

City of Melbourne, Florida
Minutes – Regular Meeting Before City Council
April 28, 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 John Triolo, Ascension 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 presented a proclamation declaring May 3-9, 2026 as “National Drinking Water Week” to Megan Ruben, Environmental Outreach Manager (ECO), and ECO staff.

Mayor Alfrey and Ms. Ruben presented certificates to Addison Shahlamian, Hannah Allen, Charlotte Tamblyn, Charlotte McManus and Dylan Zheng, the winners of the National Drinking Water Week Drop Savers Poster contest.

Mayor Alfrey presented a proclamation declaring May 3-9, 2026 as “National Small Business Week” to Ms. Dieulanie Claude from the South Florida District Office of the U.S. Small Business Administration.

Employees who reached a milestone of service during the month of April 2026 were invited to the Council meeting to accept their service pin and gift card. Jody

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Kahler, Fire Operations (25 years) attended the meeting and was recognized by the Mayor and City Council and City Manager.

Samuel Plummer was not present to receive his Exceptional Citizen Award.

5. Approval of Minutes – April 14, 2026 Regular Meeting

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

6. City Manager's Report

City Manager Jenni Lamb reported that a discussion item will be placed on the May 12 City Council meeting to discuss the replacement on Fire Station 72. Council Member Mimi Hanley stated that she was approached regarding a previously discussed property (north of Sarno Road and east of Wickham Road) and stated that the property owner is now interested in selling the property. Mrs. Lamb stated that staff can get more information on this; however, there will not be enough time to get information prior to the May 12 meeting.

Mayor Alfrey stated that if there is an additional property that is available to consider, the city should explore the opportunity.

Following discussion, there was consensus from Council for staff to gather additional information and to move that proposed discussion item to the May 26 City Council meeting.

7. Public Comments

Crystal Plain, 18 W. Avenue B, discussed the disparities experienced by black business owners. She discussed her organization, Black Business on the Rooftop, and how her organization helps businesses scale and grow. Continuing, she discussed an upcoming event in September at the Hotel Melby supporting these efforts.

Alfredo Hernandez, Melbourne, discussed the proposed project to revitalize Holmes Park and stated that the park is already a historic and valuable space. He noted that the park should not be turned into a gathering space with an amphitheater – instead, he stated that the park simply needs better lighting, trimmed trees, better landscaping and cleaner surroundings.

Council Member David Neuman stated that this park is in his district and that he will reach out to Mr. Hernandez to schedule a time to meet at the park and discuss his vision for the area.

Michael Scenti, 2903 Harbor City Boulevard, stated that he is advocating for his friend who owns the Marathon gas station that will be blocked by FDOT safety improvements along U.S. 1. He stated that a letter from FDOT states that an

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adjustment can be made but it will be at the requestor's expense. Mr. Scenti asked if there is any way the city can assist with that expenditure.

Council Member Marcus Smith stated that all of Council received a copy of the referenced letter and that in his opinion, it is an issue worth advocating for.

Ms. Hanley stated that a good starting point would be to discuss this further with the Space Coast Transportation Planning Organization. Mrs. Lamb added that a meeting to discuss this is scheduled with city staff.

Shannon Blair, Palm Bay, discussed the city's proclamation recognizing National Drinking Water Week and once again asked the city to consider supporting the Plant-Based Treaty.

Chris Campione, 135 Ocean View Lane, talked about increased taxes that are affecting residents.

Mayor Alfrey announced that Item 14 (discussion on the city's enhanced Code Enforcement process) would be postponed to the May 12 meeting at 6:30 p.m. in the Council Chamber.

B. UNFINISHED BUSINESS

8. **Ordinance No. 2026-18, Certificate of Occupancy Process:** (Second Reading/Public Hearing) An ordinance amending City Code Appendix D, Chapter 13 (Buildings and Building Regulations), Article II, by creating a new Division 7 related to certificate of occupancy and certificate of engineering construction completeness process. (Applicant - City of Melbourne) (P&Z Board - 3/19/2026) (First Reading - 4/14/2026)

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

Moved by Hanley/Bassett for approval of Ordinance No. 2026-18 based upon the findings contained in the Planning & Zoning Board memorandum. The roll call vote was:

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

Motion carried unanimously.

