

# City of Melbourne



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

## CITY COUNCIL AGENDA

April 26, 2016 • 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 One except that the Mayor will vote last as provided by City Code and the Vice Mayor will vote second to last.

1. **Invocation** – Pastor Pete Inman, Lighthouse Assembly of God
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** – April 12, 2016 – Workshop Meeting  
April 12, 2016 - Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

### UNFINISHED BUSINESS

8. **ORDINANCE NO. 2016-17:** (Second Reading/Public Hearing) An ordinance vacating a portion of a 16-foot wide alleyway located adjacent to Lots 2, 7, 8, 10, 11, and 12, Village Plat of Eau Gallie, as recorded in Deed Book FF, Page 600, of the public records of Brevard County, Florida (2125, 2145, 2155, 2165, 2185, and 2227 Avocado Avenue). (First Reading – 3/22/16)
9. **ORDINANCE NO. 2016-20 (CU-2016-03) THE WINEY WENCH:** (Second Reading/Public Hearing) An ordinance granting a conditional use to allow the consumption of beer and wine on premises, within a 3,287± square foot unit in the Melbourne Square Mall zoned C-P (Commercial Parkway), located at 1700 West New Haven Avenue, Unit 165. (Owner – Melbourne Square, LLC) (Applicant/Representative – Jennifer Andresen) (First Reading – 4/12/16)
10. **ORDINANCE NO. 2016-21 (FOC-2016-05/LDR-2016-04) TRANSPORTATION IMPACT FEE MORATORIUM EXTENSION:** (Second Reading/Public Hearing) An ordinance amending sections of Appendix D, Chapters 3 and 10, City Code relating to proposing a time-certain moratorium on the payment of transportation impact fees, mobility improvements deposits and payment in lieu of providing mobility improvements for all commercial and industrial projects through July 31, 2016. (Applicant - City of Melbourne) (First Reading – 4/12/16)
11. **ORDINANCE NO. 2016-22 MERGING OF THE HISTORIC PRESERVATION BOARD AND ARCHITECTURAL REVIEW BOARD:** (Second Reading/Public Hearing) Finding of Consistency (FOC-2016-04), Administrative Zoning Text Amendment (Z-2016-1232AD) and Land Development Regulations (LDR-2016-03). Amending Chapter 2, Chapter 20,



Chapter 54, Appendix B Article IX, and Appendix D Chapter 1 of City Code to merge the duties of the Historic Preservation Board (HPB) and Architectural Review Board (ARB) into a newly created Historic and Architectural Review Board (HARB). (First Reading – 4/12/16)

### **NEW BUSINESS**

#### 12. **CONSENT AGENDA:**

- a. Purchase of six Rosemount flow meters for the Water Reclamation Division, Rosemount, Inc.; Chanhassen, MN - \$40,679.56.
- b. Acceptance of the 2015 Ad Valorem Program Annual Report.
- c. **Resolution No. 3558:** A resolution designating those persons authorized to sign checks and transact business with regard to the bank and investment accounts on behalf of the City.
- d. **Resolution No. 3559:** A resolution authorizing the City Manager to submit a grant application to the Florida Department of State, Division of Historical Resources, for the 2018 Historic Preservation Small Matching Grant to undertake a surveying and community education project in the downtown Melbourne area.
- e. **Resolution No. 3560:** Resolution authorizing the City Manager to submit a grant application to the Bullet Proof Vest Partnership Grant through the Department of Justice for funding in the amount of \$14,731, with a required General Fund match of \$13,305 and an Airport match \$1,426, for a total of \$29,462 to purchase 56 bullet proof vests.

#### 13. **ITEMS REMOVED FROM THE CONSENT AGENDA**

14. **RESOLUTION NO. 3561:** A resolution providing for Airport Fund Operating and Capital Projects budget adjustments.
15. **COUNCIL ACTION RE:** Purchase of water meters and registers for the Meter Services and Reclaimed Water Distribution Divisions, Innovative Metering Solutions, Inc.; Odessa, FL – estimated annual amount \$180,866.15.
16. **COUNCIL ACTION RE:** Purchase of replacement automatic dry polymer mixing and feed system for the Surface Water Treatment Plant, ProMinent Fluid Controls, Inc.; Pittsburgh, PA - \$126,890.
17. **COUNCIL ACTION RE:** Purchase of 132 golf carts and authorization for the City Manager to enter into a new lease purchase agreement financed through SunTrust; E-Z Go Division of Textron, Inc.; Augusta, GA – estimated cost \$326,578.



18. **ORDINANCE NO. 2016-23 (CU-2016-05/SP-2016-04) THE DOCK COMMUNITY CENTER ADDITION:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow the expansion of an existing community center in a residential district with site plan approval on a 1.22±-acre property zoned R-2(6) and C-R2(6) (One-, Two-, and Multiple-Family Medium Density District with a cap of six units per acre and a conditional use to allow a community center in a residential district), located on the south side of Masterson Street, west of Southland Street. (Owner/Applicant – Brevard Neighborhood Development Coalition) (Representative – Lynn Brockwell-Carey) (P&Z Board – 4/7/16)
19. **ORDINANCE NO. 2016-24 (Z-2016-1233) AND ORDINANCE NO. 2016-25 (CU-2016-06) PINEAPPLE FARMS, LLC:** Ordinances providing for rezoning and conditional use to allow residential development in a non-residential zoning district fronting an arterial roadway for property located on the east side of North Harbor City Boulevard approximately 70 feet north of Mathers Street. (Owner/Applicant – Pineapple Farms, LLC) (Representative – Adam Warner) (P&Z Board – 4/7/16)
  - a. **Ordinance No. 2016-24/Z-2016-1233:** (First Reading/Public Hearing) An ordinance to change the existing C-2(General Commercial) zoning to C-1 (Neighborhood Commercial) on 0.29± acres of property.
  - b. **Ordinance No. 2016-25/CU-2016-06:** (First Reading/Public Hearing) An ordinance granting a conditional use to allow residential development in a non-residential zoning district fronting an arterial roadway on 0.29± acres of property.
20. **ORDINANCE NO. 2016-26 PARKING SPACE SIZE:** (First Reading/Public Hearing) An ordinance amending Appendix D, Chapter 9, entitled “Land Development Code;” amending Section 9.74, Minimum Standards for the Design of Off-Street Parking Areas. (Applicant – Northrop Grumman) (Representative - Jake Wise, P.E., Construction Engineering Group) (P&Z Board – 4/7/16)
21. **COUNCIL ACTION RE:** (Public Hearing) Termination of Developers Agreement, Impact Fee Credit Agreement, rezoning, and purchase of property from Southern Homes of Melbourne/Mayfair for property located east side of Babcock Street, north of Eber Boulevard and south of Florida Avenue. (Owner/Applicant – SH Communities) (Representative – Phil Nohrr) (P&Z Board – 4/7/16)
  - a. Request for approval of a Termination of Developers Agreement, which will: relinquish all previous development approvals and capacity reservations of infrastructure; establish a reimbursement of Water Capacity Reservation Fees paid: \$219,000; and provide for the purchase of additional road right-of-way. (DA-2007-01).
  - b. Approval of the Impact Fee Credit Agreement which shall establish a credit of Sewer Capacity Reservation Fees paid: \$311,133.50 and credit of Transportation Capacity Reservation Fees paid: \$316,038, exclusively toward future development of the site.



- c. **Ordinance No. 2016-27/Z-2015-1218:** (First Reading) An ordinance to change the existing PUD (Planned Unit Development) zoning to C-1 (Neighborhood Commercial) on 256.715± acres of property.
  - d. **Resolution No. 3562:** A resolution relating to the purchase of property from Southern Homes of Melbourne II, LLC for the Pirate Lane Realignment and Widening Project, Project No. 64012, for property located north of and adjacent to Pirate Lane/Eber Boulevard, west of Lipscomb Street and east of Babcock Street.
22. **COUNCIL ACTION RE:** (Public Hearing) Preliminary approval of projects and activities for inclusion in the proposed FY 2016-2017 Community Development Block Grant (CDBG) Action Plan.
23. **COUNCIL ACTION RE:** (Public Hearing) Preliminary approval of the proposed activities for Federal FY 2016-2017 HOME funds and authorization for their inclusion in the Brevard County HOME Consortium Consolidated Action Plan for 2016-2017.
24. **RESOLUTION NO. 3563:** (Public Hearing) A resolution approving the City of Melbourne Local Housing Assistance Plan as required by the State Housing Initiative Partnership Program Act and authorizing the City Manager to execute any necessary documents and certifications.
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 and Council Members Mike Nowlin, Betty Moore 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.