

CITY OF PALM BAY, FLORIDA

SPECIAL COUNCIL MEETING NO. 2008-21

Held on Thursday, the 24th day of July 2008, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

ROLL CALL:

MAYOR:	John J. Mazziotti	Present
DEPUTY MAYOR:	Ed Geier	Present
COUNCILMEMBER:	Patrick Woodard	Present
COUNCILMEMBER:	Milo Zonka	Present
COUNCILMEMBER:	Kristine Isnardi	Present
CITY MANAGER:	Lee Feldman	Present
ACTING CITY ATTORNEY:	James Stokes	Present
DEPUTY CITY CLERK:	Terese Barber	Present

Also present were Sue Hann and Jon Lewis, Deputy City Managers; Jason Yarborough, Utilities Director; and Chris Roe, Special Counsel.

BUSINESS:

1. Port Malabar Unit 31 Assessment Project:

a) Receipt of comments from affected property owners and other interested parties.

Mr. Feldman explained that the purpose of the hearing was to hear from property owners and other interested parties as to the propriety and advisability of constructing the project, cost, amount thereof, assessment of each parcel benefited, and any complaints as to the assessment.

Mr. Yarborough advised that staff had recommended certain lots be waived from the assessment roll:

Lots 8 and 9, Block 1488; Lot 7, Block 1500; Lot 16, Block 1533; (David Moallem) – all lots were not buildable due to the situation of the canal easements;

Lots 19 and 20, Block 1483 (Robert Taylor) – there were no plans to construct and the lots would be merged in the future; asked that assessment apply to one lot;

Lots 24 and 25, Block 1520 (David and Beverly Johnson) – there were no plans to construct and the lots would be merged in the future; asked that assessment apply to one lot.

Deputy Mayor Geier asked if a motion could be made that would accept staff's recommendations to exempt those particular properties with a time certain date to merge the lots. Mr. Stokes stated language could be created that would treat the lots as one if certain conditions were met by a specific date.

Motion by Deputy Mayor Geier, seconded by Mr. Zonka, to waive those lots as recommended by staff and to reflect one assessment on the other lots as mentioned, only if the lots were merged by December 31, 2008. Mr. Feldman stated the property owners would have to sign a waiver. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Geier, Yea; Councilman Woodard, Yea; Councilman Zonka, Yea; Councilwoman Isnardi, Yea.

The public hearing was opened and closed as there were no comments.

b) Resolution No. 2008-67, adoption of the Preliminary Assessment Roll, as equalized, for the Port Malabar Unit 31 assessment project for water service improvements.

The Acting City Attorney read the resolution in caption only.

The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Geier, seconded by Mr. Zonka, to adopt Resolution No. 2008-67. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Geier, Yea; Councilman Woodard, Yea; Councilman Zonka, Yea; Councilwoman Isnardi, Yea.

c) Resolution No. 2008-68, affirming the use of the Uniform Method of Collection for the collection of special assessments for Port Malabar Unit 31.

The Acting City Attorney read the resolution in caption only.

The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Geier, seconded by Mr. Woodard, to adopt Resolution No. 2008-68. Mayor Mazziotti asked how the residents would be kept informed. Mr. Feldman advised that public information channels would be available, signs would be posted throughout the neighborhood providing notice of construction commencement, and once the lines were installed and ready for hook-up, residents would be notified of same.

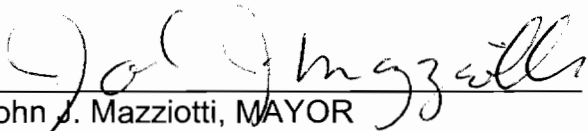
Deputy Mayor Geier asked if any of the funds were to be used for asphalt. Mr. Feldman stated that funds were not to be used for roads, but advised that if cuts were made across the road, the road would be repaired. Mayor Mazziotti asked staff to provide a cost on repaving a portion of Osmosis Drive from DeGroodt Road to Dexter Avenue.

Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Geier, Yea; Councilman Woodard, Yea; Councilman Zonka, Yea; Councilwoman Isnardi, Yea.

A question and answer period ensued between Council, staff, and the residents.


ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 7:55 P.M.



John J. Mazziotti, MAYOR

ATTEST:



Terese Barber, DEPUTY CITY CLERK

