

City of Melbourne



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

CITY COUNCIL AGENDA

August 11, 2015 ♦ 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 Six through Five except that the Mayor will vote last as provided by City Code and the Vice Mayor will vote second to last.

1. **Invocation** - Pastor Jeff Mitchell, Harbor City Baptist Church
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** – July 14, 2015 Regular Meeting
July 27, 2015 Budget Workshop
July 28, 2015 Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

UNFINISHED BUSINESS

8. **ORDINANCE NO. 2015-27 (A&V NO. 351):** (Second Reading/Public Hearing) An ordinance vacating a ten-foot utility easement located within Lot 33, Sunset Terrace Subdivision, Section 2, as recorded in Plat Book 10, Page 6, Public Records of Brevard County, Florida (833 Azalea Court) (Applicant – David Floyd) (First Reading – 7/14/15) (Postponed – 7/28/15)
9. **ORDINANCE NO. 2015-28:** (Second Reading/Public Hearing) An ordinance amending Chapter 2, entitled "Administration"; providing for the repeal of Sections 2-645 through 2-660; creating a new Section 2-645, Conveyance of Title to Real Property; creating a new Section 2-646, Lease of Real Property; creating a new Section 2-647, Exemptions. (First Reading – 7/14/15) (Postponed - 7/28/15)
10. **COUNCIL ACTION RE:** Erchonia Corporation
 - a. **Ordinance No. 2015-29 (ED-2015-03/AVT-2015-03):** (Second Reading/Public Hearing) An ordinance granting a four-year ad valorem tax exemption totaling an estimated \$22,829.55 annually to Erchonia Corporation. (First Reading – 7/14/15) (Postponed - 7/28/15)
 - b. **Resolution No. 3504:** A resolution supporting economic development incentives for Erchonia Corporation as a new business. (Postponed - 7/28/15)
11. **ORDINANCE NO. 2015-30:** (Second Reading/Public Hearing) An ordinance establishing a temporary moratorium of 365 days prohibiting the operation of any Low-THC cannabis cultivation, processing, and dispensing organization facilities within the City of Melbourne;



establishing a moratorium on the issuance of Business Tax Receipts, development orders or permits for Low-THC cannabis dispensing organization facilities within the city limits. (First Reading – 7/14/15) (Postponed - 7/28/15)

Council will convene as the Olde Eau Gallie Riverfront Community Redevelopment Agency for the following items:

12. **ORDINANCE NO. 2015-31:** (Second Reading/Public Hearing) Finding of Consistency (FOC-2015-04). Amending Chapter 20, Article IV, to include two additional properties in the Olde Eau Gallie Riverfront Community Redevelopment Plan. (First Reading – 7/14/15) (Postponed - 7/28/15)
13. **ORDINANCE NO. 2015-32 CENTRAL BUSINESS OVERLAY ZONE:** (First Reading/Public Hearing) Finding of Consistency (FOC-2015-05), Administrative Zoning Code Amendment (Z-2015-1217AD) and Land Development Regulations (LDR-2015-03). Amending Appendix B, Article IV, Section 1, exceptions and variations to height regulations; Appendix B, Article V, Section 3, overlay zone regulations; Article IX, Section 8, administrative waivers; amending City Code Appendix D, Chapter 9, Section 9.72, land use type and off-street parking ratio requirements; Section 9.74, minimum standards for the design of off-street parking areas; and Section 9.75, off-site off-street parking requirements. (P&Z Board – 6/18/15) (Postponed - 7/28/15)

Council will reconvene for the remaining items.

14. **COUNCIL DISCUSSION RE:** Pavement Management Plan (Postponed - 7/28/15)
15. **COUNCIL DISCUSSION RE:** Consideration of deregulating vehicles for hire (taxis, limos, and shuttles) in the City of Melbourne. (Postponed - 7/28/15)
16. **COUNCIL ACTION RE:** (Public Hearing) Request to amend Zoning Conditions (Z-2013-1199) Florida Institute of Technology gate closure. (Postponed - 7/28/15)

NEW BUSINESS

17. **CONSENT AGENDA:**
 - a. Change Order No. 3 to the South Sarno Drainage Improvements Project contract, Project No. 20105, Don Luchetti Construction, Inc., Melbourne, FL - \$41,558.50. (Postponed - 7/28/15)
 - b. Hold Harmless Agreement with TT of Indian River, Inc. to allow the construction of a building expansion at 509 E. NASA Boulevard (Porsche of Melbourne) that will encroach within a public utility easement. (Postponed - 7/28/15)
 - c. Contract award for resurfacing of tennis hard courts on an as-needed basis, Elite Court Construction, Inc.; Oviedo, FL; and resurfacing of tennis clay courts on an as-needed basis, Lancelot Industries, LLC, Port St. Lucie, FL – total cost \$43,600. (Postponed - 7/28/15)



- d. Approval of a shared driveway agreement between the City of Melbourne; Troy Holdings, LLC.; and Louella P. Bailey; and authorization for the City Manager to execute the agreement. (206 & 205 East New Haven Avenue)
- e. **Resolution No. 3505:** A resolution authorizing the City Manager to submit a grant application to the Florida Department of Environmental Protection through the Florida Recreation Development Assistance Program (FRDAP) for funding for picnic facilities (shade canopies and picnic tables) for Riverview Park in the amount of \$50,000; and authorization for the City Manager to execute any related grant documents.
- f. **Resolution No. 3506:** A resolution providing a commitment to continue participation in the Brevard County Local Hazard Mitigation Strategy Plan.

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

- a. Approval of an agreement between the City of Melbourne and the School Board of Brevard County for six School Resource Officers at six schools for the 2015-2016 school year from August 12, 2015 through July 1, 2016 at a reimbursement of \$31,800 per officer, totaling \$190,800. (Postponed - 7/28/15)
- b. Contract award for City-wide wrecker services on an as-needed basis, Imperial Towing of Brevard LLC, Melbourne, FL – estimated annual cost \$49,282.75. (Postponed - 7/28/15)

19. **ORDINANCE NO. 2015-33 (CU-2015-05/SP-2015-07) EAU GALLIE RIVER RESTORATION DREDGING PROJECT:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow a temporary landfill and a permanent landfill on 91.17± acres zoned M-1 (Light Industrial) located west of Wickham Road, north of New York Avenue, and south of Sarno Road. (Owner - Brevard County Board of Commissioners) (Applicant - St. Johns River Water Management District) (Representative - Jonathan Armbruster, Taylor Engineering Inc.) (P&Z Board – 7/16/15)

20. **ORDINANCE NO. 2015-34 MICRO-DISTILLERIES:** (First Reading/Public Hearing) Zoning Code Amendment (Z-2015-1220AD) and Land Development Regulations (LDR-2015-04). Amending Appendix B of the City Code, entitled “Zoning;” amending Article II, Definitions; amending Article V, District Regulations; amending Article VI, Use Standards; amending Appendix D of the City Code, entitled “Land Development Code;” amending Section 9.72, Land Use Type and Off-Street Parking Ratio Requirements. (P&Z Board – 7/16/15)

21. **ORDINANCE NO. 2015-35 (FOC-2015-06/Z-2015-1219AD) ACCESSORY DWELLINGS AND STRUCTURES:** (First Reading/Public Hearing) An ordinance amending Appendix B of the City Code, entitled Zoning; amending Article IV, Section 4, Density; amending Article V, Section 2, District Use and Dimensional Standards; amending Article V, Section 3, Overlay Zone Regulations; amending Article VI, Section 1, Residential Uses; amending Article VII, Section 1, Accessory Structures; amending Article VII, Section 2,



Standards for Specific Accessory Uses and Structures. (Applicant - City of Melbourne)
(P&Z Board – 7/16/15)

22. **COUNCIL ACTION RE:** Purchase of one Ford F550 non-walk-in light rescue truck and equipment options for the Fire Department, Ferrara Fire Apparatus, Inc.; Holden, LA - \$129,620.
23. **COUNCIL ACTION RE:** Contract for software system, maintenance and support for Fire and Emergency Medical Services Reporting Application, ImageTrend, Inc.; Lakeville, MN - \$118,200.
24. **COUNCIL ACTION RE:** Board Appointments
 - a. Appointment of three regular members to the Code Enforcement Board.
 - b. Appointment of one member to the Melbourne Economic Enhancement District Advisory Committee.
25. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**
26. **ADJOURNMENT**

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

Mayor Meehan, Vice-Mayor Betty Moore, and Council Members Mike Nowlin, and Teresa Lopez (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.