

City of Melbourne, Florida
Minutes – Regular Meeting Before City Council
December 9, 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 6:30 p.m. by Mayor Paul Alfrey.

A. OPENING

1. The invocation was given by Pastor Lucas Almeida, Central Baptist Church.
2. Pledge of Allegiance
3. Roll Call

Present:

Paul Alfrey	Mayor
Julie Kennedy	Vice Mayor
Marcus Smith	Council Member, District 1
Mark LaRusso	Council Member, District 2
David Neuman	Council Member, District 3
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
Rebecca Thibert	Assistant to the City Manager

4. Proclamations and Presentations

Mayor Alfrey presented a proclamation declaring December 21, 2025 as “National Homeless Persons’ Memorial Day,” to James Smith with the Brevard Homeless Coalition.

Mayor Alfrey presented Rhodie Humbert with a volunteer service pin recognizing his 30 years of volunteer service on the city’s Citizens’ Advisory Board and presented Charles Jackson with a gift recognizing his 50 years of volunteer service on the Zoning Board of Adjustment.

5. Approval of Minutes – November 25, 2025 Workshop and Regular Meeting.

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

6. City Manager’s Report

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City Manager Jenni Lamb reported that the city's current fuel card program contract expires December 31, 2025 and the state (whose contract the city piggybacks off of) is in the process of renewing. To avoid disruption in fuel card services between the expiration date and the next regular City Council meeting on January 13, 2026, Council expressed consensus with providing the City Manager authorization to renew the city contract once it is renewed by the state. Staff will follow up with a formal agenda item on the state completes the renewal.

7. Public Comments

The following individuals came forward to express their desire to see Hoag Avenue paved: Tom Nance, Mary Nance, and Drew Warren.

Mrs. Lamb stated that Engineering is currently reviewing the petition from the property owners and that she will explore if the road can be re-graded.

Steven Borgman, no address given, came forward to express his complaints about the Melbourne Police Department.

B. UNFINISHED BUSINESS

8. **Ordinance No. 2025-41 (AV2025-0002):** (First Reading/Public Hearing) An ordinance vacating a bike path easement between 2465 Wild Wood Drive and 2455 Wild Wood Drive. (Postponed - 9/11/2025, 10/14/2025)

Attorney Conley read the ordinance by its title. City Engineer James Ennis reported that this is a continuance of a vacation of an easement brought to City Council on September 11, 2025. The item was postponed at the September 11, 2025 and October 14, 2025 council meetings to allow the Wickham Forest Homeowners' Association, Inc. (HOA) additional time approve necessary public utility easement documents over the area of the existing bike path easement.

The applicant, Wickham Forest Homeowners' Association, Inc. (HOA), has requested the vacation of a 15-foot-wide bike path easement created by the Wickham Forest Phase One plat. The easement runs across the east 15 feet of Lot 118, Block A. The HOA is requesting the easement be vacated due to safety concerns.

Staff received three objections to the vacation request. Those objections came from the City of Melbourne Public Works & Utilities Department, Florida City Gas, and FPL, due to equipment that each entity has within the bike path easement. All three objectors stated that if the property owner granted a public utility easement in place of the bike path easement, the objections would be resolved.

The HOA has provided the necessary approvals for a public utility easement on the parcel in place of the bike path easement.

There were no disclosures by Council and no comments during the public

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hearing.

Moved by Hanley/Neuman for approval of Ordinance No. 2025-41. Motion carried unanimously.

9. Consideration of proposals for disposition of 0.08 acres of City property abutting 1015 W.H. Jackson Street. (Public Hearing) (Postponed - 10/28/2025)

Moved by Hanley/Alfrey for approval to postpone the consideration of this item to the January 27, 2026 Regular City Council meeting at 6:30 p.m. in the Council Chamber. Motion carried unanimously.

10. **Ordinance No. 2025-52, EI Car Wash:** (Second Reading/Public Hearing) An ordinance granting a conditional use (CU2025-0002) to allow a car wash establishment in a C-2 (General Commercial) zoning district with site plan approval (PLAN2025-0006) on an overall 2.54±-acre property located on the east side of North Wickham Road, north of Sarno Road, and south of West Eau Gallie Boulevard. (Owner - 925 WICKHAM LLC) (Applicant/Representative - Jordan Draper, P.E.) (First Reading - 11/25/2025)

Attorney Conley read the ordinance by its title. There were no disclosures by Council. The Mayor opened the public hearing.

Alejandro Quiniana, applicant, was available for questions.

Moved by Hanley/Basset for approval of Ordinance No. 2025-52 with PLAN2025-0006, based upon the findings and conditions contained in the Planning and Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

11. **Ordinance No. 2025-53 and Ordinance No. 2025-54, Lansing RV Storage:** (First Reading/Public Hearing) Ordinances providing for a Comprehensive Plan amendment and zoning designation, with site plan approval for an outdoor RV storage area on 6.25± acres, located on the north side of Lansing Street, east of North Wickham Road, and south of Lake Washington Road. (Owner - LAWS HALL PARTNERSHIP LLP) (Applicant/Representative: Justin Archey) (P&Z Board - 11/6/2025) (Postponed - 11/25/2025)

- a. **Ordinance No. 2025-53/MAP2024-0013:** (First Reading/Public Hearing) An ordinance amending the future land use map classification from General Commercial to Heavy Commercial Future Land Use on 6.25± acres.

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- b. **Ordinance No. 2025-54/MAP2024-0012:** (First Reading/Public Hearing)
An ordinance amending the zoning map from C-2 (General Commercial District) to M-1 (Light Industrial District) zoning on 6.25± acres.
- c. **Site Plan Approval (PLAN2024-0019):** A request for site plan approval on 6.25± acres. (To be considered by City Council during the second reading of the ordinance.)

