

City of Melbourne, Florida
Minutes – Regular Meeting Before City Council
July 22, 2025

A regular meeting of the City Council was held in the City Council Chamber, 900 East Strawbridge Avenue, and was called to order at 6:46 p.m. by Vice Mayor David Neuman.

A. OPENING

1. The invocation was given by Pastor Jones, Greater Faith Temple Church.
2. Pledge of Allegiance
3. Roll Call

Present:

David Neuman	Vice Mayor
Marcus Smith	Council Member, District 1
Mark LaRusso	Council Member, District 2
Rachael Bassett	Council Member, District 4
Mimi Hanley	Council Member, District 5
Jenni Lamb	City Manager
Joan Junkala-Brown	Deputy City Manager
Adam Conley	City Attorney
Kevin McKeown	City Clerk
Justice Stevens	Assistant City Clerk

Absent:

Paul Alfrey	Mayor (medical recovery)
Julie Kennedy	Council Member, District 6 (out of town)

4. Proclamations and Presentations

Vice Mayor Neuman presented a proclamation declaring August 2025 as, “Florida Water Professionals Month,” to Assistant Public Works and Utilities Director Tom Baker and other department employees.

Employees who reached a milestone of service during the month of June 2025 were invited to the Council meeting to accept their service pin and gift card. Debbie McGuire, Information Technology (20 years) attended the meeting and was recognized by the Mayor and City Council and City Manager.

5. Approval of Minutes – July 8, 2025 Regular Meeting

Moved by Smith/Bassett for approval. Motion carried unanimously.

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6. City Manager's Report

Mrs. Lamb reported the following:

- The representative from the Florida Department of Transportation (FDOT) was not available for a presentation on Advanced Air Mobility at the July 22 workshop. Staff will continue to work with FDOT to bring this presentation to a future Council meeting.
- This afternoon, a portion of the roof at the Joseph N. Davis Community Center was damaged due to the large amount of rain that accumulated in a very short period of time. Staff will continue to evaluate the damage and determine repair options. She noted that the center will remain closed until further notice.
- At the last City Council meeting, a memorandum was distributed to Council regarding the acquisition of the county's 53-acre property off Sarno Road. One item in the memorandum related to a feasibility and cost study for a potential fairground, which is available to the city for a cost of \$45,000 and can be completed in 90 days. Additionally, a Phase 2 environmental assessment is required if the city wants to move forward with this acquisition. Fortunately, this can be completed by the East Coast Florida Regional Planning Council as part of a grant the entity received. Mrs. Lamb asked for Council to provide direction to staff on how to move forward.
- A blue memorandum was distributed to Council regarding Item 22 that relates to a change in direction regarding the conversation surrounding the county's 53-acre property and the Brevard Renaissance Fair. The memo was discussed under the scheduled agenda item.
- Mrs. Lamb apologized on behalf of the city for the recent issues with the new water billing system, bills that were not mailed to account holders, and various glitches that have occurred since the implementation of the new system. She noted that no late fees will be incurred by those affected and no shut offs will occur. Mrs. Lamb stated that an after-action report will be generated to find out what went wrong and how to prevent this in the future.

Vice Mayor Neuman asked for clarification on whether the city would need to do a similar "feasibility and cost study" for existing city facilities that need to be updated. Mrs. Lamb replied that for a building such as the auditorium, the answer would be yes; however, for the Joseph N. Davis Community Center, Mrs. Lamb stated that she has not gotten the sense from Council that this facility needs to be upgraded for the purpose of holding more special events. The matter regarding the damage to the building will be handled separately with the city's insurance company.

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Mrs. Lamb added that she can discuss with the city's planning consultant whether a separate task order would be needed to do an assessment of the auditorium or if it could be included in the one that already exists for the fairground.

Council Member Mimi Hanley stated that the existing auditorium hosts band concerts and other wonderful events for the community. She expressed her desire to see a feasibility and cost study focused on the auditorium – not the potential fairground property. She asked when the last major improvements have been done to the auditorium. Mrs. Lamb replied that the roof and the air conditioning have been addressed several times in recent years.

Council Member Marcus Smith stated his opinion that the city needs to do a feasibility and cost study for both the fairground property and the auditorium.

Council Member Mark LaRusso discussed the history of the auditorium and the 2007 market study, which was the beginning of the “great recession.” Money to proceed with those renovations was not available at the time, and the can has been kicked down the road ever since. He stated that until other dollars show themselves, he would prefer sticking to a feasibility and cost study for the auditorium. Council Member Rachael Bassett agreed.

Mr. Smith asked for more details on a phase 1 and/or phase 2 environmental assessment. Mrs. Lamb explained the difference and noted that that phase 2 assessment is required for property purchases that meet certain criteria in the city code. She reminded Council that the phase 1 assessment has already been completed. Further discussion took place on the purpose of these assessments.

