

City of Melbourne, Florida
Minutes – Regular Meeting Before City Council
February 10, 2026

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 Father Scott Circe, Holy Name of Jesus Catholic 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 and City Manager Jenni Lamb presented Fitzroy Campbell a retirement gift in recognition of 37 years of employment with the city and his recent retirement.

Mayor Alfrey presented Judith Doyle with a volunteer service pin recognizing her 20 years of volunteer service on the Melbourne Housing Authority.

5. Approval of Minutes – January 13 and January 27, 2026 Regular Meetings.

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

6. City Manager's Report

City Attorney Adam Conley noted that due to a lack of quorum at the January 27

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meeting, Council was not able to approve the minutes to the January 13 meeting which contained the approval to submit the Attorney General's advisory opinion request on the city's parking management plan. Now that the minutes have been approved, Attorney Conley will submit this request and noted that receiving a response can take between four and six months.

Council Member Mark LaRusso asked if parking management downtown is now on hold. Mrs. Lamb noted that while the city is waiting for a response, staff is also working on how parking management will work if the Attorney General's opinion directs the city not to use a third party for parking management.

Mr. LaRusso also asked if Attorney Conley received an opinion from the City Attorney of Delray Beach on this matter. Attorney Conley noted that he has not.

Council Member Mimi Hanley discussed that at the Florida League of Cities Legislative Action Days, another city mentioned a lawsuit against them for the use of parking management because of Senate Bill 180. Attorney Conley noted that a portion of that city's community claimed they were violating their City Code with the institution of paid parking. He also noted that following Council direction, the City of Melbourne is not implementing paid parking but enforcing parking regulations.

Mr. LaRusso reiterated his ask for Attorney Conley to call the City of Delray Beach's city attorney. Attorney Conley responded yes.

Mrs. Lamb advised that a letter of support was sent to FDOT on January 30, 2026 for the FRA Federal-State Partnership for Intercity Passenger Rail Grant Program. If Council objects to this letter of support and preliminary obligation of approximately \$50,000 of matching funds, the letter of support can be withdrawn. Council expressed approval for the letter of support.

Mrs. Lamb also reported that previously City Council directed staff to solicit proposals from agencies for the use of the City's Opioid Settlement Proceeds (OSP) to provide eligible programs and services. Since that time, staff has reviewed an existing Seminole County contract with Recovery Connections of Central Florida, Inc., to provide wrap-around services for individuals and families suffering from opioid use disorder. Utilizing a piggyback agreement will eliminate the need to publish a Request for Applications, will expedite use of the OSP funds and provide valuable resources to those in recovery through one, single organization. The memo provided in the agenda packages contains additional information. Staff is requesting City Council consensus to proceed with this alternate path. Council gave consensus to move forward.

Council Member David Neuman asked if there would be some funds retained for the city's services. Mrs. Lamb responded yes.

Attorney Conley reported that on January 13, 2026, City Council approved an

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agreement to purchase 1.71 acres from L3Harris for the Hibiscus Booster Pump Station Replacement, Project No. 31319. The city received a title commitment and survey of the property. The property was previously owned by the city, as a small portion of airport managed property before it was conveyed as part of a larger parcel to Harris Corporation in 1977. The encumbrances listed on the title commitment do not materially affect the city's use of the property; some being standard exceptions and others being based on agreements with the city relating to utilities or airport restrictions. The city also received a Phase 1 environmental study conducted on the property. Documentation is available for review in the City Attorney's Office. Upon review of the encumbrances, the survey and the Phase 1 report and in light of the city's prior ownership of the property, city staff recommends moving forward with the purchase. Council gave consensus to move forward.

Mrs. Lamb also reported that City Council gave prior direction to prepare a proposal to donate city-owned property at 2265 N. Harbor City Boulevard to DAV Chapter 32. This donation was intended to help DAV qualify for a legislative appropriation for improvements at the site. Unexpectedly, the DAV Chapter 32's Commander, Rodney Deflumeri, resigned from his duties. On February 5, the remaining leadership of DAV Chapter 32 communicated to the city their desire to put this donation matter on hold while they go through election of new officers and have time to evaluate the matter further. Currently, DAV Chapter 32 does not plan to pursue a legislation appropriation to build a new building. As DAV Chapter 32 re-engages with the city, City Council will be provided an update and further direction from City Council will be requested

7. Public Comments

Kristy Stuart, Love INC., asked for Council's help to expunge a water bill for a disabled woman who was just recently placed in a home through Love INC. after being homeless. Mr. LaRusso asked that staff reach out to Ms. Stuart on the subject to see how the city can help. Mayor Alfrey stated that he would call Ms. Stuart and discuss this further.

David Carroll, 1396 Arnold Drive, shared his concern on the safety of his neighborhood due to drivers utilizing the street as a shortcut and not abiding by the speed limit. He noted that he would like speedbumps installed. Mayor Alfrey noted that there are many neighborhoods that are in need of traffic calming devices and requested for an item to be placed on a future regular meeting agenda to determine what neighborhoods could benefit from traffic calming devices.

Mirhonda Studevart Silva, 1486 Beechfern Drive, invited Council and the public to attend the Black Heritage Calendar Festival at the Melbourne Auditorium on Saturday, February 21.

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Joe Ciaudelli, 404 E, New Haven Avenue, invited Council and the public to the grand opening of his company, Rayvel Industries, on Tuesday, February 24.

