

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
MARCH 14, 2006



A regular meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 6:30 p.m. by Vice Mayor Loretta Hand.

1. Reverend Darice Dawson, Florida Tech, gave the invocation.
2. Pledge of Allegiance.
3. Roll Call.

Present:	Richard Contreras	Council Member, District 1
	Mark LaRusso	Council Member, District 2
	Kathy Meehan	Council Member, District 3
	Grace Walker	Council Member, District 4
	Cheryl Palmer	Council Member, District 5
	Loretta Isenberg-Hand	Vice Mayor, District 6
	Jack M. Schluckebier, Ph.D.	City Manager
	Paul R. Gougelman, III	City Attorney
	Cathleen A. Wysor	City Clerk
	Amy W. Elliott	Deputy City Manager
	Howard Ralls	Deputy City Manager
	Cindy Dittmer	Planning & Economic Development Director

Absent: Harry C. Goode, Jr. Mayor (funeral leave)

4. Proclamations and Presentations

None.

5. Approval of Minutes – February 28, 2006 Regular Meeting.

Moved by LaRusso/Walker for approval. Motion carried unanimously.

6. City Manager's Report

Council Member Kathy Meehan referenced the proposal by the owner of property located on the southeast corner of Strawbridge Avenue and Waverly Place. (The owner/developer would like to purchase the public parking lot located to the east and construct a mixed-use development. They would then deed the public parking spaces on the first floor of the development back to the City.) Mrs. Meehan said she is pleased that the City is working with the developer to retain parking.

Council Member Cheryl Palmer asked the proposed height of the development. City Manager Jack Schluckebier explained that it is tentatively in the eight-story range, which is within the allowance of the zoning category. He added that the owner/developer has not discussed providing any additional parking beyond what would be displaced by the project. Additional parking should be addressed between now and when they seek permitting approval.

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Council Member Richard Contreras asked what the trade-off would be if we pursued an additional floor of parking. The City Manager said that staff would explore those options. He added that we are excited that someone wants to construct a quality project within our existing boundaries and rules. Although the owner/developer wants to stay within the parameters of the Zoning Code, there may be potential for additional public parking. And, the City would certainly like to aggregate public parking.

Mrs. Palmer referenced the County's plan to relocate the "Downtown Melbourne Senior Center" project to Wickham Park. She said that, although this is public land and it would be a nice place for a senior center, the intent was to keep the center convenient for people in the Downtown area. She noted that she is not excited about this plan.

Mr. Schluckebier said that this is a County project funded by a countywide referendum. The Brevard County Parks and Recreation South Area Advisory Board would be the body to provide the ultimate recommendation to the Board of County Commissioners. City staff could certainly provide input. County staff previously identified a few possibilities for property located between 192 and Sarno Road. Subsequently, the City was notified that, in the interest of time and available land, Wickham Park was selected as the current recommendation. He noted that this transpired in a matter of seven to 10 days.

Mrs. Palmer recommended that Council Members contact County Commissioners and suggest that the County find a location convenient to the people who live in Melbourne. Mr. Contreras agreed and added that the selection of Wickham Park would be at the expense of senior citizens.

Vice Mayor Loretta Hand thanked staff for the Pedestrian Safety Report Summary. She stressed that the City needs to do everything possible to keep citizens safe as they cross our streets.

7. Public Comments

Moved by LaRusso/Meehan to postpone Agenda Items 12 and 16 until the next meeting to allow for a full Council to be present. Motion carried unanimously.

UNFINISHED BUSINESS

8. ORDINANCE NO. 2006-15 (A&V NO. 128A): (Second Reading/Public Hearing) An ordinance providing for the repeal of Ordinance No. 91-46, which vacated a 40-foot public utility easement; providing for the vacation of a 42-foot easement described as the east 42' of the west 92.5' of the north 4' of the south 10' public utility and drainage easement along the rear property line of 417 Oriole Lane. (Applicants - William J. and Lee S. Kananack) (First Reading - 2/28/06)

City Attorney Paul Gougelman read Ordinance No. 2006-15 by title. There were no disclosures by Council and no comments from the public.

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Moved by Contreras/Meehan for approval of Ordinance No. 2006-15. The roll call vote was:

Aye: Contreras, LaRusso, Meehan, Walker, Palmer and Hand

Motion carried unanimously.

