

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
JULY 10, 2001

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 A. Buckley.

1. Reverend W. D. Harris, First Christian Church of Melbourne, 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
	Richard Contreras	Council Member, District 1
	Ed Palmer	Council Member, District 2
	Pat Poole	Council Member, District 3
	Grace Walker	Council Member, District 4
	Loretta Isenberg-Hand	Council Member, District 6
	Henry J. Hill	City Manager
	Paul R. Gougelman	City Attorney
	Cathy Baker	Assistant City Clerk
	Bud Emerson	Assistant City Manager
	Peggy Braz	Planning and Zoning Administrator

Absent:	Cheryl Palmer	Vice Mayor, District 5 (out of town)
	Cathleen Wysor	City Clerk (vacation)

4. PROCLAMATIONS AND PRESENTATIONS

Mayor Buckley presented a proclamation recognizing the Ascension Catholic School Odyssey of the Mind 7th Grade Team for its first place win at the 2001 Odyssey of the Mind World Competition. The proclamation was accepted by Andy Kenney, Coach, Eileen McElwee, Assistant, and the members of the team.

5. APPROVAL OF MINUTES - June 26, 2001 regular meeting

Mayor Buckley reported that Mrs. Poole requested the following revision to page 13, paragraph 4. "Mrs. Poole continued and stated that she has not spoken with Florida Today nor has she telegraphed or expressed a position with regard to whether this site plan should be granted or denied before the close of the City Council public hearing."

Moved by E. Palmer/Walker for approval of the June 26 minutes with the noted revision.
Motion carried unanimously.

6. CITY MANAGER'S REPORT

Mr. Hill reported that the proposed 2001-2002 Budget will be distributed at this meeting; Council should establish workshop dates. By consensus Council selected July 19, July 25, and August 2 (if necessary) for budget workshop meetings. Mr. Hill commented that

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Council Members are invited to meet individually with staff to review the budget before the workshop meetings.

7. PUBLIC COMMENTS

None.

UNFINISHED BUSINESS

8. ORDINANCE NO. 2001-34 (FIREFIGHTERS' PENSION TRUST FUND): (First Reading) A proposed ordinance amending Chapter 23, Retirement and Pensions, related to the variable cost of living adjustment provisions in the Firefighters' Pension Plan. (Postponed by Council 6/26/2001)

Attorney Gougelman read Ordinance No. 2001-34 by title. Mr. Hill reviewed the agenda report.

Moved by Poole/Walker for approval of Ordinance No. 2001-34. Motion carried unanimously.

9. ORDINANCE NO. 2001-35: (First Reading) A proposed ordinance to amend Chapter 20, Offenses, as recommended by the Code Enforcement Division. (Postponed by Council 6/26/2001)

Mr. Gougelman read the ordinance by title.

From the agenda report: The proposed language was previously included in Chapter 32, Section 131; however, when the extensive pre-treatment revisions were made in 1999, this section was inadvertently deleted. Code Enforcement uses this Code in cases where a person dumps paint, oil, or other materials into storm drains, canals, etc.

Moved by E. Palmer/Poole for approval of Ordinance No. 2001-35. Motion carried unanimously.

10. ORDINANCE NO. 2001-36: (First Reading) A proposed ordinance to amend Chapter 32, Utilities, as recommended by the City Code Review Committee, Section 1. (Postponed by Council 6/26/2001)

Attorney Gougelman read Ordinance No. 2001-36 by title.

Moved by Hand/E. Palmer for approval of Ordinance No. 2001-36.

Following a brief discussion, Mr. Hill clarified that water pipes in the right-of-way are city owned. Those pipes from the water meter into the home belong to the property owner.

The question was called. Motion carried unanimously.

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11. COUNCIL ACTION RE: Discussion of marketing the Babcock Street former Palms 8 Theater site. (Postponed by Council 6/26/2001)

Mayor Buckley reported that staff has recommended the item be further postponed until the July 24 agenda so this item can be discussed with the City Hall issue. He commented that it might be advisable to place a “for sale” sign on the property to determine if there is any interest in the property.

