

City of Melbourne, Florida
Minutes - Regular Meeting of the City Council
November 13, 2025

Proclamation declaring November 19, 2025 as “National GIS Day” and declaring November 17-21, 2025 as “National Geography Awareness Week”; accepted by Kevin Burns, Chief Information Officer, along with staff of the city’s GIS Division.

5. Approval of Minutes – October 28, 2025 Regular Meeting.

Moved by Hanley/Kennedy for approval. Motion carried unanimously.

6. City Manager’s Report

City Manager Jenni Lamb reported on the status of the City Code amendments for parking management and noted that the city cannot proceed in the way it originally anticipated. A discussion item before the end of the year will be scheduled so that Council can address options that are available to the city going forward.

Additionally, Mrs. Lamb reported that the revisions to the Interlocal Agreement regarding the Downtown Eau Gallie parking garage will be considered by the Brevard County Board of County Commissioners on Tuesday, November 18, and that she and the City Attorney will attend that meeting. She also reported on a revised site plan submitted regarding the Downtown Eau Gallie parking garage and noted that she is not comfortable signing off on the permits for this new plan until the full effects of the changes can be evaluated. Staff will be meeting with the developer to discuss the changes and their costs/impacts.

In closing, Mrs. Lamb referenced recent challenges with companies performing fiber installation throughout the city. Ultimately, she stated that her office is in the process of scheduling a meeting with the proper city staff and company representatives to streamline the conversation about the issues going on.

Council Member Julie Kennedy stated her belief that such a meeting would be extremely beneficial in getting all parties on the same page.

7. Public Comments

The following individuals came forward to speak on the allegations of a death threat from former Council Member Yvonne Minus towards Vice Mayor David Neuman and expressed their opinion that Mrs. Minus be removed from any and all advisory boards that she serves on for the city: Margaret Kearney, Palm Bay; Chleah Gehrman, Palm Bay; Austin Ekonomen, 1432 Parkway Drive; Cody Johnson, Melbourne; Kai Harrelson, Rockledge; Garrett Jacobellis, unincorporated Brevard County; Ethan Packey, 625 E. New Haven Avenue; Danielle Lindsay, Orlando; Tyler White, 220. E. University Boulevard; Gezel Saheli, Indian Harbour Beach; Brady Flanders, Palm Bay; and David Outlaw, Melbourne.

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Vice Mayor Neuman recalled the situation and provided his view of what happened for the benefit of City Council. He noted that he went to Chief Gillespie who told him to file a police report. He read the conclusion of the report, which ultimately stated that the investigator found reason to believe that Mrs. Minus violated Florida Statute and recommended prosecution. He asked for Council' consensus to remove her from her positions on the Planning and Zoning Board and Citizens' Advisory Committee of the Space Coast Transportation Planning Organization.

City Attorney Adam Conely noted that Council's consensus is not the final action on this item since City Code makes reference to the Florida Statutes that deal with the removal of a board member, which includes a hearing process. If Council's direction is to move forward, that would be the next step. He noted that the Council would need to consider the facts of the matter and make a formal determination of whether there was any misconduct. Additionally, Mrs. Minus would have an opportunity to speak for herself.

Following discussion, Council expressed consensus to move forward with the process outlined in City Code and F.S. 112.501 and 112.51 to remove a volunteer advisory board member.

SeanPaul Reyes, Long Island Audit, Inc., commented on the documentation provided to Council at the last meeting regarding allegations of corruption by Mayor Paul Alfrey. He expressed his desire to see Council handle this matter appropriately.

Dr. Ray Shackelford, 2750 Carlson Circle, stated that everyone needs to act with love and that "wrong is wrong" no matter who you are. He also expressed a desire to see the city honor former Vice President Dick Cheney.

Richard Jaramillo, 799 Orange Blossom Drive, expressed concerns with the allegations about Mayor Alfrey and asked how the Council plans to handle the allegations and what would happen if the allegations were found to be true.

B. UNFINISHED BUSINESS

8. **Ordinance No. 2025-50:** (Second Reading/Public Hearing) An ordinance amending Sec. 42-19 of the City Code regarding large group feedings in City parks.

Attorney Conley read the ordinance by its title and noted that addition of Southwest Park as directed by Council during first reading. He also noted the correction of a typo within the ordinance. Finally, he brought to Council's attention the blue memorandum from a citizen requesting that this item be postponed for 30 days.

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Council expressed a desire not to postpone the item and to move forward with the public hearing.

Vice Mayor Neuman opened the public hearing.

Margo Pierce, 2506 Riverview Drive, asked Council to consider the request for the 30-day postponement of the ordinance.

