

City of Melbourne



City Hall • 900 E. Strawbridge Avenue, Melbourne, FL 32901
(321) 608-7200 • Fax (321) 608-7219

CITY COUNCIL AGENDA

March 13, 2012 ♦ 6:30 P.M.

This meeting shall adjourn by 11:00 p.m. Extension of the meeting beyond 11:00 p.m. shall only be authorized by a majority vote of City Council.

In accordance with Council policy, the roll call vote rotates each meeting. During this meeting, the vote will be Districts Five through Four except that the Mayor will vote last as provided by City Code and the Vice Mayor will vote second to last.

1. **Invocation** - Council Member Greg Jones
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** - February 20, 2012 - Special Meeting
February 28, 2012 - Workshop Meeting
February 28, 2012 - Regular Meeting
6. **City Manager's Report**
7. **Public Comments**
- 7.1 **Presentation to Council:** Annual report to City Council
 - a. Affordable Housing Advisory Committee
 - b. Architectural Review Board
 - c. Babcock Street Community Redevelopment Agency Advisory Committee
 - d. Beautification and Environmental Advisory Committee

NEW BUSINESS

8. **COUNCIL ACTION RE:** Purchase of concrete poles, LED lighting, and associated mounting equipment associated with the Pineapple Park Master Plan & Improvements, Project No. 10508, Municipal Lighting Systems, Inc., Lake Worth, FL - \$57,667.
9. **COUNCIL ACTION RE:** Task Order No. F140 to the Continuing Consultant's Contract for professional engineering services for surveying, engineering design, permitting, bidding, and construction administration services for the south beaches A1A 16-inch water main, Project No. 30412, Frazier Engineering, Inc., Melbourne, FL - \$57,650.
10. **CONSENT AGENDA:**
 - a. Task Order No. F141 to the Continuing Consultant's Contract for professional engineering services for design and construction of traffic signal improvements at the intersection of Parkway Drive and Stewart Road, Project No. 64512, Frazier Engineering, Inc., Melbourne, FL - \$35,500.
 - b. Purchase of bulk gasoline and diesel fuel, Glover Oil Company, Melbourne, FL - \$700,019 and Mansfield Oil Company, Gainesville, GA - \$290,550; and fuel card purchases, Wright Express Financial Services Corporation, South Portland, ME - \$571,934; total estimated six-month cost of \$1,562,503.



- c. Contract award for annual granular activated carbon exchange services for the Water Production Division, Calgon Carbon Corporation, Pittsburgh, PA - \$179,691 per filter; total annual cost of \$539,073 for three filters.
- d. Purchase of 29,700 pounds of BASF LT22S dry polymer for the Water Production Division, BASF Corporation, Suffolk, VA - \$73,953.
- e. Approval of a Memorandum of Understanding between the City of Melbourne and the Florida Department of Highway Safety and Motor Vehicles, Division of Highway Patrol with regard to the presidential campaign season where motorcade escort assistance in the form of manpower and equipment will be provided; and authorization for the City Manager to execute the agreement.
- f. Approval of a \$2,500 grant award from the Law Enforcement Trust Fund for financial support of 2012 community events for the Powell Subdivision Neighborhood Watch Program.
- g. Authorization to appoint Risk Manager Jim Gallagher as the person having full authority to negotiate on behalf of the City in the mediation of Robert Kramer v. City of Melbourne; and Assistant City Attorney Suzanne Crockett as the alternate in case Mr. Gallagher is unable to attend the mediation for any reason.
- h. Postponement of April 2012 step increases for non-union and LIU employees covered by the Florida Retirement System.
- i. **Resolution No. 3238:** A resolution authorizing the City Manager to submit a grant application to the Florida Department of Transportation for funding in the amount of \$49,493 to purchase of 800 car seats and a trailer to support child restraint use; and authorization for the City Manager to execute all grant documents.
- j. **Resolution No. 3239:** A resolution authorizing the City Manager to submit a grant application to the Florida Inland Navigation District for 2012 Waterways Assistance Program funding in the amount of \$60,000 and requiring matching funds of \$20,000 for a total project cost of \$80,000 for Phase I of the Melbourne Harbor Channel Dredging Project; and authorization for the City Manager to execute all documents pertaining thereto.
- k. **Resolution No. 3240:** A resolution adopting First Quarter Budget Review recommendations.

11. **ITEMS REMOVED FROM THE CONSENT AGENDA**

12. **SITE PLAN APPROVAL (SP-2012-02) FLORIDA INSTITUTE OF TECHNOLOGY, FOOTBALL TRAINING FACILITY:** (Public Hearing) A request for site plan approval to modify an existing site by removing aquaculture facility/buildings to allow for construction of a 12,560 square foot, single-story football training facility, with modifications to the existing parking and an intramural field on a 6.3±-acre portion of a 110.7±-acre parcel zoned I-1 (Institutional), located on the west side of Babcock Street, north of Florida



Avenue, and south of University Boulevard. (Owner/Applicant - Florida Institute of Technology) (Representative - Ken Good, P.E., Baskerville-Donovan, Inc.) (P&Z Board - 2/16/12)

13. **ORDINANCE NO. 2012-10 (CPA-2012-01) AND ORDINANCE NO. 2012-11 (Z-2011-1177) CHASE BANK:** Ordinances providing for a Comprehensive Plan Amendment and rezoning on a 1.15±-acre portion of a 11.88±-acre parcel, located on the east side of Wickham Road, north of Eau Gallie Boulevard, and south of Trimble Road. (Owner - The School Board of Brevard County) (Applicant/Representative - Jason Crews, The Ferber Company) (P&Z Board - 2/16/12)
 - a. **Ordinance No. 2012-10/CPA-2012-01:** (First Reading/Public Hearing) An ordinance providing for a Comprehensive Plan Amendment changing the Future Land Use from Public/Institutional to General Commercial on a 1.15±-acre portion of a 11.88±-acre parcel.
 - b. **Ordinance No. 2012-11/Z-2012-1177:** (First Reading/Public Hearing) An ordinance changing the zoning from I-1 (Institutional) to C-1 (Neighborhood Commercial) on a 1.15±-acre portion of a 11.88±-acre parcel.

14. **ORDINANCE NO. 2012-12 (Z-2012-1178) AND SITE PLAN APPROVAL (SP-2012-01) ASCENSION MINISTRY BUILDING:** An ordinance providing for zoning changes on 10.93 acres and site plan approval to develop a single-story, 10,078± square foot ministry building on a 0.85±-acre portion of an overall 15.66±-acre parcel, located west of Harbor City Boulevard, south of Parkway Drive, and north of Hiawatha Street. (Owner/Applicant - Diocese of Orlando) (Representative - Andy Kirbach, P.E.) (P&Z Board - 2/16/12)
 - a. **Ordinance No. 2012-12/Z-2012-1178:** (First Reading/Public Hearing) An ordinance changing the zoning on 10.93 acres from R-1A (Single-Family Low Density Residential) and C-R-1A (Single-Family Low Density Residential with a conditional use to allow a church) to I-1 (Institutional) a 0.85±-acre portion of an overall 15.66±-acre parcel.
 - b. **Site Plan Approval (SP-2012-01):** (Public Hearing) A request for site plan approval to develop a single-story, 10,078± square foot ministry building on a 0.85±-acre portion of an overall 15.66±-acre parcel.

15. **ORDINANCE NO. 2012-13 (CU-2012-02) LOU'S FILLING STATION:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow consumption of alcohol on premises in conjunction with a bar on a 0.3±-acre parcel zoned C-1 (Neighborhood Commercial), located on the southwest corner of New Haven Avenue and Helen Street. (Owner/Applicant - Louis Cabot) (Representative - Justin Ostroff) (P&Z Board - 2/16/12)

16. **ORDINANCE NO. 2012-14, SPECIAL ACTIVITY PERMITS:** (First Reading) An ordinance amending Chapter 2 of the City Code, entitled Administration; relating to the special activity permitting process; revising regulations, providing for new regulations, and codifying the current process.



17. **COUNCIL ACTION RE:** Request by Melbourne Main Street to extend the closing time of alcohol sales from midnight to 1:00 a.m. for the “Welcome Home Veterans Parade and Concert” scheduled for April 14, 2012.
18. **COUNCIL ACTION RE:** Acquisition of property for wetland mitigation.
 - a. Approval of a Contract for Sale and Purchase between the Gleason Brothers & Company and the City of Melbourne for the acquisition of 1,280 acres west of I-95 and north of U.S. Highway 192 at a price of \$1,215,000 for use in mitigation of the wetland impact of future Melbourne area road projects.
 - b. **Resolution No. 3241:** A resolution approving an appropriation of \$1,230,000 from Transportation Impact Fees to establish funding for this project; and authorization for the City Manager to execute all related documents and for the City Attorney to coordinate the closing.

Council will convene as the Melbourne Downtown Community Redevelopment Agency for the following items:

19. **COUNCIL ACTION RE:** Grant awards for façade improvements.
 - a. Approval of a \$20,000 grant award for façade improvements at 716 East New Haven Avenue and authorization for the City Manager to execute the rebate agreement. (Applicant - Carlo Massaro)
 - b. Approval of a \$20,000 grant award for façade improvements at 712 East New Haven Avenue and authorization for the City Manager to execute the rebate agreement. (Applicant - Carlo Massaro)
20. **COUNCIL ACTION RE:** Approval of a Contract for Sale and Purchase between Howard F. & Donice M. Jeter and the Downtown Community Redevelopment Agency for acquisition of a 0.34-acre vacant waterfront parcel at a price of \$45,000 for use as a landing area on the south side of Crane Creek for a pedestrian bridge; and transfer of \$69,000 from the Rossetter Lot Paving Project (No. 14304) to the West Crane Creek Pedestrian Bridge Project (No. 10512) to supplement this project budget.

Council will reconvene for the remaining agenda items.

21. **COUNCIL ACTION RE:** Approval of the issues and rules of procedure for the April 3, 2012 Impasse Hearing.
22. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**
23. **ADJOURNMENT**



Mayor Goode and Council Members John Thomas and Molly Tasker, as members of the Airport Authority Board, may discuss Airport Authority issues, which may subsequently be addressed by the Airport Authority.

Vice-Mayor Mike Nowlin and Council Members Kathy Meehan, Mark LaRusso, and Greg Jones (alternate), as members of the Space Coast Transportation Planning Organization (SCTPO), may discuss SCTPO issues, which may subsequently be addressed by the SCTPO.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office (321/608-7220) at least 48 hours prior to the meeting.