Mrs. Hand stated she is opposed to selling the property. The Mayor replied that he does not favor selling the property; however, the Babcock Street Community Redevelopment Agency Advisory Committee has recommended placing a “for sale” sign on the property. Due to the anticipated size of the July 24 agenda, he suggested postponing action until August. Mrs. Walker commented that she has no problem with placing a sign on the property.

Mrs. Poole stated that the committee has put a lot of time into this and she does not favor further postponement. She added that if there is interest in the property, then the city should move forward.

Discussion followed regarding the realignment of Babcock Street and the renaming of the effected sections of Laurie Street, Ballard Drive, and the “orphaned” piece of Babcock Street. Mr. Hill stated that Council can make that determination during final approval of the road plans.

In response to Mr. Contreras, Mr. Hill said that the Redevelopment Coordinator Cindy Dittmer should be listed as the contact person. He explained that there has been no decision made about a broker - just a recommendation to place a sign indicating that the property is available and to contact the Planning and Zoning Department.

Mrs. Poole asked about using one of the advisory committee members as a contact since the board has been pushing to sell the property. Mr. Hill responded that it would be better for a staff person to be the contact. Additionally, he confirmed for Mr. Palmer that no action has been taken regarding the use of realtors for the property.

Moved by Buckley/Poole to post a sign on the property and to postpone further discussion on this item until August 14. Motion carried. (Council Member Hand voted nay.)

12. COUNCIL ACTION RE: Appointment of voting delegate to the Florida League of Cities 75th Annual Conference, August 23-25, 2001. (Postponed by Council 6/26/2001)

Moved by Walker/E. Palmer to appoint Mayor John Buckley as the city’s voting delegate to the Florida League of Cities Annual Conference. Motion carried unanimously.

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13. COUNCIL ACTION RE: Appointment of fifth member to the Firefighters' Pension Plan Board of Trustees (Postponed by Council 6/26/2001)

Moved by E. Palmer/Poole to confirm the appointment of Robert Coulter as the fifth member to the Firefighters' Pension Plan Board of Trustees. Motion carried unanimously. (June 10, 2001 – June 9, 2003)

14. ORDINANCE NO. 2001-33: (Public Hearing/Second Reading) A proposed ordinance to amend Chapter 25, Signs and Advertising, as recommended by the Code Review Committee, Section 1 (First Reading 6/26/2001)

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

Moved by Contreras/E. Palmer for approval of Ordinance No. 2001-33.

Mrs. Walker discussed the change from the use of "realtor" to "licensed real estate broker." She stated a real estate salesperson is not always a licensed real estate broker.

Mr. Porsi explained that one of the Code Review Committee Members advised that the term "realtor" was a trademark and recommended the change. He stated most real estate salespersons work for a licensed real estate broker. Mrs. Walker stated she would like the reference to be more defined.

Mrs. Poole asked if the Planning and Zoning Board had reviewed the ordinance. Mr. Hill responded no. Mr. Gougelman confirmed that the Planning and Zoning Board should review the ordinance.

Moved by Hand/Contreras to postpone Ordinance No. 2001-33 until it has been reviewed by the Planning and Zoning Board. Motion carried unanimously.

NEW BUSINESS

15. COUNCIL ACTION RE: Consent Agenda

Moved by Hand/E. Palmer for approval of the consent agenda, items "a – d", as recommended. Motion carried unanimously.

The consent agenda was approved as follows:

- a. Resolution No. 1699: A proposed resolution authorizing application to the Florida Department of State, Division of Historical Resources, for \$10,000 grant funding under the Florida Main Street Program for the Olde Eau Gallie Riverfront Community Redevelopment Area.

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- b. Resolution No. 1700: A proposed resolution authorizing application to the Florida Department of Environmental Protection for the federal Land and Water Conservation Fund Program in the amount of \$15,000 to replace the seawall at Houston Street.
 - c. Change Order No. 1, contract to re-pave and grade the alley perpendicular to Municipal Lane, Project No. 98110, Certified General Contractors, Inc., Melbourne, Florida - \$1,500.
 - d. Supplement No. 76 to continuing consultant's contract for design of 12" waterline, Frazier Engineering, Inc., Melbourne, Florida - \$13,400.
16. COUNCIL ACTION RE: A presentation by the Brisben Companies regarding a proposal to construct and develop senior rental apartments in the city. (Requested by Mr. David Petroni)

David Petroni, 4611 Lookout Road, Virginia Beach, Virginia, Vice President, Brisben Companies, expressed appreciation for the opportunity to address Council. He discussed the history of the Brisben Companies.

Mr. Petroni explained the proposal to construct age restricted housing near Wickham Road and Weston Drive through a Brevard County Request for Proposal (RFP) to address the aging senior population. He distributed a proposed rendering of the one-, two-, and possibly three-bedroom unit development and a location map. Mr. Petroni stated that the need for 55-plus housing will continue to increase and they want to address that need.

Mr. Buckley asked if the development would be exempt from property taxes. Mr. Petroni responded no. He added that there is a density bonus available and they hope to obtain tax exempt bonds.

Mr. Palmer reported he is personally involved with the county's RFP. He asked Mr. Petroni if he anticipates reaping benefits from the money the county is ready to put forth. Mr. Petroni responded he would like to include the City Council's support as part of the criteria submitted with the county RFP. He added that because of the time line, Melbourne is the only location they are looking at.

Mrs. Walker asked if the rentals are based on income and age. Mr. Petroni responded it is totally age restricted. He added that they will meet rent structure and building codes.

Discussion followed regarding the mostly scrub vegetation on the proposed piece of property. Mrs. Poole stated she likes the design; however, she favors more landscaping.

Mr. Petroni said they did some design around the courtyard area; however, they did not expend too much for design until they met with Council. He also noted that senior housing has become more aesthetically pleasing over the years.

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Responding to Mr. Palmer, Mr. Petroni stated that the county's RFP targets the 28-30% median income level. Their project will target the 50-60% of the median income level and meet the county's criteria as close as possible. He stated that the rent breakdown has not been finalized. Mr. Petroni reported that the median income of Brevard County seniors is 51.2%. At this time, 70% of the development is targeted at a majority of 60% of the median income. However, this could change.

Responding to Mrs. Walker, Mr. Petroni reported that he is targeting seniors with a total household income of 30% of the median income, in the \$18-22,000 to \$30-36,000 range. This is based totally on income and has nothing to do with assets.

Mrs. Poole asked Mr. Petroni about his previous affordable housing projects in Melbourne where he obtained tax credits. Mr. Petroni responded that Willowbrook Village on Wickham Road was a very successful project of his that continues to do well. He also confirmed that the proposed project would be considered affordable housing for seniors.

Mr. Petroni concluded and stated he is asking Council to provide a letter of support that can be included in his package to be presented to the county. Mr. Hill explained that Council has granted general letters of support in the past. While the letter would not be a grant of approval or judgment of appropriateness, Council could indicate that the concept appears to be consistent with the city's affordable housing and senior housing goals.

Mr. Palmer stated it is premature to approve anything. Mr. Hill assured Council that the letter of support would not imply approval.

Council agreed to provide Mr. Petroni a letter.

17. RESOLUTION NO. 1701: A proposed resolution authorizing application to the U. S. Department of Justice, Bureau of Justice Assistance, for Local Law Enforcement Block Grant funding in the amount of \$200,632.

Mr. Hill briefed Council. The city has an opportunity to apply for phase six of the Local Law Enforcement Block Grant (LLEBG) through the Bureau of Justice Assistance, U. S. Department of Justice. The intent of this program is to provide local government with funds to underwrite projects to reduce crime and improve public safety. This is a noncompetitive grant that guarantees the city will receive \$200,632 based on a formula that combines crime statistics and population. The city has been able to receive the LLEBG funds in the last several years. The LLEBG has been used for computer requirements, other capital needs, and, last year, additional police vehicles.

In each jurisdiction, LLEBG funds may not exceed 90% of the total cost of the program so funding is a 90:10 (grant:grantee) matching basis and will require \$22,292 from the General Fund once the grant is awarded. The total project cost is estimated at \$222,924.

The Melbourne Police Department proposes to utilize funding for one of two projects.

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- **Alternative One** is to purchase five vehicles, seven radios and upgrade the security in the booking rooms, lobby, and exterior of the facility located at Apollo Boulevard. Alternative One has an estimated project cost of \$222,924.

Alternative One will allow the Department to reach close to a modified 2:1 ratio for Police vehicles. Sixty-five vehicles were identified last year as necessary to get to a “modified 2:1 plan”. Council will recall considerable discussion going back last year about the desirability of additional Police vehicles. Following Council’s direction, there is no intention or effort to move to a “take home” vehicle plan. However, with the vehicles obtained last year through the grant, plus these five additional vehicles, the Department can move effectively to a modified 2:1 ratio of officers to vehicles. This will improve accountability, maintenance costs, and productivity of operations.

- **Alternative Two** excludes the purchase of the vehicles and proposes to purchase various items such as radios, in-car videos, and security enhancements from the Police Department’s Capital Outlay and Capital Improvement budget. Alternative Two has an estimated project cost of \$221,589.

Alternative Two will allow the Department to move forward with several capital items which were pushed back in the budget due to funding limitations. These items are all necessary items in the Department’s Five-Year Capital Outlay Plan.

One of these alternatives needs to be selected so that the appropriate resolution can be adopted to proceed with the grant application. The application deadline is July 25, 2001 to receive funding for 2001-2002 fiscal year.

Mr. Hill commented that these types of local grants could be discontinued and it may be the last year for these funds.

Mr. Contreras stated that both alternatives are good; however, alternative one provides more “bang for the buck.”

Mrs. Poole pointed out that vehicles were purchased last year. She stated that alternative two allows moving forward with items that were pushed back. She added that she believes there are extra cars available for use if a vehicle breaks down.

Mr. Hill agreed that on any given day there may be a vehicle available. However, there are not enough vehicles to assign specific cars to specific officers.

A brief discussion followed regarding the availability of vehicles.

Mr. Palmer stated that he supports alternative one because it has more merit. Adding more police cars to the force will help reduce the maintenance costs and will improve the productivity of our policemen.

Mrs. Walker stated that it appears the automobiles are needed more and the other things

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can be added later.

Mr. Buckley said he favors alternative one, which would allow two officers assigned to one vehicle.

Mrs. Poole asked if the vehicles proposed in alternative one include equipment. Mr. Hill responded the new patrol vehicles are fully outfitted with radios, in-car video, in-dash computers. Most of the current vehicles have this equipment; however, we are working to get all the vehicles equipped.

Attorney Gougelman read Resolution No. 1701, alternative one, by title.

Moved by Hand/E. Palmer for approval of Resolution No. 1701, alternative one.

Mr. Hill commented that last year 65 cars were necessary for the 2:1 (2 officers to one vehicle) ratio. Approval of alternative one brings the total to 61 vehicles. This is still below the number needed for the 2:1; however, Deputy Chief Torpy has indicated that they can work a schedule that will allow for virtually everybody to have a 2:1 assignment.

The question was called. Motion carried unanimously.

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

Mr. Hill briefed Council. 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, Westshore Junior/Senior High School, Johnson Junior High School, and Stone Junior High School.

The School Resource Officers along with the Truancy Interdiction Officer have been beneficial in resolving problems at the schools and reducing juvenile crime.

The contract is for \$139,059 reimbursement by the School District based on 190 school days for 50% of pay and benefits of the officers. We are billing the School District on a quarterly basis. This represents an increase of \$8,728 over last year which is due to the annual pay increases of the officers.

Mr. Hill reported that Council received copies of the School Board's vision statement. He noted that Superintendent DiPatri proposes including school resource officers in the elementary schools. Mr. Hill stated that would involve a considerable expense and he is not sure that an agreement can be reached regarding that issue unless the School Board is willing to pay a greater share than they are currently paying.

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Mayor Buckley reported that proposal is targeted for the 2005-2006 school year.

Moved by Contreras/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.

Recessed: 8:51 p.m.
Reconvened: 9:01 p.m.

19. COUNCIL ACTION RE: A request for changes to the City's Building Codes. (Requested by Mr. Thomas Porcella)

Thomas Porcella, 1696 PGA Blvd, provided Council with pictures and information regarding the problems he has had with the construction of his home. He has experienced roof leakage, improper air conditioner installation, and improper installation of a gas shut-off valve. Additionally, the home has water damage. Mr. Porcella said he believes the city's inspections were faulty and his problems stem from those faulty inspections. He noted that the Building Division has informed him that the minimum standards are enforced. He suggested the city strengthen the City Codes and require an effective mandatory inspection by the building inspector.

Mr. Porcella submitted a list of seven names of other people waiting to have thousands of dollars of repairs done to their homes in his subdivision. He stated he would like to discuss constructive ideas for Code changes with the Building Inspector and added that something must be done about the minimum inspections.

Mr. Porcella discussed his attempts to work with the contractor and stated the contractor is pulling a fast one. He cannot afford a lawyer and suggested that the City Manager and City Attorney force the contractor to act. He added that the city should help him sue the contractor.

Mayor Buckley stated that Mr. Porcella has a problem with the man who built his house. He added that the City Attorney is not here to sue the contractors of our citizens.

Discussion followed between Mrs. Walker and Mr. Porcella regarding the need for constant maintenance, even for a well-built home.

Mr. Palmer said that the city can require driveways and sidewalks to be constructed a certain way and inspect the thickness. He noted that Mr. Porcella has experienced an extensive amount of damage. Mr. Palmer stated that the city can take action to improve the quality of our citizens' homes – especially since they must sustain hurricanes. It may be too late for Mr. Porcella; however, the city can provide inspections and make contractors repair shoddy workmanship.

Mr. Porcella commented that if Council had appointed him to the Code Review Committee, he could have made his suggestions at those meetings.

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Mr. Hill stated he appreciates Mr. Porcella's offer and encouraged him to provide his recommendations to Mr. Beyer. He noted that the Home Builders Association will have comments on any proposal to raise the minimum standards; however, that is a decision Council can make.

Continuing, Mr. Hill said that the city is not the guarantor of the quality of Mr. Porcella's home. He has a potential action against the builder of his home and he needs to follow up with that. Mr. Contreras suggested Mr. Porcella join with the other people who are experiencing similar defects. Mr. Contreras added that he supports strengthening our Codes and doing better for our citizens in the future.

Mr. Porcella concluded by commenting on the 1989-1990 Building Codes. He reported that they protect the contractors – not the homeowners. He added that he hopes to meet with the Building Division to discuss needed changes.

20. COUNCIL ACTION RE: A request for removal of a Council-appointed alternate member of the Code Enforcement Board. (Requested by Mr. Thomas Porcella)

Mr. Porcella withdrew his request.

21. COUNCIL ACTION RE: Consideration of a draft ordinance amending City Code Chapter 4 by creating a new Article relating to "rave clubs."

From the agenda report: The City Attorney's Office has provided a report and draft ordinance regarding "rave clubs" and comparing their recommendations to the ordinance recently approved by Brevard County. The City Attorney recommends the city not "opt-in" to the county's ordinance and instead adopt a rave ordinance specific to the City of Melbourne to better address and regulate the problems associated with rave clubs.

Under the draft ordinance, rave clubs are not prohibited, they are regulated. The proposed ordinance recognizes that rave venues are frequently sites for illicit drug activity, and that rave patrons (both juvenile and adult) are exposed to such illicit activity in rave clubs. Additionally, the mixture of juveniles with adults at rave clubs provides an arena for predatory-type sexual crimes. Rave clubs also generate noise, traffic, and debris, which, when coupled with the late night/early morning hours of operation, have a deleterious effect on nearby properties.

The draft ordinance establishes a procedure for prospective rave club operators to obtain an annual permit to operate a rave club. The ordinance requires submission of an application for a permit to the City Manager, who shall forward the application for review and comment to the Fire Marshal (to ensure the premises comply with the fire codes) and to the Police Chief. The City Manager may issue the permit unless the applicant is under 18, has provided false or inaccurate information on the application, failed to obtain the necessary certificates from city staff, has been convicted of a felony and less than five

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years have elapsed since the date of release, or has been convicted of an enumerated misdemeanor offense and less than two years have elapsed since the date of release.

The draft ordinance distinguishes between adult rave clubs and juvenile rave clubs and prohibits juveniles from entering adult clubs and adults from entering juvenile clubs. It also establishes the proper hours of operation for juvenile and adult rave clubs, respectively, requires the presence of a qualified rave club supervisor while the rave club is operating, and requires compliance with the Land Development Code, the fire prevention and protection provisions of the City Code, and Chapter 20 of the City Code (which chapter includes the city's noise ordinance).