Attorney Conley read the ordinances by their titles. Community Development Director Cindy Dittmer reported that the property owner would like to utilize Lot 4 of the Lansing Square Subdivision to construct outdoor Recreational Vehicle (RV) storage as a proposed site expansion of the existing Extra Storage mini-storage business, which is developed on Lot 3. Outdoor storage is not permitted within the C-2 zoning; consequently, a zoning map change to M-1 must be applied to the subject land. Since M-1 zoning is not permitted within the General Commercial Future Land Use classification, the Heavy Commercial future land use classification is requested. The applicant has submitted a formal site plan depicting the RV storage modifications to Lot 4 that coordinate with the existing mini-storage facility currently developed on Lot 3, requiring internal access to the RV parking/storage area internally from the mini-storage development. Upon approval, the property owner will be required to submit an engineering construction plan to the Engineering Department and corresponding permits for the proposed site improvements.

The neighboring properties to the west and north and abutting to the east are zoned C-2. Across Lansing Street to the south, the property is zoned M-2 (Heavy Industrial). The area to be rezoned will be an accessory to the existing mini-storage use and the two lots will be bound by a Unity of Title. As such, the future use of the property will be limited. The existing eastern driveway entrance for the mini-storage facility will be eliminated as part of the RV storage development. The 128-foot-wide stormwater pond for the Lansing Square commercial development is east of the driveway. The closest single-family residential home is located to the east of the Lansing Square stormwater pond, approximately 195 feet from the proposed new RV parking/storage area.

On November 6, 2025, two residents from Olympus Court (directly adjacent to the east of Lansing Square), spoke about concerns regarding lighting from the existing mini-storage development that is spilling over into their residential properties. However, they did not object to the proposed development of RV parking/storage. The Planning and Zoning Board voted unanimously to recommend approval of the proposed requests.

After the Planning and Zoning Board meeting, the applicant contacted city staff to request a change to condition “b.” from the rezoning request. The condition included a one-year timeframe to “establish the outdoor RV storage use.” The applicant identified that the site will need more than a one-year timeframe for the engineering construction plans and completion of site work. Since City Code

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allows a formal site plan up to three years to obtain a building permit, staff recommends changing the timeframe for condition "b" to three years. This change is included within the proposed ordinance.

There were no disclosures by Council. The Mayor opened the public hearing.

Andrew Evans, representing the applicant, was available for questions.

Moved by Kennedy/LaRusso for approval of Ordinance No. 2025-53, based upon the findings and conditions contained in the Planning and Zoning Board memorandum. Motion carried unanimously.

Moved by Kennedy/Bassett for approval of Ordinance No. 2025-54, based upon the findings in the Planning and Zoning Board memorandum and the conditions contained in the ordinance. Motion carried unanimously.

12. **Ordinance No. 2025-55, Redtail Four Brewery:** (Second Reading/Public Hearing) An ordinance granting a conditional use (CU2025-0007) to allow a microbrewery use in conjunction with a second conditional use to allow for the consumption of alcohol (beer and wine) on premises in conjunction with a proposed microbrewery and pizzeria on a 1±-acre developed property zoned C-2 (General Commercial District) located on the west side of South Harbor City Boulevard, the east side of Irwin Street and south of Powell Avenue. (Owner - Wid T. Bell) (Applicant/Representative - Chelsea Woodard) (First Reading - 11/25/2025)

Attorney Conley read the ordinance by its title. The Mayor called for disclosures and Council Member Neuman referenced the e-mail that Council Members received from Mark Herendeen. The Mayor then opened the public hearing.

Tim Fowler and Chelsea Woodard, applicants, were available for questions.

Mark Herendeen, representing the seller of the property, was available for questions.

Moved by Neuman/Alfrey for approval of Ordinance No. 2025-55, based on the findings and conditions contained in the staff memorandum. The roll call vote was:

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

Motion carried unanimously.

13. **Ordinance No. 2025-56, The Office Cigar Lounge:** (Second Reading/Public Hearing) An ordinance granting a conditional use (CU2025-0008) to allow the sale and consumption of alcoholic beverages on-premises, accessory to cigar sales, in a unit located on 0.20±-acre developed acres, zoned C-3 (Central Business District), located on the south side of West Eau Gallie Boulevard, east

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of Guava Avenue, and west of Highland Avenue (587 West Eau Gallie, Unit 103). (Owner - LJ Real Estate Holdings, LLC) (Applicant/Representative - Micah Rose) (First Reading - 11/25/2025)

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

Moved by LaRusso/Neuman for approval of Ordinance No. 2025-56, based on the findings and conditions contained in the Planning and Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

14. **Ordinance No. 2025-57, The Collection:** (Second Reading/Public Hearing) An ordinance granting a conditional use (CU2025-0009) to allow the sale and consumption of alcoholic beverages (beer and wine) on-premises, accessory to a retail food and wine market, in a multi-tenant building zoned C-3 (Central Business District), located on the east side of Cypress Avenue, west of North Harbor City Boulevard and north of West Eau Gallie Boulevard (1385 Cypress Ave, units 101 and 103). (Owner - Michael Spetko) (Applicant/Representative - Michael Hernandez) (First Reading - 11/25/2025)

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

Moved by LaRusso/Neuman for approval of Ordinance No. 2025-57, based on the findings and conditions contained in the Planning and Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

15. **Ordinance No. 2025-58, Affordable Housing Updates:** (Second Reading/Public Hearing) An ordinance amending City Code, Appendix B, Article 5, Section 4, Affordable Housing Development, for compliance with recent Florida Statute changes. (Applicant - City of Melbourne) (First Reading - 11/25/2025)

Attorney Conley read the ordinance by its title. Mrs. Dittmer reported that the Affordable Housing Advisory Committee met on December 2 to make a finding that the proposed changes to City Code would not impact the development of affordable housing costs.

The Mayor opened the public hearing. There were no comments from the audience.

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Moved by Hanley/Alfrey for approval of Ordinance No. 2025-58, based upon the findings contained in the Planning and Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

16. **Ordinance No. 2025-59, Water and Sewer Impact Fees:** (Second Reading/Public Hearing) An ordinance amending water and sewer impact fees; amending City Code, Chapter 58, Utilities; amending Section 58-131, Water Impact Fees; and amending Section 58-242, Sewer Impact Fees; Cost of Extension. (First Reading - 11/25/2025)

Attorney Conley read the ordinance by its title and noted that City Council has now held two public hearings on the extraordinary circumstances around this topic. He referenced the section within the ordinance that identifies the findings that support these extraordinary circumstances.

