of the request. Motion carried unanimously.

12. COUNCIL ACTION RE: A request by Habitat for Humanity, Inc. for waiver of special assessment liens on Lot 7, Block 4, Subdivision of Out Lots, 21, 22, and 23 located on Dove Street.

Mr. Hill reviewed the agenda report. South Brevard Habitat for Humanity, Inc. has been offered by donation Lot 7, Block 4, Subdivision of Outlots 21, 22, and 23 located at 1075 Dove Street. The lot has the following outstanding lot clearing liens:

<u>Bill Date</u>	<u>Billed Amount</u>	<u>Interest To Date</u>	<u>Total Due:</u>
12/7/92	\$ 97.00	\$ 60.42	\$ 157.42
5/28/91	<u>\$695.00</u>	<u>\$518.07</u>	<u>\$1,213.07</u>
	\$792.00	\$578.49	\$1,370.49

South Brevard Habitat for Humanity, Inc. is asking the city to waive the \$1,370.49 in lot clearing liens.

Habitat is focusing its efforts and resources in the city's north target area (also known as the Booker T. Washington Neighborhood) for the next two – three years. Forgiving the liens is a means for the city to partner with Habitat. The recommendation is for approval.

Moved by Hand/C. Palmer to forgive the lot clearing liens on behalf of the South Brevard Habitat for Humanity, Inc. on the property located at 1075 Dove Street. Motion carried unanimously.

12. ORDINANCE NO. 2000-61 (CU-2000-06): (Public Hearing/First Reading) A proposed ordinance for a conditional use for a monopole of 165 feet in height, within the C-P (Commercial Parkway) zoning district, located on the east side of Babcock Street, south of Apollo Boulevard, on a 0.055-acre area at the rear of the Police Communications site. Owner/Applicant/Representative – City of Melbourne/Nextel Communications) (P&Z 9/14/00)

Attorney Gougelman read Ordinance No. 2000-61 by title. Ms. Braz briefed Council. The property is on the east side of Babcock Street, south of Apollo Boulevard, located on a 0.055-acre area (40' x 60') at the rear of the Police Communications site. The applicant is requesting a conditional use for a monopole of 165' in height, within the C-P (Commercial Parkway) zoning district.

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The property is currently used for parking by the Police Communications staff and other personnel working in that building. Nextel will be leasing this 40' x 60' site from the city, and enclosing their equipment behind a decorative fence. The city directed Nextel to this site because it is a good income producing use for a small parcel of land in an area with little impact on surrounding commercial uses.

The site is surrounded by properties within the C-P zoning district. A lease by the city would need to be negotiated and ultimately approved by Council. Revenue should be about \$24,000 per year. Three additional personal communication service providers can use this monopole if it is approved at this location. Clearances from the FCC and Melbourne Airport Authority are required as a condition of approval. The 165-foot monopole meets the setback requirement to be at least half the height of the monopole from property line.

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

Mrs. Hand asked that the applicant and staff be aware of the impact the strobe light can have on surrounding residents.

Bill Bailey, representing American Tower, answered questions relating to siting issues. Regarding the comment about the light, he noted that they use a special type of light that has a directed beam with very little up/down scatter.

Moved by Poole/Walker for approval of Ordinance No. 2000-61. Motion carried unanimously.

14. SITE PLAN APPROVAL (SP-2000-04): (Public Hearing) A request for site plan approval for a 63,486 square foot, three-story hotel (Hawthorne Suites) and an 18,000 square foot, three-story office building within the C-P (Commercial Parkway) zoning district, located east of Riverside Drive on the south side of Eau Gallie Boulevard on a 7.06-acre parcel. (Owner – Jim Kaufman) (Representative – Richard J. Kern, RK Engineering) (P&Z 9/14/00)

Mrs. Braz briefed Council. The applicant is requesting site plan approval for a 63,486 square foot, three-story hotel and an 18,000 square foot, three-story office building, within the C-P (Commercial Parkway) zoning district. These buildings will be in addition to the Texas Roadhouse and Charlie and Jake's Barbecue already located on the site.