B. UNFINISHED BUSINESS

8. **Ordinance No. 2026-01, Administrative Final Plat Approval:** (Second Reading/Public Hearing) An ordinance amending the City Code of Melbourne, Chapter 2, Administration; Appendix B, Section 4, Planned Unit Development (PUD); and Appendix D, Chapter 8, Subdivision Code, to address recent State of Florida legislative changes (F.S.177.073) to provide administrative approval of final plats. (Applicant - City of Melbourne) (First Reading - 1/13/2026)

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

Moved by Smith/Bassett for approval of Ordinance No. 2026-01, based upon the findings contained in the Planning and Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

9. **Ordinance No. 2026-02, Public Participation:** (Second Reading/Public Hearing) An ordinance amending Chapter 2, Article II, Melbourne Code of Ordinances regarding public participation and standards of decorum at City Council meetings. (First Reading - 1/13/2026)

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

Moved by Smith/Alfrey for approval of Ordinance No. 2026-02. The roll call vote was:

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

Motion carried unanimously.

10. Work Order No. 11 to the Storm Drain Cleaning, Repairs and Maintenance contract for cleaning and video inspection of varying pipe sizes associated with the Roadway Resurfacing Program, Project No. 68024, Shenandoah General Construction, LLC, Pompano Beach, FL - \$440,000.

City Engineer James Ennis noted that as part of the annual resurfacing program, the city evaluates the existing work order for provisions for the initial cleaning and video inspections of drainage pipes for roadways scheduled to be resurfaced. Inspection and repair of the pipes prior to roadway resurfacing ensures that the drainage system does not fail after or during roadway resurfacing.

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Due to aging stormwater pipes within the city, drainage pipes that are adjacent to or under roadways to be resurfaced are cleaned and inspected to ensure that during the re-paving process these pipes do not fail. Once the inspections are complete, another work order will be brought before Council for the lining/repairs to any failing drainage pipes prior to road resurfacing.

Inspections are required along the following streets: Atlantis Road, Cresthaven Parkway, Cronin Avenue, Crown Boulevard, Eber Boulevard, Ferndale Avenue, Garfield Street, Iowa Drive, Knight Avenue, L3 Harris Boulevard, Leonard Weaver Boulevard, Madison Avenue, N Hudson Circle, Palmer Drive, Poinciana Drive, Quebec Avenue, Royal Palm Drive, S Hudson Circle, Silver Palm Avenue, St Marks Avenue, Stan Drive, Veracruz Boulevard, Warwick Road, White Oak Circle, Whitmire Drive, and Wolf Creek Drive.

The scope of services includes the cleaning and video inspection of ±23,000 LF (linear feet) of varying pipe sizes.

The contractor will have 180 calendar days to complete this project.

Moved by Hanley/Smith for approval of Work Order No. 11 to the Storm Drain Cleaning, Repairs and Maintenance contract with Shenandoah General Construction, LLC, Pompano Beach, FL, in the amount not to exceed \$440,000. Motion carried unanimously.

11. **Ordinance No. 2026-03, Council Districts:** (First Reading) An ordinance amending the City Code, Chapter 22, Elections, by altering the maps of Melbourne City Council Districts Two, Five, and Six, to include annexation ordinances adopted during the 2025 calendar year.

Attorney Conley read the ordinance by its title. Assistant City Clerk Justice Stevens reported that City Council districts are apportioned based on the latest official Census. The Census data is included in Chapter 22, Elections, of the Melbourne City Code as part of each Council District. Annexations affect the boundaries of Melbourne City Council districts.

Section 22-35(c) of the Melbourne City Code requires the City Council to periodically adopt an ordinance amending the boundaries of districts after property has been annexed. One ordinance is adopted each year to include annexations adopted during the previous 12-month period.

From the period of January 2025 through December 2025, four annexation ordinances were adopted that affect the maps of Melbourne City Council Districts Two, Five, and Six. The attached ordinance recognizes those annexation ordinances and amends the maps of Council Districts Two, Five, and Six.

Moved by LaRusso/Bassett for approval of Ordinance No. 2026-03. Motion carried unanimously.

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C. NEW BUSINESS

12. Task Order No. DRMP-I-2025-003 to the Continuing Contract for Engineering Services for the Riverview Park Baffle Box, Project No. 20324, DRMP, Inc., Merritt Island, FL - \$126,558.

Assistant City Engineer Dani Straub provided Council with a presentation on the process of how a baffle box works, the pieces of a baffle box and the benefits they have for the Indian River Lagoon.

Mr. LaRusso asked if the baffle boxes' technology is improving. Mrs. Straub explained the differences between the older boxes and the newest ones. She also noted that they are being upgraded with every generation and are more innovative. She also noted that the city will be budgeting for a new vacuum truck in the next budget year.

Mrs. Straub reported that staff evaluated the 140±acre drainage basin at the Riverview Park Baffle Box and determined that the existing outfall from the drainage basin was an optimum location for a baffle box due to the close proximity to the Indian River Lagoon.

Installation of second-generation baffle boxes with biosorption activated media is one of many tools used to remove pollutants from the Indian River Lagoon. The city is required as part of the Indian River Lagoon Basin Management Action Plan to remove total nitrogen (TN) and total phosphorus (TP). This project has the potential to remove 863 pounds TN per year and 168 pounds TP per year.

The scope of services involves providing professional environmental, ecological and engineering services for the design and permitting of a second-generation baffle box. Bidding and construction administration is not included with this task order. The time for completion is 300 days from the Notice to Proceed.

Moved by Neuman/Smith for approval of Task Order No. DRMP-I-2025-003, to DRMP, Inc. of Merritt Island, FL, for the Riverview Park Baffle Box, Project No. 20324, in the amount of \$126,558. Motion carried unanimously.

13. Task Order No. DRMP-I-2025-004 to the Continuing Contract for Engineering Services for the Melbourne Cemetery Baffle Box, Project No. 20124, DRMP, Inc., Merritt Island, FL - \$127,750.