The Mayor opened the public hearing. There were no comments from the audience.

Moved by Hanley/Bassett for approval of Ordinance No. 2025-59. The roll call vote was:

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

Motion carried unanimously.

C. NEW BUSINESS

17. Utilization of the City's Horizontal Directional Drilling Services Contract to construct a sewer force main from Lift Station No. 11 to Manhole 153, Project No. 32019, Concurrent Environmental Services LLC, Rockledge, FL - \$212,157.51.

Public Works and Utilities Director Jennifer Spagnoli reported that the existing six-inch diameter force main serving Lift Station No. 11, which is located at the east end of Young Street, requires replacement due to old age. Staff prepared an in-house design and obtained permits to replace the six-inch force main.

A quote has been obtained from Concurrent under the Horizontal Directional Drill Services Contract No. P25015-K-0-2025/KL for construction of a six-inch diameter HDPE replacement force main 2,000 linear feet in length, fittings, connection to the existing force main, asphalt restoration, and grout abandonment of the old force main.

(Council Member Rachael Bassett stepped out of the chamber at 7:43 p.m.)

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Moved by LaRusso/Neuman for approval for utilization of the City's Horizontal Directional Drilling Services Contract to construct a sewer force main from Lift Station No. 11 to Manhole 153, Project No. 32019, Concurrent Environmental Services LLC, Rockledge, FL - \$212,157.51. Motion carried unanimously. Ms. Bassett was not present for the vote.

18. CONSENT AGENDA:

- a. First Amendment to the License Agreement between the City of Melbourne and Montrose Environmental Solutions, Inc., to install and maintain three additional groundwater monitoring wells in a designated area of Fee Avenue Park, 115 East Fee Avenue.
- b. Continuing Contract for Professional Engineering Services for Hydraulic Modeling and Permitting with CHA Consulting, Inc., Winter Springs, FL.
- c. Purchase of three replacement 250 HP reuse pumps for the D.B. Lee Water Reclamation Facility, R.C. Beach & Associates, Inc., Clearwater, FL — total estimated cost of \$263,354.
- d. Contract award for wrecker services at unit costs, Imperial Towing of Brevard LLC, Melbourne, FL - estimated annual cost of \$33,000 and an estimated contract cost of \$198,000.
- e. Contract award for traffic signal repair for emergency work, Traffic Control Devices, Inc., Altamonte Springs, FL.
- f. Amendment to the contract award for Continuing Water, Wastewater & Stormwater Repairs for Emergency and Non-Emergency Work modifying the award from Hinterland Group, Inc. to Hinterland Group, LLC.
- g. Professional Services selection for the Facilities Condition Assessment and Master Plan and authorization to negotiate a contract.
- h. Agreement for medical physicals and scans for the Police Department, Life Scan Wellness Centers, Tampa, FL - amount not to exceed \$111,056.
- i. **Resolution No. 4392:** A resolution authorizing the City Manager to submit a grant application to the U.S. Department of Justice for the FY 2025 Bulletproof Vest Partnership for the purchase of 63 vests for the Melbourne Police Department and 10 vests for the Melbourne Airport Authority Police Department.
- j. **Resolution No. 4393:** A resolution adopting the 'Brevard Prepares Local Mitigation Strategy Development Plan' and providing a commitment to continue participation in the steering committee.

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Mayor Alfrey noted that Items d. and h. were removed from the consent agenda by Mr. LaRusso and Vice Mayor Kennedy.

Moved by Kennedy/Alfrey for approval of the consent agenda, less Items d. and h. Motion carried unanimously.

19. ITEMS REMOVED FROM THE CONSENT AGENDA

(Ms. Bassett returned to the chamber at 7:44 p.m.)

- d. Contract award for wrecker services at unit costs, Imperial Towing of Brevard LLC, Melbourne, FL - estimated annual cost of \$33,000 and an estimated contract cost of \$198,000.

Mr. LaRusso discussed the history of Jack's Towing doing work for the city and how this bidding process took place. He noted that perhaps the new owners of the company are not familiar with the bidding process, which is why they are not being recommended. Following discussion, Mrs. Lamb noted that Demand Star shows that the documents were pulled, which the city took as acknowledgement that Jack's Towing was aware of the bid process.

Discussion continued.

Moved by Kennedy/LaRusso for approval of consent agenda Item d. Motion carried unanimously.

- h. Agreement for medical physicals and scans for the Police Department, Life Scan Wellness Centers, Tampa, FL - amount not to exceed \$111,056.

Vice Mayor Kennedy expressed her understanding that this is contractual with the Police Department. Attorney Conley noted that the Fire Department uses this same company for these services.

Mr. Smith asked for further clarification on why these physicals and scans are needed. Police Chief David Gillespie reviewed the agenda report and explained how these things are beneficial to the officers.

Moved by Kennedy/Neuman for approval of consent agenda Item h. Motion carried unanimously.

- 20. **Ordinance No. 2025-60 (AV2025-0004):** (First Reading/Public Hearing) An ordinance vacating a three-foot-wide by 40-foot-long portion of the 10-foot-wide public utility and drainage easement that runs along the east lot line of Lot 68 of the Rio Villa Unit III plat (3093 Rio Bonita Street).

Attorney Conley read the ordinance by its title. Mr. Ennis reported that the applicants, Bradley Yemm and Joan Yemm, have requested the vacation of a three-foot-wide by 40-foot-long portion of the ten-foot-wide public utility and

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drainage easement that runs along the east lot line of Lot 68 of the Rio Villa Unit III plat. The applicants are making this request for an existing pool and screened enclosure installed by a previous owner that encroaches into the easement. The applicants are attempting to bring the pool and enclosure into compliance and repair the enclosure.