Following discussion, Council expressed its consensus with moving forward with a feasibility and cost study for the auditorium.

7. Public Comments

Jeff Njus, 17 E. Hibiscus Boulevard, provided an update to Council on the rebranding of Daily Bread to Providence Connects and discussed the anticipated schedule and timeline of major milestones for the completion of Providence Place, which seeks to break ground in late 2025/early 2026 and have a certificate of occupancy in hand in the summer of 2027.

B. UNFINISHED BUSINESS

8. **Ordinance No. 2025-30:** (Second Reading/Public Hearing) An ordinance amending Chapter 52, entitled “Streets, Sidewalks and Other Public Places,” by renaming Atlantic Park Drive, between South Babcock Street and Dr. Martin

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Luther King, Jr. Boulevard to "Joseph Pellicano Drive". (Applicant - Melbourne City Council) (First Reading - 7/8/2025)

City Attorney Adam Conley read the ordinance by its title. The Vice Mayor opened the public hearing. There were no comments from the audience.

Moved by Bassett/Smith for approval of Ordinance No. 2025-30. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

9. **Ordinance No. 2025-31, Ordinance No. 2025-32, and Ordinance No. 2025-33, Gatorfin Warehouse:** (Second Reading/Public Hearing) Ordinances providing for annexation, Comprehensive Plan amendment, and zoning designation on 0.92± acres located on the east side of West Drive, west of East Drive, and north of Ellis Road. (Owner - Steve Young-Gatorfin, LLC) (Applicant/Representative - Cydney Maksymow) (P&ZBoard - 6/5/2025) (First Reading - 7/8/2025)

- a. **Ordinance No. 2025-31/ANNX2025-0003:** (Second Reading/Public Hearing) An ordinance providing for the annexation of 0.92± acres of real property into the City of Melbourne corporate limits.
- b. **Ordinance No. 2025-32/MAP2025-0010:** (Second Reading/Public Hearing) An ordinance establishing an Industrial Future Land Use.
- c. **Ordinance No. 2025-33/MAP2025-0009:** (Second Reading/Public Hearing) An ordinance establishing M-1 (Light Industrial) zoning.

Attorney Conley read the ordinances by their titles. There were no disclosures by Council. The Vice Mayor opened the public hearing.

Stavros Hatzistavriou, applicant, was available for questions.

Moved by Hanley/Bassett for approval of Ordinance No. 2025-31, based upon the findings contained in the Planning and Zoning Board memorandum. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

Moved by Hanley/Bassett for approval of Ordinance No. 2025-32, based upon the findings contained in the Planning and Zoning Board memorandum. The roll call vote was:

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Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

Moved by Hanley/Bassett for approval of Ordinance No. 2025-33, based upon the findings contained in the Planning and Zoning Board memorandum. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

10. **Ordinance No. 2025-34, Lamb & Co Fish Market:** (Second Reading/Public Hearing) An ordinance granting a conditional use(CU2025-0001) to allow consumption of alcohol (beer and wine) on premises in one unit of a multi-tenant building on a 0.47±-acre parcel zoned C-2 (General Commercial District) located on the east side of Cypress Avenue, north of Orange Street and south of West Eau Gallie Boulevard. (Owner - Avigdor Landman Living Trust/Vicky Landman) (Applicant/Representative - Leigh Hinton) (P&Z Board - 6/5/2025) (First Reading - 7/8/2025)

Attorney Conley read the ordinance by its title. There were no disclosures by Council and no comments during the public hearing.

Moved by LaRusso/Bassett for approval of Ordinance No. 2025-34, based upon the findings and conditions contained in the Planning and Zoning Board memorandum. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

11. **Ordinance No. 2025-36, Aurora Mini-Storage:** (Second Reading/Public Hearing) An ordinance granting a conditional use (CU2024-0008) to allow for a mini-storage facility on 2.08± acres, in conjunction with a site plan (PLAN2024-0014) on property zoned C-1 (Neighborhood Commercial), located on the north side of Aurora Road, east of Glenwood Drive and west of Mosswood Drive. (Applicant/Representative-Robert Robb, P.E.) (Owner: Mike Maguire, Aurora Place, LLC) (P&ZBoard - 6/19/2025) (First Reading - 7/8/2025)

Attorney Conley read the ordinance by its title. There were no disclosures by Council and no comments from the audience.

Moved by Bassett/Neuman for approval of Ordinance No. 2025-36 with PLAN2024-0014 based upon the findings and conditions contained in the Planning and Zoning Board memorandum. The roll call vote was:

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Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

12. **Ordinance No. 2025-37, Golf Courses Advisory Board:** (Second Reading/Public Hearing) An ordinance providing for the dissolution of the Golf Courses Advisory Board. (First Reading - 7/8/2025)

Attorney Conley read the ordinance by its title. The Vice Mayor opened the public hearing. There were no comments from the audience.