Mrs. Straub reported that staff evaluated the 92±acre drainage basin and determined that the existing outfall from the drainage basin was an optimum location for a baffle box due to the close proximity to the Indian River Lagoon. This project was submitted for and has received funding from the Save Our Indian River Lagoon (SOIRL) Trust Fund.

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Installation of second-generation baffle boxes with biosorption activated media is one of many tools used to remove pollutants from the Indian River Lagoon. The city is required as part of the Indian River Lagoon Basin Management Action Plan to remove total nitrogen (TN) and total phosphorus (TP). This project has the potential to remove 606 pounds TN per year and 105 pounds TP per year.

The scope of services involves providing professional environmental, ecological and engineering services for the design and permitting of a second-generation baffle box. Bidding and construction administration is not included with this task order. The time for completion is 300 days from the Notice to Proceed.

Moved by Neuman/Alfrey for approval of Task Order No. DRMP-I-2025-004, to DRMP, Inc. of Merritt Island, FL, for the Melbourne Cemetery Baffle Box, Project No. 20124, in the amount of \$127,750.00. Motion carried unanimously.

14. Task Order No. DRMP-I-2025-005 to the Continuing Contract for Engineering Services for the Line Street Cemetery Baffle Box, Project No. 20224, DRMP, Inc., Merritt Island, FL - \$121,050.

Mrs. Straub reported that staff evaluated the 113±acre drainage basin and determined that the existing outfall from the drainage basin was an optimum location for a baffle box due to the close proximity to the Indian River Lagoon. This project was submitted for and has received funding from the Save Our Indian River Lagoon Trust Fund.

Installation of second-generation baffle boxes with biosorption activated media is one of many tools used to remove pollutants from the Indian River Lagoon. The city is required as part of the Indian River Lagoon Basin Management Action Plan to remove total nitrogen (TN) and total phosphorus (TP). This project has the potential to remove 770 pounds TN per year and 122 pounds TP per year.

The scope of services involves providing professional environmental, ecological and engineering services for the design and permitting of a second-generation baffle box. Bidding and construction administration is not included with this task order. The time for completion is 300 days from the Notice to Proceed.

Moved by Neuman/Bassett for approval of Task Order No. DRMP-I-2025-005, of DRMP, Inc. of Merritt Island, FL, for the Line Street Cemetery Baffle Box, Project No. 20224, in the amount of \$121,050. Motion carried unanimously.

15. Task Order No. DRMP-I-2025-006 to the Continuing Contract for Engineering Services for the Darrow Avenue Baffle Box, Project No. 20424, DRMP, Inc., Merritt Island, FL - \$128,800.

Mrs. Straub reported that staff evaluated the 58±acre drainage basin and determined that the existing outfall from the drainage basin was an optimum location for a baffle box due to the close proximity to the Indian River Lagoon.

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This project was submitted for and has received funding from the Save Our Indian River Lagoon (SOIRL) Trust Fund.

Installation of second-generation baffle boxes with biosorption activated media is one of many tools used to remove pollutants from the Indian River Lagoon. The city is required as part of the Indian River Lagoon Basin Management Action Plan to remove total nitrogen (TN) and total phosphorus (TP). This project has the potential to remove 536 pounds TN per year and 87 pounds TP per year.

The scope of services involves providing professional environmental, ecological and engineering services for the design and permitting of a second-generation baffle box. Bidding and construction administration are not included with this task order. Time for completion is 300 days from Notice to Proceed.

Moved by Neuman/Alfrey for approval of Task Order No. DRMP-I-2025-006, to DRMP, Inc. of Merritt Island, FL, for the Darrow Avenue Baffle Box, Project No. 20424, in the amount of \$128,800. Motion carried unanimously.

16. Amendment No. 4 to the State Revolving Fund Program Loan Agreement for the Grant Street Water Reclamation Facility Improvements Project and the Biosolids Handling Improvement Project.
 - a. Resolution No. 4404: A resolution approving Amendment No. 4 to the State Revolving Fund Program Loan Agreement for the Grant Street Water Reclamation Facility Improvements Project and the Biosolids Handling Improvement Project and authorization for the City Manager to execute all related documents.
 - b. Resolution No. 4405: A budget resolution appropriating funds into the project budget.

Public Works and Utilities Director Jennifer Spagnoli reported that the city is utilizing a State Revolving Fund (SRF) Loan to fund the construction and engineering services during construction for the Biosolids Handling Improvements. Resolution No. 4060 was previously approved by City Council on November 23, 2021, authorizing the loan agreement, establishing pledged revenues and designating an authorized representative to provide assurances of compliance and execute the loan. Resolution No. 4148 was approved by City Council January 24, 2023 approving Amendment No. 1 to add an additional \$10,711,500 to the Loan Agreement. Amendment No. 2 was approved administratively by the City Manager and included language revisions to subsection 1.01, 2.01, 2.02 and 8.04 and added 8.15. Amendment No. 3 was also approved administratively to provide a time extension.

Amendment No. 4 to the SRF Loan Agreement provides additional funding of \$3,456,975 for construction to account for the bid amount for the project. The total disburseable amount of the agreement is \$26,168,475.

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Moved by Neuman/LaRusso for approval of Resolution No. 4404. Motion carried unanimously.

Moved by Neuman/Smith for approval of Resolution No. 4405. Motion carried unanimously.