A site plan for this portion of the site was approved October 13, 1998 (SP-1988-16) for development of a three-story, 52,000 square foot hotel and a separate three-story, 18,000 square foot office building. The current proposal is much the same as it was previously.

The property is bounded on the west by a church and a storage mini-warehouse, zoned C-P and C-C-P respectively. To the south is vacant property zoned C-1 (Low Intensity Commercial), and to the east the property is zoned GU (General Use) by Brevard County

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and vacant property zoned R-2 (Cap 10) by the City of Melbourne. Eau Gallie Boulevard forms the north boundary.

The site contains an existing 201-seat restaurant in addition to a 60-seat restaurant constructed many years ago. Council approved a conditional use for a microbrewery that was never built (Ordinance No. 96-42). The newly developed portion of the property will consist of 4.3 acres on the south half of the site. It will include a new three-story, 63,486 square foot hotel with 86 rooms and a minimum of 93 parking spaces and an 18,000 square foot office building with 54 parking spaces. Upon completion of the project, the seven-acre site will contain 284 parking spaces, more than required by Code for each of the four uses. Retention is proposed for the southeast corner of the property. Stormwater outfall will be provided to existing drainage systems. The subject site is also the site for a retention basin serving Storage Depot USA. This retention area will have to be relocated or incorporated into this site retention.

Access will be provided from the existing driveways located on site and by constructing a sidewalk to the proposed public sidewalk on Eau Gallie Boulevard. Upon development of the residential property to the south and conversion of the access driveways to a street, the developer/owners of these properties shall cooperate in a pro rata funding with the developers of the adjacent properties to reconstruct the driveway to public street standards. Upon development of the Waterside Downs property to the south of this project, the easement roadway will be improved to comply with street design requirements. Currently, the easement is used as a driveway with parking. Because the parking will have to be removed if the street is constructed, the parking spaces have not been included in the parking calculations.

The Environmental Impact Assessment Report indicates that the property contains scrub jay habitat. The southern portion of the property is also identified as encroaching on a core reserve area as depicted on the Brevard County scrub jay habitat maps. Permits were received from the U.S. Fish and Wildlife Service (USFWS), which allowed the clearing of the north 170 feet of the property. The applicant provided a USFWS letter as part of the Environmental Impact Assessment, which acknowledges that at this time (June 8, 2000) scrub jays are “no longer occupying the southwest edge of the property”. The service has determined that development of the balance of this site is not likely to result in a “take” of scrub jays and may proceed at this time. The letter notes that if scrub jays appear on the property, construction must be halted. The USFWS recommended that as much natural vegetation as possible be left in the construction area and used in the landscaping. No other threatened or endangered species were observed on site.

The proposed plan of development complies with the Comprehensive Plan, Land Development Code, and Zoning Code. The site plan is harmonious and complimentary with adjacent uses and is consistent with ordinances applied to this property. Based on the findings listed in the agenda package, the Planning and Zoning Board and staff recommended approval of SP-2000-04 with the following conditions:

- a. Any change to the site plan will require reevaluation of the site plan by the City of Melbourne Engineering and Planning and Zoning Departments. Any substantial

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change to the site plan will require review and approval by the Planning and Zoning Board, Local Planning Agency, and the City Council. A substantial change includes but is not limited to: a) a decrease of the open space or vegetative areas on site or b) a five percent or more increase in the number of parking spaces on the site plan.

- b. The owner/applicant shall participate with the developer(s) of the residential and commercial property to the south to reconstruct the roadway easement property (pro rata funding or other funding allocation as contained in a written agreement acceptable to the city between the applicant and owners to the south), into a street complying with city design requirements at the time the property to the south is developed.
- c. The owner/applicant shall prepare an acceptable stormwater management system to serve the subject properties and the site of the Storage Depot USA site consistent with City Land Development Code requirements.

Mrs. Hand asked if a traffic light will be installed on Eau Gallie Boulevard. Mrs. Braz said it will depend on when warrants are met; however, she does not anticipate that a light will be installed at this time.