The following members (representing Food Not Bombs) came forward to express their opposition to the adoption of this ordinance and detailed their work and experience feeding the hungry in the community: Whitney Stein, 3211 Regina Court; Chris Bancroft, West Melbourne; Sally, West Melbourne; Rachel Wilson, Palm Bay; Jaxon Wilson, Palm Bay; Michael Gervis, no address given; and Erin Smith, Cocoa.

Council Member Marcus Smith stated that he wished the residents and the members of Food Not Bombs had more conversations to work through some of the issues/concerns that have been raised.

Council Members began to express their leaning towards granting the postponement. Attorney Conley noted that Council only has two regular meetings scheduled for the remainder of the year (November 25 and December 9). If a 30-day postponement is granted, December 9 is not exactly 30 days but it may be close enough for Council to feel comfortable. He further noted that from earlier discussion items on this topic, staff's recommendation has been not to change the current ordinance at all. Attorney Conley stated that in his belief, both the current ordinance and the ordinance before Council now are legally defensible.

Council Member Mark LaRusso stated that personally, his beliefs are to feed the hungry, care for the sick and comfort the dying; therefore, postponement would be okay with him. He stated that even with more information, he does not support the adoption of the ordinance.

Moved by LaRusso/Smith to deny Ordinance No. 2025-50. The roll call vote was:

Aye: Bassett, Hanley, Kennedy, Smith, LaRusso and Neuman

Motion carried unanimously.

C. NEW BUSINESS

9. D.B. Lee Ditch Stabilization and Piping Project, Project No. 33522.
 - a. Reactivation of Project No. 33522 and a budget transfer in the amount of \$1,630,000 from Project No. 30099.

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- b. Contract award for the D.B. Lee Ditch Stabilization and Piping Project, Project No. 33522, to Don Luchetti Construction, Inc., Melbourne, FL - \$1,482,338.

Public Works and Utilities Director Jennifer Spagnoli reported that the drainage ditch that extends through the D.B. Lee Water Reclamation Facility site has eroded over time and is encroaching on existing treatment structures and is in proximity to the new Biosolids Improvements. The Biosolids Improvements project for D.B. Lee and Grant Street Water Reclamation Facilities was awarded to L7 Construction (L7). Since L7 was already onsite when the plans for the ditch stabilization piping were completed, staff requested a quote from L7. However, the quote was much higher (\$2,114,400) than the design estimate for the work; therefore, staff requested quotes from three other contractors: Don Lucetti Construction, Inc., Cathcart Construction Company, and Quality Enterprises USA.

On October 14, 2025, City Council approved a waiver of formal bidding requirements for this project. The lowest responsive and responsible bidder is Don Luchetti Construction, Inc., Melbourne, FL for the amount of \$1,482,338.

The scope of work includes installing approximately 785 linear feet (LF) of 66-inch reinforced concrete pipe (RCP), installing 184 LF of 24" RCP, two inlets, 6" rubble rip rap, including 1,000 cubic yards of excavation, dewatering and temporary bypass pumping, removal and reconstruction of 250 LF asphalt roadway and restoration. The quote also includes bonds and insurance, maintenance of traffic, geotechnical, survey and record drawings. The contractor will have 240 days from the Notice to Proceed to complete the work.

(Council Member Rachael Bassett stepped out of the chamber at 8:30 p.m.)

Moved by Hanley/LaRusso for authorization to reactivate Project No. 33522 and a budget transfer in the amount of \$1,630,000 from Project No. 30099. Motion carried unanimously. Ms. Bassett was not present for the vote.

Moved by Hanley/Kennedy for approval of the contract award to Don Luchetti Construction, Inc., Melbourne, FL for the D.B. Lee Stabilization and Piping Project, Project No. 33522, in the amount of \$1,482,338. Motion carried unanimously. Ms. Bassett was not present for the vote.

10. Task Order No. ITERIS 002 to the Continuing Contract for Engineering Services for Traffic Signal Retiming for Citywide Signal Retiming, Project No. 64425, Iteris, Inc., Tampa, FL - \$296,728.62.

City Engineer James Ennis reported that City Council approved a continuing professional consulting services contract with Iteris, Inc, at the June 13, 2023 Council meeting for traffic signal retiming and related services.

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Task Order No. Iteris 002 is a continuance of the city's ongoing efforts to monitor and improve traffic flow throughout Melbourne by optimizing signal timing. Traffic patterns and volumes do shift from year to year with new development and changes in driving habits by residents. By reviewing traffic counts and using counts to modify intersection signal timing, delays are reduced at the intersections, accidents may be reduced by improving safety, and greater consistency is provided in travel planning for commuters and business commerce, along with reducing driving frustration.

