

CITY OF PALM BAY, FLORIDA
REGULAR COUNCIL MEETING 2025-13

Held on Thursday, the 17th day of April 2025, 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 6:02 P.M.

Pastor Jim Campbell, Bay West Church, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	Rob Medina	Present
DEPUTY MAYOR:	Mike Jaffe	Present
COUNCILMEMBER:	Kenny Johnson	Present
COUNCILMEMBER:	Mike Hammer	Present
COUNCILMEMBER:	Chandler Langevin	Absent
INTERIM CITY MANAGER:	Scott Morgan	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

CITY STAFF: Joan Junkala-Brown, Deputy City Manager; Juliet Misconi, Deputy City Manager; Lisa Frazier, Growth Management Director;

ANNOUNCEMENTS:

Deputy Mayor Jaffe announced the following vacancy and terms expiring, and solicited applications for same:

- 1. One (1) vacancy on the Community Development Advisory Board to represent one (1) of the following fields relating to affordable housing ('banking industry', 'residential home building', 'actively engaged in home building', or 'for-profit provider' positions).++**
- 2. Two (2) terms expiring on the Community Development Advisory Board (represents 'resident of the City' positions).+**

AGENDA REVISIONS:

There were no agenda revisions.

PROCLAMATIONS AND RECOGNITIONS:

The proclamations were read.

- 1. Proclamation: Leonard Christian, Palm Bay Magnet High School, State Wrestling Champion. (Mayor Medina)**
- 2. Proclamation: Palm Bay Magnet High School, Girls Basketball Team, 4A Champions. (Mayor Medina)**
- 3. Proclamation: Fair Housing Month – April 2025.**

PUBLIC COMMENT(S)/RESPONSE(S): (Non-agenda Issues and Items Listed Under ‘Approval of Consent Agenda’ Only)

Individuals made general comments.

1. Trish Tobar, resident, said that her late husband, Sergeant Frank Tobar, was recognized as a line-of-duty death and asked that his name be displayed at Sacrifice Park.

Mr. Morgan explained that an agenda item would be forthcoming which would provide a consistent process to have fallen officers throughout Brevard County added to the memorial at Sacrifice Park. It was planned that Sergeant Tobar’s name would be added to the memorial in August 2025.

APPROVAL OF CONSENT AGENDA:

All items of business under the ‘Approval of Consent Agenda’ heading were enacted by the following motion:

Motion by Deputy Mayor Jaffe, seconded by Mr. Johnson, that the Consent Agenda be approved as presented. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

- 1. Adoption of Minutes: Regular Meeting 2025-09; March 20, 2025.**

The minutes, considered under Consent Agenda, were approved as presented.

- 2. Adoption of Minutes: Special Meeting 2025-10; March 29, 2025.**

The minutes, considered under Consent Agenda, were approved as presented.

3. Award of Bid: Asphalt patch work – 12-ITB-25 – Public Works Department (Asphalt Icons; Kody Youtzy Asphalt, LLC; and Timothy Rose Contracting, Inc. – estimated \$100,000, ‘as needed’ basis).

Staff Recommendation: Approve the award for asphalt patch work with Asphalt Icons; Kody Youtzy Asphalt, LLC; and Timothy Rose Contracting, Inc., in the estimated amount of \$100,000; and approve and establish a twelve (12) month term contract, renewable by the Procurement Department for four (4) additional twelve (12) month terms or portions thereof, up to a cumulative total of sixty (60) months.

The item, considered under Consent Agenda, was approved as recommended by City staff.

4. Miscellaneous: Supervisory Control and Data Acquisition (SCADA) software system, servers, storage, subscription, and licensing – Utilities Department – (‘Other Agency’ term contract - \$113,967); and approve the appropriation of funds.

Staff Recommendation: Approve the award for Supervisory Control and Data Acquisition (SCADA) software system, servers, storage, subscription, and licensing through the ‘Other Agency’ term contract, in the amount of \$113,967; and approve the appropriation of funds.

The item, considered under Consent Agenda, was approved as recommended by City staff.

5. Consideration of a request from Florida Power and Light for a ground equipment easement to provide service to Building ‘E’ located at the City’s Municipal Complex.