Moved by Smith/Bassett for approval of Ordinance No. 2025-37. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Neuman

Motion carried unanimously.

C. NEW BUSINESS

13. Work Order No. 6 to the Storm Drain Cleaning, Repairs and Maintenance contract for Cured-In-Place Pipe Lining, Project No. 68021, Shenandoah General Construction, LLC, Pompano Beach, FL - \$500,000.

City Engineer James Ennis reported that as part of the annual resurfacing program, the city evaluates the existing water, sewer, reclaimed and drainage facilities to ensure that no repairs are needed prior to the resurfacing of the roadway. As determined by pipe inspections, the existing drainage pipes within the following rights of way are in need of repair prior to resurfacing: Bernice Court, Calgary Street, Cinnamon Bay Lane, Cinnamon Lake Circle, Circlewood Drive, Georgetown Avenue, Glendon Drive, Guava Avenue, Kingston Lane, Lansing Street, Lawn Brook Court, McQuaid Street, Ottawa Court, Pelham Street, Regina Court, Sun Lakes Road, W Avenue D and Winnipeg Court.

The scope of work will include cleaning and lining approximately 2,913 linear feet of various sizes of stormwater piping, ranging from 15 to 42-inches in diameter, by means of Cured-In-Place Pipe (CIPP) rehabilitation. CIPP is a cost-effective and non-intrusive method of pipe repair. CIPP restores the structural integrity of stormwater pipes, reduces infiltration, and eliminates leaky joints. This method is used in areas where major site restoration would be required if the stormwater pipe had to be replaced. CIPP is a proven system that has been in use for more than 30 years with a 50-year design life.

Additional repairs will be needed on some of these pipes and a second work order will be issued for those repairs.

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Moved by Hanley/Bassett for approval of Work Order No. 6 to the Storm Drain Cleaning, Repairs and Maintenance not to exceed contract with Shenandoah General Construction, LLC, Pompano Beach, FL - \$500,000. Motion carried unanimously.

14. Work Order No. 7 to the Storm Drain Cleaning, Repairs and Maintenance contract for Cleaning and Video Inspection, Project No. 68021, Shenandoah General Construction, LLC, Pompano Beach, FL - \$75,000.

Mr. Ennis reported that due to aging storm water pipes within the city, drainage pipes that are adjacent to or under roadways to be resurfaced are cleaned and inspected to ensure that deteriorating or failing pipes are identified and repaired prior to the repaving process. Once the inspections are complete, another work order will be brought before the Council for the lining/repairs to the drainage pipes. The scope of services includes the cleaning and video inspection of 3,246± linear feet of varying pipe sizes.

Moved by Hanley/Bassett for approval of Work Order No. 7 to the Storm Drain Cleaning, Repairs and Maintenance contract with Shenandoah General Construction, LLC, Pompano Beach, FL - \$75,000. Motion carried unanimously.

15. Work Order No. 24-03 for asphalt and milling for the Annual Resurfacing Program, Project No. 68022, V.A. Paving, Inc., Cocoa, FL - \$1,300,000.

Mr. Ennis reported that the 2014 Pavement Management Plan identified methodologies using a combination of standard milling and resurfacing, sealing, cold-in-place recycling, reconstruction, and base repairs to optimize City dollars to achieve and maintain acceptable pavement condition and structural condition indexes. The City's milling and resurfacing efforts are focused on streets with an average pavement condition index (PCI) of less than 60. Staff identified the next 16 roadway sections for resurfacing. This work order includes 4.37 miles of roadway resurfacing. Base repairs are required on 1.21 miles of the total resurfacing area.

Mr. Smith asked if the city is in the process of a pavement improvement plan. Mr. Ennis replied that staff is in the process of updating the 2015 plan.

Moved by Smith/Neuman for approval of Work Order No. 24-03 to the construction contract with V.A. Paving, Inc, Cocoa, FL for asphalt and milling for the Annual Resurfacing, Project No. 68022, in the amount of \$1,300,000. Motion carried unanimously.

16. Contract award for street sweeping, Sweep One, LLC, Sanford, FL - \$171,702.

Mr. Ennis reported that this is a piggyback contract award for street sweeping services to remove debris from the roadway and as a component of the City's

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efforts to remove nutrients from entering the Indian River Lagoon. Sweep One, LLC, of Sanford, Florida, was awarded the Brevard County contract for Street Sweeping Services (March 14, 2024 – April 23, 2026). This contractor has a history of satisfactorily completing projects for the City of Melbourne and Brevard County. The city's procurement policy allows for piggybacking contracts awarded through the use of competitive solicitation by other public agencies.

The contract is a base contract with unit price of \$41.04 per curb mile. The city maintains roughly 600 curb miles of City roadway and 70 curb miles of Florida Department of Transportation's (FDOT) roadway. There is a surcharge of \$16 per curb mile for compliance with the maintenance of traffic on FDOT roadways. Under this contract, all the roadways maintained by the city will be swept six times a year. Sweeping will occur in the following months: August, October, December, February, April and June. This contract would cover all costs associated with street sweeping, including the disposal of collected materials. It should be noted that the contract stipulates a surcharge on FDOT roadways for compliance with the additional maintenance of traffic requirements to perform work within FDOT right of way.

Mr. Smith asked if FDOT or the county supplement the city's cost for sweeping of their rights-of-way. Mr. Ennis replied that FDOT pays the city a fixed amount of money to maintain certain rights-of-way. He added that similar agreements are in place for other maintenance, such as street lighting.

Moved by Hanley/Bassett for approval of contract award for street sweeping, Sweep One, LLC, Sanford, FL, in the amount of \$171,702. Motion carried unanimously.

17. Espanola Baffle Box, Project No. 20120.
 - a. Save Our Indian River Lagoon Project Cost-Share Funding Agreement between Brevard County and the City of Melbourne for the Espanola Baffle Box, Project No. 20120.
 - b. **Resolution No. 4362:** A budget resolution to appropriate funds into the project budget.
 - c. Contract award for the Espanola Baffle Box, Project No. 20120, BDI Marine Contractors, LLC, Hobe Sound, FL - \$1,624,864.57.

Mr. Ennis reported that the project includes the installation of a second-generation baffle box with biosorption activated media, commonly known as Bold and Gold to provide treatment for a ±61-acre drainage basin located. The baffle box will be located near Espanola Way and Patrick Circle. This baffle box is estimated to reduce the total nitrogen by ±1,119 pounds per year and total

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phosphorus by ±148 pounds per year from the Indian River Lagoon. This project was estimated to cost approximately \$1,586,538.

The city received five bids in response to the advertisement and the apparent low bidder is BDI Marine Contractors, LLC. for the amount of \$1,624,864.57. A thorough review of their references was performed by staff and the Engineer of Record, DRMP, Inc., and both recommend awarding the contract to BDI Marine Contractors, LLC of Hobe Sound, FL for the amount of \$1,624,864.57.

Mr. LaRusso asked how many baffle boxes are in the city. Mr. Ennis replied approximately 17-18.

Moved by Hanley/Neuman for approval of Save Our Indian River Lagoon Project Cost-Share Funding Agreement between Brevard County and the City of Melbourne substantially in the form as included in the agenda packet and authorization for the City Manager to execute the agreement and all related documents. Motion carried unanimously.

Moved by Hanley/Bassett for approval of Resolution No. 4362. Motion carried unanimously.

Moved by Hanley/Neuman for approval of the construction contract, substantially in the form as presented, to BDI Marine Contractors, LLC., of Hobe Sound, FL for the Espanola Street Baffle Box, Project No. 20120 in the amount of \$1,624,864.57. Motion carried unanimously.

18. Task Order No. JEG17 to the Professional Engineering Services Contract for the Supervisory Control and Data Acquisition for the SCADA Secure Maintenance Access/Network Equipment to Jacobs Engineering Group, Inc., Orlando, FL - \$186,020.

Assistant Public Works and Utilities Director Tom Baker reported that on April 27, 2021, Council approved a contract award to JEG for Water Production Facility Improvements which included Filtration Improvements, Actiflo Process Enhancements, SCADA Improvements, along with other projects listed in the five-year Capital Improvement Plan for Water Production.

JEG will replace existing SCADA hardware network components at the water production facilities in need of maintenance and replacement of end-of-useful life equipment. JEG will design, procure, configure and install a secure remote access connection to the Water Production SCADA network including hardware and updates required for access.

Moved by Hanley/Bassett for approval of Task Order No. JEG17 to the Professional Engineering Services Contract for the Supervisory Control and Data Acquisition for the SCADA Secure Maintenance Access/Network Equipment to

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Jacobs Engineering Group, Inc., Orlando, FL - \$186,020. Motion carried unanimously.

