



# **TOWN OF MELBOURNE BEACH**

## **TOWN COMMISSION REGULAR MEETING**

**APRIL 21, 2021**

**AGENDA PACKET**

**Town of Melbourne Beach**  
**REGULAR TOWN COMMISSION MEETING**  
**APRIL 21, 2021 at 6:00 p.m.**  
**COMMUNITY CENTER – 509 OCEAN AVENUE**

**AGENDA**  
**PUBLIC NOTICE**

**The Town Commission will conduct a Regular Town Commission Meeting  
on Wednesday April 21, 2021 in the Community Center  
to address the items below**

**Commission Members:**

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

**Staff Members:**

Town Manager Elizabeth Mascaro  
Town Clerk Jennifer Torres  
Town Attorney Clifford Repperger

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Old Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

**1. Call to Order – Led by Mayor Hoover****2. Roll Call****3. Pledge of Allegiance and Moment of Silence****4. Presentations**

A. Recognition from the International City/County Management Association

**5. Boards and Committees****6. Public Comments**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business not on the Agenda.

**7. Approval of the Agenda****8. Consent Agenda**

- A. Approval of March 3, 2021 TCW Draft Minutes – Town Clerk Torres
- B. Approval of March 17, 2021 RTCM Draft Minutes – Town Clerk Torres
- C. Site Plan Review for 204 Dogwood Avenue, Melbourne Beach
- D. Site Plan Review for 405 Riverside Drive, Melbourne Beach
- E. Site Plan Review for 203 Riverside Drive, Melbourne Beach

**9. Public Hearings****10. Old Business**

- A. Consideration of FDOT Landscape Grant Submission Allotment Increase – Town Manager Mascaro
- B. Consideration of Mural for Ocean Avenue Bathrooms – Town Manager Mascaro
- C. Review submission of work flow of the building department from permit application through final inspection – Town Manager Mascaro

**11. New Business**

- A. Consideration of Proclamation recognizing National Police Memorial Week as May 9-15, 2021 – Police Chief Griswold

- B. Consideration of creating an Ordinance relating to zoning requirements for Mobile Food Dispensing Vehicles and provide general standards for operating Mobile Food Dispensing Vehicles – Town Manager Mascaro

**12. Staff Reports**

- A. Town Attorney Report
- B. Town Manager Report
- C. Town Clerk Report
- D. Departmental Reports
  - 1. Building Department
  - 2. Public Works Department
  - 3. Code Enforcement
  - 4. Police Department
  - 5. Fire Department
  - 6. Finance Department

**13. Town Commission Comments**

- A. General Comments
- B. