

City of Melbourne



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

CITY COUNCIL AGENDA

Wednesday, September 20, 2017

This meeting will begin immediately following adjournment of the 6:30 p.m. Budget Public Hearing.
(Rescheduled from September 14, 2017 due to Hurricane Irma)

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 Two 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** – Council Member Paul Alfrey
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** – August 22, 2017 – Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

UNFINISHED BUSINESS

8. **ORDINANCE NO. 2017-38 (A&V NO. 368):** (Second Reading/Public Hearing) An ordinance vacating a portion of a 15-foot wide alley located south of W.H. Jackson Street, east of the Florida East Coast Railway and west of South Harbor City Boulevard, adjacent to lots 4, 5, and 7 of the J.S. Stone's Addition to South Melbourne, as recorded in Plat Book 1, Page 60. (First Reading – 8/22/17)
9. **ORDINANCE NO. 2017-39 (CU-2017-07/SP-2017-08) STORAGE DEPOT 2:** (Second Reading/Public Hearing) An ordinance granting a conditional use to allow mini-storage on 2.13± acres with site plan approval to construct a three-story, 500-unit, mini-storage building, a new single-story, 9,787± square foot, office building and an 849± square-foot outdoor dining area addition at an existing restaurant on 8.6± acres all zoned C-P (Commercial Parkway), located on the south side of East Eau Gallie Boulevard, west of Unity Drive, and east of Riverside Drive. (Owner/Applicant – James M. Kaufman, Trustee) (Representative – Richard Kern, RK Engineering and Associates) (First Reading – 8/22/17)
10. **ORDINANCE NO. 2017-40, ZONING CODE TEXT AMENDMENT (Z-2017-1258AD) AND LAND DEVELOPMENT REGULATIONS (LDR-2017-02) SIGN CODE AMENDMENT:** (Second Reading/Public Hearing) An ordinance amending City Code Part III, Appendix B and Appendix D to allow nonconforming signs damaged or destroyed by Acts of God or accidents to be rebuilt. (Applicant/Representative – City of Melbourne). (First Reading – 8/22/17)



NEW BUSINESS

11. **COUNCIL ACTION RE:** Contract award for the design of the Pirate Lane Widening and Realignment, Project No. 64012, Bussen-Mayer Engineering Group, Inc.; Merritt Island, FL - \$607,260.
12. **ORDINANCE NO. 2017-42 (A&V NO. 364):** (First Reading/Public Hearing) An ordinance vacating a portion of a 20-foot wide alley located near the northwest corner of Babcock Street and New Haven Avenue as part of the Brooks and Humphrey's Business addition to Country Club Colony, by Lots 63 through 71, as recorded in Plat Book 5, Page 45.
13. **ORDINANCE NO. 2017-43 (A&V NO. 367):** (First Reading/Public Hearing) An ordinance vacating three-foot wide utility, ingress and egress easements located at the northeast corner of Creel Street and Maple Street, Lots 8-10, and within Block "A" of Bonner Heights Subdivision, as recorded in the Plat Book 6, Page 20.
14. **ORDINANCE NO. 2017-44 (A&V NO. 372):** (First Reading/Public Hearing) An ordinance vacating a portion of a five-foot wide public utility easement located east of Dairy Road and north of Eber Boulevard within Lot 47, Pine Meadow Planned Unit Development as recorded in Plat Book 63, Pages 14 through 19.
15. **CONSENT AGENDA:**
 - a. Purchase of cellular services for the Public Works & Utilities Department, Verizon Wireless, Laurel, MD – estimated annual amount \$87,060.
 - b. **Resolution No. 3670:** A resolution approving a lease agreement with the Melbourne Housing Authority, on property located at 1440 Mosswood Drive (previously Crane Community Center).
 - c. **Resolution No. 3671:** A resolution adopting third quarter budget review recommendations.
 - d. **Resolution No. 3672:** A resolution providing for CPI adjustments to solid waste service rates as required by the Waste Management franchise agreement effective October 1, 2017 and authorized by Section 48-53(d) of the City Code.
16. **ITEMS REMOVED FROM THE CONSENT AGENDA**
17. **COUNCIL ACTION RE:** Approval of a Facilities Rental Service Agreement with Florida Power & Light Company (FPL) for the installation of two transformers, maintenance and rental fees at the Reverse Osmosis Water Treatment Plant located at 6055 Lake Washington Road, for a one-time payment of \$169,907.63.



18. **COUNCIL ACTION RE:** Purchase of bulk gasoline and diesel fuel, Glover Oil Company, Inc.; Melbourne, FL; and fuel card purchases, Wright Express (WEX Bank), South Portland, ME - total cost \$614,000.
19. **ORDINANCE NO. 2017-45 UTILITY RATES:** (First Reading) An ordinance deferring the increase to utility rates scheduled for October 1, 2017 until October 1, 2018; amending the City Code, Chapter 58, Utilities; amending Section 58-133, Water Service Rates; amending Section 58-243, Sewer Service Rates; amending section 58-364, Reclaimed Water Service Fees.
20. **ORDINANCE NO. 2017-46 FIRE PENSION:** (First Reading) An ordinance relating to the Firefighters' Pension Plan; amending Chapter 44 of the City Code, entitled "Retirement and Pensions;" amending Section 44-167, Contributions; amending Section 44-168, Benefit Amounts and Eligibility.
21. **ORDINANCE NO. 2017-41 ADMINISTRATIVE ZONING CODE AMENDMENT (Z-2017-1259AD) MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES – PROHIBITING DISPENSING FACILITIES:** (First Reading/Public Hearing) An ordinance amending the City Code Appendix B, Articles II and V to prohibit Medical Marijuana Treatment Center Dispensing Facilities within the City of Melbourne. (Applicant – City of Melbourne) (P&Z Board – 8/17/17)
22. **RESOLUTION NO. 3669:** (Public Hearing) A resolution authorizing the disposition of real property located east of U.S. Highway 1 and west of the Indian River Lagoon (705-707 South Harbor City Boulevard); approving the contract for sale and purchase; and authorizing the City Manager to execute, accept and record related documents.
23. **COUNCIL ACTION RE:** Appointment of two alternate members to the Melbourne Downtown Community Redevelopment Agency Advisory Committee.
24. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**
25. **ADJOURNMENT**

Mayor Kathy Meehan, Vice Mayor Debbie Thomas, and Council Member Tim 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 Teresa Lopez, Betty Moore and Paul Alfrey (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.