Staff initially received two objections to this request: (1) Florida City Gas objected due to potential gas lines in the easement. After a field visit, it was determined no gas facilities were in the easement and the objection was withdrawn and (2) Florida Power & Light objected due to facilities in the easement. After determining the exact location of the power facilities, the objection was withdrawn with the stipulation that no further encroachment beyond what is existing occurred.

Mr. LaRusso asked if the original build of the home included the pool and noted that the residents should not have to pay these costs, further commenting on the number of these requests that come before Council each year.

Discussion continued.

There were no disclosures by Council and no comments during the public hearing.

Moved by LaRusso/Alfrey for approval of Ordinance No. 2025-60. Motion carried unanimously.

Mr. LaRusso stated that he would like to look into this further after the first of the year.

21. Selection of health care services provider and authorization to negotiate a contract with United Healthcare Insurance Company, Inc., Hartford, CT.

Human Resources Director Kimberly Foxworth reported that the process to select an employee health care service provider began in July 2025 with the city hiring Brown & Brown as a consultant to oversee the Request for Proposal (RFP). Brown & Brown released the RFP to the market in early September. On September 30, 2025, Brown & Brown received four proposals and after reviewing the proposals selected three medical provider finalists: United Healthcare Insurance Company, Inc (United Healthcare), Aetna Life Insurance Company (Aetna), and CIGNA Health and Life Insurance Company (Cigna). Presentations by each finalist were held on November 4 and 5, 2025. A summary of each finalists' best and final proposals was provided in the agenda package.

A five-member employee selection committee convened on November 13, 2025 and selected United Healthcare. The committee did not base their selection solely on financials. The committee weighted offering plans that employees will find beneficial considering the employee's budget, age and medical needs.

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Daneille Boyle, Brown & Brown, stated that part of the process in reviewing the proposals is a disruption analysis, where the city's claims over a 12-month period are taken through the carrier's different networks to see where any disruption would be noticed.

Continuing, Ms. Boyle stated that the employee selection committee selected United Healthcare based on the following key factors: competitive financial proposal; deductible and out-of-pocket carryover; flexible menu of plan options; robust wellness programs; seamless integration; and dedicated onsite support. The committee then reviewed several plan design options and recommended offering a variety of plans for employees to choose from during open enrollment.

Ms. Boyle reviewed the UHC proposal highlights, which include, but were not limited to: 2% below current rates while matching current plan designs; \$2.5 million in annual savings; 14.9% rate rap in 2027; dedicated onsite resource provided at no cost, with a full-time United Healthcare employee working from city hall and the airport; a wellness program; and a menu of plan options to choose from.

Ms. Boyle further discussed the wellness/weight loss programs available, which would not include a free gym membership, but would include \$300/year in incentives per employee and spouse; one pass fitness program with access to thousands of gyms and boutique fitness studios; and a weight loss program. GLP-1s are not included.

Continuing, Ms. Boyle stated that the following plans are under consideration: Choice Plan (matching current EPO/HMO); Surest Plan; NHP HMO Plan; Choice HSA Plan; and NHP HSA Plan. She provided a brief overview of the differences in each plan and the various benefits to each plan.

In closing, she reviewed the renewal timeline, which includes a City Council meeting to finalize plans and contributions, benefits implementation, preparation for open enrollment, call center training, and eventually open enrollment in February.

Mayor Alfrey stated that the Executive Director at the airport also recommends the selection of United Healthcare and stated that based on his personal experience with Aetna, he does not want to deal with Aetna any longer.

Mr. Neuman stated that he did not hear much information about Cigna, which appeared to be the better financial choice. Ms. Boyle stated that if the city went with Cigna, at least two of the plans available with United Healthcare would not be available and that Cigna did not offer plans that could get the city to the \$2 million in savings provided by United Healthcare.

Discussion continued regarding: the cost savings between United Healthcare and Cigna; the potential for what plans employees would choose during open

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enrollment; and prescription coverage.

Council then asked Director of Finance Ross McGinn to come forward and speak to his thoughts on the committee's decision.

Ross McGinn, Director of Finance, stated that having the Cigna guarantee in year two of a 10% rate cap on top of seeing the savings that were offered on the apples-to-apples comparison outweighed any speculation about how employees would participate in available plans. He stated his concern is the best and final offers in comparison to what the city's current plans look like.

Mr. Neuman stated that in his opinion, he does not have all of the most up to date information since he feels that he is missing figures relating to Cigna's offer.

Discussion continued.

Moved by Hanley/Smith for approval for the selection of United Healthcare Insurance Company, Inc., Hartford, CT as the health care services provider and authorization to negotiate a contract. The roll call vote was:

Aye: Hanley, Smith, LaRusso, Bassett and Alfrey

Nay: Neuman and Kennedy

Motion carried.

22. **Ordinance No. 2025-61, Ordinance No. 2025-62, and Ordinance No. 2025-63, The Preserve Multi-Family Residential:** (First Reading/Public Hearing)
Ordinances providing for an annexation, comprehensive plan amendment, zoning amendment, with site plan approval on an overall 17.65±-acre property, located on the west side of North Wickham Road, north of Post Road, at Preserve Drive/Pebble Creek Street. (Owner – Shannash Properties, Inc. Stephen Novacki) (Applicant- Kimley Horn; Tyler Enright, P.E.) (Representative - Land Development Strategies, LLC; Kelly Delmonico) (P&Z Board – 11/20/2025)
- a. **Ordinance No. 2025-61/ANNX2024-0009:** (First Reading/Public Hearing)
Annexation of 17.65± acres of undeveloped property into the City of Melbourne Corporate City limits.
 - b. **Ordinance No. 2025-62/MAP2024-0030:** (First Reading/Public Hearing)
An ordinance establishing Mixed Use Future Land Use on a 17.65±-acre undeveloped property.
 - c. **Ordinance No. 2025-63/MAP2024-0031:** (First Reading/Public Hearing)
An ordinance establishing R-2 (One-, Two-, and Multiple-Family Dwelling Medium Density District) zoning on a 17.65±-acre undeveloped property.
 - d. **Site Plan Approval (PLAN2024-0026):** A request for site plan approval

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on 17.65± acres. (To be considered by City Council during the second reading of the ordinance.)

Attorney Conley read the ordinances by their titles. Mrs. Dittmer reported that the applicant has requested that the 17.65± acres be annexed into the City of Melbourne to receive city services for the development of a 264-unit, multi-family residential development at an overall density of 14.9± units per acre. Additionally, the request is for the establishment of Mixed-Use Future Land Use and R-2 zoning to allow the proposed development.

Two four-story residential apartment buildings with a total of 112 units are proposed on the north side of Preserve Drive, along with two garage buildings and a maintenance building. The plan identifies that the closest single-family residential structure is located approximately 196± feet to the west. Amenities for the complex are located on the north side, including a clubhouse with pool and a fenced dog park area. The project will preserve a large, 2.35±-acre wetland area along the north end of the property. On the south side of Preserve Drive, two four-story residential apartment buildings are proposed with a total of 152 units, along with three garage buildings, a trash compactor and a private lift station to serve the development. All residential apartment buildings are proposed at an overall height of 44' 8" tall (48 feet is permitted) and the project provides 1-, 2- and 3-bedroom units.

The project exceeds all setback requirements for the R-2 zoning district. Access to the north side of the development is a centrally located driveway in front of the clubhouse, with gated access beyond the amenity area. Access to the south is located further to the west, accommodating the entrance for the residents and the shared compactor (concierge trash pick-up is proposed). The applicant received a Waiver of Visual Screen approval by the Planning and Zoning Board to provide a six-foot-tall, opaque, vinyl fence and landscaping abutting the residential lots to the west in lieu of a six-foot-tall masonry wall. A T-shaped wet retention pond with fountains is centrally located between the apartment buildings and a smaller, dry pond along the west side of the development to serve the development.

The proposed R-2 zoning will continue the pattern of residential uses established in this area and maintain land use compatibility with adjacent parcels. The proposed R-2 zoning will be less intensive than the existing BU-1 zoning currently on the property, which would allow commercial uses. Property to the west/southwest of the subject property is currently the site of an existing apartment complex. A townhome development, zoned R-2, is also located directly to the west and north of Preserve Drive.

During the November 20, 2025 Planning and Zoning Board meeting, four property owners from The Arbors townhome subdivision (located directly to the west) spoke against the development, citing concerns about traffic safety on Preserve Drive, traffic congestion on Wickham Road, possible flooding and that

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the residents would prefer a neighborhood commercial development instead of apartments.

Following review and discussion, the Planning and Zoning Board voted three-to-one to recommend approval of items ANNX2024-0009, MAP2024-0031, PLAN2024-0026, and WVS2025-0001.

Regarding the Comprehensive Plan Amendment – Establishing a Mixed Use Future Land Use Map classification (MAP2024-0030), the motion to approve by the Planning and Zoning Board failed on a 2-2 vote. Requests for an alternative motion were rejected by the Board; therefore, no formal action was taken regarding the comprehensive plan amendment request.

A valid “Intent to File a Petition” letter for the Comprehensive Plan future land use map amendment and a separate, valid “Intent to File a Petition” letter for the zoning amendment were filed by a property owner within 500 feet of the subject property. Once the petitions are tabulated, if more than 20% of the owners of property within 500 feet have signed each petition, a 6/7ths vote of City Council will be required for approval of the future land use request and for approval of the zoning request during the second reading of the future land use ordinance and the zoning ordinance.

The Mayor called for disclosures. The following disclosures were made:

Vice Mayor Kennedy stated that she received an e-mail on December 2 from “Colleen Lord” at 7:30 expressing her request for denial of the project and that on the same day at 4:30 p.m., she met with the developers at city hall to look at the overall project proposal. Ms. Hanley noted that she met with the developers on December 1 at 10:30 a.m. at her office. Mayor Alfrey noted that he received the same e-mail as Vice Mayor Kennedy and that he met with the developers at WhiteBird Law on December 2 at 11:00 a.m. Mr. Neuman stated that he had a meeting with the developers at WhiteBird Law on December 9 at 9:00 a.m. Mr. LaRusso stated that he received the same e-mail and request to meet, but that he chose not to meet ahead of the public hearing. Mr. Smith stated he also met with the developers at WhiteBird Law.

Kelly Delmonico, representative, introduced the development team, reviewed the site, and noted that Preserve Drive is privately owned with an access easement and that when constructed, it was intended to serve all three surrounding properties together. She stated that from a zoning standpoint, the developer is looking to change to a medium zoning density in the city. Further, traffic statements have been completed and a study is in progress to show the traffic generation potential for the requested zoning. Ms. Delmonico noted that the full development of this site is anticipated to generate less traffic in a day and less traffic in the AM and PM peak hours as a single, 3,000-square foot coffee shop.

Continuing, Ms. Delmonico showed a map displaying the property being adjacent

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to single-family homes and wetlands on the north side of the property. She displayed the proposed site plan, the access points to the north and south properties, and discussed services within the community, such as valet trash service. She also displayed a rendering of the property and discussed the design of the building.

Ms. Delmonico discussed the public meeting that was held by the developer and addressed some of the concerns brought up at the meeting. The first concern was flooding, and Ms. Delmonico stated that all the stormwater will be treated and stored on site, with post-discharge being less than the pre-discharge. She stated another concern regarding privacy and how the developers have moved the building back, added additional visual screening and landscaping, as well as enhanced, temporary construction screening for neighboring residents if desired. Traffic was also a concern of the surrounding neighbors, but Ms. Delmonico noted that construction traffic will be as far east on the property as possible. She reiterated her earlier comments regarding a reduction in peak hour traffic.

In closing, Ms. Delmonico discussed the entrance to the north side of the property and how the entrance was designed to assist with the school bus pickup that currently occurs in that area.

Discussion took place regarding traffic concerns. Ms. Delmonico brought forward James Taylor, engineer on the project.

James Taylor, Kimley-Horn, stated that two studies were conducted – the first being the rezoning study as referenced by Ms. Delmonico, and the second being a transportation impact analysis (TIA) that has been submitted to the city. He reviewed a brief presentation on the results of the TIA, reiterating that the proposed zoning substantially reduces trip generation potential of the property. Additionally, the capacity and operational assessment noted that there are no new roadway segment deficiencies were identified as a result of project impacts. Mr. Taylor noted that the proposed development generates less trips than a shopping center, Wawa, fast-food restaurant and a coffee/donut shop.

Ms. Hanley stated that her office is on Wickham Road and she knows what that road is really like. Ms. Hanley stated that the numbers being provided by Mr. Taylor are not realistic and “do not seem realistic.”

R. Paul Hilburn, 3285 Arden Circle, stated that he just does not see “the math” with the numbers being presented in the traffic analysis and cited his routes that take him past the new Arby’s where he only sees two or three cars in the parking lot at any given time. He also stated that he does not believe that a donut shop can get 1,800 trips in a day. He stated he and his neighbors expected services or offices on this development that would serve the nearby residents. Mr. Hilbrun further discussed the curved roadway (Preserve Drive), accidents that occur on that road, and his confusion with regards to the calculation of the signers of the petition.

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Moved by Neuman/Alfrey for approval of Ordinance No. 2025-61, based upon the findings contained in the Planning and Zoning Board memorandum. Motion carried. Ms. Hanley voted nay.

Moved by Neuman/Alfrey for approval of Ordinance No. 2025-62, based upon the findings contained in the staff memorandum. Motion carried. Ms. Hanley voted nay.

Moved by Neuman/Alfrey for approval of Ordinance No. 2025-63, based upon the findings contained in the Planning and Zoning Board memorandum. Motion carried. Ms. Hanley voted nay.

23. **Subdivision Variance Request (SDV2025-0002) Babcock Townhomes:**
(Public Hearing) Request for a subdivision variance on a 0.17±-acre portion of an overall 1.88± acre property, zoned C-1 (Neighborhood Commercial District) and R-1AA (Single-Family Low Density Residential District) located on the southeast corner of South Babcock Street and Avenue D, west of Grove Lane. (Owner - Grove Lane, LLC) (Applicant - Doug Engle) (Representative - Robert Robb, Robb & Taylor Engineering) (P&Z Board - 11/20/2025)

Attorney Conley read the ordinance by its title. Mrs. Dittmer reported that in May 2025, the applicant submitted an engineering construction plan to develop 24 townhome lots by splitting existing, platted lots of record, once for each lot, on property zoned C-1. The plan includes six lots fronting on Babcock Street and six lots fronting on Grove Lane. An existing lot located at the northeast corner of the overall block and zoned R-1AA is proposed for use as a shared stormwater pond. The applicant is requesting a subdivision variance to allow the shared stormwater pond on a recorded lot of record and not in a platted tract.

In order to develop the townhomes fronting on Babcock Street, the driveways were designed for access to a shared single driveway to the rear of the townhomes with access to East Avenue D. The new rear driveway will create an impervious area greater than standard driveways for single-family detached residential development; therefore, the project is required to provide a stormwater retention area to treat the run-off for this new rear driveway. The lots fronting on Grove Lane, a local roadway, will provide front-loading garages and driveways for the townhomes, and will not have vehicular access to the driveway.

Upon approval of the subdivision variance, the engineering construction plan can proceed and will incorporate the conditions of approval for the subdivision variance, such as a recorded mutual easement agreement for shared access and shared stormwater management/maintenance between all the proposed lots. The engineering construction plan will also require any necessary easements for the development.

Following review and discussion at the November 20, 2025 Planning and Zoning Board meeting, the Board voted unanimously to recommend approval of this

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request.

There were no disclosures by Council. The Mayor opened the public hearing.

Douglas Engle, applicant, was available for questions.

Moved by Neuman/Alfrey for approval of SDV2025-0002, based upon the findings and conditions contained in the Planning and Zoning Board memorandum. Motion carried unanimously.

Council will convene as the Olde Eau Gallie Riverfront Community Redevelopment Agency for the following item:

24. Interlocal Agreement with Brevard County to extend the termination date of the Olde Eau Gallie Riverfront Community Redevelopment Agency for construction of a public parking garage.

Ms. Dittmer reported that on November 25, 2025, City Council directed staff to continue negotiations with Brevard County to address the County Commission's concerns, including the incorporation of sustainable green infrastructure elements into the project's design. Council also agreed to propose offering free parking for the first 15 years, followed by a ten-year period during which net garage revenue would be capped and restricted solely to maintenance. Additionally, City Council affirmed a CRA sunset date of 2033.

On November 26, 2025, city staff drafted and sent the county a redlined version of the Revised and Restated Interlocal Agreement, incorporating the comments and concerns raised by both the County Commission and the City Council.

At the Brevard County Commission meeting on December 2, 2025, the Board instructed County staff to continue negotiations with the city on the Revised and Restated Interlocal Agreement. Staff members from both entities are currently coordinating a meeting to advance the negotiations and will present a final draft of the agreement for approval prior to the meeting.

Attorney Conley stated that some of the revisions are very minor, including a scrivener's error, while other revisions are more substantial, including a reincorporation of the amount of indebtedness that the CRA is permitted to enter into. He further highlighted some of the revisions within the agreement.

Mrs. Lamb added that there seems to be some question about the cost estimate for the garage shifting. Mrs. Lamb clarified that construction costs for the city to build a 300-space parking garage are at \$10.5 million, which is the number that has been presented to Council in the past. The higher number being discussed at the County Commission meeting includes construction engineering services, performance bonds, legal fees, etc.

Discussion continued.

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- a. Consideration and approval of the Revised and Restated Interlocal Agreement between the City of Melbourne, Olde Eau Gallie Riverfront Community Redevelopment Agency, and Brevard County.

Moved by LaRusso/Alfrey for approval of the Revised and Restated Interlocal Agreement between the City of Melbourne, the Olde Eau Gallie Riverfront Community Redevelopment Agency, and Brevard County, as endorsed by the Brevard County Board of County Commissioners. Motion carried unanimously.

