

CITY OF MELBOURNE, FLORIDA
MINUTES – REGULAR MEETING BEFORE CITY COUNCIL
MARCH 28, 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 Mayor Harry C. Goode, Jr.

1. Reverend Marlow Iverson, Holy Trinity Church, gave the invocation.
2. Pledge of Allegiance.
3. Roll Call.

Present:	Harry C. Goode, Jr.	Mayor
	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

4. Proclamations and Presentations

Mayor Goode presented the “Water Conservation Proclamation,” April 2006, to Jennifer Wilster, City of Melbourne Environmental Community Outreach Manager.

5. Approval of Minutes – March 14, 2006 Regular Meeting

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

6. City Manager’s Report

City Manager Jack Schluckebier commented on the following items:

Homestead Exemption – Council Member Cheryl Palmer had discussed the possibility of expanding homestead exemption. The City Manager’s Report contains a copy of the article from the State Constitution about homestead exemption along with excerpts from previous minutes where Council discussed this issue. There is no opportunity beyond an increased exemption for low-income seniors for the City Council to enlarge homestead exemption. He noted that this is not an action item for Council at this time; however, if Council desires, staff can return with additional information and fold this into the budget discussions this year.

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Sarju Corporation v. City of Melbourne – The City Attorney has provided information about a settlement proposal from Sarju’s attorney. Sarju was denied a conditional use for a car wash at its existing service station on North Wickham Road. If Council wishes, this can be scheduled for further discussion. Or, Council may wish to schedule a closed meeting for discussion with the City Attorney.

Vice Mayor Loretta Hand encouraged Council to consider the closed meeting with the City Attorney. Council Member Mark LaRusso agreed and stated that he would like additional background.

Attorney Gougelman added that late yesterday he received a settlement proposal with regard to another case, *City of Melbourne v. Gervais* (adult arcade litigation). He said if Council is interested, both cases could be combined into an executive session.

By consensus, Council agreed. Attorney Gougelman stated that he would like to meet with Council in a closed-door session in the *Sarju v. City of Melbourne* case and the *City of Melbourne v. Gervais* case to discuss settlement negotiations and litigation strategy. Following a brief discussion, Council agreed to meet on Monday, April 3, at 6:30 p.m.

The City Manager continued with review of his report:

Dredging of Lakes Sawgrass and Hell ’n Blazes – The City received a communication from the St. Johns River Water Management District that due to an increase in cost estimates, they no longer consider it feasible to proceed with this project. Estimates, which began at \$5 to \$6 million, have now escalated to \$21 to \$22 million. This is simply out of reach for the Corps of Engineers, SJRWMD and local funding jurisdictions. The City would like to continue to engage these agencies for a solution so the problem does not go unaddressed. Council may wish to direct staff to engage outside advice on other long-term options.

Council Member Richard Contreras said he would support engaging an outside source. He noted that our water source is on the edge of being mucked.

Mrs. Hand referenced the information on the recent Meg O’Malley’s St. Patrick’s Day events. She stated that the City needs to take stronger action to protect properties. Downtown events are nice but not when they result in property being destroyed. She noted that the report indicates there would be more security in the future; however, she believes that applicants should also be required to post a bond prior to being granted a permit.

Mayor Goode referenced the memorandum distributed to Mayor and Council. The Airport has asked for a letter of support and staff has suggested that the item be added to the agenda as 12 “h.” Without objection, Council added Item 12 “h” to the agenda.

7. Public Comments

Margie Pressley, 1026 Coleman Street, representing the Booker T. Washington

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Neighborhood Association, said that the residents are concerned about the Shady Oaks Cemetery (located on the east side of North U. S. 1). The property owner is deceased and the property has not been maintained. There are no markings and the property needs to be cleaned. She asked Council for advice and said that perhaps someone can take over maintenance of this cemetery.

Mayor Goode said that staff would review the request.

UNFINISHED BUSINESS

8. COUNCIL DISCUSSION RE: Additional building height. (Postponed - 3/14/06)

Council Member Grace Walker said she requested this item because she has concerns about the building heights that have been approved. She added that she believes additional height puts our firefighters in jeopardy and increases the cost of providing safety and services.

Mayor Goode asked Mrs. Walker if she had any proposals or suggestions. Mrs. Walker replied that she feels there should be a determination so people who are building know that they can build "X" feet high and no higher.

Mr. Schluckebier said that depending on the zoning category, permitted heights in the City are either up to 40' or up to 80'. Those are the underlying regulations. Council expressed concern several months ago about the number of applicants seeking additional height through the conditional use process. As a result staff has indicated to applicants that we would not be recommending anything beyond twice the underlying allowance. For example, if the regulations allow 40', staff will not recommend beyond 80' and if the regulations allow 80', staff will not recommend beyond 160'.

Continuing, the City Manager stated that those numbers were not reached by accident. They include heights previously approved by City Council and staff did not feel we could go backwards. If Council directs a lower number, staff will accommodate that; however, right now these are the only protocols that are being followed. The City Council has been adamant that conditional use requests ought to stand individually on their own merits. Additionally, applicants are willing to offer public parking, landscaping and additional breezeway to secure additional height. We did not feel at the staff level that we should write a guidebook on that.

Mayor Goode asked if an applicant would be able to apply for a variance through the State Statutes if the City set a height limitation. Attorney Gougelman said no and added that there is very little case law or statutory guidance. He said if Melbourne were going to set a maximum height in the Code, the starting point should be an amendment to the Comprehensive Plan.

Mayor Goode stated that Council previously decided to look at height requests on a case-by-case basis. He added that there has not been a multitude of additional height requests approved by Council.

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Mr. LaRusso said that most people don't understand the difference between similar zoning categories. For example, Council approved a 129' height in the C-1 district, which is 89' above the allowable height. In the C-3 district, a request for 79' above the allowable height was approved. Two buildings at 80' were approved on Melbourne Avenue, although this is within the height allowed by Code. To the public, perception is reality and the outcry is "why allow."

Mrs. Walker said that additional height will cost the City money and she would like to know where the revenue will come from. She added that she won't be the lone ranger, although she feels we should have a limit on height.

Mr. LaRusso made a motion to direct staff that recommendations on height may only go 50% above the allowable height limits.

Mrs. Palmer asked Mr. LaRusso if he was proposing a condition for staff recommendations and Mr. LaRusso replied correct.

Mayor Goode asked if Council would be allowed to approve a higher height if this motion passes. Mr. LaRusso said yes and noted that this motion will provide staff and the applicant guidance. Mayor Goode replied that this is simply a shell game if Council will still have the last word.

At this point, Mrs. Palmer seconded the motion. Moved by LaRusso/Palmer to direct staff that recommendations on height may only go 50% above the allowable height limits.

Attorney Gougelman recommended that Council find a different way. He expressed concern that Council is telling the professional members of staff, who have expert training, what their recommendation should be. This could put us in a difficult position with litigation.

The City Manager disagreed and said if Council directs that it is not interested in height beyond certain levels, then he will be clear with staff about that direction.

Mrs. Palmer pointed out that this action does not change the 80' height limitation. This relates to additional height requested through the conditional use process. Staff should not lead applicants into believing a certain height will be approved when Council is not excited about going over 120'. She added that this is simply being fair with a developer.

A brief discussion continued. Mayor Goode read the motion and said that in the 80' zoning category, staff will not recommend higher than 120' and in the 40' zoning category, staff will not recommend higher than 60'; however, it is still at the discretion of Council to adopt the height as it sees fit.

Mr. Contreras expressed concern that this action could embroil the City in litigation. Attorney Gougelman said further comments have been made, which indicate that this is

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more of an indication to applicants that the City Council will not be super-receptive to heights above 120'.

Mrs. Palmer repeated that it is fair for an applicant to know ahead of time. She added that she is not sure that an applicant understands a denial by Council after they have spent a large amount of money developing plans.

Mrs. Meehan said that Council needs latitude for developers to come in and present their package based on green space, donation to the parking fund, etc.

The question was called. The roll call vote was:

Aye: LaRusso, Walker, Palmer and Hand

Nay: Contreras, Meehan and Goode

Motion carried.

Mayor Goode reported that Mrs. Poole asked to speak on this item; however, it is not a public hearing.

9. COUNCIL ACTION RE: Recommendation of the Dr. Martin Luther King, Jr. Naming Opportunities Committee of proposed options to honor Dr. King. (Postponed - 3/14/06)

Moved by Contreras/Hand to accept the report presented by the Dr. Martin Luther King, Jr. Naming Opportunities Committee.