The scope of work includes evaluating existing traffic conditions at key intersections along Babcock Street, Hibiscus Boulevard, NASA Boulevard, Dr. Martin Luther King Jr. Boulevard, US 1, US 192, and Eau Gallie Boulevard, in conjunction with the Florida Department of Transportation data collection effort; by collecting additional data on traffic volume and intersection turning movements; preparing and implementing new traffic signal timing plans; and reviewing and revising the new timing plans to ensure optimal traffic flow based upon the current traffic conditions. The agenda materials provide detail on the breakout of costs and describe the detailed scope of services. The contractor is expected to complete work within 246 calendar days from the issuance of Notice to Proceed.

(Ms. Bassett returned to the chamber at 8:34 p.m.)

Moved by Hanley/Neuman for approval of Task Order No. Iteris 002 to Iteris, Inc. of Tampa, FL for engineering services for Citywide Signal Retiming, Project No. 64425, in the not to exceed amount of \$296,728.62. Motion carried unanimously.

11. Utilization of the City's Horizontal Directional Drilling Services Contract for replacement of water main in support of the Bowe Gardens K1/K2 Resurfacing, Project No. 64619, Concurrent Environmental Services LLC, Rockledge, FL - \$473,301.81.

Mr. Ennis reported that the Bowe Gardens K1/K2 Resurfacing Restoration Project (Project) involves the full reconstruction of the roadways within the subdivision by replacement of the upper 27-inches of roadway with an engineered roadway base and sub-base system to address the high water table located in the Bowe Gardens Subdivision. The project design was completed in 2022. City Council approved the execution of the construction contract for the Project at the November 26, 2024, Council Meeting.

After project construction began, the city's existing water mains within the subdivision were found to be installed at an inadequate depth that interfered with the installation of the 27-inch thick roadway profile. Standard installation of water mains requires a minimum of 36-inch depth. Additionally, the water mains are comprised of asbestos cement pipes, which are very susceptible to breakage due to vibration or compactive efforts associated with roadway construction. The

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designer and city staff assessed multiple options to adjust the roadway profile and avoid impacting the existing water main system. It was determined the most practical solution was for the water main at the roadway intersection to be lowered to allow for the new base material to be installed and to allow for the asbestos cement pipe to be replaced in areas where it would have been especially susceptible to damage.

Staff obtained a quote in the amount of \$473,301.81 to perform the relocation work under the city's existing horizontal directional drill services contract with Concurrent Environmental Services, LLC. The scope of work will include replacement of approximately 2,745-feet of 6-inch water main, installation of three line stops, de-watering, six fire hydrant replacements, along with the supporting fixtures and fittings.

Moved by Hanley/Kennedy for approval to utilize the city's Horizontal Directional Drill Contract with Concurrent Environmental Services, LLC, Rockledge, FL for the relocation of water main in support of the Bowe Gardens K1/K2 Resurfacing, Project No. 64619, in the amount of \$473,301.81. Motion carried unanimously.

12. CONSENT AGENDA:

- a. Utilization of Contract Pricing of Hydrant and Valve Maintenance, Repair and Flushing Services for the Water Distribution Division, Hydromax USA LLC, Flower Mound, TX — estimated amount not to exceed \$2,600,000.
- b. Purchase of a 90' boom crane truck for the Water Production Division, Ring Power Corporation, St. Augustine, FL - total estimated cost of \$423,743.
- c. Service Agreement for Heating, Ventilation and Air Conditioning Service at the Joseph Pellicano Law Enforcement Center, Trane U.S., Inc., Maitland, FL - first year cost of \$71,027 and an estimated contract cost of \$392,474.

Moved by LaRusso/Smith for approval of the consent agenda. Motion carried unanimously.

13. ITEMS REMOVED FROM THE CONSENT AGENDA

14. **Ordinance No. 2025-51:** (First Reading) An ordinance amending Chapter 52 of the City Code, entitled "Streets, Sidewalks and Other Public Places"; amending Section 52-6, "Procedure to initiate street, facility or park name changes; application fee"; providing for revised procedures for street renaming and adding procedure for honorary street naming. (Applicant - Melbourne City Council)

Attorney Conley read the ordinance by its title. Mr. Ennis reported that at the January 14, 2025 regular City Council meeting, Council directed staff to research

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the steps involved in establishing a program for honorary naming of sidewalks, crosswalks, and roadways. Staff found that Chapter 166 of the Florida Statutes empowers municipalities to adopt ordinances to name and rename streets, including honorary street naming. Therefore, the city's local ordinances may be amended to provide procedures for requesting and approving honorary street names for streets.

Staff has identified Chapter 52 of the City Code for incorporation of honorary street naming and related uniform criteria and procedures for consideration. The honorary street name is not intended to supplant the official name of the street but rather be a commemorative secondary name that supplements the official name of the street. The benefit of honorary street naming is that it does not interfere with the addressing, emergency response due to confusion related to street naming, and doesn't require public notice related to official street naming/renaming.

As provided under the City Manager's Report at the July 8, 2025 regular City Council meeting, it should be noted that no examples were found in the Florida Statutes or in other municipality's procedures for the formal or honorary naming of sections of sidewalks or crosswalks, with the exception being off-road pedestrian trails. Furthermore, staff does not advise use of this practice due to the potential negative impact this could have on emergency responses by creating situations where portions of infrastructure could have multiple names or references other than the official or honorary street name.

Attorney Conley added that the official road renaming process can be initiated by either City Council or a citizen. He noted that an honorary renaming can only be initiated by City Council.

Discussion continued. Council Member Julie Kennedy expressed a desire to have staff reach out to the Supervisor of Elections to ensure that an honorary road renaming would not have a negative impact on that office. Mr. Ennis replied that he will take care of contacting the Supervisor of Elections.

Moved by Smith/Neuman for approval of Ordinance No. 2025-51. Motion carried unanimously.

15. Series 2026A Water & Sewer Refunding Bonds and Series 2002B Water & Sewer Defeasance.
 - a. **Resolution No. 4387:** Providing for and authorizing the issuance of the city's Water and Sewer Refunding Revenue Bond, Series 2026A.
 - b. **Resolution No. 4388:** Authorizing the defeasance of all of the city's outstanding Water and Sewer Refunding Revenue Bonds, Series 2002B.

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Financial Services Director Ross McGinn reported that PFM Financial Advisors, LLC (PFM) continually monitors the City's outstanding debt portfolio for refunding opportunities. PFM has determined that current market conditions would allow for debt service savings to be achieved by refunding the Series 2016A and Series 2016B Water and Sewer Refunding Revenue Bonds. There are \$13,550,000 in Series 2016A bonds outstanding and \$14,465,000 in Series 2016B bonds outstanding, with both sets of bonds having an initial call date of April 1, 2026. PFM estimates that the City could realize approximately \$1,700,000 of net present value debt service savings (net of all costs associated with completing this transaction) or over 6.00% of the refunded bonds par amount. It is generally recommended by PFM and the Government Financial Officer's Association (GFOA) to pursue a refund if debt service savings in excess of 3% of the refunded bonds par amount can be achieved.

The proposed bond resolution and certain exhibits have been prepared by bond counsel, Bryant Miller Olive, P.A. This resolution authorizes the issuance of the tax-exempt bonds, Series 2026A, not-to-exceed the aggregate principal amount of \$29,000,000 for the purpose of refunding the outstanding Series 2016A and 2016B bonds, and authorizes the Mayor, City Manager, Director of Finance, and City Clerk, or their duly authorized alternative officers, to execute certain documents necessary for the issuance of the bond.

Competitive sale of the bonds is anticipated to take place the week of December 8, 2025, with a closing date forecasted for the week of January 5, 2026. Actual dates may vary depending on the advice of our financial advisor, PFM Advisors, LLC, to time this offering in the most advantageous manner for the City.

Additionally, during the process of pursuing the bond refunding, city staff inquired about the defeasance of the Series 2002B bonds. The 2002B bonds are the city's only outstanding debt, which utilizes an external sinking fund arrangement and externally held in reserve account of \$4,600,000, currently with Bank of New York Mellon. The final payment on the bonds is scheduled for October 1, 2026. Rather than continue to contribute Water and Sewer Funds into a sinking fund in advance of the final payment, staff would prefer, based on bond counsel, to utilize the existing reserve account to make the final payment. Funds contributed to the externally held sinking fund generally earn 2% less in interest than funds in the city's investment portfolio.

Moved by Hanley/LaRusso for approval of Resolution No. 4387. Motion carried unanimously.

Moved by Hanley/LaRusso for approval of Resolution No. 4388. Motion carried unanimously.

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

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Mr. LaRusso referenced the resolution previously adopted to rename Triangle Park to Paul Gougelman Park and the obstacles to getting the park officially renamed after the resolution was adopted. He stated that now that those obstacles are out of the way, he would like to see that completed by January 1, if possible.

Additionally, Mr. LaRusso referenced correspondence from the City Attorney regarding potential changes to the opening statement read by the Mayor before each meeting and to the City Code as it relates to public speaking and decorum. Attorney Conley stated that in place of a discussion item, with Council direction, he can prepare an ordinance with the proposed changes. Council expressed consensus with this direction.

Ms. Bassett expressed her desire to see more parades in the city and asked that Council get a “heads up” when certain parades in the city are not going to be held.

E. ADJOURNMENT

The meeting adjourned at 9:09 p.m.

/s/ Kevin McKeown, City Clerk – November 19, 2025

Approved by Council: November 25, 2025