Council will reconvene for the remaining items.

- b. Consideration and approval of the Revised and Restated Interlocal Agreement between the City of Melbourne, Olde Eau Gallie Riverfront Community Redevelopment Agency, and Brevard County.

Moved by LaRusso/Alfrey for approval of the Revised and Restated Interlocal Agreement between the City of Melbourne, the Olde Eau Gallie Riverfront Community Redevelopment Agency, and Brevard County, as endorsed by the Brevard County Board of County Commissioners. Motion carried unanimously.

Attorney Conley stated that even with this vote, there is a scheduled County Commission item on December 16, there may be additional outreach needed by City Council members.

25. Public-Private Partnership (P3) Unsolicited Detailed Proposal (Revised) for Eau Gallie Joint-Use Parking Garage and Hotel Project at 1551 Highland Avenue. (First Public Hearing)

Mrs. Dittmer reported that at the October 28, 2025 meeting, the City Council held the first public hearing on Melbourne Hospitality Holdings' (MHH) unsolicited detailed proposal and directed staff to begin preparing the P3 Comprehensive Agreement. Since then, MHH revised their proposal, adding a dry retention pond at the northeast corner of the proposed parking garage on the city property, specifically parcel IDs 27-37-16-25-3-16 and a portion of 27-37-16-25-*R-.01, not included in the original proposal. This change is considered a material modification to the original proposal, requiring a new first public hearing under Section 20-340 of the Melbourne City Code.

The addition of the dry retention pond will eliminate eight public parking spaces currently used by the Eau Gallie Civic Center (EGCC), which is part of the 85 existing spaces in the surface lot. While the proposed parking garage will add approximately 300 parking spaces, it will yield 215 net, new spaces overall. The placement of the pond will also further affect loading access to the Civic Center, however, MHH has proposed two alternative loading areas to address the loss of the loading area that was proposed on the newly included city parcel. Alternatives include covered parking/loading areas in the garage and a dedicated loading zone on Highland Avenue, eliminating two on-street parking spaces.

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MHH also proposes sheltered pathways to the side entry of the EGCC. Additionally, as proposed by the new stormwater plans, stormwater for both the garage and hotel properties will be co-mingled into one stormwater system. It is important to note that while MHH has submitted stormwater plans to St. Johns River Water Management District to begin the permitting process, this does not indicate full approval by the city on the design and layout.

The project terms previously reviewed by City Council were based upon an approximately one-acre footprint. The revised plan increases the footprint by approximately 20% and proposes a stormwater collection and treatment system that co-mingles the stormwater of the hotel and the garage into one system. Due to these changes, several of the project terms will need to be amended. Below are proposed changes that staff would recommend being further negotiated and drafted into the terms of the P3 Comprehensive Agreement. The staff memo has the full list of terms that were previously approved by council at the October 28, 2025 Regular City Council Meeting.

The next step in the P3 process will be the drafting of all agreements and a second public hearing. Prior to consideration of the P3 Agreement, a revised Interlocal Agreement between the city, Olde Eau Gallie Riverfront CRA and Brevard County must be approved.

The Mayor opened the public hearing.

Lance Scida, Boca Raton, representing the developer, reviewed the proposed site plan, noting that multiple access options have been prepared for access into the Eau Gallie Civic Center. He also added that covered access to the civic center from Highland Avenue up to the building's loading doors would be provided, as well as covered access from the northwest garage connection to the civic center loading area/sidewalk. With regard to stormwater, Ms. Ghitis stated that a shared stormwater drainage system that includes a dry retention pond and an underground chamber system can be considered "green infrastructure."

Mrs. Lamb stated that she still has some concerns about the dumpster area, though there are two solutions that can be worked out during construction plan review.

Joseph Ghitis, Hollywood, representing the developer, stated that the developer would be taking care of the maintenance and security of the parking garage and that the development team is in agreement with that concept. He also stated that the team is in agreement the long-term maintenance costs of more than \$10,000 being shared between the city and the developer.

Continuing, Mr. Ghitis referenced the proposed \$25,000/year lease for the retention pond area at the north part of the site and stated that since the developer is making an investment into the area, his request would be for the city to remove that cost.

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Mayor Alfrey stated that he agreed with the request as he has a hard time charging \$25,000 per year for this area. He referenced other city properties that are leased for one dollar per year and stated that \$25,000 per year is a substantial amount.

Attorney Conley noted that from the beginning, staff has considered whether to charge an annual lease for the use of parking spaces on city property over time or is the cost of annual maintenance comparable enough to say that in lieu of that lease, the developer would cover the maintenance cost. He referenced the Grow America analysis, the concept was to not do an annual lease and instead have the developer cover the maintenance costs. That occurred when the site plan did not include the dry retention pond as previously referenced. With the additional use of land, staff had to consider whether the balance had shifted. He noted that the lease is not necessarily covering only the stormwater aspect of this development; it is an overall analysis of how the shared P3 development site plans to use city property for its own private needs and purposes. In that recalculation, staff decided that the \$25,000 value is appropriate.

Moved by LaRusso/Hanley to extend the meeting beyond 11:00 p.m. Motion carried unanimously.

Mayor Alfrey stated his hope that this would be negotiated down in future discussions and noted that since the hotel developer will be responsible for the stormwater infrastructure, that is just another reason to consider the request.

Mr. LaRusso asked if Council should allow staff to continue to negotiate this or if a hard number should be decided on tonight. Attorney Conley stated that his recommendation to Council would be to allow staff to continue to negotiate

Moved by LaRusso/Alfrey to direct staff to proceed with further negotiations of the proposed terms and preparation of the P3 Comprehensive Agreement, in accordance with Section 255.065 of the Florida Statutes, with Melbourne Hospitality Holdings, LLC. Motion carried unanimously.

