

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING NO. 2014-08

Held on Thursday, the 3rd day of April 2014, 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.

Pastor Ken Delgado, The House, Palm Bay, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

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

CITY STAFF: Present was Chad Shoultz, Deputy City Manager; Jim Stables, Fire Chief; Dave Watkins, Growth Management Director.

ANNOUNCEMENTS:

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

1. **Four (4) vacancies on the Youth Advisory Board (represents students grades 9-12).**
2. **One (1) vacancy on the Utilities Advisory Board (represents utility customer or resident).**
3. **One (1) vacancy on the Building and Construction Advisory Board (represents general contractor).**
4. **One (1) vacancy on the Recreation Advisory Board.**
5. **One (1) vacancy on the Library Advisory Board.**

AGENDA REVISIONS:

There were no agenda revisions.

CONSENT AGENDA:

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

Motion by Deputy Mayor Greene, seconded by Mrs. Paccione, that the Consent Agenda be approved as presented with the removal of Item Nos. 3 and 5, under New Business, from consent. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

RECOGNITIONS AND PROCLAMATIONS:

Individuals were recognized and proclamations read.

- 1. Recognizing employees for their years of service with the City of Palm Bay.**
- 2. Recognizing City employees for their assistance with the 2013 United Way Campaign.** The item was rescheduled to the next regular meeting.
- 3. National Public Safety Telecommunications Week, April 13-19, 2014.**
- 4. Administrative Professionals Week – April 20-26, 2014.**
- 5. Arbor Day – April 25, 2014.**
- 6. Water Conservation Month – April 2014.**
- 7. DollarWise Month – April 2014.**

PRESENTATIONS:

1. Javier Molinares – development of park site to be known as ‘America’s Cultural Park’. Mr. Molinares presented the idea of developing a park with an amphitheater to celebrate the different cultures and the respective music and food. The Southeast Community Park site on Eldron Boulevard was under consideration. Once the park was developed, the City would be responsible for the maintenance of same.

a) Consideration of supporting the development of the park site.

Motion by Mr. Santiago, seconded by Mrs. Isnardi, to support the development of the park site. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

2. Yvonne McDonald, Finance Director – February 2014 financial report. Mrs. McDonald provided Council with an overview of the financial report for February.

DEPARTMENTAL REPORT:

1. Fire Department – update. Chief Stables provided the City Council with an update on the Fire Department – its accomplishments, co-location project of Fire Station Nos. 1 and 6, in-service training and public education, and other aspects of the department.

ADOPTION OF MINUTES:

*** 1. Regular Council Meeting No. 2014-07; March 20, 2014.**

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. Ordinance No. 2014-10, amending the Code of Ordinances, Chapter 185, Zoning Code, by establishing standards for the keeping of pigeons in single family residential zoning districts (Case No. T-1-2014, Space Coast Racers), for first reading.

The Planning and Zoning Board recommended that the request be approved, with the provision that activity be by conditional use and that the membership requirement in a pigeon organization be excluded from the proposal.

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. Some individuals spoke in favor of the request. The public hearing was closed.

Motion by Mr. Santiago, seconded by Mrs. Paccione, to adopt Ordinance No. 2014-10. Deputy Mayor Greene wanted to reduce the number of pigeons to eighty (80). Mrs. Isnardi, Mr. Santiago, and Mrs. Paccione wanted to keep the number at one hundred (100).

Motion by Mr. Santiago, seconded by Mrs. Paccione to adopt Ordinance No. 2014-10, with removal of the membership provision. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

2. Ordinance No. 2014-11, amending the Code of Ordinances, Chapter 185, Zoning Code, by creating and providing criteria for a new zoning district entitled PMU (Parkway Mixed Use District) (Case No. T-2-2014, Willard Palmer), for first reading.

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

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Santiago, seconded by Mrs. Isnardi, to adopt Ordinance No. 2014-11. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

♣3. Ordinance No. 2014-12, rezoning property located in the vicinity northwest of the intersection of Malabar Road and the Palm Bay Parkway from GU (General Use Holding District to PMU (Parkway Mixed Use District) (202.9 acres)(Case No. Z-3-2014, Willard Palmer), for first reading.

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

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mrs. Isnardi, seconded by Deputy Mayor Greene, to adopt Ordinance No. 2014-12. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

4. Request by Vacation Finance, LLC for approval of a final subdivision to be known as Palm Island on property located at the southwest corner of Malabar Road and Allison Drive (32.73 acres)(Case No. FS-1-2014)(RESCHEDULED TO P&Z – 04-02-13).