Mrs. Poole questioned the determination that “scrub jays are no longer occupying the southwest edge of the property.” Mrs. Braz confirmed for Mrs. Poole that if scrub jays appear, then construction must be halted. She also noted that any uses would have to meet the parking requirements in the Code. Mrs. Poole stated that the residents in the neighborhood should be alerted about this project.

Rick Kern, representing the applicant, stated that he has reviewed and agrees with the stipulations.

Mrs. Poole asked Mr. Kern if he has seen any gopher tortoises on the site. Mr. Kern said he has not looked for a while; however, as of two – three months ago, he did not see any on the property.

Moved by E. Palmer/Contreras for approval of Site Plan SP-2000-04 with the proposed stipulations.

Mrs. Poole said she cannot vote for this development; this area was proposed for an environmental learning center. She asked Council to remember, as the barrier island is being developed, that there are only two causeways for evacuation during hurricane season.

Mr. Palmer said he believes this development is better than the microbrewery originally planned. Mrs. Poole disagreed.

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

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15. SITE PLAN APPROVAL (SP-2000-05): (Public Hearing) A request for site plan approval for a residential development of 25 duplex and nine triplex buildings for a total of 77 units located north of Ocean Side Village, Phase 1, west of Ocean Side Phase 2B and east of Ocean Side Phase 2D on the north side of Ocean Side Boulevard and immediately south of Beach Club and Brittany Apartments west of Highway A1A and south of Eau Gallie Boulevard. (Owner - Canova Estates Development Corporation) (Representative – Robert Lee) (P&Z 9/14/00)

Mrs. Braz briefed Council. Each unit will be placed on a 30 x 60-foot building pad and will be sold fee simple by metes and bounds description, with a master geometry plan filed in the survey book of the Brevard County Public Records.

The most recent action on this property was the Ocean Side Village Phase 2B approved by Council on March 14, 2000; this phase is to the east of the site plan area under review. The property was annexed in 1979 and zoned PUD (Planned Unit Development). In 1986 the zoning on this property was changed to C-1. In 1997, the zoning was changed to R-2 (Cap 10). The land use was originally mixed use, Commercial and Medium Density Residential, with a density limitation of 10 units per acre. The land use was changed to Medium Density Residential with a 10 unit per acre density restriction in 1998 when the Comprehensive Plan was revised and adopted.

The proposed development will be accessed by Ocean Side Boulevard, and consists of five private streets (four cul-de-sacs and a small loop street) connecting to Ocean Side Boulevard. Each unit in this phase has two garaged parking spaces. The private drives are within ingress and egress easements. The homeowners' association will maintain the roadways and the drainage facilities.

The Environmental Impact Assessment report indicates that this phase of development is covered by the mitigation terms of the original Waterside Downs project in 1997. An updated letter from the Florida Fish and Wildlife Conservation Commission noted that this phase is covered by the terms of the previous mitigation agreement.

The Planning and Zoning Board and staff recommended approval based on the findings listed in the agenda package and subject to the following stipulations:

- a. Demonstrate compliance with the conditions of the Florida Fish and Wildlife Conservation Commission.
- b. Pedestrian access throughout the development must meet or exceed the city's standards.
- c. Any change to the site plan will require reevaluation of the site plan by the City Engineering and Planning and Zoning Departments. Any substantial change to the site plan will require review and approval by the Planning and Zoning Board (Local Planning Agency) and the City Council. A substantial change includes but is not limited to: 1) a decrease of 5% of the open space or vegetative areas on site or 2) any increase in the number of units shown on the site plan.

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- d. All trees and scrub habitat shall be preserved unless located in a roadway, drainage facility, or building pad. Further, all structures, streets and cleared retention/detention areas shall be shifted whenever possible to preserve trees. Initially, trees and scrub habitat shall only be removed for driveways, drainage facilities, and model homes. Trees and scrub habitat in the footprint of additional structures shall be removed only in conjunction with a building permit. Trees that can be retained within the drainage system shall be preserved whenever possible. All trees and scrub habitat to be removed must be identified by Code Enforcement personnel after evaluating the possibility of saving the trees and scrub habitat by shifting the drives, building pads, and retention areas.