26. **Ordinance No. 2025-64, Reasonable Accommodation – Certified Recovery Residences:** (First Reading/Public Hearing) An ordinance amending City Code Appendix D, Chapter 1, Article I, by creating Section 1.02, entitled “Reasonable Accommodation - Certified Recovery Residences,” as it relates to new Florida Statute requirements. (Applicant - City of Melbourne) (P&Z Board - 11/20/2025)

Attorney Conley read the ordinance by its title. Mrs. Dittmer reported that a "reasonable accommodation" is the process by which an individual with a disability may request an adjustment to a specific land development, zoning or building code provision. SB 954 required that the city provide the ability to waive or make changes to the land development rules for Certified Recovery Residences. Currently, the City of Melbourne has reasonable accommodation procedures that are codified within City Code. This amendment extends that

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process to specifically include a “Certified Recovery Residence”.

A Certified Recovery Residence is defined as “a sober living environment that provides individuals recovering from substance-use disorders with a safe, supportive community.” The residences do not offer any formal treatment on-site. These residences are certified by the Florida Association of Recovery Residences (FARR), which ensures they meet rigorous standards for safety, ethical practices, and recovery-oriented services. The proposed reasonable accommodation process will be in place to address certified recovery residences that need relief from land use regulations such as zoning, setbacks, parking, etc. It will not be available for a recovery home/halfway house as defined in the Zoning Code.

The proposed ordinance establishes a procedure for the city to receive requests for reasonable accommodation for Certified Recovery Residences related to land use, zoning and building regulations, policies, procedures, and practices, and authorizes the City Manager to review such requests and make reasonable adjustments to such land use, zoning and building laws, consistent with Federal laws.

On November 20, 2025, the Planning and Zoning Board voted unanimously to recommend approval of the proposed amendment.

The Mayor opened the public hearing. There were no comments from the audience.

Moved by Neuman/Hanley for approval of Ordinance No. 2025-64 based upon the findings contained in the Planning & Zoning Board memorandum. Motion carried unanimously.

27. Appointment of two members to the Planning and Zoning Board.

Ms. Hanley recommended that the second alternate member, Chris Adams, take over the term of Mr. Waters, who has missed a substantial amount of meetings. She also noted that Mr. Zonka’s and Mr. Spann’s attendance on the board has been sporadic. City Clerk Kevin McKeown note that Mr. Spann is the School Board representative on the board; therefore, no action is needed by Council. It was noted that Mr. Zonka’s term is not up and therefore, to remove him from the board would require the public hearing process as previously discussed.

Mr. Neuman discussed the idea of a Charter amendment to give City Council more flexibility in removing advisory board members.

Following discussion, Ms. Hanley nominated Mr. Adams to replace Mr. Waters, recommended Ms. Bailey be reappointed, and nominated Carol Hudgens to become the second alternate member. There were no further nominations.

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Moved by Hanley/Neuman to appoint Chris Adams as a regular member; to reappoint Shannon Bailey as a regular member; and appoint Carol Hudgens as an alternate member. Motion carried unanimously. (Terms: Adams and Bailey – December 13, 2025 through December 12, 2028, three-year terms; term of Hudgens: December 9, 2025 through December 2, 2027, unexpired three-year term.)

Added to the agenda:

28. Task Order No. ATK-I-2025-001 to the Continuing Contract for Professional Engineering Services for the Apollo Bridge Repairs, Project No. 64526, AtkinsRealis USA, Inc., Melbourne, FL - \$198,769.50

Mr. Ennis reported that on Wednesday November 19th, 2025, the Florida Department of Transportation Bridge Inspection team contacted the City of Melbourne Engineering Department to provide notification that substantial damage had been discovered, on Monday November 17th, 2025, during the recent biannual inspection to the northernmost spans of the Apollo Boulevard Bridge (NO. 705604) over the Eau Gallie River. Their team noted that there was substantial damage that has been caused by fires being set under the northernmost bridge spans.

Engineering staff immediately went out to review the bridge condition and after reviewing the site, it appeared that multiple trash/debris fires had been set underneath or against structural components of the bridge. The fires resulted in significant spalling of the bridge girders in the two northern spans, damage to one of the piers, damage to the suspended stormwater pipe, and girder bearing pads and beam seats along with other ancillary pieces.

A report and request to investigate was then made to both Melbourne Police and Fire Departments.

After reviewing the site, staff requested that the city's Continuing Professional Engineering Services - Infrastructure Consultant, AtkinsRealis, provide a task order to address inspection, testing and repair design necessary to restore the bridge to acceptable condition along with preventing advanced deterioration of the structure.

Moved by Neuman/Bassett to approve establishing Capital Improvement Project No. 64526 and funding in the amount of \$250,000 from the Transportation Const-Misc Unappropriated Budget Savings (Fund 60099). Motion carried unanimously.

Moved by Neuman/Alfrey for approval, substantially in the form of, and authorization for the City Manager to execute Task Order No. ATK-I-2025-001 with AtkinsRealis USA, Inc., for professional engineering services for the inspection, testing, analysis and rehabilitation design of the Apollo Bridge Repair

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Project to address fire damages, Project No. 64526, in the amount of \$198,769.50. Motion carried unanimously.

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

There was consensus from Council for staff to provide the attendance records for all volunteer board members. Additionally, Council expressed consensus for the City Attorney to provide options for a potential charter amendment to allow for Council to remove volunteer board members based on certain criteria.

Mr. Neuman requested an update on the class and compensation study, performance reviews, and other items previously mentioned by the City Manager following the completion of the employee survey.

Ms. Bassett received consensus from Council to host a farm share event at the Eddie Lee Taylor Sr. Community Complex on February 6, 2025 as a city event.

Ms. Hanley asked for an item to be placed on the next agenda to extend the hours of Jimmy Moore Park's pickleball courts on Saturdays through April. There were no objections from City Council.

Mr. Smith recommended that the city explore a formal recognition or "thank you" for Ms. Dot to recognize her for her work on her annual Thanksgiving event.

E. ADJOURNMENT

The meeting adjourned at 11:54 p.m.

/s/ Kevin McKeown, City Clerk – January 5, 2026

Approved by Council: January 13, 2026