Reverend Hartford Lee, Chairman, MLK Naming Opportunities Committee, stated that the Committee was tasked with naming a street or object in honor of Dr. Martin Luther King, Jr. After six months of deliberation and public input, the Committee voted to rename Airport Boulevard as its first choice. The members felt this would have the smallest impact on the City and its citizens. Council returned the issue to the Committee and at its February 23 meeting, the Committee again selected renaming Airport Boulevard as its first option and best choice. The members decided against a dual naming because the public sentiment was that a dual naming would be a half effort. The next options approved by the Committee, in order, including renaming Hibiscus Boulevard, renaming the Melbourne Auditorium and renaming Babcock Street. Reverend Lee stated that with all the options, Council may choose to take action, dual name or forgo action.

Reverend Lee concluded by saying that at its last meeting, the Committee included the proposals made by Council Member Palmer (place a bust of Dr. King in the new City Hall, a reflection pool/commemorative plaque/bench at Wells Park, and/or naming of the Melbourne/Palm Bay beltway) and a citizen (to rename the Melbourne Causeway) for Council's consideration.

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Mayor Goode stated that Council will vote on the motion to accept the report and then make a decision to prepare an ordinance and hold a public hearing to name something at a future date. He said that people have signed up to speak; however, this is not a public hearing item.

The question was called. Motion carried unanimously.

Mr. LaRusso said that out of the Committee's four proposals, he supports renaming the Melbourne Auditorium. He stated that in a recent survey, Melbourne residents showed support for renovating the Auditorium. Thousands of people visit the Auditorium each year. The lobby could be dedicated to Dr. King's work along with a display. Additionally, the MLK parade ends each year at the Auditorium and the memorial could provide an opportunity for people of all races to learn more about Dr. King.

Mr. LaRusso concluded by saying that he does not believe a street renaming is progressive; it sends no message.

Mrs. Hand stated that she supports renaming Airport Boulevard, especially since this was the Committee's first choice. She added that this would have the smallest impact on businesses.

Mrs. Walker said that the Council previously approved naming the beltway; however, that roadway has not been funded. She agreed that the Auditorium would provide the recognition that Dr. King deserves.

Moved by Goode/LaRusso to schedule a public hearing two meetings from now to name the Auditorium in honor of Dr. Martin Luther King, Jr. (Note: motion later withdrawn.)

Mrs. Meehan stated that she supports renaming Airport Boulevard. Mrs. Hand added that all four options should be placed on the table for a public hearing. Mayor Goode disagreed and said that the City has to legally advertise something for an ordinance.

Mrs. Palmer said that the fate of the Auditorium is precarious and in jeopardy depending on who will be sitting on Council in the future. She added that she does not support a street renaming for all the reasons that have been expressed in the past. Mrs. Palmer pointed out that placing a bust in the new City Hall would be an appropriate honor and memorial. She added that at some time, probably every person in the City would have an opportunity to visit City Hall.

Mr. LaRusso asked if the budget includes a \$35,000 line item for a study to determine expansion/renovation of the Auditorium and the City Manager replied yes. Mr. LaRusso asked if the City would be spending \$35,000 if we were not planning to expand the Auditorium. Mr. Schluckebier said we are seeking outside advice to determine the best way to proceed.

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Following a request by Mr. Contreras, the maker/seconded agreed to include a reflection pond and plaque in Wells Park. (Note: this was later withdrawn.)

Mrs. Hand stated that Airport Boulevard should be included in the public hearing. Mayor Goode said that Council previously turned down renaming Airport Boulevard. He added that the Committee is agreeable to naming the Auditorium and that is why he made the motion. Several Council Members disagreed with the Mayor that Council previously turned down renaming Airport Boulevard.

From the audience a citizen indicated her displeasure with the renaming of the Auditorium and noted that the Committee selected Airport Boulevard as its number one choice. She continued speaking and Mayor Goode asked for the police officer to remove her from the Chamber. The citizen left the meeting voluntarily.

Mayor Goode asked if the City can advertise two ordinances for public hearing and the City Manager replied yes.

The maker/second withdrew the motion and offered the following motion:

Moved by Goode/LaRusso to return on April 25 and conduct a public hearing on renaming Airport Boulevard or the Melbourne Civic Auditorium, which includes a reflection pond and plaque in Wells Park.

The City Manager asked if it is Council's intent that two ordinances be drafted and the Mayor replied yes.

The question was called. Motion carried unanimously.

10. ORDINANCE NO. 2006-20 (CU-2005-22/SP-2005-34) MEHRAN MULTI-FAMILY: (Second 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.) (First Reading - 3/14/06)

Attorney Gougelman read Ordinance No. 2006-20 by title. There were no disclosures by Council and no comments from the public.