9. ORDINANCE NO. 2006-16 (Z-2005-1058) JAMES MAHONEY: (Second Reading/Public Hearing) An ordinance changing the zoning from R-2 (One-, Two-, and Multiple-Family Residential) to R-P (6) (Residential Professional with a cap of six units per acre) on a 0.8±-acre parcel, located on the northeast corner of Avenue D and Audubon Drive. (Owner/Applicant - James Mahoney) (Representative - Scott Glaubitz, BSE Consultants, Inc.) (First Reading - 2/28/06)

The City Attorney read the ordinance by title. There were no disclosures by Council and no comments from the audience.

Moved by Walker/Palmer for approval of Ordinance No. 2006-16. The roll call vote was:

Aye: Contreras, LaRusso, Meehan, Walker, Palmer and Hand

Motion carried unanimously.

10. ORDINANCE NO. 2006-17 (Z-2005-1057) BREVARD COUNTY SCHOOL BOARD: (Second Reading/Public Hearing) An ordinance changing the zoning from R-1A (Single-Family Residential) to C-1A (Professional Offices & Services) on a 0.92±-acre parcel, located on the north side of Avenue D, east of Herring Street, and west of Butler Street. (Owner - Brevard County School Board) (Applicant/Representative - Ed Curry) (First Reading - 2/28/06)

Attorney Gougelman read Ordinance No. 2006-17 by its title. There were no disclosures by Council and no comments from the audience.

Moved by Palmer/Contreras for approval of Ordinance No. 2006-17.

In response to Mr. Contreras, Planning and Economic Development Director Cindy Dittmer said that the School Board staff has indicated that their eventual plan is to relocate the area district offices to this location. Although their plans are not immediate, they wanted the zoning in place.

The question was called. The roll call vote was:

Aye: Contreras, LaRusso, Meehan, Walker, Palmer and Hand

Motion carried unanimously.

11. ORDINANCE NO. 2006-18 (CPA-2005-21) AND ORDINANCE NO. 2006-19 (Z-2005-1048) WICKHAM CORPORATE, LLC: Ordinances providing for a Comprehensive Plan

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Amendment and zoning designation on a 0.583-acre parcel, located on the north side of Parkway Drive, west of Wickham Road. (Owner/Applicant - Wickham Corporate, LLC) (Representative - Philip Nohrr, Esq.) (P&Z Board - 2/02/06)

- a. Ordinance No. 2006-18/CPA-2005-21: (Second Reading/Public Hearing) An ordinance providing for a Comprehensive Plan Amendment designating a Future Land Use of Commercial/Medium Density Residential on a 0.583-acre parcel. (First Reading - 2/28/06)
- b. Ordinance No. 2006-19/Z-2005-1048: (Second Reading/Public Hearing) An ordinance providing for a zoning designation of R-2 (One-, Two-, and Multiple-Family Residential) on the western 155 feet (0.116 acres) and C-P (Commercial Parkway) on the remaining 625 feet (0.467 acres). (First Reading - 2/28/06)

The City Attorney read both ordinances by title. There were no disclosures by Council and no comments from the public.

Moved by Palmer/Walker for approval of Ordinance No. 2006-18. The roll call vote was:

Aye: Contreras, LaRusso, Meehan, Walker, Palmer and Hand

Motion carried unanimously.

Moved by Contreras/LaRusso for approval of Ordinance No. 2006-19. The roll call vote was:

Aye: Contreras, LaRusso, Meehan, Walker, Palmer and Hand

Motion carried unanimously.

12. COUNCIL DISCUSSION RE: Additional building height. (Postponed - 2/28/06)

Under Agenda Item #7, Council postponed this item until the next meeting to allow for a full Council to be present.

NEW BUSINESS

13. CONSENT AGENDA:

The City Manager reported that Council Member LaRusso asked for Items “g” and “h” to be removed from the Consent Agenda.

Moved by Palmer/Meehan for approval of Items “a” through “f”, “i and j.” Motion carried unanimously.

- a. Approval of a Utility Work Agreement between the City of Melbourne and the State of Florida Department of Transportation for work associated with the milling and

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resurfacing of Eau Gallie Boulevard from I-95 to John Rodes Boulevard; and authorization for the City Manager to execute the agreement.

- b. Annual contract award for the purchase of liquid chlorine, DPC Enterprises, L.P., Chickasaw, AL - \$467.80/1-ton cylinders and \$48/150-pound cylinders; estimated annual cost of \$142,769.20.
- c. Purchase of a Ferrara Model LD084 rescue apparatus mounted on a Ford F550 chassis, Ferrara Fire Apparatus, Inc., Holden, LA - \$99,109.
- d. Annual contract awards for the purchase of various water and wastewater stock items, Consolidated Pipe, Orlando, FL - \$2,486.90; Corcel Corp., Miami, FL - \$20,540.02; Ferguson Waterworks, Orlando, FL - \$62,289.97; and Hughes Water & Sewer, West Melbourne, FL - \$2,652.16.
- e. Purchase of Strobecom emergency vehicle preemption equipment, Tomar Electronics, Inc., Gilbert, AZ - \$41,628.25; and equipment installation, Traffic Control Devices, Altamonte Springs, FL - \$40,551.
- f. Approval of a 63-month lease for three digital Toshiba copiers, including printer cartridges, maintenance, and b/w copy costs, Toshiba Business Solutions Florida, Orlando, FL - \$1,196.92/month; total estimated annual cost of \$15,938.54.

Note: Items “g” and “h” were considered under the next agenda item.

- g. Lien Rescission CE-03-071: Approval of request for lien rescission in the amount of \$20,025. (William Carrion - 3000 Rollins Street)
- h. Lien Rescission CE-05-020: Approval of request for lien rescission in the amount of \$15,300. (William Carrion - 3000 Rollins Street)
- i. Lien Rescission CE-05-059: Approval of request for a lien reduction from \$13,250 to \$297.33 if paid in full within ten days. (Patricia Crawford - 812 E. Hopkins Street)
- j. Resolution No. 1973: A resolution implementing FY 2005-2006 First Quarter Budget Review recommendations for the Airport Authority and the Olde Eau Gallie Riverfront Redevelopment Agency.

14. ITEMS REMOVED FROM THE CONSENT AGENDA

- g. Lien Rescission CE-03-071: Approval of request for lien rescission in the amount of \$20,025. (William Carrion - 3000 Rollins Street)
- h. Lien Rescission CE-05-020: Approval of request for lien rescission in the amount of \$15,300. (William Carrion - 3000 Rollins Street)

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Council Member Mark LaRusso said that apparently a lien was filed against the wrong property. As a result, Mr. Carrion had to go through many steps to get this corrected. Mr. LaRusso asked what measures have been taken to eliminate this from happening again.

Code Enforcement Administrator Dan Porsi explained that the City filed the lien under Mr. Atkinson's (the violator) name. Mr. Carrion's title search company did not do a complete search. And, Mr. Carrion indicated to the Code Board that the problem was with the title search company.

Following a brief discussion, Mr. Porsi said that staff intends to file the lien against the specific property in the future.

Attorney Gougelman discussed the process and said that under the State Statutes when a lien is filed in the public records, it attaches to all the property the violator (Mr. Atkinson) owns in Brevard County. If he owned 100 lots, the lien would be attached to 100 lots even though the violation was only on one lot. The lien is intended to operate as a judgment. When the title company did a search on Mr. Carrion's purchase, they should have also done a name search on Atkinson.

Mr. LaRusso said he is satisfied that Code Compliance will file future liens against the violating property and under the name of the property owner.

Moved by LaRusso/Contreras for approval of Items "g" and "h". Motion carried unanimously.

15. COUNCIL DISCUSSION RE: Annual report to City Council from City Boards.

a. Architectural Review Board

Chairman Tim Loomer introduced the Architectural Review Board (ARB) members and stated that this board has been in existence for 23 years. He reported that the ARB has seen many changes in the City. There has been a total revitalization in the Downtown Melbourne area, building activity, new restaurants, etc. The board is looking forward to similar changes in the Babcock and Eau Gallie Redevelopment Areas.

Mr. Loomer referenced the future expansion of the redevelopment area into South Melbourne and said that the board is looking forward to seeing great things happen in this area.

Mr. LaRusso asked Mr. Loomer to comment on the board's goals. Mr. Loomer said that the members would like to see what has happened in Downtown Melbourne occur in the Babcock and Eau Gallie areas. They would like to see restaurants and specialty shops. The board would like the architectural guidelines and decisions of the board to carry more weight or have more "teeth." Additionally, the board would like to see that what they approve is ultimately what is built or provided.

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Mr. Loomer concluded by saying that the board previously received entire site plans; however, that does not happen anymore. He noted that although the board may not have a say on site development, the members like to see a site plan to determine how a particular building relates to the entire site.

Mr. Contreras asked the City Manager to comment on the disconnect relative to what the ARB has approved and what is ultimately built. And, whether the board may receive site plans again. Mr. Schluckebier replied that staff will look at the duties and stated objectives of the board and provide the members the information they need to do their job. He added that there should also be a process for “true up” to confirm that what is approved is ultimately what gets developed.

b. Beautification and Environmental Advisory Committee

Chairman Betty Moore introduced the members of the committee. She explained that this board has been in existence since the 1960’s. The board meets one time per month. Their projects/accomplishments include the Arbor Day program and the monthly beautification nominations. The board would like to begin an evaluation of existing parks; develop a plan to beautify retention ponds; develop a tree fund/matching grant program; investigate landscape grant opportunities; develop a pepper tree removal policy for the City; propose a uniform landscape for the entrances to the City of Melbourne; and work with the City’s recycling coordinator to improve recycling policies.

She added that their recommendations include the following: 1) Remove City staff from the committee and replace with community members at large. Recommended membership includes one member from the Melbourne Garden Club, one member appointed by Keep Brevard Beautiful, and five regular and two alternate members appointed by City Council. She added that support staff should include a Code Enforcement Officer, Parks and Recreation Supervisor and a Planning and Economic Development Planner. 2) They would like to accept the duties and responsibilities of the proposed “Parks and Recreation Advisory Committee.”

Mrs. Moore commented that this board was established prior to the “Sunshine Law.” The committee members are not able to communicate with staff about board issues outside of open public meetings because staff also serves as members. This prohibits communication about issues outside of meetings.

Mrs. Meehan said she is thrilled to hear about a uniform plan for the landscaped entrances to Melbourne and noted that she would like to see color in the plantings. Mrs. Moore said at this point they are addressing the number of entrances, cost and maintenance. The members would like to see native, low maintenance plants with color.

Mr. Contreras asked about the recommendations that the boards are making during their reports. Mr. Schluckebier said that staff can process the recommendations immediately or wait until all the committees have provided their reports. Mr. Contreras asked that the recommendations be processed as they are made.

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c. Building Board of Adjustment and Appeals

Chairman Len Fallen introduced the members of the board and said that their longest serving member, David Wickham, has been on the board for 21 years. He stated that the board hears appeals of decisions and interpretations made by the building official. They meet when called upon, and the only requirement is that they meet within 30 calendar days of a request. The board has met twice in the past year and attendance at meetings is excellent. The board functions well and the members feel a minimum amount of preparation time is needed – unless an extensive inspection of the site is called for. He concluded by saying their job is cut and dried; they are the last stop before Circuit Court. And, they have no recommendations at this time.

Mr. Fallen pointed out that they are currently one alternate member short and are interested in finding someone to fill that position.

d. Building and Construction Advisory Committee

Chairman John Black introduced the members of the board and reported that this board was established in May 1986. He said they have a vacancy and are looking for interested applicants. Mr. Black stated that the primary mission of the committee is to review pending changes to building codes and fee schedules that may have an effect or impact on the affordability of housing. They are a recommending board to the City Council and they meet approximately three times per year.

Mrs. Hand stated that this is the first time boards have provided Council with a report and she appreciates the information.

Mr. Contreras recommended that staff pursue ways for the boards to work in concert with each other. For example, the Architectural Review Board may benefit from the Beautification and Environmental Advisory Committee when reviewing colors.

Mr. LaRusso referenced the number of years of service represented during the board presentations and stated that he is no longer on the fence about term limits. He added that there is no way he could support term limits for board members and stated that our volunteer members are awesome.

Each Council Member thanked the members for attending and expressed appreciation for their volunteer service.

16. COUNCIL ACTION RE: Recommendation of the Dr. Martin Luther King, Jr. Naming Opportunities Committee of proposed options to honor Dr. King.

Under Item #7, this item was postponed until the next meeting to allow for a full Council to be present.