19. CONSENT AGENDA:

- a. First Amendment to the Funding Agreement between the City of Melbourne and Macedonia Community Development Corporation of South Brevard, extending the affordability period by one year for property located at 825 W.H. Jackson Street.
- b. Professional Engineering Services selection for Hydraulic Modeling and Permitting, and authorization to negotiate a contract with CHA Consulting, Inc., Winter Springs, FL.
- c. Fifth Amendment to increase annual gallons by 250,000 for ferric sulfate PIX-317 for the Water Production Division, Kemira Water Solutions, Inc., Lawrence, KS - estimated annual amount of \$3,122,450 and total estimated remaining contract amount of \$4,423,471.
- d. Third amendment to the contract for the purchase of sodium hydroxide for the Water Production Division for an increase of estimated annual gallons by 190,000, Univar Solutions USA Inc., Tampa, FL - estimated annual amount of \$2,235,305 and a total estimated remaining contract amount of \$6,147,089.
- e. Contract award for Horizontal Directional Drill Services for the Water Distribution Division, Concurrent Utility Services, LLC, Rockledge, FL (Primary), and General Underground, LLC, Lake Helen, FL (Secondary) - estimated annual amount \$920,000.

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

20. ITEMS REMOVED FROM THE CONSENT AGENDA

21. Discussion on Group Feedings in City Parks. (Requested by Mayor Alfrey)

Attorney Conley reported that during the public comments section of the June 10 Council meeting, Mayor Alfrey requested a discussion item on one of the July Council meeting agendas regarding group feedings in city parks. He stated that the public comments were focused around group feedings at Riverview Park. Since August 2024, Food Not Bombs has held permitted feedings at Riverview Park weekly on Sundays from 4:00 p.m.- 5:00 p.m. The permit application indicates a maximum of 70–75 people in attendance. Food Not Bombs pays \$51.50 per event. Parks Maintenance Division staff have not reported any issues

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with trash or damage following the feedings at Riverview Park. The city does not frequently receive other applications for one-time or recurring feedings.

Attorney Conley stated that in 2014, the City Council adopted the existing language in the City Code related to large group feedings and stated that the ordinance is defensible from a First Amendment standpoint. However, the more the city narrows the scope for such expressive conduct to occur, the more likely the city is opening itself up to challenges.

Vice Mayor Neuman stated that the city has a lot of green space for this activity. He asked if the City Attorney would be open to looking at different locations due to the change to the community over time. Attorney Conley replied that his office would be happy to look at other locations; however, the distinguishing characteristics for parks for large group feedings are not considered "neighborhood parks." He strongly recommends against something that restricts or further limits the overall opportunities that large group feeding applicants have.

Mr. Smith asked for staff to look at the times, as Sundays in Riverview Park may no longer be an appropriate time like it was in 2014. Additionally, he asked if Food Not Bombs has a schedule of when their activities are planned. Mrs. Lamb replied that the organization applies for their permit approximately 90 days ahead of time, so there is some planning involved to ensure there is no conflict with other scheduled activity in city parks.

Discussion continued.

Kathy Meehan, Melbourne, stated that Riverview Park is designed for families and children and that their safety is at stake. She noted that on Father's Day, she called a neighboring property owner who had over 20 people standing on his property after one of these feedings. She encouraged Council to take Riverview Park off the list entirely.

Rena Foley, 2704 Melwood Drive, discussed issues that she has perceived within the park and encouraged Council to spread the availability of large group feedings to other parks in the city.

Margo Pierce, 2506 Riverview Drive, expressed her opinion that there are limits to free speech and the fact that there is a playground on that site, which means there is always a scheduled activity available for children. She closed by asking if there is a point of contact for activity at Riverview Park.

JoAnne Danko, 1306 Jernigan Avenue, stated the condition of the park is better Tuesday through Saturday. However, on Sundays when the feedings occur, the problems begin and she noted that she calls the police regularly on Sunday evenings when individuals linger in the park. She discussed the differences she

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sees in how the city handles this versus how the City of Orlando handles the same issue.

Joe McNeil, 804 Poplar Lane, discussed the founders' monument scheduled to be installed within Riverview Park and his concerns with the large group feeding participants having an effect on the monument.

Mr. LaRusso posed the following questions: how many parks on the list have playgrounds? Has the city received additional complaints regarding other approved parks on the list? Is the 90-day process automatic? Can the City Council add or remove parks on the list? Can Council limit the permitting time? Can Council require the list of parks to be rotated?

Attorney Conley stated that Council has the opportunity to change the list. The overall scope, however, should be to maintain the level of opportunity to engage in this conduct within city parks.

Following further discussion, Council expressed consensus for staff to return with recommendations on a proper process to amend the list of parks (as well as the specified days/hours) where permitted large group feedings may occur.

Ms. Bassett asked if staff can look into making sure the parks are cleared when they are considered closed. Mrs. Lamb replied that many calls for service are self-initiated; however, the police patrol these areas on a regular basis as well.