C. NEW BUSINESS

9. Utilization of the Horizontal Directional Drill Services contract for additional utility conflict deflections for the Sarno Road Emergency Force Main Replacement, Project No. 32726, Concurrent Utility Services LLC, Rockledge, FL - \$152,344.67.

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Public Works & Utilities Director Jennifer Spagnoli reported that on October 12, 2025, Wastewater Collections staff identified a failure on the 16-inch ductile iron Force Main on Sarno Road near Kelmore Drive. Further inspection revealed deterioration of 380 linear feet of ten-inch pipe, 900 linear feet of 20-inch pipe and 400 linear feet of 24-inch ductile pipe. Based on these findings, an immediate replacement was recommended.

On October 28, 2025, City Council approved the recommendation authorizing a fund transfer from Project No. 30099 (Water & Sewer-Unappropriated Budget Savings), creation of Project No. 32726 (Sarno Force Main Replacement-Emergency), and utilization of city's Horizontal Directional Drill contract with Concurrent Utility Services, LLC. During the replacement work, additional utility conflicts were identified, requiring numerous deflections and routing adjustments with additional fittings along Sarno Road and into the D.B. Lee Water Reclamation Facility. Ground penetrating radar was needed to locate fiber along Sarno Road. Additional gate valves were installed at the request of staff for future isolation capabilities. The additional amount of this work with Concurrent Utility Services is \$152,344.67. A breakdown is provided in the agenda package.

Moved by LaRusso/Smith for approval of utilization of the Horizontal Directional Drill Services contract for additional utility conflict deflections for the Sarno Road Emergency Force Main Replacement, Project No. 32726, Concurrent Utility Services LLC, Rockledge, FL - \$152,344.67. Motion carried unanimously.

10. CONSENT AGENDA:

- a. Purchase of a replacement heavy-duty service crew truck for the Streets Division, Bozard Ford, St. Augustine, FL - \$191,537.

(Mr. Neuman stepped out of the chamber at 7:40 p.m.)

Moved by Hanley/Alfrey for approval of the consent agenda. Motion carried unanimously. Mr. Neuman was not present for the vote.

11. ITEMS REMOVED FROM THE CONSENT AGENDA

12. **Ordinance No. 2026-19, Creative Playground:** (First Reading/Public Hearing)
An ordinance granting a conditional use to allow the sale and consumption of alcoholic beverages (beer and wine) on premises as an accessory use to an interactive arts and crafts business in a 1,654±- square foot unit within a 3-unit building located on 0.20±-acre developed acres, zoned C-3 (Central Business District), located on the west side of Highland Avenue, south of Eau Gallie Boulevard and north of Montreal Avenue (1416 Highland Avenue). (Owner - Gorezik LLC, Derek Gores) (Applicant/Representative - Joshua Lehman) (P & Z Board - 4/2/2026)

(Mr. Neuman returned to the chamber at 7:42 p.m.)

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City Attorney Adam Conley read the ordinance by its title. Community Development Director Cindy Dittmer reported that the request is located in a 1,654±-square-foot unit within a multi-tenant building. The applicant proposes to serve beer and wine, accessory to their existing art boutique and an art lab. The on-premises consumption of alcohol, when not in conjunction with a restaurant, requires conditional use approval in the C-3 zoning district. The establishment offers a highly curated menu of materials, imaginative prompts, and interactive experiences, being equal parts art boutique and art lab. The applicant also indicates that the establishment will support local artists through retail offerings, workshop hosting and collaboration activities. The applicant's business plan indicates the establishment will be open from 10:00 a.m. to 6:00 p.m. Tuesday through Friday, with later hours on Friday (6:00 p.m. to 9:30 p.m.) when adult workshops and special events are hosted, and from 10:00 a.m. to 8:00 p.m. on Saturday and Sunday.

The floor plan identifies two retail areas and four art stations, depicting tables, booths, and a checkout counter. The unit has one unisex bathroom and the maximum permitted occupancy for this establishment is 66 persons.

Staff has added multiple conditions to the ordinance to ensure that the on-premises consumption of alcoholic beverages (beer and wine) will not affect the surrounding area. These conditions include: consumption of alcoholic beverages shall be accessory to the art boutique/art lab at a maximum occupancy of 66 persons; consumption of alcohol will be entirely within the interior of the building; two or more violations of the city's noise regulations or occupancy will be a breach of the conditional use; and other related conditions.

During the April 2, 2026 meeting, the Planning and Zoning Board voted unanimously to recommend approval of the request.

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

Josh and Nicole Lehmn, applicants, were available for questions.

Moved by LaRusso/Neuman for approval of Ordinance No. 2026-19, based upon the findings and conditions contained within the Planning and Zoning Board memorandum. Motion carried unanimously.

13. **Ordinance No. 2026-20, Olde Eau Gallie Riverfront CRA Plan Amendment:** (First Reading/Public Hearing) An ordinance amending Chapter 20, Article VI, Olde Eau Gallie Riverfront Community Redevelopment Agency to amend the Olde Eau Gallie Riverfront Community Redevelopment Agency (CRA) Redevelopment Plan to update the duration of the Agency consistent with the Revised and Restated Interlocal Agreement with Brevard County and Brevard County Resolution No. 2026-031. (P & Z Board - 4/2/26)

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Attorney Conley read the ordinance by its title. Mrs. Dittmer reported that specific changes within the proposed plan amendment include assignment of a new agency termination date set for September 30, 2033; updated estimate of the project cost of \$12.1 million; Updated funding source estimates of \$6.9 million from CIP Project/Reserves and CRA Bond of \$6.8 million. Additionally, the ordinance amends City Code to reflect the new dates of the Revised and Restated Interlocal Agreement.

The Olde Eau Gallie Riverfront CRA Advisory Committee reviewed the proposed plan amendment on March 12, 2026 and the Committee voted unanimously to recommend approval. Additionally, on April 2, 2026, the Planning and Zoning Board approved a Finding of Consistency with the city's Comprehensive Plan.

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

Moved by LaRusso/Neuman for approval of Ordinance No. 2026-20. Motion carried unanimously.

14. Discussion on the City's enhanced Code Enforcement process. (Postponed - 4/14/2026)

This item was postponed to the May 12 meeting at 6:30 p.m. in the Council Chamber.

15. Discussion on Volunteer Boards.

City Clerk Kevin McKeown reported that the City of Melbourne has 13 volunteer boards that provide public input on a number of city-related issues such as community redevelopment, planning and zoning, affordable housing, brownfields, code enforcement, pension administration, historic preservation, and energy efficiency. A complete board roster is included within the agenda package and includes a roster of current members, vacancies on each board (if any), the terms of all members, and staff assigned to support each board. The roster also includes a description page for each board listing the City Code or other applicable law providing for the board's creation, duties and scope, qualifications for membership, and additional information related to the board.

Over the past several months, multiple topics related to the City's advisory boards have been discussed by City Council. At its March 10, 2026 regular meeting, Council expressed a desire to have an agenda item prepared to discuss these topics. Mr. McKeown provided brief summary of each of the following topics: Code of Conduct for Volunteer Board Members; Appointment, Suspension, and Removal of Volunteer Board Members; Attendance Standards; Functions/Duties of Non-Quasi-Judicial Boards and Merging/Consolidation of Boards.

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With regard to the first topic of a code of conduct, Mr. Neuman stated that at this time, he does not feel that it is necessary to move forward with developing one. Mr. Smith disagreed and stated that one should be considered.

Ms. Hanley asked if a code of conduct is necessary and if any issues have occurred with board members. Mr. McKeown replied that outside of the recent circumstance with regard to a censure, there has not been real formal action; however, he stated that he has participated in private conversations with board members who have been confused with the board's duties or the quasi-judicial responsibilities of the boards. Ms. Hanley stated that it's hard enough to get volunteers and that a code of conduct wouldn't help.

Attorney Conley referenced the statute that speaks to the removal of board members. Mr. McKeown added that staff does attempt to reach out to members who simply do not attend meetings nor communicate with staff. In many instances, the lack of communication results in the board member effectively resigning.

Discussion continued.

Attorney Conley noted that neglect of duty is cause for City Council to remove a board member; however, Council would still need to follow the process of a resolution to remove individuals. He also noted that another option would be to add that board members serve "at the council's pleasure" rather than for specific/defined terms.

Mrs. Kennedy asked if all board members' terms are the same. Mr. McKeown replied no and stated that they vary from two-year terms to five-year terms. Mrs. Kennedy suggested that staff explore the opportunity to reduce the term lengths of board members as a potential solution.

Ms. Bassett asked what would occur if a board member violated the code of conduct. Council replied that nothing would occur unless Council proceed with the removal process currently in the statute.

Mr. LaRusso reminded Council that the chair and vice chair of the board have the responsibility to handle decorum of the board and bring concerns to city staff when appropriate. He stated that he will not agree with developing a code of conduct.

Discussion took place regarding attendance standards, the definition of excused and unexcused absences, and how to handle boards struggling to achieve a quorum. Overall, Council had no changes or revisions to the attendance standards listed in City Code.

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With regard to the topic of a Charter referendum related to the Zoning Board of Adjustment and the Planning and Zoning Board, Mr. LaRusso asked for more details on how this would be executed.

Discussion took place regarding the existing Zoning Board of Adjustment members, how the city would handle consolidating the boards and losing institutional knowledge, how the city has handled the merging of boards/board members in the past, and the initial reasoning why this topic was even brought forward in the first place.

Following discussion, Mayor Alfrey asked that each Council Member verbally indicate how they feel about consolidation of the Zoning Board of Adjustment and the Planning and Zoning Board and the idea to prepare an ordinance to consider a referendum on the November ballot.

In support: Smith, Alfrey, Neuman, Bassett and Kennedy

Against: LaRusso and Hanley

Attorney Conley noted that based on Council's direction, his office will bring back an ordinance relating to this proposed Charter amendment.

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Mr. Neuman asked for Council's consensus for the City Attorney to provide an ordinance that will differentiate between lease lines and lot lines in the City Code as it only discusses lot lines and the Airport conducts most of their business utilizing lease lines. Council expressed consensus to consider a future agenda item.

Continuing, Mr. Neuman also asked for Council's consensus for the City Attorney to provide information on how to modify the Zoning Board of Adjustment's appeal process for cases to initially come to Council and then to the Circuit Court. Attorney Conley discussed the existing language in the Charter, which would require a Charter amendment to change.

Mrs. Kennedy asked how this would work if the board is merged with the Planning and Zoning Board. Attorney Conley stated that the referenced merger is more appropriately considered a delegation of responsibilities; therefore, if approved, the process would continue the way the Charter describes it today (appeals going straight to the Circuit Court).

Attorney Conley stated that his preference would be that appeals of both boards go directly to the Circuit Court instead of going to Council at all. Following discussion, Council expressed consensus to consider a proposed Charter amendment to modify the appeals process for Zoning Board of Adjustment such

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that decisions of the board can be brought to Council for an appeal rather than directly to the Circuit Court.

Ms. Hanley noted that she is disappointed with our switch to United Healthcare. Mrs. Lamb noted that staff is working with Brown and Brown to assist Ms. Hanley. Ms. Hanley also asked Council if they had anything they wanted her to discuss at the FLC Fast Fly-In in June. Mrs. Lamb noted that staff will compile a list of federal legislative priorities for Ms. Hanley to take to the conference. Ms. Hanley noted that she will also bring these items to the May 26 Council meeting to discuss with Council. These items include grants for housing projects, grants for outdoor activity additions like athletic fields and public safety grants for additional fire houses. Lastly, Ms. Hanley asked that staff look into the implementation of underground utilities.

Mr. Smith asked for Council's consensus to create a municipal board profile for each volunteer board. Following discussion, Council did not express consensus for this idea.

Mr. LaRusso asked Mrs. Lamb for the city's fuel costs from last year and this year to compare. Additionally, Mr. LaRusso challenged Council to share good and bad information from their district at every Council meeting moving forward. He noted that the construction work on Riverside Drive is causing major traffic issues for the Melbourne beachside community. He also shared that the Rotary Club is donating a Verdin Post Clock to the Eau Gallie square.

E. ADJOURNMENT

The meeting adjourned at 9:15 p.m.

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

Approved by Council: May 12, 2026