Without objection, Council convened as the Melbourne Downtown Community Redevelopment Agency for the following item:

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17. COUNCIL ACTION RE: Approval of lease agreements with Florida East Coast Railway.
- a. Lease agreement with Florida East Coast Railway for the Downtown Melbourne public parking lot between New Haven Avenue and Melbourne Avenue at annual rates of \$9,400 in 2006, \$11,200 in 2007, and \$13,000 in 2008; and authorization for the City Manager to execute the agreement.
 - b. Lease agreement with Florida East Coast Railway for existing street and beautification improvements along East New Haven Avenue at annual rates of \$500 in 2006, \$750 in 2007, and \$1,000 in 2008; and authorization for the City Manager to execute the agreement.

Mrs. Dittmer briefed Council. The first lease agreement will allow the City to continue using the property for 50 parking spaces, and the second agreement will allow the City to continue utilizing the planter and seating areas along the roadway. The leases will continue to be paid by the Downtown Melbourne CRA budget.

The agreements are for one year with the option to renew for additional one-year periods. The current lease rate for a. is \$7,600, and for b. is \$250. The new annual lease rate for a. will increase to \$9,400 in 2006 and then for 2007 and 2008 will be \$11,200 and \$13,000 respectively. The new annual lease rate for b. will increase to \$500 in 2006, and then for 2007 and 2008, will be \$750 and \$1,000 respectively.

Moved by Meehan/LaRusso for approval of the lease agreement with FECR and authorization for the City Manager to execute the document for the existing Downtown parking lot.

Mr. Contreras referenced Item “b” and asked if the Beautification and Environmental Advisory Committee will have input. Mrs. Dittmer said that the planters and benches are currently in the right-of-way; there are no proposed changes. She added that if any changes are proposed in the future, the Beautification Committee would be invited to provide input.

The question was called. Motion carried unanimously.

Moved by Walker/Contreras for approval of the lease agreement with FECR and authorization for the City Manager to execute the document for the existing planter/seating area on New Haven Avenue. Motion carried unanimously.

Without objection, Council convened as the Olde Eau Gallie Riverfront Community Redevelopment Agency for the following item:

18. COUNCIL ACTION RE: Approval of a lease agreement with Rocky Water Properties, LLC for a public parking lot located on the west side of Highland Avenue, north of Montreal Avenue at an annual rate of \$4,000; and associated maintenance, electrical, and insurance fees.

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Mrs. Dittmer reviewed the agenda report. The current property owner, Rocky Water LLC, would like to formalize a parking agreement, and the merchants and Community Redevelopment Agency Advisory Committee would like to retain the availability of the public parking. The terms of the agreement are for quarterly payments totaling \$4,000 annually, with an initial time period of two years.

Moved by Palmer/LaRusso for approval of the parking lease agreement with Rocky Water, LLC for an annual lease amount of \$4,000.

The City Council discussed the two-year limit on the lease and recommended that staff and the advisory committee begin looking for other alternatives. The City Manager noted that the committee will probably be seeking a formal parking review study prior to the end of this two-year lease.

The question was called. Motion carried unanimously.

Recessed: 7:47 p.m.
Reconvened: 7:55 p.m.

Without objection, Council convened as the Babcock Community Redevelopment Agency for the following item:

19. COUNCIL ACTION RE: Approval of a Right-of-Way Use Agreement

- a. Right-of-Way Use Agreement between the Board of County Commissioners of Brevard County, the City of Melbourne, and the Babcock Community Redevelopment Agency for landscape, irrigation, median, and crosswalk maintenance and reconstruction improvements on Babcock Street from NASA Boulevard to Apollo Boulevard.

Mrs. Dittmer provided an overview. This agreement extends the CRA's landscape maintenance on Babcock Street from NASA Boulevard to Apollo Boulevard. The CRA is currently maintaining from Hibiscus Boulevard to NASA Boulevard (Phase 1).

Maintenance of the project begins after a one-year warranty period provided by the contractor. According to the terms of the agreement the Babcock CRA/City of Melbourne would be responsible to perform landscape, irrigation, median, and crosswalk maintenance and reconstruction improvements for an initial term of 10 years. This agreement is similar to the previous agreement approved by the CRA/City Council in 2002.

Moved by Contreras/Meehan for approval of the Right-of-Way Use Agreement for the Babcock Medians and Landscape Improvement Project, located on Babcock Street, between NASA and Apollo Boulevards.

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Mr. Contreras said that Council has previously discussed the odor of certain plants in the medians (Society Garlic) and now the Apollo medians have those same plants. He said that people are calling him and saying that it has to stop. Mrs. Meehan agreed and said that they need to be removed or thinned out. Mrs. Palmer noted that her previous comments about the median landscaping involved labor-intensive plantings.

With regard to labor-intensive plantings, Mr. Contreras asked if the Babcock CRA Advisory Committee worked with the Beautification and Environmental Advisory Committee. Mrs. Palmer asked Betty Moore to provide comments.

Betty Moore, Beautification Committee, said that the median plants were not brought before her committee. She noted that their members are concerned about maintenance issues and the choice of plants. Society Garlic is not the most user-friendly plant. Liriope is an alternative that could have been used that also produces a purple flower. It does not have an offensive odor.

Continuing, Mrs. Moore said that the Beautification Committee would be happy to review plans and make suggestions. There are plants that tolerate an herbicide application. This will enable maintenance hours to be reduced; however, some labor will still be involved.

Mr. Schluckebier said this is one example where committees could share expertise. He noted that future median projects will be forwarded to the Beautification Committee for review and assistance. Some of the projects have been developed by outside agencies and we make the best of situations as they arise. For example, the City was recently contacted by FIT. The school has a wonderful plan for beautification of the right-of-way in front of the college, but in the end the City would be providing maintenance in perpetuity. Staff is not ready to accept this "gift."

The City Manager said that Council's concerns about "odoriferous" plants are well taken and staff will work towards replacing them with plants that are more appropriate.

Mrs. Palmer said she would like to see the breakdown of miles of landscaped medians we are maintaining and how many employee hours are spent on maintenance.

Mr. Schluckebier said that Parks employees are providing maintenance; however, they are not being pulled from other areas of the City to perform these duties. As the Leisure Services Department is assigned medians, the department makes the determination for manpower requirements. When we took on the maintenance of Apollo, the department made a determination to add an employee.

Mrs. Palmer said she is flabbergasted that we added an employee to maintain the Apollo medians. The City Manager explained that as we gain more responsibilities, requirements and obligations, we add staff. Mrs. Palmer stated that it is crucial to look at low maintenance landscaping. People do not need to see employees hand weeding medians while they are driving through potholes.

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A brief discussion continued. The City Manager said that staff will note Council's directives.

The question was called. Motion carried unanimously.

Without objection, Council reconvened for the remaining agenda items.

- b. Right-of-Way Use Agreement between the Board of County Commissioners of Brevard County, the City of Melbourne, and the Babcock Community Redevelopment Agency for landscape, irrigation, median, and crosswalk maintenance and reconstruction improvements on Babcock Street from NASA Boulevard to Apollo Boulevard.

Moved by Contreras/Walker for approval of the Right-of-Way Use Agreement for the Babcock Medians and Landscape Improvement Project, located on Babcock Street, between NASA and Apollo Boulevards. Motion carried unanimously.

20. ORDINANCE NO. 2006-20 (CU-2005-22/SP-2005-34) MEHRAN MULTI-FAMILY: (First Reading/Public Hearing) An ordinance granting a conditional use with site plan approval to allow a 20-unit, multiple-family development on 1.70± acres zoned C-1 (Neighborhood Commercial), located on the southeast corner of Aurora Road and Mosswood Drive. (Owner/Applicant - Mehran "Dave" Ghaeenzadeh) (Representative - Scott Lamb, Lamb & Associates, Inc.)

Attorney Gougelman read Ordinance No. 2006-20 by title. Mrs. Dittmer briefed Council. The Planning and Zoning Board voted four to three to recommend approval of this request. There were no disclosures by Council.

Scott Lamb, engineer representing the applicant, said that he spoke with neighbors to the south and he believes they will be supportive.

Mr. LaRusso asked Mr. Lamb the concerns of the Planning and Zoning Board members who voted no.

Mr. Lamb replied that one member thought there was a trend in the City for property to be up-zoned and then "flipped." The owner of this property is a realtor who has indicated that his intent is to promote the sale of this project. The owner has not implied that he is flipping the property. Mr. Lamb added that he believes this plan meshes with the surrounding residential development.

Barbara Arnold, 1484 Beechfern Drive, said that she lives in Mosswood Townhomes, which is south of the development site. She reported that at least three-fourths of the residents of the townhomes support the proposed development. The wooded area is home to vagrants and they believe that development of 20 units will be a good thing.

Moved by Meehan/LaRusso for approval of Ordinance No. 2006-20. Motion carried unanimously.

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21. COUNCIL ACTION RE: (Public Hearing) Renewal of the Joint Planning Agreement between the City of Melbourne and Brevard County.

Mrs. Dittmer briefed Council. This is an agreement to renew the Joint Planning Agreement (JPA) between the City and the County. The agreement was originally approved on May 22, 2001 and will expire at the end of five years. The agreement may be renewed if approved by both parties in writing at least 30 days prior to the expiration.

The renewal of the JPA allows for an additional five-year period. The City may desire to amend the JPA sooner to establish an “urban service boundary” based upon the new growth management regulations. This would necessitate the City amending the current urban service area map contained in the JPA to be consistent with the urban service boundary. City staff has discussed the renewal of the agreement and the ability to amend the JPA during the next five-year timeframe with County staff. They will be forwarding the agreement to the County Commission.

Vice Mayor Hand opened the public hearing. There were no comments from the public.

Mr. Schluckebier confirmed for Mrs. Walker that the agreement is identical to the agreement that is in place now.

Moved by Palmer/Walker for approval of the agreement to renew the Joint Planning Agreement between the City of Melbourne and Brevard County. Motion carried unanimously.

22. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Pat Poole, 805 East Palmetto Avenue, expressed concern with the County’s plan to construct the senior center at Wickham Park. She asked that the City express its concern to the County.

Mrs. Palmer discussed concerns that the City does not have affordable housing for our workforce, young couples, elderly on fixed incomes, etc. She said that she would like to look at raising the homestead exemption to \$50,000. The City Manager explained that the only opportunity to modify homestead exemption by local consent relates to seniors with low incomes. Beyond that homestead exemption is set by the State Constitution and State Statutes. He added that he would provide the relevant information for Council’s review.

Mrs. Palmer commented that we have employees in Melbourne who can’t afford to live in Melbourne. There is also a real problem for people who have lived here for quite some time. Baby boomers desiring to downsize can’t because the property taxes are horrendous. She said we need to do everything possible to protect the people who are living here now. The folks who are coming into this market are making a choice; people who live here now have few choices.

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The City Manager reported that there may be initiatives by the Legislature with respect to the portability of the “Save Our Homes” provision. He added that people believe affordable housing means low and moderate income. Mr. Schluckebier stated that affordable housing means housing for people who work here and need a place to live. This is a need that must be addressed. The growth management bill has a very specific set of objectives for local governments to undertake with regard to workforce/affordable housing.

Mr. LaRusso said that the National League of Cities will be conducting an affordable housing workshop/conference in Tempe, Arizona. He asked if it would be good use of taxpayers’ money to send a professional from the City. Following a brief discussion, Mr. Schluckebier said staff will determine if a conference on affordable housing is available in Florida. If not, he will review the course outline for the Tempe conference and determine if someone from City staff should attend.

Mr. Schluckebier said that Tallahassee recently withstood a court challenge on its requirement that 10% of housing units in larger projects be priced within a certain range. The market will not make housing affordable unless it is forced to do so. We have plans to help people get into a home, but the market keeps right on going.

Mr. Contreras said he does not see a concerted plan by the County to address roads that affect our City. He recommended that Council discuss this issue rather than letting it walk on by. Mrs. Hand said that should be an item for a future agenda.

The City Manager said that Council has made its directives clear and we are engaging every opportunity to follow those directives. He added that Mr. Contreras wants to keep the focus on this issue and perhaps staff could return with regular status reports.

Mr. Contreras asked if it would be out of protocol to ask someone from the County to address Council on what they are doing about this issue. Mrs. Palmer said that may be an item for the city/county summit meeting. The City Manager said that would be a good opportunity to share ideas; however, that meeting has been postponed to a date uncertain.

A brief discussion continued. Mrs. Palmer asked for a report showing available funds/revenues for road projects and how the City has spent that revenue. And, she would like to see similar information from the County. She noted that she believes the City of Melbourne has been wise with its expenditure of funds; however, the County has not been so wise. Mr. Contreras added that it would be nice if the County’s data is maintained by district and the amount of funds spent within the districts.

23. ADJOURNMENT

Moved by LaRusso/Walker to adjourn. Motion carried unanimously.

The meeting adjourned at 8:56 p.m.

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
MARCH 14, 2006



City Clerk – 3/22/2006

Approved by Council: _____