The draft ordinance also lists the reasons that support denial, revocation, and suspension of rave club permits and allows aggrieved parties an appeal procedure (to the City Council) for such action. Violations of the proposed ordinance will result in suspension or revocation of a permit, and may be punished as provided in Section 1-10 of the City Code.

Mr. Gougelman discussed the ordinance adopted by the County Commission. The County Commissioners asked the various cities if the county's ordinance should be effective in the municipalities. The City Council has four alternatives: 1) take the county rave ordinance as it is and make it effective in the City of Melbourne; 2) suggest any changes that the Council feels should be made and make it effective in the city; 3) adopt the Melbourne rave ordinance; or 4) determine that all this rave regulation is not needed.

Continuing, Mr. Gougelman discussed problems that could arise if the city opts in to the county's rave ordinance, which puts control and regulation under Brevard County. Mr. Gougelman noted that the city and county ordinances are similar; the basic thrust is not to outlaw but to regulate.

Mrs. Poole stated there are things she does not like about the county's ordinance; however, there should be some way to agree on certain aspects. Mr. Gougelman agreed that uniformity is a good idea. Again, the city and county ordinances are very similar in many respects, except for three key points: 1) county authority, 2) exemptions, and 3) noise component.

Mr. Palmer stated that noise is the strongest component. We can control the noise. Mr. Gougelman reported we are working with a consultant regarding noise standards and should have a proposal in September.

Mayor Buckley suggested choosing the Melbourne ordinance now and addressing the noise later.

Mr. Hill commented that the rave ordinance is very much like the city's adult entertainment and bingo ordinances; we don't rely on the county. He agreed with the City Attorney that it is much better to have our own ordinance.

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A brief discussion followed regarding the noise study being conducted by the city's consultant.

Moved by Poole/E. Palmer to direct staff to propose an ordinance for first reading, including the provisions identified in the draft ordinance, and direct the City Manager to communicate to the county that we are not interested in having the county ordinance made effective in the city. Motion carried unanimously.

22. COUNCIL ACTION RE: Board Appointments

a. Building Board of Adjustment and Appeals – three regular members.

Moved by E. Palmer/Contreras to reappoint Richard Ott, Cris Patterson, and William Troy to the Building Board of Adjustment and Appeals. Motion carried unanimously. (July 28, 2001 – July 27, 2005)

b. Planning and Zoning Board – one alternate member.

Mrs. Poole nominated Ms. Jackson and Mayor Buckley nominated Mr. Droor.

Moved by E. Palmer/Walker to close the nominations. Motion carried unanimously. The vote was:

Droor: Contreras, Walker, Hand, and Buckley

Jackson: E. Palmer and Poole

Appointed: Noel Droor (July 10, 2001 – January 24, 2003)

23. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Mr. Hill reported that the budget has been distributed. He noted that it does not contain a tax increase and funds have been added to the city's reserve as directed by Council. Staff is also proposing additional funds to the capital construction reserve. He encouraged Council to meet with him to discuss the budget prior to the workshop meetings.

Mr. Hill also reported that city staff met with the Cities of Palm Bay, West Melbourne, and Brevard County and had a successful result regarding the Palm Bay water/sewer reserve area suit. He asked Mr. Gougelman to elaborate.

Mr. Gougelman reported that the Settlement Agreement will be on the next agenda for Council consideration. He stated that both he and the City Manager will be recommending approval.

The agreement calls for the reserve area ordinance adopted by Palm Bay to be repealed. Additionally, it takes a number of unincorporated areas to the north, west, and southeast of

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Palm Bay and stipulates how water/sewer development will be handled in those areas. There is not a great concern to Melbourne, except for the area north of Palm Bay, south of U. S. 192. That area will be handled on the basis of whoever is best able to serve and where the individual property owners want to hook up for service. Mr. Gougelman stated that this time Melbourne is well situated to serve those areas.

Mr. Gougelman commented on the mediation process and said the indication is that the respective Councils and Commissions will support the agreement. Hopefully the mediation saved tax payers a lot of money.

24. ADJOURNMENT

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

The meeting adjourned at 10:07 p.m.

Assistant City Clerk – 7/17/2001

Approved by Council: _____