17. CONSENT AGENDA:

- a. State Housing Initiatives Partnership (SHIP) Annual Review and Recommendation Report on Affordable Housing Incentives Strategies.
- b. Sponsorship Agreement between the City of Melbourne and Community Housing Initiative, Inc., through State Housing Initiatives Partnership (SHIP) funds in the amount of \$260,000 for the Implementation of the Purchase Assistance Program.
- c. Renewal of Exagrid backup storage, Insight Public Sector, Inc., Chandler, AZ - \$124,253.20.
- d. Contract award for Employee Assistance Program Services, Deer Oaks EAP Service LLC, doing business as AllOne Health, Wilkes-Barre, PA - estimated annual cost of \$14,198.64; total cost of the five-year contract \$70,993.20.
- e. Contract award for the Flexible Spending Account (FSA), Dependent Care Account (DCA), Health Savings Account (HSA) and COBRA, FloresHR, Charlotte, NC - estimated annual cost \$36,558; total cost for three-year contract \$109,674.
- f. Contract award for security guard services for Downtown Melbourne, Signal of Central East Florida, Melbourne, FL - estimated annual cost of \$55,762.72; estimated six-year contract cost of \$334,576.32.
- g. Firearms Range Use Agreement between the City of Palm Bay and the City of Melbourne for use of the Palm Bay Regional Training Center Firearms Range.
- h. Training Facility Use Agreement between the Osceola County Sheriff's Office and the City of Melbourne for limited use of the Osceola County Sheriff's Office Training Facility.

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

18. ITEMS REMOVED FROM THE CONSENT AGENDA

19. Annual Reconciliation for Melbourne Downtown Community Redevelopment Agency Fund Balance Appropriation.

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- a. Resolution No. 4398: A resolution adopting budget amendment recommendations for the City's 2025-2026 budget.
- b. Resolution No. 4399: A resolution adopting budget amendment recommendations for the Melbourne Downtown Community Redevelopment Fund 2025-2026 budget.

Finance Director Ross McGinn reported that Section 163.387(7), Florida Statutes requires that, on the last day of a Community Redevelopment Agency's (CRA) fiscal year, any money remaining in a CRA trust fund after the payment of expenses shall be returned to the taxing authority, used to reduce indebtedness, deposited into an escrow account to reduce indebtedness or appropriated to a specific redevelopment project pursuant to an approved community redevelopment plan. Unspent funds are defined as an assigned or unassigned fund balance. Assigned fund balance includes carry-forward amounts for items encumbered in the previous fiscal year but not received until the current fiscal year.

In order to comply with Florida Statutes, during the Fiscal Year (FY) 2026 budget process, staff developed pro-forma year-end financial statements for the Melbourne Downtown CRA to estimate fund balances as of September 30, 2025. Those results were incorporated and adopted in the FY 2026 budget. The estimated fund balance was appropriated to the Holmes Park Plaza Public Space capital improvement project (CIP #13026), pursuant to an approved community redevelopment plan.

It was recommended in the recent audit by the Joint Legislative Action Committee that in the following fiscal year, reconciliation of the estimated fund balance and actual fund balance be brought to City Council and the CRA Board to amend the CRA's beginning fund balance for the current fiscal year. Reconciliation is presented below and reflects the budget amendments required to address the difference between estimated and actual fund balances. The difference is recommended to be appropriated to Reserves for Future Projects. Use of the Reserve for Future Project accounts is reflective of capital projects being reported within the CRA trust funds as opposed to prior fiscal years.

Moved by Neuman/LaRusso for approval of Resolution No. 4398. Motion carried unanimously.

Moved by Neuman/LaRusso for approval of Resolution No. 4399. Motion carried unanimously.

Council convened as the Melbourne Downtown Community Redevelopment Agency for the following item:

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- c. Resolution No. 4400: A resolution adopting budget amendment recommendations for the Melbourne Downtown Community Redevelopment Fund 2025-2026 budget.

Moved by Neuman/Alfrey for approval of Resolution No. 4400. Motion carried unanimously.

Council reconvened for the remaining items.

20. **Resolution No. 4401:** A resolution adopting first quarter budget recommendations for the City's Fiscal Year 2025-2026 budget.

Mr. McGinn provided Council with a presentation highlighting the city's General Fund's revenue trends in FY 2026, how these trends have or have not followed the city's projection and the fund's expenditures. He also reported that each quarter, staff reviews the city's budget in comparison to actual revenue collections and expenditures in order to track the progress of the financial condition of the city. The report in the agenda package covers the first quarter of Fiscal Year (FY) 2026, which includes activity from October 1, 2025 to December 31, 2025 and includes staff observations on financial trends and details regarding recommended budget modifications. The net changes recommended to fund budgets in the first quarter budget review were provided to Council.

Ms. Hanley asked why the Harbor City Golf Course has financially declined this year. Mr. McGinn noted that over the last three years, one of the two city courses have been closed during the season for updates. He also noted that since this course is larger, it requires more maintenance and other work to be done and a rate study for the course may be in the near future. Ms. Hanley asked if the golf course income is staying in its own fund rather than being used in other ways. Mr. McGinn noted that these funds are staying separate from any other funds.

Mr. LaRusso challenged the Council to find ways to keep from tax the citizens more during the next budget season.

Moved by Neuman/LaRusso for approval of Resolution No. 4401. Motion carried unanimously.

21. **Resolution No. 4402:** (Public Hearing) A resolution providing for the designation of a structure located at 2015 Bryan Street as a historic resource. (HARB2025-0024) (Applicant/Owner - Robert and Lynn Maffie)

Community Development Director Cindy Dittmer reported that the site is approximately 0.24 acres in size and has a zoning classification of R-1A (Single family Low Density Residential) with a Future Land Use designation of Low Density Residential. The residential building was built in 1925, and was part of the Palm Gardens Subdivision, established in 1924.

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The designation report outlines the required criteria for designation as established in Section 20-266 of Melbourne City Code. The 2015 Bryan Street property is significant in Melbourne's history and architecture, as it possesses an integrity of location, design, setting, materials and workmanship, and it meets the following criteria contained in Section 20-266 of the Preservation of Historic Resources and Districts, Archaeological Sites and Zones: It recognizes the quality of design and construction, and it embodies the distinctive characteristics of an architectural type, period, style, or method of construction.

At their regular meeting on August 20, 2025, the Historic and Architectural Review Board directed the Historic Preservation Officer and staff to prepare the designation report and schedule a public hearing.

At a public hearing on November 19, 2025, the Historic and Architectural Review Board reviewed the designation report, considered the designation of 2015 Bryan Street, and voted unanimously (5-0) to accept the designation report and recommend that City Council pass a resolution to approve HARB2025-0024 for a Local Historic Designation.

Mr. LaRusso stated that he received a call from a citizen who was asking to rename six streets in Melbourne. He asked if there is an established number of streets that the city can rename. Mrs. Lamb stated that there is a procedure in the City Code for renaming streets and each individual street would have to be looked at to determine if there is a reason the street name can or cannot be changed, but there is not a set number of streets that can be renamed. She noted that staff will look into the streets that are being requested to be renamed.

Council Member Marcus Smith asked what the difference was between the local and national designations for historical buildings. Mrs. Dittmer shared these differences.

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

Moved by Neuman/Bassett for approval of Resolution No. 4402. Motion carried unanimously.

22. **Resolution No. 4403:** A resolution amending the Land Alteration Permit Fees.

Mrs. Dittmer reported that in April 2025, City Council adopted Ordinance No. 2025-19, which updated the Landscape Design Code. As part of the second reading of the Ordinance, City Council also passed Resolution No. 4339, updating the development fees to incorporate new fees for tree and underbrush removal. Prior to this update, land alteration and tree removal fees had not been updated for over 30 years, and tree removal fees were set at \$10 per tree, up to a maximum of \$1,000 per parcel of land.

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The low tree removal fee had led to a lack of tree preservation on parcels that were being developed within the city. City Council had directed staff to research other cities and propose changes that could address the concerns and promote tree preservation. Staff recommended an increase of the fees based upon several other cities that charged a tree removal fee based upon the diameter and type of the tree in the range of \$100-\$200 per inch. The intent of the increased tree removal fees was to encourage higher tree preservation efforts. The recently adopted tree removal fees are based upon site size and diameter of the tree: less than 1-acre site - \$100 per dbh-inch (diameter at breast height); 1 to 5-acre sites - \$125 per dbh-inch; and greater than 5-acre site -\$150 per dbh-inch.

Staff has been reviewing the cumulative effect of the higher tree removal fees for individual parcels, especially for large, heavily treed properties. Several concerns were brought to staff's attention, noting the possibility of total fees for a large, heavily treed parcel exceeding several million dollars. Additionally, several smaller, infill parcels were receiving high estimates for tree removal. Development of large undeveloped parcels, along with development/redevelopment of infill parcels, is a critical mission for the city, and it was not the intent of the fee increases to hinder these developments.

Staff researched additional city tree removal fees and analyzed current tree removal requests, and proposes the following changes to the land alteration permit fees: add a maximum tree removal fee threshold based upon parcel acreage; align all tree removal fees to be \$100 per dbh, in lieu of the larger fees for larger parcels; add a requirement of payment of the maximum tree removal fee if permits/fees are not obtained in advance of work; and remove all underbrush clearing fees except the \$100 application fee.

Mrs. Dittmer provided the proposed maximum tree removal thresholds.

Mr. LaRusso asked what it looks like for existing developments versus undeveloped property. Mrs. Dittmer noted that when this initial fee resolution came to Council this was highlighted under a different section that shares how the fee amount would differ based on what kind of tree it is and other aspects.

(Council Member David Neuman stepped out of the chamber at 8:17 p.m.)

Moved by Hanley/Bassett for approval of Resolution No. 4403. Motion carried unanimously. Mr. Neuman was not present for the vote.

(Mr. Neuman returned to the chamber at 8:19 p.m.)

23. **Ordinance No. 2026-04, Business Promotions:** (First Reading) An ordinance amending Chapter 2, Article X of the Melbourne City Code relating to special activity permits; increasing the frequency and duration of events (business promotions) on private property.

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City Clerk Kevin McKeown reported that currently, Melbourne City Code provides that applicants may conduct special events on private property for a total of 30 days per year (permitted in five-day increments). Special activity permits are also issued for business promotions, which are defined as events that do not require city services, held at a place of business on private property for the sole purpose of promoting the business located on the property.

During its October 28, 2025 Regular Council Meeting, City Council discussed the city's special activity permitting process and directed staff to research the intensities of special events to provide local businesses with more opportunities to hold business promotions on private property. The proposed ordinance modifies the definition of a 'business promotion' and provides that applicants for business promotions may have up to 12 events per year (60 days permitted in five-day increments). Mr. McKeown provided Council with two options for Council to move forward with: a) an applicant may conduct a special event for a total of 30 days per year and may conduct business promotions for an additional 30 days per year; b) an applicant may conduct business promotions for a total of 60 days per year and other special events for a total of 30 days per year.

Mr. Smith asked why Option B is not staff's recommendation. Mr. McKeown noted that Option A helps staff track how many days they are utilizing, where Option B would create confusion for business owners who are applying for events on their private property. Attorney Conley shared that following Council's direction to staff previously, the goal was to provide property owners with more opportunity to host more events that do not require city services. He also noted that the presentation of these options were to clarify Council's intent on the topic.

Vice Mayor Julie Kennedy reminded Council that this discussion took place as a result of a small business wanting to do more fundraising events on their private property. She noted that she would like to grant more days to the businesses that want to host more events.

Mr. LaRusso discussed how the restaurant businesses are struggling and need more options to grow. He noted that he would like to choose Option A but with the possibility to change to Option B in the future if it is not helpful for the businesses of Melbourne.

Mr. Neuman noted that he also agrees with Mr. LaRusso where Option A is selected and then expand to Option B in the future if needed.

Moved by Hanley/Neuman for approval of Ordinance No. 2026-04. Motion carried unanimously.

24. Discussion regarding the Beautification and Energy Efficiency Board (BEEB).

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Ms. Spagnoli reported that in a January 20, 2026 memorandum from the BEEB Chairperson, the Board has indicated frustration in the lack of perceived interest and/or participation in the BEEB's mission. According to the memo, the BEEB is looking for one of "two possible outcomes: (1) the city (re)commit to its renewable energy goal and convey to the BEEB specific actions it will implement to be more closely engaged with and supportive of its activities or (2) BEEB dissolution."

Section 2-207 of City Code describes the duties and purpose of the BEEB as: identifying and making recommendations to the City Council concerning affordable strategies associated with conservation, renewable energy and energy efficiency. The duties and initiatives are further defined as developing an environmental sustainability plan for city operations, developing an assessment plan to track the sustainability plan, providing an annual report to City Council, and reviewing and making recommendations on ordinances and policies that have an environmental impact on the city. Copies of City Code related to BEEB and the most recent BEEB annual report are attached.

Also provided is a memo from staff detailing the composition and attendance of the Board; a status on the Board's duties, purpose and initiatives; and an update on Solar Together. The memo also mentions staff time associated with supporting the Board and some limitations that the Board has experienced due to Sunshine Law.

Staff is requesting additional guidance from City Council on the BEEB's future. Should City Council decide to move forward with dissolving the Board, an ordinance to amend City Code and an amendment to Council Policy #35 is required. Should City Council decide to retain the Board, an agenda item will be prepared for City Council to recommit to the renewable energy goal and agree upon actions to be more closely engaged with and supportive of the Board's activities.

For information, the Board currently has two members whose terms will expire on February 12, 2026. Neither member has submitted an updated board application and both have indicated their intent not to commit further to serving on the Board until a response is received regarding the future of the Board. There are outside applications from individuals interested in serving on the Board that could fill the current vacancies. However, based on Council's direction, appointing new members to the Board at this time may be premature.

Mr. Smith noted that it may be a good time to do an overview of all city boards.

Mr. LaRusso asked if any BEEB members were in attendance. Ms. Spagnoli noted that none of the members were in attendance, but they were all invited to the meeting. Mr. LaRusso also noted that the BEEB's goals are unachievable so implementing a new strategy could be warranted. If the BEEB wants to present a new strategy to Council, it's worthy of a conversation, but Mr. LaRusso would like to hear more from the members versus just the memo they provided.

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Mr. Neuman noted that he was under the impression that Council has been approving their requests and does not understand why there is any push back from the BEEB. Mr. Neuman also mentioned that their meetings are not taking place due to attendance problems and it may be in Council's best interest to dissolve the board.

Mr. Smith provided his opinion not to dissolve the board, but to look at their overall strategy and purpose and make some changes.

Mrs. Lamb shared that the BEEB has been tasked with certain items to research and recommend, however, they are now asking for Council to recommend items to them for approval.

Mr. Neuman asked what the process would be to dissolve the BEEB. Attorney Conley noted that with Council's approval, staff will prepare an ordinance for this code change.

Moved by Neuman/Alfrey for approval for staff to draft an ordinance to dissolve the Beautification and Energy Efficiency Board. Motion carried. Mr. LaRusso voted nay.

25. Discussion of Historic South Melbourne (HiSoMe) Heritage & Cultural Tourism Trail. (Requested by Council Member Smith)

Mr. Smith noted that he requested a discussion item regarding the Historic South Melbourne (HiSoMe) Heritage & Cultural Tourism Trail. The intent is to share the updated HiSoMe Heritage & Cultural Tourism Trail for Council's awareness and consideration.

HiSoMe Heritage & Cultural Tourism Trail initiative builds on prior conversations around heritage preservation, placemaking, walkability, and cultural tourism. The HiSoMe concept integrates three existing assets into a cohesive, walkable heritage campus: Riverview Park and the Melbourne Founders Monument as the gateway; The Historic American Legion Post 191 as a central gathering and programming hub; A clearly defined heritage trail connecting historic churches, schools, cemeteries, business districts, and civic institutions throughout Historic South Melbourne.

The goal is to transform these assets into a coordinated cultural tourism experience that preserves underrepresented history, strengthens civic education, supports local businesses, and enhances South Melbourne's visibility as a destination—while leveraging infrastructure that already exists.

If there is consensus for the city to consider participating in this vision, direction should be given to staff to meet with Council Member Smith, Concerned Citizens Committee of South Brevard and Historic American Legion 191 to discuss how

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this initiative aligns with ongoing city efforts related to planning, parks, CRA initiatives, and tourism and what a partnership includes.

Tyrone Bryan, 3151 S. Babcock Street, and Joseph McNeal, 804 Poplar Lane, shared their endorsement of this project. They invited Council to attend a prayer breakfast on February 21 to pray for the for the City of Melbourne's success.

Major Washington, 1635 Mareello Drive, shared his opinion on the importance of approving this project.

Mr. Smith asked for Council's consensus for staff to research grants to fund this project.