22. Discussion on Temporary Use Extensions. (Requested by Council Member Smith)

Mrs. Lamb reported that at the June 10 meeting, Council Member Smith distributed the information on the Proposal for Temporary Use Extension and Inclusion of Data in Feasibility Study. On July 8, Council Member Smith requested a discussion item for a temporary use extension for the 53-acre property located at Sarno Road and Porcella Avenue to be placed on the July 22 agenda.

At Mr. LaRusso's request, Mr. Smith read the following recommendations from his memorandum: direct city staff to identify and draft necessary code amendments or resolutions that will allow the property to be used for permitted special events during a one-year pilot period, without requiring rezoning or conditional use approval; coordinate with Brevard County and Brevard Renaissance Festival Inc. to ensure mutual understanding of usage terms and intergovernmental responsibilities; develop and implement a data collection framework throughout the year to assess feasibility factors, including community engagement, traffic impact, environmental considerations, and infrastructure needs; report back to Council at the conclusion of the pilot period with findings, data analysis, and recommendations for next steps, including any permanent

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zoning or land acquisition considerations.

Mr. LaRusso asked if the Community Development Director Cindy Dittmer could respond to his question about whether the city has ever done code amendments like what is being suggested to give a “free for all” to a certain project or development. Mrs. Dittmer stated that code would have to be amended to create whatever Council wants to call this use (such as fairground or events center). Attorney Conley added that his understanding is that the suggestion is the use be allowed by the special activity code be extended for this additional year.

Mr. LaRusso asked if one piece of property would be identified or if it would apply across the board. Attorney Conley stated that special zoning categories on individual properties is generally frowned upon. Mr. LaRusso stated that he would prefer a full analysis of what this would mean to the city as his concern is to relinquish staff control of things that the city needs to control.

Continuing, Mr. LaRusso referenced the e-mail from the applicant for the Brevard Renaissance Fair and the statement that the applicant made in the e-mail regarding his intention to “pay all outstanding City of Melbourne fees within 14 calendar days of approval” (of the suggested temporary extension). Mr. LaRusso stated that this comment is essentially blackmail. He stated that the city provided services, now the city needs to be paid back for those services.

Mr. LaRusso ended by stating that he cannot support the request/suggestion of a temporary extension.

Mrs. Lamb stated that after the agenda package was published, Peter Moolhuizen e-mailed Council and indicated his desire to have another Renaissance Fair in January and February 2026; however, he does not have a lease with Brevard County for that period of time. Upon receipt of this e-mail, Mrs. Lamb stated that she contacted the county to ask if anything had changed on their end. She stated that she received confirmation from the county that the longest this lease would be permitted is through the end of September 2025. Technically, the lease will expire on August 6, 2025 if the issues cited in the city’s recent letter to Mr. Moolhuizen are not corrected. Mrs. Lamb said that the county add that if it were to lease this property again, the process would include competitive solicitation.

Continuing, Mrs. Lamb stated that some matters involved with this event cannot be temporarily waived, such as the requirements of the Florida Building Code, which states very clearly that temporary structures must be removed in 180 days.

Vice Mayor Neuman stated that this whole idea of the property needs to be in compliance with local and state regulations. He stated that in his opinion, the city is not in a position to do anything with this property until that is satisfied. Second, the county owns this property and is the sole driver of the future of the property.

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Mrs. Lamb clarified that if the Renaissance Fair had held its event and got the temporary structures permitted appropriately, assuming there was another lease offered by the county, the event could have happened again in 2026.

Ms. Hanley stated strongly that the city's invoice needs to be paid by the applicant and that she is not comfortable moving forward with this idea. She encouraged Council to wait until the county decides how it wishes to proceed with this property before taking any other action.

Peter Moolhuizen, Cocoa, stated that he had a different vision for the future of this property and that he knew that the lease was for two six-month periods. Mr. Moolhuizen indicated that his understanding of the lease was that "we were allowed to hold whatever events we could hold there on that site." He stated that he was not made aware of the 180-day requirement regarding temporary structures "until later on" and that the castle was built strongly with 30 telephone poles six feet into the ground. Mr. Moolhuizen stated "that castle's not going anywhere." He stated that he would provide letters from two different engineering companies to back that statement up.

(Note: for the record, the lease agreement executed by Mr. Moolhuizen and Brevard County, dated October 1, 2024, states the "Tenant may only used the Leased Premises for the construction, operation, and maintenance of the Brevard Renaissance Fair festival, in a manner consistent with a special event permit or similar approval to be issued by the City of Melbourne...Tenant may not use the Leased Premises for any other purpose without first obtaining the County's written approval.")

Continuing, he stated that the property has great potential but the Brevard Renaissance Fair now has to go in a different direction. Regarding payment of the city's invoice, Mr. Moolhuizen stated that the city didn't inform him until the end of January that he could not hold other events on the site, which disrupted his cash flow. He added that he sent the referenced e-mail because he was asked by "someone" if he would be interested staying in Brevard for one more year. He told this individual yes and discussed plans for a farewell event in 2026.

Mr. LaRusso said that to his knowledge, none of these issues existed when the event was held at Wickham Park. Even though the county took that possibility away, the city still worked to make this event happen. Mr. Moolhuizen replied that he was under the impression that this property would turn into a "long-term deal" since the city and county were negotiating on the acquisition of the property. He stated that process fell apart; however, his organization had already made the investment into the property.

Mr. LaRusso stated that Mr. Moolhuizen, a while back, promised to bring engineering drawings or plans to the city – similar to what he referenced this evening. He asked if Mr. Moolhuizen brought those documents with him tonight.

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Mr. Moolhuizen replied no; however, the buildings were being built as “temporary” but that they were “solid buildings.” If and when the site became a permanent site, he stated that he would have been more than willing to make them permanent structures.

Ms. Bassett asked why Mr. Moolhuizen did not know of the 180-day requirement for temporary structures and stated that should have been due diligence on his part in signing the various contracts for the event. He replied that he didn’t “know anything about that.”

(Note: the permit agreement issued to the Brevard Renaissance Fair and executed on January 13, 2025 between Mr. Moolhuizen and the city included the following clause: Removal of Existing Structures per Florida Building Code: Within 180 days of the conclusion of the Event (no later than August 22, 2025), the Applicant agrees to remove all temporary structures, tents, materials, etc. from the site. This condition is intended to ensure compliance with the Florida Building Code, Sections 108.1, 108.2, 108.3 and 108.4 regarding temporary structures and uses.)

Mr. Smith acknowledged that the challenge in this whole situation is that the county would not allow Mr. Moolhuizen to host other events on the site per the lease agreement. Mr. Moolhuizen replied that he believed he was “allowed to have a lot more”; however, Mr. Smith stated that is not what the lease agreement says.

Attorney Conley stated that the original lease is clear in that it is intended to host the Brevard Renaissance Fair. He stated that there was an amendment to that lease at some point to allow Mr. Moolhuizen to host the Strawberry Fest at the same location. Beyond that, no additional approvals from the county were granted. He continued by describing the timeline for these events as described in the agenda package.

Mr. Moolhuizen disagreed once again and stated that the lease clearly states that he was allowed to have other events on the site. He stated that he met with the County Commissioners who “had no problem” with additional events being held at the site and simply need to submit those events to the Commission for its approval.

Mr. Smith stated that the city should still be proactive to try and provide guidance to staff to take a look at why the city does not have anything on the books to address a fairground like this property.

Vice Mayor Neuman stated that in his opinion, the city has the current tools in existence to handle these sorts of events; the issue related to the temporary structure is not something that needs to be addressed in code.

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Attorney Conley stated his understanding of Mr. Smith's points is that the timeframe in the City Code for a special event/temporary use that doesn't impact zoning and land development processes may be too limited in its scope. Right now, the site is treated as any other private property where an event can occur for up to 30 days in a calendar year per the special activity code. Alternatively, Wickham Park would not have such time limits because of it being a public park property with general facilities and infrastructure on site to support such events. If there is direction from Council to review City Code to see what modifications would be necessary (on the assumption that the county wants to entertain more events on the site), staff can try and look into a middle ground where events can occur on the site for a longer period of time or more regular basis.

Discussion continued.

Following this discussion, Council took no action. Vice Mayor Neuman stated that the coming weeks and months will help determine the future of the property based on the county's action.

23. Review of Mayor and Council Salary Survey.

City Clerk Kevin McKeown reported that in accordance with Section 2-23 of the City Code, Human Resources completed a salary survey for the positions of Mayor and City Council Members using cities of similar population and form of government for the purpose of periodic pay adjustments.

Council was provided with a comparison of the City of Melbourne's salaries to 16 cities and/or counties as well as a summary of previous City Council discussions and actions.

Should Council approve any modifications to Mayor and Council salaries, in accordance with the City Charter, the changes will not become effective until after the November 2026 election.

Vice Mayor Neuman asked for clarification of the average salary for the mayors and council members of the jurisdictions listed in the agenda package. Mr. McKeown replied that calculation is not listed on the spreadsheet, however, it would also need to include any sort of travel allowance provided to elected officials, which is also considered part of their annual salary. Mr. McKeown stated that if necessary, staff could return at the next meeting with a clearly breakdown of salary and benefits for other elected officials as well as the averages based on those amounts.

Vice Mayor Neuman stated that based on quick calculations, the average salary based on the information in the agenda package would be approximately \$35,000 for mayors and \$25,000 for council members.

