

CITY OF PALM BAY, FLORIDA
REGULAR COUNCIL MEETING 2025-09

Held on Thursday, the 20th day of March 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 6:00 P.M.

Bishop Merton L. Clark, Truth Revealed International Ministries, 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 (Late)
COUNCILMEMBER:	Mike Hammer	Present
COUNCILMEMBER:	Chandler Langevin	Present
INTERIM CITY MANAGER:	Scott Morgan	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

Councilman Johnson attended the meeting via teleconference.

CITY STAFF: Joan Junkala-Brown, Deputy City Manager; Juliet Misconi, Deputy City Manager; Lisa Frazier, Growth Management Director; Nathan Thomas, Deputy Fire Chief; Christeen Sullivan, Acting Public Works Director; George Barber, Chief Procurement Officer.

ANNOUNCEMENTS:

Deputy Mayor Jaffe announced the following vacancy 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).++

AGENDA REVISIONS:

1. Mr. Morgan announced the following revisions:

A. A presentation honoring the City for its partnership with the 2024 Family Christmas Extravaganza Event was added as Item 1, under Presentations.

B. The applicant for Item 6, under Public Hearings (Case CU24-00008), requested that the hearing be continued to the April 3, 2025, Regular Council Meeting, to be considered with the final reading of the accompanying ordinance.

Motion by Deputy Mayor Jaffe, seconded by Mr. Langevin, to continue Item 6, Public Hearings, to the April 3, 2025, Regular Council Meeting. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

2. Mrs. Jones advised that Councilman Johnson requested that Item 3, under Public Hearings, be considered prior to Presentations.

Mayor Medina was agreeable to moving the item prior to Public Comments.

Motion by Mr. Langevin, seconded by Mr. Hammer, to consider Item 3, under Public Hearings, prior to Public Comments. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

Councilman Johnson joined the meeting at this time.

PROCLAMATIONS AND RECOGNITIONS:

The flag was presented, and the proclamation was read.

1. Recognition: Presentation of the American Flag - honoring the service of Lyndsay Gray. (Mayor Medina)

2. Proclamation: Bishop Merton L. Clark and Truth Revealed International Ministries – 30th Anniversary.

PRESENTATIONS:

1. Pastor Ken Delgado, The House Church – honoring the City of Palm Bay for its partnership with the 2024 Family Christmas Extravaganza Event. (AGENDA REVISION)

Pastor Delgado presented the Police, Fire, and Recreation Departments with a \$1,500 check each for their assistance with the event.

Item 3, under Public Hearings, was considered at this time.

3. Request by Evan and Amanda Werner for a variance to allow a proposed carport to encroach 25 feet into the 25-foot side corner setback in RS-2 (Single-Family Residential District) zoning (0.25 acres) (V24-00007). (Quasi-Judicial Proceeding)

The Planning and Zoning Board recommended approval of the request.

The public hearing was opened. Ms. Frazier provided an overview of the request. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Langevin, seconded by Mr. Hammer, to approve the request. Deputy Mayor Jaffe questioned if a variance to extend the driveway would be needed later and if the amount of concrete coverage exceeded the thirty percent (30%) of impervious surface that was allowed on a property. Ms. Frazier confirmed same.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Jaffe	Nay
Councilman Johnson	Yea
Councilman Hammer	Yea
Councilman Langevin	Yea

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

Individuals made general comments.

APPROVAL OF CONSENT AGENDA:

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

Motion by Mr. Johnson, seconded by Mr. Hammer, that the Consent Agenda be approved as presented, with the removal of Items 4 and 6, from consent. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

1. Adoption of Minutes: Regular Meeting 2025-05; February 20, 2025.

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

2. Adoption of Minutes: Special Meeting 2025-06; February 27, 2025.

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

3. Award of Bid: Road Bond Paving (Units 22, 37, 57); maintenance (Unit 23) - Bid 15-ITB-25 - Public Works Department (Ranger Construction Industries, Inc. - \$9,114,267; appropriation of funds - \$1,546,819).

Staff Recommendation: Approve the award for Road Bond paving of Units 22, 37, and 57; and maintenance of Unit 23 with Ranger Construction Industries, Inc. (Fort Pierce), in the amount of \$9,114,266.85; and approve the appropriation of funds on the next scheduled budget amendment in the amount of \$1,546,819.

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

4. Contract: Intersection improvements, Babcock Street and St. Johns Heritage Parkway – IFB 45-0-2022, Change Order 7 – Public Works Department (Timothy Rose Contracting, Inc. - \$24,173).

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

5. Consideration of an agreement with the Florida Department of Law Enforcement for the Forensic Investigative Genetic Genealogy Grant Program.