Moved by Hand/Walker for approval of Ordinance No. 2006-20. Motion carried unanimously.

NEW BUSINESS

11. COUNCIL ACTION RE: Purchase of equipment for Surface Water Treatment Plant (SWTP), Phase 2, Project No. 30102.

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- a. Purchase of Ozone System Supplier equipment and services, Ozonia North America, Inc., Elmwood Park, NJ - \$1,648,000.
- b. Purchase of mechanical screen, compactor, and fine mesh screen equipment and services, Brackett Green USA, Inc., Houston, TX - \$664,785.
- c. Transfer of \$2,245,783 from various Water & Sewer Capital Projects to SWTP, Phase 2, Project No. 30102.

City Engineer Jenni Lamb briefed Council.

Moved by Contreras/LaRusso for approval of Item “a” as recommended. Motion carried unanimously.

Moved by Palmer/Hand for approval of Item “b” as recommended. Motion carried unanimously.

Moved by LaRusso/Contreras for approval of Item “c” as recommended. Motion carried unanimously.

12. CONSENT AGENDA:

Moved by LaRusso/Meehan for approval of Items “a” through “h” as recommended. Motion carried unanimously.

- a. Purchase of sodium hydroxide (50% Rayon grade), Allied Universal Corporation, Ft. Pierce, FL - \$2.14/gallon; estimated cost of contract term - \$964,348.20, based on usage of 450,630 gallons.
- b. Purchase of replacement sewage pumps, ITT Flygt Corporation, Apopka, FL - \$52,000.
- c. Purchase of dual check regulator valves, Model 7-10-U# ¾” x 1”, Lehman Pipe and Plumbing Supply, Miami, FL - \$15.99/unit; estimated total annual cost of \$19,188.
- d. Purchase of office furniture for the Code Compliance Division, Designers West Interiors, Inc., Melbourne, FL - \$15,711.66.
- e. Approval of an agreement between the City of Melbourne and the Board of County Commissioners of Brevard County to provide First Responder Advance Life Support medical care and authorization for the City Manager to execute the agreement.
- f. Travel authorization for Mayor Goode to attend the 74th Annual U. S. Conference of Mayors in Las Vegas, June 2 – 6, 2006.

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- g. Resolution No. 1974: A resolution authorizing the City Manager to submit a grant application to the State of Florida, Department of Health, Bureau of Emergency Medical Service for funding in the amount of *\$63,156 to purchase AutoPulse non-invasive cardiac support pumps with matching funds of \$21,051.

(*Note: the resolution contained a scrivener's error. Funding in the amount of \$63,169 will be requested and matching funds will be \$21,056. The final resolution will be revised.)

Added to the agenda:

- h. Approval of a financial commitment to the Melbourne International Airport in the amount of \$100,000 in support of a grant application to the Small Community Air Service Development Program, U. S. Department of Transportation, for service expansion at the airport.

13. ITEMS REMOVED FROM THE CONSENT AGENDA

None.

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

a. **Babcock Community Redevelopment Agency Advisory Committee**

Chairman Frank Facciobene provided a brief overview of the Committee's activities. He noted that the Committee met seven times in 2005. Issues discussed include Strategic Planning Group, Babcock Street vegetation, Historic Preservation Ordinance, Phase II Median Project, Phase II Realignment, SCAT bus shelters, Babcock Street widening update, and Realignment Phase I Pond discussion. Attendance and participation have been good and the Committee has no firm recommendations at this time for revising the (board application) job description. Additionally, consensus is that there is good representation on the Committee. The Committee is comprised of three business owners and four citizens; alternates represent the Airport and the Babcock business community.

Mr. Facciobene noted that 2005 highlights include completion of the Phase II Medians Project (between Apollo Boulevard and NASA Boulevard), actively working towards completion of the Babcock Realignment Phase II, and working towards an agreement with SCAT and the County for bus shelters in the redevelopment area. The 2005 lowlights include issues with the Phase I Retention Pond and a lack of long-term vision for the district.

The Chairman concluded by saying the Committee is pursuing the services of a consultant to assist with a visioning process. The Committee has enjoyed tremendous support from Council, and the members plan to work towards better communication with staff.

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Mr. Contreras asked if there were any other members from the Committee present in the audience. There was no response.

b. Citizens' Advisory Board

Chairman Pat Simpson introduced the other members from the Board. She noted that they have a vacancy in an alternate member seat and will be looking for a replacement. Ms. Simpson reported that the purpose of the Board is to serve as a formal means for citizens to provide input on the planning, oversight and evaluation of federal and state funded housing and community development programs for the benefit and improvement of low and moderate income persons and neighborhoods in the City. Some of the duties include identifying problems and needs of neighborhoods and prioritizing allocation of funds for various projects.

The Board is a very diverse group and their composition represents the City very well. Overall attendance is good and there is an excellent relationship between the Board and Housing and Community Development Director Melinda Thomas. Ms. Simpson noted that some of the accomplishments from last year include review of the Hurricane Housing Recovery Plan and Proposed Technical Revisions to the SHIP Housing Assistance Plans, public hearing and action on the Consolidated Annual Performance and Evaluation Report, amendment to the CDBG Disaster Recovery Initiative Grant, consideration of 10 presentations by non-profits and others requesting CDBG and HOME funding, and recommendation of projects to be funded for CDBG funding.

Continuing, the Chairman said that individual Board members also introduce items to the City for consideration and action. The Board has approved repealing the requirement in the City Code for the Board to have by-laws, which will require an ordinance. The members would like to review the ordinance before it is sent to Council for action. Ms. Simpson concluded by saying that the immediate goal is to have the Board achieve higher visibility. The members would like for the community to be more informed as to what the Board does in the interest of all citizens of Melbourne and that the Board is here to provide a bridge between the City Council and residents to help alleviate neighborhood issues.

Mrs. Palmer expressed appreciation to the Board for all of its work, especially in reviewing and making recommendations on the funding for non-profit organizations. She noted that those are really tough calls to make.

c. Code Enforcement Board

Chairman Bennie Hopkins reported that the Code Enforcement Board was established by the City under the authority granted by the Florida Legislature. The purpose of the Board is to promote, protect and improve the health, safety and welfare of the citizens of the City by providing an equitable, expeditious, effective and inexpensive method of enforcing the various codes. The Board is empowered by the State Statutes to levy fines not to exceed \$250.00 for each day the violation continues past the date set for compliance. Prior to an item being placed on the Board's agenda, an individual is given a

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period of time to correct the violation. If the violation is not corrected within that time, a notice of violation is filed with the Board and a hearing date is set.

Mr. Hopkins introduced the members from the Board present. He reviewed the self-evaluations completed by each member. One of the members identified the need for the Board to have an engineer and a general contractor in the membership. Mr. Hopkins concluded by stating that this is a well-rounded committee. He added that this committee has the best, most helpful and knowledgeable staff of any committee in the city.

Mr. Contreras recognized the Code Enforcement Officers present in the audience.

d. **Firefighters' Pension Plan Board of Trustees**

Chairman Tom Flamm discussed the composition of the Board and the background/expertise of each Board member. There are no problems with attendance and the Board is a diverse group. He noted that Board members must be fiduciaries of the plan and, as such, shall discharge duties with respect to the plan solely in the interest of the participants and beneficiaries for the exclusive purpose of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the plan. The Board meets in February, May, August and November.

Mr. Flamm listed the professional staff and stated that the current market value of the fund is \$38,416,787, which was determined by the actuary to be 101% funded. The Chairman concluded by discussing the fund management and the plan participation. He expressed appreciation to Council for its support.

e. **General Employees' Pension Plan Board of Trustees**

Chairman Lisa Palmer listed each member along with his/her background and expertise. She noted that the Board is well rounded and attendance is excellent. The Board met six times during 2005. Lowlights include a slight under-performance during the quarterly return for April. Subsequently, the Board began searching for new account managers and, at that time, it was determined that the pension fund had sufficient assets to support an equity and a bond manager.

Highlights include selection of equity managers, a plan custodian and a bond manager.

Ms. Palmer concluded by saying that a statement was provided to all General Employees and Special Risk Class Employees as part of the benefits enrollment and a summary plan description will be provided this fall.

That concluded presentations. Mayor and Council expressed appreciation and support to each Board and its members.

Recessed: 8:01 p.m.
Reconvened: 8:06 p.m.

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15. ORDINANCE NO. 2006-21 (CU-2006-03) DOWNTOWN SALON: (First Reading/Public Hearing) An ordinance granting a conditional use to allow a beauty salon in an R-P (Residential Professional) zoning district on a 0.18-acre lot, located on the north side of Seminole Avenue, east of Airport Boulevard. (Owner - Sylvia Cobb Trustee) (Applicant/Representative - Renee Lettiere) (P&Z Board - 03/02/06)

Attorney Gougelman read Ordinance No. 2006-21 by title. Planning & Economic Development Director Cindy Dittmer briefed Council.

Mrs. Palmer asked the zoning on the adjacent property and Mrs. Dittmer replied R-P.

There were no disclosures by Council. Mayor Goode opened the public hearing. The applicant, Renee Lettiere, was present and available for questions.

Moved by Hand/Contreras for approval of Ordinance No. 2006-21. Motion carried unanimously.

16. ORDINANCE NO. 2006-22 (ED-2006-01) LANIER WORLDWIDE, INC: (First Reading/Public Hearing) An ordinance granting an Ad Valorem Tax Exemption for a period of five years totaling an estimated \$107,560.95.

Attorney Gougelman read the ordinance by title and Mrs. Dittmer briefed Council.

L. D. Simpson, representing Lanier Worldwide in Atlanta, was present. In response to Mr. LaRusso, Mr. Simpson said that they plan to sign a 10-year lease.

Mr. Contreras said that when he voted on this item at the Airport Authority meeting, there was little or no information available for review. Mr. Simpson said he is not aware that the Airport requested additional information. Mayor Goode clarified that the Airport Authority was dealing with the tenant, and the tenant possibly felt that he could not reveal some information. Mr. Simpson confirmed that information was confidential when this process started months ago.

Responding to Mrs. Palmer, Mr. Simpson said that this operation will have other functions besides being a call center. They provide technical support for sales throughout the United States.

Mr. Schluckebier informed Council that this property is located in the Babcock Community Redevelopment Area. The County, at the staff level, has requested some consideration for a unique problem. Without consideration, the County would be paying to the City taxable value that it did not receive.

Moved by Contreras/Meehan for approval of Ordinance No. 2006-22. Motion carried unanimously.

17. ORDINANCE NO. 2006-23 (FOC-2006-01) HISTORIC DOWNTOWN MELBOURNE REDEVELOPMENT PLAN: (First Reading/Public Hearing) An ordinance amending

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Chapter 10, Article IV, Section 10-101, by adopting a new Historic Downtown Melbourne Redevelopment Plan, which modifies the boundaries of the CRA district and recommends capital improvement projects.

Mrs. Palmer asked that this item be postponed until the next meeting.

Moved by Palmer/Contreras to postpone this item until the April 11 meeting. Motion carried unanimously.

18. COUNCIL ACTION RE: “No Smoking” policy report.

Mr. Contreras asked that this item be postponed.

Moved by Contreras/Goode to postpone this item until a date to be determined in the future. Motion carried unanimously.

19. COUNCIL ACTION RE: Appointment of one regular member to the Melbourne Downtown Redevelopment Agency Advisory Committee.

Moved by Hand/LaRusso to appoint Nora Jo Rees as the regular member. Motion carried unanimously. (3/28/2006 – 2/22/2009, unexpired three-year term)

Moved by Goode/Palmer to appoint Leann Smithson as an alternate member. Motion carried unanimously. (3/28/2006 – 7/26/2008, unexpired three-year term)

20. PETITIONS, REMONSTRANCES AND COMMUNICATIONS

Pat Poole, 805 E. Palmetto Avenue, submitted a petition signed by 78 people opposed to high-rise buildings and requesting a referendum restricting height.

There was a brief discussion about the County’s plan to construct the senior center (originally proposed for Downtown Melbourne) at Wickham Park. Mrs. Palmer said if there are any other sites in the City, she would like for staff to present those to Brevard County Parks and Recreation Director Jack Masson.

Mr. Contreras asked for a status report on the following: 1) water agreement with West Melbourne; 2) City Hall construction/renovation; and 3) radio communications with Brevard County.

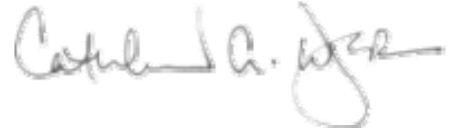
Mr. LaRusso referenced the article in the newspaper about the Goldfield Corporation’s (developer of the Pineapple House) stock increasing. He noted that the developer had indicated that they would construct a crosswalk in Eau Gallie; however, a written agreement was never drafted. Goldfield is now a million dollars richer, but the City lost out on a crosswalk.

21. ADJOURNMENT

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

The meeting adjourned at 8:36 p.m.



City Clerk – 4/6/2006

Approved by Council: April 11, 2006