Mr. LaRusso reminded Council that in a previous year Council approved the donation of a portion of Riverview Park for the Founders Monument.

Mr. Neuman noted that although Mr. Smith is not requesting financial help with this project, the staff time that will occur will ultimately cost the city. He also shared the idea of having external organizations head the project while the city would assist when it comes to any code changes that would need to occur. Mr. Smith suggested a brainstorming session to help get the project started.

Mayor Alfrey shared his concern with the large scale of this project and he would rather work on the projects that are already in the works like the Founder's Monument and updates to the American Legion. Mr. Smith noted that he sees this project in phases as the city grows.

Ms. Hanley also shared her concern with how large of a project this is and she would like to work on projects that are already in the works.

Mr. Neuman asked if both himself and Mr. Smith can attend the Melbourne Downtown CRA meetings due to the content at the meetings and the Sunshine Law. Attorney Conley cautioned him to attend in a listening capacity rather than a speaking capacity.

Attorney Conley also asked what exactly is Council's direction on this project when directed to staff.

Mayor Alfrey asked if Mr. Smith talked to the TDC about funding this project and recommended that he asks them.

Mr. LaRusso suggested that the city look at this project and find what is the most important to Council to tackle first. He asked Mr. Smith to come back with more direction.

Mrs. Lamb asked for verification on who the brainstorming session would be with. She also noted that staff has provided resources and grant opportunities to members of the historic Melbourne community. She also shared her concern with

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the amount of staff time that would be needed due to the amount of large projects that are already in the works.

Mayor Alfrey noted that his priority is to finalize the parking garage in Downtown Eau Gallie.

Mr. Smith thanked Council for their input and would like to bring this item back when there is staff availability.

Vice Mayor Kennedy asked that when Mr. Smith brings this project back to Council, he have more specific details and a possible design.

26. Board Appointments

- a. Request for waiver of Sections 112.313(3) and 112.313(7), Florida Statutes, on behalf of JoAnn Davis (Melbourne Downtown CRA Advisory Committee) who has a contractual relationship with the City.

(Mr. LaRusso stepped out of the chamber at 9:23 p.m.)

Moved by Neuman/LaRusso for approval of the exemption request and, pursuant to Section 112.313(12), Florida Statutes, waiver of the provisions of Sections 112.313(3) and 112.313(7), Florida Statutes, on behalf of JoAnn Davis as a member of the Melbourne Downtown Community Redevelopment Agency Advisory Committee regarding her relationship with IM Solutions, Inc. and its existing scope of business with the City, including technical support and various repair/maintenance services for the remainder of Fiscal Year 2026. Motion carried unanimously. Mr. LaRusso was not present for the vote.

(Mr. LaRusso returned to the chamber at 9:26 p.m.)

- b. Melbourne Downtown CRA Advisory Committee

Moved by Kennedy/Neuman to reappoint JoAnn Davis, John Lucas, Gerry Smith as regular members. Motion carried unanimously. (Terms of Davis, Lucas and Smith: February 23, 2026 through February 22, 2029; three-year term.)

Moved by Neuman/Alfrey to appoint Chris Adams as a regular member. Motion carried unanimously. (Term: February 10, 2026 through February 22, 2027; unexpired three-year term.)

Moved by Neuman/Alfrey to appoint Stefan Hartmann as an alternate member. Motion carried unanimously. (Term: February 10, 2026 through February 22, 2027; unexpired three-year term.)

Stefan Hartmann, 2196 Colony Drive, shared his excitement for what he can bring to the Melbourne Downtown CRA.

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c. Planning and Zoning Board

Mayor Alfrey nominated Nancy Garmer, Carol Hudgens and Stefan Hartmann as regular members.

Moved by Alfrey/Neuman to appoint Nancy Garmer, Carol Hudgens and Stefan Hartmann as regular members. Motion carried unanimously. (Terms of Garmer and Hudgens: February 10, 2026 through December 2, 2027; unexpired three-year term; Term of Hartmann: February 10, 2026 through December 2, 2026; unexpired three-year term).

Mr. LaRusso nominated Leigh Hinton as an alternate member and Mr. Neuman nominated Dan Liparini as an alternate member as well.

Moved by Alfrey/Neuman Dan Liparini as the first alternate member and Leigh Hinton as the second alternate member. Motion carried unanimously. (Terms of Liparini and Hinton: February 10, 2026 through December 2, 2027; unexpired three-year term.)

27. Revision to Council Policy #40 regarding the Space Coast Chamber of Commerce (formerly the Melbourne Regional Chamber of Florida's Space Coast) Board of Directors.

Since March 1995, the City of Melbourne has been a member of the Space Coast Chamber of

Commerce (formerly the Melbourne Regional Chamber of Florida's Space Coast). The Chamber's current membership program is branded as the "investor program," whereby businesses and organizations make an annual financial investment to the Chamber. The program is designed to connect community leaders and other decision makers to facilitate partnerships and to collectively strengthen the economic climate and quality of life on the Space Coast. The City of Melbourne is considered a "silver investor" through its annual \$4,000 commitment, which is budgeted in the City Manager's budget.

The benefits to a "silver investor" include recognition at signature events, an allocation of funds to be put towards Chamber events and programs, and the ability to appoint one representative to the Chamber's Board of Directors. At the January 26, 2021 regular meeting, Council appointed Mayor Paul Alfrey as the city's representative on the Chamber's Board of Directors and created a policy stating that the Mayor shall serve as City Council's representative.

The new Executive Director of the Space Coast Chamber of Commerce has recommended that a city staff member serve as the representative to provide more day-to-day assistance to Melbourne businesses who are Chamber members.