Staff Recommendation: Approve the acceptance of the Fiscal Year 2024-2025 Forensic Investigative Genetic Genealogy Grant Program award.

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

6. Consideration of travel and training for specified City Employees (Fire Rescue Department).

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

7. Consideration of the Bayfront Community Redevelopment Agency 2024 Annual Report (Unaudited).

Staff Recommendation: Acknowledge and approve the Bayfront Community Redevelopment Agency 2024 Annual Report.

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

PUBLIC HEARINGS:

1. Ordinance 2025-11, vacating a portion of the rear public utility and drainage easement located within Lot 1, Block 2425, Port Malabar Unit 45 (Case VE-1-2025, Paul and Wendy Cosentino), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. A resident spoke in favor of the request. The public hearing was closed.

Motion by Mr. Johnson, seconded by Mr. Langevin, to adopt Ordinance 2025-11. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

2. Ordinance 2025-12, vacating a portion of the rear public utility and drainage easement located within Lot 15, Block 1500, Port Malabar Unit 31 (Case VE-2-2025, David B. Kleist II), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Langevin, seconded by Mr. Hammer, to adopt Ordinance 2025-12. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

3. Request by Evan and Amanda Werner for a variance to allow a proposed carport to encroach 25 feet into the 25-foot side corner setback in RS-2 (Single-Family Residential District) zoning (0.25 acres) (V24-00007). (Quasi-Judicial Proceeding)

The item was considered earlier in the meeting prior to Public Comments.

4. Ordinance 2025-13, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property, located in the vicinities south of Foundation Park Boulevard and west of Babcock Street, from Low Density Residential Use (LDR) to Industrial Use (IND) (15.4 acres) (Case CP24-00011, Foundation Park Future Investments, LLC), only one reading required.

Due to a tie vote of the Planning and Zoning Board, there was no recommendation for approval or denial of the request.

The City Attorney read the ordinance in caption only. The public hearing was opened. Ms. Frazier provided an overview of the request.

Bruce Moia, MBV Engineering and representative for the applicant, presented the request to Council. Numerous individuals spoke against the request, citing its negative impact on the surrounding properties, such as noise pollution and increased traffic. Mr. Moia and Michael Cram, applicant, responded to public comments and questions posed by councilmembers. The public hearing was closed.

Motion by Mr. Hammer, seconded by Mr. Johnson, to adopt Ordinance 2025-13. Mr. Langevin did not feel this was the proper site for the use and did not agree with amending the Comprehensive Plan.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Jaffe	Yea
Councilman Johnson	Yea
Councilman Hammer	Yea
Councilman Langevin	Nay

5. Ordinance 2025-14, rezoning property, located in the vicinities south of Foundation Park Boulevard and west of Babcock Street, from RS-2 (Single-Family Residential District) to LI (Light Industrial and Warehousing District) (15.4 acres) (CPZ24-00007, Foundation Park Future Investments, LLC), first reading. (Quasi-Judicial Proceeding)

Due to a tie vote of the Planning and Zoning Board, the recommendation for approval of the request failed.

The City Attorney read the ordinance in caption only. The public hearing was opened. Ms. Frazier provided an overview of the request. Councilman Hammer disclosed ex parte communications.

Bruce Moia, MBV Engineering and representative for the applicant, presented the request to Council. Mr. Vernon Densler (aggrieved party) presented his case and explained the

environmental effects he felt the facility would have on the community. He had witness testimony to support his case. Numerous individuals spoke against the request. Mr. Moia and Michael Cram, applicant, responded to public comments and questions posed by councilmembers. The public hearing was closed.

Motion by Deputy Mayor Jaffe, seconded by Mr. Johnson, to approve Ordinance 2025-14, with conditions as set forth by the applicant:

- The southmost twelve (12) acres of the property shall be limited to: stormwater management; wetland preservation and enhancement; tree preservation and mitigation; and other related activities for drainage and environmental issues.

Motion carried with members voting as follows:

Mayor Medina	Nay
Deputy Mayor Jaffe	Yea
Councilman Johnson	Yea
Councilman Hammer	Yea
Councilman Langevin	Nay

6. Resolution 2025-13, granting a conditional use to allow the operation of a tree and landscape recycling facility in LI (Light Industrial and Warehousing District) zoning, in accordance with Section 173.021, Palm Bay Code of Ordinances, on property located in south of and adjacent to Foundation Park Boulevard, in the vicinity west of Babcock Street (36 acres) (Case CU24-00008, Foundation Park Future Investments, LLC). (Quasi-Judicial Proceeding)

This item, considered under Agenda Revisions, was continued to the April 3, 2025, regular Council meeting.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:

4. Contract: Intersection improvements, Babcock Street and St. Johns Heritage Parkway – IFB 45-0-2022, Change Order 7 – Public Works Department (Timothy Rose Contracting, Inc. - \$24,173).