Mrs. Poole referenced stipulation “d” and asked staff to refrain from using the phrase “whenever possible.” In response to Mrs. Poole, Mrs. Braz stated that the idea is to save the oaks, palmettos, etc. in clusters.

Rob Lee, engineer of record representing the owner, displayed a plan of the development. He pointed out the green areas on the site.

Mr. Contreras asked if there are any playgrounds planned for the development. Mr. Lee explained that there will be a common recreation area for the entire development and he believes it will have tennis courts, basketball courts, swimming pool, etc. A clubhouse is currently under construction in the Phase 1 area. He is not sure whether a separate playground is planned for this phase. Mr. Lee informed Council that this phase will be for predominantly older, retired folks; the development will be a “common area/maintenance” project.

Mrs. Hand expressed concern about the retention areas and the safety factor for young children. Mr. Lee replied that this area is very dry and has rapid percolation. The depressions will be less than two feet deep and will not have any standing water.

Mrs. Poole asked how many units the clubhouse, tennis courts, etc. will serve. Mr. Lee said Phase 1 has 175 units, Phase 2A has 48, Phase 2B has 66, and this phase has 77 units. He noted that it is a fairly good size recreation tract.

In response to the Mayor, Mr. Lee said they would return to Council with a recommendation for street names.

Mrs. Palmer said one community area doesn’t seem that large for this many homesites. Mr. Lee noted that many of the residents in the single-family areas are building their own pools. He added that people in the community enjoy walking, roller blading, etc. He pointed out that there is a 6’ perimeter walkway around the community.

Mayor Buckley said it is really a retirement type community. Mrs. Walker asked about parking facilities at the clubhouse. She questioned how many older residents would be able to run/roller blade to the recreation facility. Mr. Lee said he believes there are 10 – 15 parking spaces in the recreation area. Mrs. Walker stated that this will not be enough

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parking. Mr. Lee replied that generally residents don't utilize the parking area of the clubhouse.

Mr. Contreras stated that Mr. Lee has not provided firm answers regarding the recreation facilities. Based on the number of children/grandchildren that could occupy the area, he stated he can't support the request.

Mr. Lee said they have met all of the city's requirements. The city has recreation areas and there are recreation impact fees; also, on site facilities can be provided. The builder and the developer are savvy and they have opted to go with this plan. Five units were taken out for the recreation area and the site has been designed based on the market.

Mrs. Palmer said she can support the request based on the green areas not being completely covered with retention, scrub/palmetto areas remaining in clusters, provision of a 6' walkway around the development, and the majority of homeowners being retired folks without children.

Moved by Hand/E. Palmer for approval of SP-2000-05 subject to the proposed stipulations. Motion carried. (Council Members Contreras and Poole voted nay.)

16. COUNCIL ACTION RE: A request for authorization to negotiate for the purchase of the "Rossetter" property located east of City Hall and the FECRR between Strawbridge and Palmetto Avenues for public parking purposes. (Requested by the Downtown Redevelopment Committee).

On September 21, the Downtown Redevelopment Committee unanimously voted to ask Council to attempt to purchase a downtown lot known as the "Rossetter property" with the condition that the purchase price is below the appraised value of \$50,000.

This is a request to proceed with negotiations to purchase the Rossetter property, located on the north side of Strawbridge Avenue, east of the FECR and east of the public parking lot. The city has leased this property for over 20 years and during that time has maintained the property and paid the property taxes. In return, we have utilized the parking lot for public parking. The lot was not paved since it was not owned by the city.

The property recently entered the Rossetter estate; the future of the lot was discussed with the executors. Hanson Appraisal Service completed an appraisal for the executors, which showed the property valued at \$50,000. This appraisal was based on the ability to construct a 2,600 square foot building with associated parking. The current assessed value of the property is \$36,900. The property is 60' x 123' and is currently zoned C-2 (General Commercial).

If purchased, the city could pave the lot and incorporate it into the existing paved public parking lot to add approximately 20 parking spaces. Funding for the purchase of the lot is available from the undesignated funds for the 2000-2001 budget year (\$121,000). In addition, funds are available from the Downtown Parking Trust Fund in the amount of \$21,347.

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With Council approval, staff will negotiate with the Rossetter estate and return to Council with a recommendation.

Moved by Walker/C. Palmer for approval for staff to proceed with negotiations to purchase the Rossetter property.

Mr. Palmer said he supports this; however, he would like to see the legal description of the property along with the tax appraisal/information.

Mrs. Poole questioned how an office building with parking could be built on this site. Mrs. Braz said it would be tight. She added that when she spoke with the attorney in charge of the trust, he indicated that the city should offer less if we had information to substantiate that the property should be sold for less.

The question was called. Motion carried unanimously.

Recessed: 8:56 p.m.

Reconvened: 9:07 p.m.

17. COUNCIL ACTION RE: Request for approval of contracts for property and casualty insurance renewals from various vendors at a total cost of \$983,286.00.

Mr. Hill briefed Council. This is a proposed contract award for various property and casualty insurance coverages. Currently the city's property and casualty coverage is provided by many different carriers under a "monoline" approach; different companies cover a portion of the city's exposure. The lead entity for our main liability exposure is the Florida League of Cities' "Florida Municipal Insurance Trust" (FMIT).

The insurance industry recently entered what is known as a "hard market" where an insurance company's capacity or ability to write risk is reduced. Coastal Florida and municipal business are both considered high risks. This has resulted in increased premiums. Renewals of other cities in recent months have reflected the market conditions with increases anywhere from 25-75%.

The hard market coupled with the recent unfavorable financial statement of the Florida Municipal Insurance Trust, resulted in negotiations with several known insurance markets for public entities to see if the city's insurance coverage could be packaged to reduce the expected increase at the October 1, 2000 renewal. Additionally, given the current insurance market, the Risk Manager believes that the city should increase its level of coverage.

The companies were invited to propose plans that they felt would protect the city's exposures in the most cost-effective manner. Five proposals were received, including FMIT's. The proposals provided a variety of deductible options and packaging options. A spreadsheet comparing the proposals is in the package.

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The Risk Manager has determined that Arthur J. Gallagher & Co. provided the best proposal from a coverage and cost perspective. The Arthur J. Gallagher & Co. proposal packages property, automobile, third party liability, workers' compensation, and crime coverage into one package. The cost of the Gallagher package including the projected loss reserves required to pay claims under the coverage deductible is \$942,286.00, which is a saving of \$167,780.00 from FMIT's renewal proposal.

The insurance premiums for the Gallagher plan are as follows:

Premier Public Entity Package	\$443,000.00	United National Insurance Company
Excess Property Coverage	115,000.00	Royal, Lloyd's of London, Hartford Ins. Co.
Excess Work Comp	49,202.00	Clarendon Insurance Company
Public Official Bonds	625.00	Hartford Insurance Company
Claims Third Party Administrator	61,000.00	Professional Administrators, Inc.
Police/Fire Fighters AD&D	6,570.00	Hartford Insurance Company
Boiler & Machinery	<u>6,256.00</u>	Travelers Insurance Company
Total Premium/TPA Cost	\$681,653.00	
Projected Reserves Required	\$260,633.00	
Total Cost of Program	<u>\$942,286.00</u>	

The Property and Casualty Coverage would be renewed effective October 1, 2000 with the companies listed above for a three-year term pending acceptable renewal terms. It is also recommended liability coverage be increased to \$5,000,000 for an additional premium of \$41,000. The total cost to the city with the increased coverage would be \$983,286.00.

In response to questions, Risk Manager Ken Gray explained the coverages and reviewed the spreadsheet. Mr. Gray said the change in deductible does not present a savings by itself because we have a higher exposure. That is why there are projected losses under those deductibles.

Mr. Palmer said he is trying to determine the rationale for the savings. Mr. Hill said our savings in a sense would have been greater if we had not added the money back in for the additional exposure.

Moved by C. Palmer/E. Palmer for approval of contracts for property and casualty insurance renewals from vendors as listed at a total cost of \$983,286.00.

Mr. Palmer asked what the other cities think about their insurance with the League. Mr. Hill responded that the League is having this problem with all of their programs; it is common. A brief discussion followed regarding our satisfaction and good relationship with the League over the years. Mr. Gray listed other municipalities participating in the Gallagher plan for Mrs. Walker.

The question was called. Motion carried unanimously.

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18. COUNCIL ACTION RE: Direction regarding the development of alternatives for expanding and improving fire service through establishment of an eighth Fire Station.

At the September 20 budget public hearing, Council directed staff to place an item on the agenda to give direction regarding consideration of options for an eighth Fire Station. As stated in the City Manager's transmittal letter for the FY 2000-2001 budget, a major unfunded need exists in the next five years for an eighth Fire Station. This would be to ensure prompt response time throughout the city. The five-year CIP reflects \$700,000 for the construction of a station. The desirability of an additional station has been discussed at prior Council budget workshops.

There are currently a number of options that can be considered to allow the establishment of a station. The key is to proceed in a manner which is mindful not only of the short term cost, but the long term commitment of over \$1,000,000 for a station and equipment along with approximately \$400,000 per year additional personnel costs. Moreover, the location of the eighth Fire Station will have consequences on service levels throughout the city. Finally, the city has an existing service agreement with Brevard County that must be evaluated and included in any planning.

The best manner to proceed is to direct staff to develop a plan and return to Council for further consideration. The firefighters union has volunteered to work with the command staff of the Fire Department in helping to develop alternatives.

Mrs. Walker said she would like to know the types of calls, response time, and whether there have been significant calls or problems not taken care of (on the beachside).

Chief Chamberlin said the response time on the beach is four – five minutes; a little slower than on the mainland. There have been no real problems on the beachside that he is aware of. He added that the call volume needs to be reviewed as part of the report on determining how to proceed.

Mrs. Palmer stated that she is glad to see that the firefighters' union, the Fire Chief, and the City Manager reached an agreement to develop alternatives. She added that she was surprised to learn about the plan at the last meeting; apparently the union members did not feel they were being heard. She asked that every option be brought to Council.

Mr. Palmer said the subject about presence on the beachside came up three – five months ago and the Fire Chief and City Manager were supposed to coordinate with the county to determine their response to our presence on the beach. He asked the outcome.

Chief Chamberlin said he talked unofficially with the County Chief about options. They still plan to meet with the County Manager and the City Manager. Mr. Hill added that the county has represented to us that they have the staffing levels; however, there have been instances where they have relocated staff. It has been 20 years since the original contract for beachside coverage was enacted; we exchanged that for our coverage of the

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Aurora Road enclave. The city is concerned that it is not receiving as good a deal as it is offering. Perhaps the agreement needs to be altered or terminated.

Mr. Palmer asked when Council would receive feedback from the meetings with the county. Mr. Hill said he will have the meetings and report back as soon as possible.

In response to Mrs. Walker, Mr. Hill reported that several factors will impact a recommendation. The decision about City Hall may affect the fire station at this location; perhaps the Airport Authority will not continue using Melbourne and will contract out; and growth and development on the south end of the city has been substantial. All of these components need to be considered.

Mrs. Poole stated that it seems this issue has been placed on the back burner. She stated that we need to act as quickly as possible and should not depend on the county to make the decision.

Mr. Contreras cautioned about hastily putting together a plan; he noted that would be a disservice to the city and the citizens.

Mrs. Palmer said she wants staff to understand that Council wants the union to be a part of the information gathering. She noted that she believes the Chief has the best intentions for everyone; however, he has to look at the big picture and foster a more cooperative atmosphere in the future.

Jim Tolley, 195 Chicory Avenue, Palm Bay, stated that bringing this issue to Council was not an attempt to “run over” Mr. Hill. He stated that there is a need and the information he reviewed in the budget did not indicate that the issue had been addressed. He noted that the members are willing to donate their time, talent and energy. He discussed the importance of a rapid response time and stated that time is of the essence during a medical emergency or a fire.