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Additionally, on February 4, 2026, the Melbourne Regional Chamber unveiled that the Melbourne Regional Chamber of Florida's Space Coast will become Space Coast Chamber of Commerce Anne Conroy-Baiter, Cocoa Beach,

Ms. Hanley shared her opinion on having a staff member be the city's representative on the board of directors.

Mr. Neuman recommend having a Council Member on the board rather than a staff member.

Anna Conroy-Baiter, Executive Director, Space Coast Chamber of Commerce, shared that either staff or elected would have great impact on the board of directors.

Mayor Alfrey notes that having the city's economic development staff member on the board would his recommendation.

Mr. LaRusso shared his concern that Council and the Chamber were drifting apart, and he would recommend having an elected official as the representative.

Mr. Smith agreed with having an elected official at the representative.

Mrs. Lamb asked that if Council decided to approve an elected official as the representative, that Council provide a report for staff. She also asked if the city can have staff attend the meeting even if an elected official is selected. Ms. Conroy-Baiter noted that she can request a position for both a staff member and an elected official be created for the City of Melbourne.

Mrs. Kennedy asked if the second seat would be a voting or non-voting seat. Ms. Conroy-Baiter replied that the seat would be non-voting.

Moved by LaRusso/Alfrey for the amendment to Council Policy #40 to state that Council will appoint the Mayor or a Council Member to serve as the city's representative on the Space Coast Chamber of Commerce Board of Directors. Motion carried unanimously.

Moved by Alfrey/LaRusso to appoint Council Member David Neuman as the city's designated representative. Motion carried unanimously.

Added to the agenda:

28. Legislative Update

Mrs. Lamb updated Council that staff has been tracking legislation from the state and she has asked that Mr. McGinn give a presentation on the property taxes bill and how that will impact the city.

Mr. McGinn provided Council with a PowerPoint highlighting the options for the

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city if the following occurs: elimination of the Homestead Property Tax, Business Tax Receipts and the elimination/cap of Enterprise Transfers to the General Fund.

Ms. Hanley noted that while attending the Florida League of Cities Legislative Action Days, it was discussed that the senate has put a pause on the topic due to all of the differing opinions.

Mr. McGinn provided Council will ways to obtain the revenue that will be lost if this bill is passed.

Mayor Alfrey asked how taxes would be collected for public schools. Mr. McGinn noted that these taxes will still be collected.

Mr. Smith asked what the revenue replacement is for this. Mr. McGinn noted that there is no replacement for this revenue.

Mr. McGinn continued with options to increase revenue to include a Fire Assessment Fee, increased state sales taxes, eliminating departments, consolidating the Fire Departments, and reducing services. He also shared that there are some items that have unclear impacts to include CRA funded projects and bond ratings

Mrs. Lamb also reported that staff is following the Local Utility Services bill that, if passed, will affect the city by having to adjust the rates for extraterritorial customers or deciding to charge extraterritorial customers the same amount as local customers. If Council decided to charge the same amount, a significant portion of revenue would be lost in the utilities fund. She also reported that staff is tracking the Provision for Municipal Utility Service to Owners Outside the Municipal Limits bill and shared the effects of this bill. She noted that she spoke to Senator Debbie Mayfield about the city's concerns with this bill. Lastly, Mrs. Lamb shared that staff is following a few more bill and will continue to follow any changes that the city would need to make.

Mr. Neuman asked if Mrs. Lamb could provide an update on appropriations at the next City Council meeting.

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Mr. Neuman asked for an item to be placed on a future agenda to discuss the options for consolidating the functions of the Zoning Board of Adjustment (ZBOA) to another board.

Attorney Conley noted that combining the Planning and Zoning Board and the Zoning Board of Adjustment is a possible option. His only concern is that the ZBOA is mentioned in the city's Charter, but staff will provide the options for combining the boards.

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Mr. LaRusso shared his opinion that judicial boards should stay the way they are.

There were no objections from City Council for staff to provide some options for consolidating the functions of the Zoning Board of Adjustment.

Mr. Neuman requested that city staff review the attendance and functions/duties of the city's non-quasi-judicial boards and provide information back to Council. Mr. Neuman also asked to have a discussion item placed on an upcoming agenda to appoint a member of Council to the city's seat on the Economic Development Commission. There were no objections from City Council.

Council Member Rachael Bassett thanked the Parks and Recreation staff and members of the community for helping her host the farm share in early February.

Ms. Hanley shared of Larry Lakowski's passing. Additionally, she asked to have the owner of Urban Bikes come to a future meeting and discuss the differences between an E-Bike and an E-Motor and the safety issues with both. Mr. LaRusso noted that it would be beneficial to have him attend the discussion Council will be having on the issues with E-Bikes.

Ms. Hanley also asked Council for their approval to attend the Florida League of Cities FAST Fly-In in Washington D.C. There was Council consensus for Ms. Hanley to attend the event.

Mr. Smith asked for a discussion on changing the city's policy on first-time paving of unpaved streets. Council did not provide consensus for this discussion.

Mr. Smith also asked that the City Council meetings stream on more platforms than only on the website. Mrs. Lamb noted that the meeting video is posted on the city's Facebook page as well.

Mr. LaRusso asked for Council's consensus for him to meet with the city's lobbyist in Tallahassee to get in-person information on what legislation is coming to the city from the state level. Council provided consensus for Mr. LaRusso to perform this travel.

Vice Mayor Kennedy reminded Council that when Council travels, they are speaking for Council and not just themselves.

E. ADJOURNMENT

The meeting adjourned at 10:56 p.m.

/s/ Justice Stevens, Assistant City Clerk – February 18, 2026

Approved by Council: February 24, 2026