PROCUREMENTS:

Award of Bids:

*** 1. SHIP rehab projects – ITB Nos. 15-0-2014, 16-0-2014, 17-0-2014 – Growth Management Department (Smith Development & Construction; Armstrong Custom Homes, Inc. - \$103,947).**

Staff Recommendation: Award the SHIP rehab projects, as identified, to Smith Development and Construction, Merritt Island, and Armstrong Homes, West Melbourne, in the amount of \$103,946.86.

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

Miscellaneous:

- * 1. Heavy equipment and truck parts, increased purchasing authority – Public Works (Kelly Ford, Inc. – additional \$15,000; Maudlin International Trucks – additional \$20,000).**

Staff Recommendation: Approve increasing the purchasing authority for Fiscal Year 2013-2014 for Kelly Ford to \$50,000 and for Maudlin International Trucks to \$35,000.

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

- * 2. Biosolids disposal and transportation, payment ratification – Utilities Department (H&H Liquid Sludge Disposal, Inc. - \$51,110).**

Staff Recommendation: Ratify payment to H&H Liquid Sludge Disposal, Inc. for the landfill hauling costs that were incurred during the Aerobic Digester Replacement and Tank Renovation Project in the amount of \$51,110.

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

- * 3. Other agency contract, network infrastructure (Department of Management Services contract) – Communications and Information Technology Department (CDW-G - \$34,162).**

Staff Recommendation: Authorize procurement of Network Appliance expanded SAN storage solution, utilizing the Department of Management Services contract, through reseller CDW-G in the amount of \$34,162.

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

COUNCIL BUSINESS:

Councilmembers addressed various subject matters.

NEW BUSINESS:

- * 1. Ordinance No. 2014-13, amending the Code of Ordinances, by repealing Chapter 75, Dangerous Intersection Safety Act, in its entirety.**

The City Attorney read the ordinance in caption only. The ordinance was approved under Consent Agenda.

*** 2. Consideration of the overhire of entry-level firefighters.**

Staff Recommendation: Authorize the overhire of nine (9) entry-level firefighters.

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

3. Consideration of the addition/reinstatement of certain positions; authorize procurement of a vehicle for the Deputy Fire Chief position.

Staff Recommendation: Authorize the City Manager to proceed with hiring the Commercial Building Plans Examiner, Deputy Fire Chief, and Senior Purchasing Contracts Administrator; authorize the procurement of a vehicle for the Deputy Fire Chief position.

Motion by Mrs. Paccione, seconded by Mr. Santiago, to approve the positions and procurement of the vehicle. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

*** 4. Consideration of the public service agencies to receive funding from the Fiscal Year 2014-2015 Community Development Block Grant Action Plan.**

Staff Recommendation: Approve the public service agencies as recommended by the Community Development Advisory Board for Fiscal Year 2014-2015 to be included as the public service component in the Action Plan: a) Diamond Community School, Inc. - \$13,022; b) Early Learning Coalition of Brevard County, Inc. - \$13,022; c) Family Promise of Brevard, Inc. - \$13,586; d) Helping Seniors of Brevard County, Inc. - \$14,469; e) Nana's Children's Home, Inc. dba Nana's House - \$14,469; f) South Brevard Women's Center, Inc. - \$11,575; g) The Children's Hunger Project, Inc. - \$11,575; and h) Fair Housing Continuum, Inc. (\$4,000 to be funded through CDBG administrative funding).

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

5. Consideration of travel and training for specified City employees.

Staff Recommendation: Approve the travel and training as specified.

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

*** 6. Acknowledgement of the City's monthly financial report for February 2014.**

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

7. Consideration of councilmembers attending the 82nd Annual United States Conference of Mayors conference in Dallas, Texas, June 20-23, 2014.

Mayor Capote expressed interest in attending the conference.

Motion by Mr. Santiago, seconded by Mrs. Paccione, to approve the Mayor's attendance at the conference. Mrs. Isnardi stated the City had to be fiscally responsible when travel was considered. Mayor Capote felt the travel issue should be discussed during the budget preparation process. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

ADMINISTRATIVE AND LEGAL REPORTS:

1. Mrs. Hann reminded everyone that Palm Bay Road would be closed at Minton Road on April 7th, at 10:00 P.M., to repair the drainage pipe.

PUBLIC COMMENTS/RESPONSES:

There were no public comments.

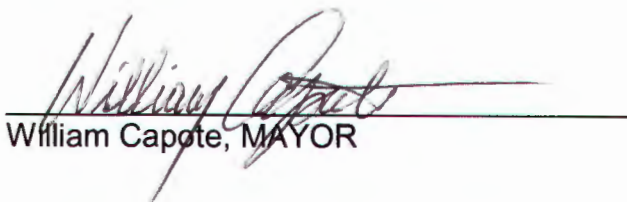
ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:50 P.M.

ATTEST:



Terese Jones, DEPUTY CITY CLERK



William Capote, MAYOR

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