

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING NO. 2014-12

Held on Thursday, the 5th day of June 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 7:01 P.M.

Pastor Errol Leslie, Palm Bay United Methodist Church, 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
CITY CLERK:	Alice Passmore	Present

CITY STAFF: Present was Chad Shoultz, Deputy City Manager; Yvonne McDonald, Finance Director.

ANNOUNCEMENTS:

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

- 1. Two (2) 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').**

AGENDA REVISIONS:

Mrs. Hann stated that Item No. 3 had been added under Award of Proposals, Procurements, to authorize the expenditure of funds for the purchase of an air conditioning system for City Hall.

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. 1 and 8, under New Business, from consent, and the addition of Item No. 3, under Award of Proposals, Procurements, under 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 and presented.

- 1. Recognizing Romeo Rodriguez and Corporal Amy Revis, Palm Bay Police Department, for their heroic efforts in saving a life.**
- 2. Palm Bay Elementary School – Project Stars-n-Stripes.**
- 3. Kathy Till, Florida League of Cities – recognizing Mayor Capote for his efforts on the Space Coast Advocacy Team.**
- 4. Palm Bay Caribbean Festival Weekend – August 30-31, 2014.**

PRESENTATION:

- 1. Yvonne McDonald, Finance Director – April 2014 financial report.** Mrs. McDonald provided Council with an overview of the financial report for April.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2014-11; May 15, 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. 2014-17, amending the Fiscal Year 2013-2014 budget by appropriating and allocating certain monies (third budget amendment) (SCHEDULED TO 06/17/14).**

2. Resolution No. 2014-16, vacating a portion of the San-Sebastian Farms Plat, which property is located in the vicinity north of Willowbrook Road, west of Babcock Street (460.58 acres)(Case No. VP-1-2014, Rolling Meadow Ranch, Inc.).

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

The City Attorney read the resolution in caption only. The public hearing was opened. The applicant presented the request to the City Council. A resident questioned the future use of the property and who would be paying for any improvements. He was advised the applicant would be the responsible party. The public hearing was closed.

Motion by Mr. Santiago, seconded by Mrs. Paccione, to approve Resolution No. 2014-16. 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. 2014-18, amending the Code of Ordinances, Chapter 185, Zoning Code, by removing the requirement of maintaining a garage door when an existing garage has been converted into a living area (Case No. T-6-2014, City of Palm Bay), 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. 2014-18. 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 William and Martha Matheson for a variance to allow a proposed room addition to exceed the 25-foot maximum height restriction by four (4) feet in RS-1 (Single Family Residential District) zoning (0.30 acres) (Case No. V-7-2014).

The public hearing was opened. A representative for the applicant was present but had not been given the proper authority to present the request to the City Council. The City Attorney recommended that the request be tabled until the applicant or representative with the proper authority could be present. The public hearing was closed.

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

♣5. Request by DiVosta Homes, LP for approval of the replat of Tract “A”, Waterstone Plat Two and Three PUDs, dedicating the road right-of-way to the City (3.13 acres)(Case No. FS-2-2014).

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

The public hearing was opened. The applicant presented the request to the City Council. A resident questioned the City accepting the roads when they were originally intended to be private. The public hearing was closed.

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

6. Request by Chaparral Properties, LLC for a preliminary Planned Unit Development (PUD) to be known as Chaparral PUD, which property is located south of and adjacent to Malabar Road, in the vicinity west of Krassner Drive and southeast of Palm Bay Regional Park (Case No. PUD-5-2014).

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

The public hearing was opened. The representative for the applicant presented the request to the City Council. Residents in the area expressed concern over increased traffic on Malabar Road, the multifamily structures overlooking their properties (privacy issue), stormwater runoff, and density. Mrs. Hann and the applicant’s representative addressed the issues that were raised. Deputy Mayor Greene expressed concern over safety issues due to the property being adjacent to the two gun ranges in the area. The public hearing was closed.

Motion by Mrs. Paccione, seconded by Mr. Santiago, to approve the request subject to staff comments being addressed during the final PUD submittal upon approval of the Future Land Use Map amendment. Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Greene	Nay
Councilwoman Isnardi	Yea
Councilwoman Paccione	Yea
Councilman Santiago	Yea

7. 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 – 07/02/14).

PROCUREMENTS:

Award of Proposals:

- * 1. Mowing, park sites – RFP No. 29-0-2014 – Parks and Recreation Department (JD Sunny Isle - \$58,713).**

Staff Recommendation: Award the proposal for mowing park sites to JD Sunny Isle, West Melbourne, in the amount of \$58,713.

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

- * 2. Clearmont Water Tower pipe removal and replacement – RFP No. 31-0-2014 – Utilities Department (Mechanical Industrial Services - \$125,750).**

Staff Recommendation: Award the proposal for the Clearmont water tower pipe removal and replacement to Mechanical Industrial Services, Tampa, in the amount of \$125,750.

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

- *3. City Hall chiller/coil replacement – RFQ No. 37-0-2014 – Parks and Recreation Department (Airstron, iNc. - \$89,084)**

Staff Recommendation: Award purchase of the chiller/coil replacement for City Hall air conditioner to Airstron, Inc., Port St. Lucie, in the amount of \$89,084.

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

Miscellaneous:

- * 1. ABS pumps, parts and warranty repairs (Orange County contract) – Utilities Department (Hydra Service, Inc. – \$90,000 (sole source)).**

Staff Recommendation: Approve the sole source purchase of ABS pumps, parts, and warranty repairs from Hydra Services, Inc. Sanford, in the amount of \$90,000.

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

UNFINISHED AND OLD BUSINESS:

1. Appointment of three (3) members to the Community Development Advisory Board.

Motion by Deputy Mayor Greene, seconded by Mrs. Isnardi, to reappoint Puneet Kapur, Vicki Northrup, and Rainer Warner to the Board. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

2. Appointment of one (1) adult member to the Youth Advisory Board.

The individuals were rated by the City Council due to the number of applications exceeding the number of vacant positions. No. 1 represented the first choice of each councilmember and so on. The individual receiving the lowest number to the position was considered for appointment to the board.

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

3. Appointment of two (2) student members to the Youth Advisory Board.

Motion by Deputy Mayor Greene, seconded by Mrs. Isnardi, to appoint Abigail Massillon and Alize Perry to the Board. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

COUNCIL BUSINESS:

Councilmembers addressed various subject matters.

NEW BUSINESS: (Ordinances were for first readings.)

1. Ordinance No. 2014-19, dedicating and naming a road right-of-way as St. John's Heritage Parkway.

The City Attorney read the ordinance in caption only.

Motion by Mr. Santiago, seconded by Mrs. Isnardi, to approve Ordinance No. 2014-19. 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. 2014-20, dedicating and naming the extension of a road right-of-way as Emerson Drive.**

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

*** 3. Ordinance No. 2014-21, dedicating and naming the extension of a road right-of-way as Pace Drive.**

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

*** 4. Consideration of an agreement with the Brevard County School Board for use of its property as a debris staging area in the event of a disaster.**

Staff Recommendation: Approve the Memorandum of Agreement with the Brevard County School Board for the use of the property as a debris staging area for the storage and processing of storm debris collected and accumulated as a result of any emergency.

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

*** 5. Consideration of submitting a grant application to the U.S. Department of Justice for the purchase of body cameras, and related hardware and software for the Police Department.**

Staff Recommendation: Authorize the application for funding as outlined in the memorandum from the City Manager in the estimated amount of \$13,619.

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

*** 6. 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.

*** 7. Acknowledgement of the City's monthly financial report for April 2014.**

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

8. Consideration of request from the Brevard Caribbean American Sports and Cultural Association, Inc. (BCASCA) for the City to co-sponsor its Caribbean Festival.

Staff Recommendation: Approve co-sponsorship of the BCASCA event as requested.

Motion by Mrs. Paccione, seconded by Deputy Mayor Greene, to approve co-sponsorship of the BCASCA event. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

*** 9. Consideration of scheduling a joint workshop meeting with the Police and Firefighters Pension Plan, Board of Trustees.**

Staff Recommendation: Meeting recommended to be scheduled for Thursday, June 12, 2014, at 6:30 P.M.

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

ADMINISTRATIVE AND LEGAL REPORTS:

There were no administrative or legal reports.

PUBLIC COMMENTS/RESPONSES:

Individuals commented on various issues.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:04 P.M.

ATTEST:



Alice Passmore, CITY CLERK



William Capote, MAYOR

* Identifies items considered under the heading of Consent Agenda.

♣ Indicates quasi-judicial proceeding.

☞ Indicates item was considered out of sequence or added to the agenda.