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Ms. Hanley stated that she is factoring in things like major airports within the jurisdiction of the municipality – such as Lakeland – other cities that provide water.

Mr. LaRusso stated the decision Council makes will not affect him since he will not be on Council after the 2026 election. He stated he will support the consensus of the Council.

Ms. Hanley suggested that a cost-of-living increase – or whatever raise is given to general employees each year – be a process moving forward.

Ms. Bassett asked if the city can afford any salary adjustment for the council based on current budget constraints. Mrs. Lamb replied that since the salaries would not be in effect until November 2026, the upcoming fiscal year 2026 budget would not be affected.

Mr. LaRusso stated again that he will not see any increase; however, he urged council members to think about how they would run for re-election after giving themselves such a high raise. Vice Mayor Neuman replied that the way he sees it, it would professionalize Melbourne to be comparable to the other cities listed.

Discussion continued.

Ms. Hanley referenced a formula created by the City of Palm Bay to address the salary of the mayor and council members. Joan Junkala-Brown, Deputy City Manager, replied that Palm Bay increased the salaries based on the Consumer Price Index and included a provision that resulted in the same increase for council members as general employees received.

Attorney Conley added that the salary of the Council Members and associated travel allowances are set by ordinance. He clarified that the Charter intends for Council to use salaries from cities of comparable sizes and forms of government as a basis to then adopt an ordinance setting a methodology for such salaries by the ordinance, which is currently “take the average.” If Council desires there to be a new methodology used to review the data for the comparable cities, that would be a change to the City Code, which would require an ordinance.

Following discussion, Council expressed a desire to continue this discussion item to the next regular meeting and instructed staff to return with some additional information for Council’s consideration.

24. Travel authorization to attend the Melbourne Regional Chamber of Commerce's 2025 Community Leadership Retreat, September 18-20,2025 in Jupiter, FL and making a finding that the event serves a valid public purpose.

Mr. McKeown reported that Council Member Marcus Smith and Council Member

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Hanley has expressed interest in attending the Melbourne Regional Chamber's 2025 Community Leadership Retreat, September 18-20, 2025 at the Wyndham Grand Jupiter at Harbourside Place.

Council Policy #36 relates to the Mayor and Council's travel and per diem budget. The policy provides for pre-authorization for the Mayor and City Council to attend events within Brevard County that are sponsored by the Space Coast League of Cities, the Economic Development Commission and the Melbourne Regional Chamber based on a finding that attendance at these events serves a valid public purpose. The 2025 Community Leadership Retreat is being held in Jupiter, FL located within Palm Beach County. Therefore, City Council approval of the expenditure is required.

Concurrent with Council authorization, the City Council will also make a finding that the travel serves a valid public purpose as the purpose of the retreat directly relates to collaboration with the Melbourne Regional Chamber and discussing "issues and opportunities that impact and shape the economy and quality of life on the Space Coast."

Mr. LaRusso stated that like in previous years, he will not vote in favor of this request.

Moved by Hanley/Smith for authorization for Council Members Marcus and Mimi Hanley to attend the Melbourne Regional Chamber of Commerce's 2025 Community Leadership Retreat scheduled for September 18-20, 2025 along with a finding that the travel serves a valid public purpose as described in the agenda report. Motion carried. Mr. LaRusso voted nay.

25. Appointment of one alternate member to the Beautification and Energy Efficiency Board.

Ms. Hanley nominated Nicholas Sanzone. There were no further nominations.

Moved by Hanley/Smith to appoint Nicholas Sanzone as an alternate member. Motion carried unanimously. (Term: July 22, 2025 through February 12, 2028; unexpired three-year term.)

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Ms. Hanley discussed a concern she received regarding the crosswalk lights on Strawbridge Avenue in front of city hall and their small size in comparison to similar lights on A1A. Mrs. Lamb stated that staff will take a look at the requirements and provide a report back to City Council.

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Additionally, Ms. Hanley discussed the potential for a bench in front of the hospital on Wickham Road. Mrs. Lamb replied that because this is county right-of-way, staff will need to follow up with the county on this request.

Mr. LaRusso commented on a number of events he has attended and specifically mentioned a ribbon cutting at the new beachside Aldi, which Council did not receive an invitation to. He noted that the Melbourne Regional Chamber was in attendance and expressed his dissatisfaction in being a member of the Chamber but receiving no information on ribbon cuttings in their districts.

Vice Mayor Neuman reported that he plans to bring information back to Council during his report at the end of the next regular meeting regarding his work with the Brevard Homeless Coalition and the potential for a site west of I-95 that could provide various services to the homeless.

E. ADJOURNMENT

The meeting adjourned at 10:30 p.m.

/s/ Kevin McKeown, City Clerk – July 31, 2025

Approved by Council: August 12, 2025