

**CITY OF PALM BAY, FLORIDA**  
**SPECIAL COUNCIL MEETING 2022-27**

Held on Wednesday, the 21<sup>st</sup> day of September 2022, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 6:00 P.M.

**ROLL CALL:**

<b>MAYOR:</b>	Rob Medina	Present
<b>DEPUTY MAYOR:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Randy Foster	Present
<b>COUNCILMEMBER:</b>	Donny Felix	Present
<b>COUNCILMEMBER:</b>	Peter Filiberto	Present
<b>CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>DEPUTY CITY CLERK:</b>	Terri Lefler	Present

**CITY STAFF:** Present was Joan Junkala-Brown, Deputy City Manager; Angelica Collins, Fiscal Manager; Leslie Hoog, Fire Chief; Larry Wojciechowski, Finance Director.

**PUBLIC HEARING:**

**1. Discussion of tax rate, millage rate and final budget for Fiscal Year 2022-2023 - City Manager.**

The public hearing was opened.

Ms. Sherman stated that the City had tentatively adopted an operating millage rate of 7.5995, which exceeded the Truth in Millage (TRIM) current year rolled-back rate of 6.5887 by 15.34%. The percentage increase being above the three percent (3%) cap was caused by new construction being excluded from the three percent (3%) cap.

Contributing to the operating millage rate increase over the rollback rate were:

- Declaration of critical need funding to exceed 3.0% CAP operating millage rate;
- Anticipated health insurance benefit associated expenditure increases of 7.00%;
- \$1.7 million in high priority funding needs including contractual obligations requiring payment;

- \$2.7 million in capital funding needs including vehicle replacements, public safety equipment, information technology investments, and street/traffic light maintenance and support;
- \$2.5 million in NAGE White/Blue contract negotiations and salary study execution;
- \$1.1 million in personnel adjustments including four (4) additional Firefighters and six (6) additional Police Officers; and
- Road Maintenance funding to meet goal of \$1,000,000.

Ms. Sherman advised that the city had also adopted a tentative debt millage rate of 1.0931 for the next fiscal year. The debt millage rate would generate estimated revenues of \$6,977,575 based on the gross taxable value certified by the Brevard County Property Appraiser. These revenues were restricted and designated for the payment of the General Obligation Bonds, Series 2019, debt service payment of \$3,527,750; and the General Obligation Bonds, Series 2021, debt service payment of \$3,450,150, both due in the Fiscal Year 2023 budget year.

Ms. Collins provided a brief presentation on proposed rates and critical needs. She answered questions posed by councilmembers.

A resident made a general comment concerning the budget.

The public hearing was closed.

## **BUSINESS:**

### **1. Resolution 2022-46, establishing fees, rates, and charges pursuant to the Code of Ordinances, Title III, Administration, Chapter 33, Fire Department.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council. She and Chief Hoog responded to questions from councilmembers regarding inspections.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-46. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**2. Resolution 2022-47, establishing fees, rates, and charges pursuant to the Code of Ordinances, Title III, Administration, Chapter 36, Recreation Department.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-47. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**3. Resolution 2022-48, establishing fees, rates, and charges pursuant to the Code of Ordinances, Title XVII, Land Development Code.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council. She responded to questions from councilmembers regarding the increases and comparison to other municipalities.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-48. Deputy Mayor Johnson asked that the fee comparison be sent to Council.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Yea
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Nay

**4. Resolution 2022-49, establishing fees, rates, and charges pursuant to the Code of Ordinances, Title XVII, Land Development Code, Chapter 171, Fair Share Impact Fees.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Residents commented that the major needs were public safety, not residential infrastructure, as well as prioritizing which impact fees should actually be increased, such as police and fire versus recreation.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-49.

Ms. Sherman advised that the police, fire and parks impact fees were last updated in 2019 through a consultant. The intention would be to revisit the impact fees, with high priority for police and fire, with the expectation that those impact fees would increase.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**5. Resolution 2022-50, establishing fees, rates, and charges pursuant to the Code of Ordinances, for specified chapters and sections therein.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-50.  
Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**6. Resolution 2022-51, adopting Classification and Pay Plans and Position Control Plan for Employees of the City of Palm Bay for Fiscal Year 2022-2023.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-51.  
Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**7. Resolution 2022-52, adopting the Five-Year Capital Improvements Program (CIP) for Fiscal Years 2022-2023 through 2026-2027.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Bill Battin, resident, requested information on CIP projects that had been completed in the current fiscal year.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-52. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**8. Resolution 2022-53, declaring critical need funding for Fiscal Year 2022-2023, in accordance with Section 6.01, Taxes, of the City Charter, resulting in Ad Valorem Property Tax Operating Millage Rate in excess of the 3.0% cap rate.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council.

Dawn Bittar, resident, suggested that the \$1.7 million of unfunded General Fund should have been allocated to unfunded positions.

Motion by Mr. Foster, seconded by Mr. Felix, to adopt Resolution 2022-53.

Mr. Foster said that the City Manager had laid out the critical needs and encouraged members of Council to support the resolution. Mayor Medina supported the request, especially for the first responders, and asked that the City Manager publicly advise when the critical needs were fulfilled.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Nay
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Yea

**9. Resolution 2022-54, approving the millage rate and debt millage rate for Fiscal Year 2022-2023.**

The City Attorney read the resolution in caption only.

Ms. Sherman presented the request to Council. She reiterated the recommended operating millage rate of 7.5995, as well as the debt millage rate of 1.0931.

Motion by Mr. Foster, seconded by Mr. Felix, to adopt Resolution 2022-54.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Nay
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Yea

**10. Consideration of departmental travel and training for Fiscal Year 2022-2023.**

Ms. Sherman presented the request to Council. She advised that any department training and travel, previously requiring City Council approval, as outlined in Exhibit A of the Legislative Memorandum, would no longer require individual approvals throughout the Fiscal Year. Exhibit A served as the master list and if Council approved this approach, tonight's public hearing would serve as the master approval date for all outlined items. Any department training and travel not included in Exhibit A would require individual approvals throughout the Fiscal Year via a Legislative Memo on a regular Council meeting agenda. Additionally, any travel expense that was anticipated to exceed the budgeted allocation reflected in Exhibit A, will also be presented to City Council on a future agenda item for consideration.

Deputy Mayor Johnson asked the total amount for the pre-approved travel. Mr. Wojciechowski said it was \$496,000, which came from all funds, not just the General Fund. Mr. Filiberto preferred to continue approval of training and travel as is and did not support the request. Mayor Medina said he wanted to continue to view the training and travel as well. Deputy Mayor Johnson suggested a report that could be acknowledged on the agenda. Mr. Filiberto asked that it be done monthly. Council concurred.

Bill Battin, resident, said he liked to review the travel, as well as the supporting documentation.

Motion by Mr. Filiberto, seconded by Deputy Mayor Johnson, to approve departmental travel and training for Fiscal Year 2022-2023, with the addition of monthly reporting of travel activities. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

**PUBLIC HEARINGS:**

**1. Ordinance 2022-96, amending the Code of Ordinances, Chapter 200, Utilities Code, by adjusting the rates, fees and charges for the City's utilities system and services, final reading.**

The City Attorney read the ordinance in caption only.

The public hearing was opened. Ms. Sherman presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-96.

Motion carried with members voting as follows:

Mayor Medina	Nay
Deputy Mayor Johnson	Yea
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Nay

**2. Ordinance 2022-97, amending the Code of Ordinances, Chapter 201, Sewer Use, Subchapter 'Miscellaneous Provisions', by adjusting the permit fees and other charges related to the City's utilities wastewater system, final reading.**

The City Attorney read the ordinance in caption only.

The public hearing was opened. Ms. Sherman presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-97.

Motion carried with members voting as follows:

Mayor Medina	Nay
Deputy Mayor Johnson	Yea
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Nay

**3. Ordinance 2022-98, amending the Code of Ordinances, Chapter 202, Reclaimed Water, by adjusting the rates, fees, and charges for reclaimed water, final reading.**

The City Attorney read the ordinance in caption only.

The public hearing was opened. Ms. Sherman presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-98.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Yea
Councilman Foster	Yea
Councilman Felix	Yea
Councilman Filiberto	Nay

**4. Ordinance 2022-99, adopting the final budget for Fiscal Year 2022-2023, final reading.**

The City Attorney read the ordinance in caption only.

The public hearing was opened. Ms. Sherman presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-99. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea; Councilman Filiberto, Yea.

There being no further business, the meeting adjourned at the hour of 7:50 P.M.

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Rob Medina, MAYOR

ATTEST:

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Terri J. Lefler, DEPUTY CITY CLERK