Staff Recommendation: Approve the request from Florida Power and Light for a ground equipment easement to provide service to Building ‘E’ located at the City’s Municipal Complex.

The item, considered under Consent Agenda, was approved as recommended by City staff.

PUBLIC HEARINGS:

1. Ordinance 2025-16, amending the Code of Ordinances, Chapter 172, Development Review Procedures, by modifying provisions contained therein (Case T25-00001, City of Palm Bay), first reading.

The Planning and Zoning Board recommended approval of the request.

The City Attorney read the ordinance in caption only. The public hearing was opened. Ms. Frazier provided an overview of the requests for Items 1 and 2, under Public Hearings, and responded to questions posed by councilmembers.

Mr. Hammer expressed concern with the following language:

- Section 172.012. Citizen Participation Plans.
 - (B) Applicability.
 - (1) Every application for a development which requires a public hearing, unless specifically exempted by this subchapter, shall include a citizen participation plan and a citizen participation report that must be implemented prior to an application being deemed sufficient for staff review and scheduling of public hearings.

Mr. Hammer said the language was vague and if there was a change to an application, it should require another citizen participation plan meeting with the residents. He also did not agree that any changes would be approved administratively and not considered by Council.

- Notice to Property Owners
 - Suggested that the public notice radius for Planned Unit Developments (PUD) be expanded to one thousand feet (1,000') instead of five hundred feet (500').
- Traffic Study
 - Preferred to have a traffic study performed at the preliminary approval stage for a PUD.

Deputy Mayor Jaffe said that if a traffic study was performed on a project, it should survive that project until its completion, even if it was not developed for five (5) years. He did not agree with having another traffic study for final plat approval. Mayor Medina wanted a study performed at both the preliminary and final stages and did not support a traffic trip letter.

Mayor Medina said there had been prior discussion to increase the property owner notices to seven hundred fifty feet (750') and he preferred that it be for everything, not just PUDs. Mr. Johnson agreed.

The public hearing was closed.

Motion by Mr. Hammer, seconded by Mr. Johnson, to table the item to a future meeting. Mrs. Jones advised that the item must be tabled to a specific date. Mr. Johnson withdrew his second to the motion.

Motion by Mr. Hammer, seconded by Mr. Johnson, to table the item to the May 15, 2025, regular meeting. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

2. Ordinance 2025-17, amending the Code of Ordinances, Chapter 171, Definitions; Abbreviations; and Acronyms, by modifying language contained therein (Case T25-00002, City of Palm Bay), first reading.

The Planning and Zoning Board recommended approval of the request.

The City Attorney read the ordinance in caption only. The public hearing was opened. Ms. Frazier responded to questions posed by councilmembers. The public hearing was closed.

Motion by Mr. Hammer, seconded by Deputy Mayor Jaffe, to approve Ordinance 2025-17, with the modification to the definition of "Fill" to read as follows:

FILL. Soil, consolidated or unconsolidated material, deposited on land or in water.
>>The placement of any soil or other solid material, ~~either organic or inorganic,~~ on
a natural ground surface or an excavation in an effort to raise the existing grade.<<

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

3. Resolution 2025-17, identifying certain real property owned by the City which may be used for affordable housing programs in the City of Palm Bay.

The City Attorney read the resolution in caption only. The public hearing was opened. Ms. Junkala-Brown provided an overview of the request and responded to questions posed by Council. There was discussion as to which properties Council wanted to remove from the list.

The public hearing was closed.

Motion by Mr. Hammer, seconded by Mr. Johnson, to convert the listed properties to surplus properties for sale. Mrs. Jones advised that if Council did not want to move forward with the entire list as presented, the motion should be made to deny the request.

Mr. Johnson withdrew his second to the motion.

The item was withdrawn by staff and an alternative would be presented in the future that would better align with Council's direction.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:

No items were removed from the Consent Agenda.

UNFINISHED AND OLD BUSINESS:

1. Reconsideration of the Program Year 2025-2026 Annual Action Plan and staff recommendation for programs and activities to be funded under the HOME Program.

Staff Recommendation: Council consensus on staff's recommendation for Program Year 2025-2026 Annual Action Plan programs and activities to be funded under the HOME Program.

Motion by Mr. Johnson, seconded by Deputy Mayor Jaffe, to concur with staff's recommendation to proceed with a HOME-funded owner-occupied rehab program; staff would advertise and prepare the first public hearing for one of the Council meetings in May, followed by the second and final Public Hearing on July 3, 2025, as originally scheduled. The public hearings would note the allocation of HOME funds as follows:

Owner-Occupied Rehab for Senior Citizens	\$170,425.62
CHDO Set-Aside (15%)	\$34,085.12
Administration (City)	\$16,883.50
Administration (Brevard County - HOME Consortium)	\$5,839.92
TOTAL	\$227,234.16

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

NEW BUSINESS:

1. Consideration of a one-year extension to the lease agreement with the Greater Palm Bay Senior Center.

Staff Recommendation: Approve the City Manager to execute a Lease Agreement extension for the Senior Center.

Ms. Misconi presented the item to Council.

Motion by Deputy Mayor Jaffe, seconded by Mr. Hammer, to approve the one-year extension to the lease agreement with the Greater Palm Bay Senior Center. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

2. Resolution 2025-18, amending Resolution 2011-34, as amended by Resolution 2021-03, by updating the City of Palm Bay Fund Balance Policy.

Staff Recommendation: Approve the amended resolution of the current fund balance policy.

The City Attorney read the resolution in caption only.

Motion by Deputy Mayor Jaffe, seconded by Mayor Medina, to adopt Resolution 2025-18. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

3. Ordinance 2025-18, amending the Fiscal Year 2024-2025 budget by appropriating and allocating certain monies (second budget amendment), first reading.

Staff Recommendation: Approve the Fiscal Year 2024-2025 second budget amendment ordinance.

The City Attorney read the ordinance in caption only.

Motion by Mr. Johnson, seconded by Deputy Mayor Jaffe, to approve Ordinance 2025-18. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

4. Consideration of an employment agreement with Matthew Thomas Morton to serve as City Manager.

Staff Recommendation: Approve the employment agreement with Matthew Thomas Morton to serve as City Manager.

Mr. Johnson did not agree with including the moving allowance. Deputy Mayor Jaffe understood the benefit of the moving allowance but wanted to see it paid after the first ninety (90) days of employment.

Motion by Mr. Johnson to approve the employment agreement with Matthew Thomas Morton to serve as City Manager, with removal of the \$10,000 moving allowance and the removal of the \$16,000 for the International City/County Management Association (ICMA) dues. The motion died for lack of a second.

Motion by Deputy Mayor Jaffe, seconded by Mr. Hammer, to approve the employment agreement with Matthew Thomas Morton to serve as City Manager, with the relocation cost in the amount of \$10,000 to be paid after ninety (90) days of employment. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

5. Consideration of accepting the Compound Redevelopment Action Plan as prepared by Vita Nuova, a consultant of the U.S. Environmental Protection Agency.

Staff Recommendation: Accept the 'Compound Redevelopment Action Plan' as prepared by Vita Nuova, a consultant of the U.S. Environmental Protection Agency.

Ms. Junkala-Brown presented the item to Council.

Motion by Mr. Johnson, seconded by Mayor Medina, to accept the 'Compound Redevelopment Action Plan' as prepared by Vita Nuova, a consultant of the U.S. Environmental Protection Agency, with the plan of incorporating staff's recommendations with timely standards and a budget for same. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea.

COMMITTEE AND COUNCIL REPORTS:

Councilmembers addressed various subject matters and provided updates on activities of agencies and boards on which they served as members.

1. Mayor Medina made the following reports:

A. Appointed Logan Luse to the Infrastructure Advisory Oversight Board.

B. Presented Mr. Morgan with a Certificate of Appreciation for his service to the City of Palm Bay.

2. Mr. Hammer supported Aging Matters being considered as a priority for funding under the HOME Program to be presented to Council in July due to its positive impact on the community.

ADMINISTRATIVE AND LEGAL REPORTS:

There were no reports.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:20 P.M.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK