CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING NO. 2013-11

Held on Thursday, the 2nd day of May 2013, 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.

Father Emmanuel Akalue, Our Lady of Grace, Palm Bay, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	William Capote	Present
DEPUTY MAYOR:	Kristine Isnardi	Present
COUNCILMEMBER:	Michele Paccione	Present
COUNCILMEMBER:	Ken Greene	Present
COUNCILMEMBER:	Harry Santiago Jr.	Present
CITY MANAGER:	Sue Hann	Present
DEPUTY CITY ATTORNEY:	Patricia Smith	Present
DEPUTY CITY CLERK:	Terese Jones	Present

CITY STAFF: Present was Chad Shoultz, Deputy City Manager.

ANNOUNCEMENTS:

Deputy Mayor Isnardi announced the following vacancies and terms expiring and solicited applications for same:

1. **Six (6) vacancies on the Youth Advisory Board (represents six (6) students in grades 9-12).**
2. **One (1) vacancy on the Planning and Zoning Board.**
3. **Two (2) terms expiring on the Utilities Advisory Board (represents individual who has special talents, credentials, or experience which will be useful in the review and recommendation of utilities; resident and/or current customer of the City's utility system).**
4. **One (1) term expiring on the Community Development Advisory Board (represents 'resident of the city' position).**

AGENDA REVISIONS:

Mrs. Hann had distributed a memorandum adding to Item No. 2, under New Business, another vehicle as surplus property.

CONSENT AGENDA:

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Mrs. Paccione, seconded by Deputy Mayor Isnardi, that the Consent Agenda be approved as presented with the addition to Item No. 2, under New Business. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

RECOGNITIONS AND PROCLAMATIONS:

Individuals were recognized and proclamations read.

1. **Volunteer Program (one (1) year of service as City boardmember): a) Community Development Advisory Board – Vicki Northrup; Isabel Wright; b) Youth Advisory Board – Tiffany Buchanan; Amanda Elliott; Megan Grace; Kristen Medley; Andrew Overbey; Whitney Sylliac; Kimberly Winarski.**
2. **Palm Bay Police Department – ceremony to administer police officer's oath.**
3. **Public Works Department – recognizing employee promotions.**
4. **Palm Bay, Florida - No Bullying Zone – May 2013.**
5. **Drinking Water Week – May 5-11, 2013.**
6. **National Nurses Week – May 6-12, 2013.**
7. **American Legion Auxiliary Poppy Days – May 10-11, 2013.**
8. **National Safe Boating Week – May 18-24, 2013.**
9. **Emergency Management Week – May 19-25, 2013**
10. **Haitian Heritage Month – May 2013.**

PRESENTATIONS:

1. **Linda Wells, Director – Senior Nutrition Program, Aging Matters in Brevard.** Ms. Wells explained the purpose, goals, trends and challenges of the program.

a) consideration of request by Aging Matters in Brevard to utilize the Captain's House for the Seniors at Lunch program.

Motion by Mrs. Paccione, seconded by Deputy Mayor Isnardi, to approve the request and that the approval would serve a public purpose. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

2. **Yvonne McDonald, Finance Director – March 2013 financial report.** Mrs. McDonald provided Council with an overview of the financial report for March.

ADOPTION OF MINUTES:

*** 1. Special Council Meeting No. 2013-08; April 4, 2013.**
*** 2. Regular Council Meeting No. 2013-09; April 18, 2013.**
*** 3. Special Council Meeting No. 2013-10; April 23, 2013.**

The minutes, considered under Consent Agenda, were approved as presented.

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

Individuals commented on various issues.

PUBLIC HEARINGS:

♣ 1. Request by Steve Abbott for a variance to allow a proposed metal structure to exceed the twelve (12) foot maximum height by a maximum of five (5) feet, and to exceed the 300 square foot maximum by a maximum of 1,200 square feet in SRE (Suburban Residential Estate District) zoning (0.46 acres)(Case No. V-7-2013).

The Planning and Zoning Board recommended that the request be approved with the condition that Lots 20 and 21 were officially married and that the metal structure was landscaped to staff's approval.

The public hearing was opened. The applicant presented the request to Council. A resident spoke against the request stating it would devalue the surrounding homes and set a precedent for other metal structures. The public hearing was closed.

Motion by Deputy Mayor Isnardi, seconded by Mr. Santiago, to approve the request. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

♣ 2. Request by Matt Everly for a variance to allow a proposed mobile home relief from the ten (10) foot rear setback by a maximum of three (3) feet in RMH (Residential Mobile Home District) zoning (0.10 acres)(Case No. V-8-2013).

The Planning and Zoning Board recommended that the request be approved.

The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mrs. Paccione, seconded by Deputy Mayor Isnardi, to approve the request. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

♣ 3. Request by Holiday Park Homeowners Association for a variance to allow a proposed fence and gate to exceed the six (6) foot maximum height by a maximum of one (1) foot in RMH (Residential Mobile Home District) zoning (1.0 acres)(Case No. V-9-2013).

The Planning and Zoning Board recommended that the request be approved.

The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Santiago, seconded by Mr. Greene, to approve the request. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

PROCUREMENTS:

Award of Proposals:

*** 1. Liquid sodium hypochlorite (City of Sarasota contract) – Utilities Department (Odyssey Manufacturing - $110,000).**

Staff Recommendation: Approve the purchase of liquid sodium hypochlorite, utilizing the City of Sarasota contract, from Odyssey Manufacturing, Tampa, for an estimated amount of $100,000.

The item, considered under Consent Agenda, was approved as recommended by City staff.

*** 2. Grit dewatering equipment, Wastewater Treatment Plant, amendment – RFP No. 11-0-2013 – Utilities Department (WesTech Engineering - $46,995).**

Staff Recommendation: Approve the amendment of the award of proposal for the purchase of replacement grit dewatering equipment for the pretreatment process at the Wastewater Treatment Plant to WesTech Engineering, Salt Lake City, Utah, in the amount of $46,995.

The item, considered under Consent Agenda, was approved as recommended by City staff.

UNFINISHED AND OLD BUSINESS:

1. **Appointment of one (1) Community Development Advisory Board member.**

Motion by Deputy Mayor Isnardi, seconded by Mr. Santiago, to appoint Puneet Kapur to the board. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Greene, Yea; Councilman Santiago, Yea.

COUNCIL BUSINESS:

Councilmembers addressed various subject matters.

1. Deputy Mayor Isnardi asked that a proclamation for National Day of Prayer and a proclamation recognizing the Women's Hospital Auxiliary be scheduled for the next regular meeting.

2. Deputy Mayor Isnardi suggested reviewing the transportation impact fees and possibly considering a moratorium on same. Council concurred.

NEW BUSINESS:

*** 1. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund ($23,000).**

Staff Recommendation: Approve the expenditure of LETF for items identified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

*** 2. Consideration of the disposal of City capital surplus property.**

Staff Recommendation: Approve the disposal of the capital surplus property as listed in the memorandums and authorize the purchase of a replacement vehicle; budget amendment would be processed accordingly.

The item, considered under Consent Agenda, was approved as recommended by City staff.

*** 3. Acknowledgement of the City's monthly financial report for February 2013.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

4. Consideration of councilmember attending the SisterCities International 2013 Annual Conference, San Antonio, Texas, July 12-13, 2013; adjusting Council's travel budget.

Mayor Capote would attend the conference. Council concurred.

Council concurred to have a budget amendment for Council's travel prepared for the next meeting taking into consideration the additional travel for the remainder of the year.

ADMINISTRATIVE AND LEGAL REPORTS:

*** 1. Consideration of travel and training for specified City employees.**

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

PUBLIC COMMENTS/RESPONSES:

Individuals commented on various issues.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:44 P.M.

William Capote, MAYOR

ATTEST:

Terese Jones, DEPUTY CITY CLERK

* Identifies items considered under the heading of Consent Agenda.
♣Indicates quasi-judicial proceeding.