Continuing, Mr. Tolley said he thinks some of the Chief’s staff is not working hard towards the future. The Fire Department has a lot of career firefighters and they want to grow, see the city grow, and ensure that services are provided. He added that there are still problems with the organizational structure and reorganization is needed. He concluded by saying they are willing to spend the time to prepare an in-depth report and would like to submit a joint report from the Chief and the union covering all the options.

Mr. Palmer stated that we have expensive properties on the beachside and we need to ensure we can, in coordination with the county, determine the prudent and frugal way to provide quality service for the citizens of Melbourne.

Mrs. Hand agreed that this issue will require a lot of planning, especially in light of the cost of building, required manpower, equipment, etc.

Mayor Buckley said he is concerned about the south end of the city and in his own mind, has not determined which location would be best for an additional station. He agreed

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that the county agreement needs to be reviewed and discussed. He stated that he is glad Mr. Tolley is volunteering to work with the city.

Mrs. Poole said she would like to hear the union presentation. Mr. Tolley said that due to difficulties with the equipment, they are not able to present their material.

Following a brief discussion, Mrs. Poole said she would like to have workshop meetings on this issue with participation by Council.

Moved by Hand/Walker for approval of the recommendation.

At the request of Mr. Palmer, the maker/seconded agreed to include monthly status reports as a part of the motion.

The question was called on the main motion and the amendment. Motion carried unanimously.

19. COUNCIL ACTION RE: Requests for Council members to attend the 40<sup>th</sup> Annual Legislative Conference, November 16-17, Hyatt Regency, Orlando International Airport Hotel.

Vice Mayor Palmer and Council Members Poole and Contreras indicated they would like to attend.

Moved by C. Palmer/Walker to approve the travel requests of Vice Mayor Palmer and Council Members Poole and Contreras. Motion carried unanimously.

20. COUNCIL ACTION RE: Board Appointments

- a. Board of Trustees, Municipal Firefighters' Pension Trust Fund – two resident members

Moved by E. Palmer/C. Palmer to reappoint Gary Ford and Brendan McCarthy. Motion carried unanimously. (10/1/00 – 9/30/02)

- b. Board of Trustees, Police Officers' Retirement Trust Fund – two resident members

Moved by Contreras/Walker to reappoint Janice Hill and Elinor Burns. Motion carried unanimously. (10/1/00 – 9/30/02)

- c. Downtown Architectural Review Board – three members (one regular, two alternate)

Mayor Buckley called for nominations for the regular member seat. Moved by Hand/E. Palmer to reappoint Randall Thron. Motion carried unanimously. (10/1/00 – 9/30/03)

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Mayor Buckley called for nominations for the alternate member seats. Moved by Poole/C. Palmer to reappoint Jamie Nance. Motion carried unanimously. Moved by E. Palmer/Contreras to reappoint Joyce Miller. Motion carried unanimously. (10/1/00 – 9/30/01)

21. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Mrs. Palmer distributed a flier on “Political Action Day 2000” sponsored by Civic Rock, October 4, BCC Melbourne Campus, 9:00 a.m. – 5:00 p.m.

Mr. Contreras reported on his recent ride along with the Melbourne Police Department. He noted that he observed professionalism and compassion.

Mrs. Poole discussed the issue of the eighth Fire Station and said she feels there is animosity (between the union and management). She said these feelings should not be there because when issues are brought to Council during the budget discussion, it should not be viewed as the union against the City Manager and the Fire Chief. She added that she hopes there won't be pressure put on the employees so they can't approach Council in the future.

Mr. Hill said it is what it is and Council needs to recognize that if an employee group appears before Council, it is representing that group. He noted that the city has good relationships with all of its employee groups. Mr. Hill reported on the hours that he spends talking and meeting with employees encouraging participation. He added that if a Council Member has the impression that we are suppressing participation, it is wrong. He concluded by saying there are seven different perspectives on Council. Staff tries its best to provide sound information that is respectful of the time, level of interest, and degree of concern of all members. What one member may think is of the utmost importance, another may not.

A brief discussion continued.

22. ADJOURNMENT

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

The meeting adjourned at 10:23 p.m.

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City Clerk – 10/4/00

Approved by Council \_\_\_\_\_