Staff Recommendation: Approve Change Order 7 for intersection improvements at Babcock Street and St. Johns Heritage Parkway with Timothy Rose Contracting, Inc., in the amount of \$24,172.50.

Mr. Johnson was concerned with the multiple change orders for this project and the extensions of time to complete same. He said that the \$2.2 million allocated for the change orders could have been better spent elsewhere and felt the City should learn from the deficiencies with contractors and be more aware when evaluating bids. Mayor Medina agreed but felt \$25,000 was not an issue for a multi-million-dollar contract.

Motion by Mr. Langevin, seconded by Deputy Mayor Jaffe, to approve the change order for intersection improvements at Babcock Street and St. Johns Heritage Parkway.

There was a brief discussion on how to reduce change orders ahead of starting the project by engaging with the vendor during the design process and performing value engineering. Mr. Barber explained that some change orders were necessary due to unforeseen events.

Motion by Mr. Langevin, seconded by Deputy Mayor Jaffe, to approve the change order for intersection improvements at Babcock Street and St. Johns Heritage Parkway.

Mr. Langevin understood that projects needed to move forward but questioned at what point Council should start denying change order requests and leaving it to the contractor to figure it out. He asked staff to investigate recourses moving forward to prevent change orders. Mr. Barber said that staff was looking at options to reduce the number of change orders.

Motion by Mr. Langevin, seconded by Deputy Mayor Jaffe, to approve the change order for the St. Johns Heritage Parkway and Babcock Street.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Jaffe	Yea
Councilman Johnson	Nay
Councilman Hammer	Yea
Councilman Langevin	Yea

6. Consideration of travel and training for specified City Employees (Fire Rescue Department).

Staff Recommendation: Approve the travel and training as specified.

Mr. Johnson expressed concerns with this item coming before Council for approval now, but the hotel was booked in January. Mr. Morgan stated that if Council were to deny the

request, then the travel would not take place. Deputy Fire Chief Brandon McKee could not speak to why the travel had already been booked prior to the consideration but explained that the hotel was close to the conference and that may have been why it was booked earlier in the year.

Motion by Deputy Mayor Jaffe, seconded by Mr. Langevin, to approve travel and training for specified City Employees Fire Rescue Department.

Mr. Langevin said he shared Mr. Johnson's concerns and felt that travel should be considered by Council prior to being booked but he supported this request.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Jaffe	Yea
Councilman Johnson	Nay
Councilman Hammer	Yea
Councilman Langevin	Yea

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Planning and Zoning Board (represents 'at-large' position). (CONTINUED FROM 03/06/25 RCM)

Motion by Deputy Mayor Jaffe, seconded by Mayor Medina, to appoint Brian Higgins, to the 'at-large' position on the Planning and Zoning Board. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

A brief recess was taken after which time the meeting resumed.

NEW BUSINESS:

1. Consideration of selecting finalists to be interviewed for the position of City Manager.

Staff Recommendation: The City Council select applicants for the City Manager position that will be invited for oral interviews during a Special City Council meeting scheduled for March 29, 2025.

The following candidates were selected by each councilmember:

Mayor Medina

- Michael Brillhart
- Howard Brown Jr.
- Brian Bulthuis
- Jason Davis
- Matthew Morton

Deputy Mayor Jaffe

- Jason Davis
- Ricardo Mendez
- Matthew Morton
- Gregg Lynk
- Sonia Alves-Viveiros

Mr. Johnson

- Mark Sohaney
- Ricardo Mendez
- Gregg Lynk

Mr. Hammer

- Jason Davis
- Mark Sohaney
- Matthew Morton
- Nate Somers
- William Lawrence

Mr. Langevin

- Gregg Lynk
- Mark Sohaney
- Scott Moyer
- William Lawrence
- Howard Brown Jr.

Due to the meeting nearing the curfew deadline, motion by Deputy Mayor Jaffe, seconded by Mr. Langevin, to extend the meeting by thirty (30) minutes (first extension), which would expire at 11:30 P.M. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, Yea.

Motion by Mr. Johnson, seconded by Mr. Hammer, to select Jason Davis, Matthew Morton, Mark Sohaney, Gregg Lynk, Ricardo Mendez, William Lawrence, Howard Brown, and Sonia Alves-Viveiros as finalists to be interviewed for the position of City Manager. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Jaffe, Yea; Councilman Johnson, Yea; Councilman Hammer, Yea; Councilman Langevin, 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. Mr. Langevin appointed Jon Norris to the Planning and Zoning Board.

ADMINISTRATIVE AND LEGAL REPORTS:

There were no reports.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 11:04 P.M.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK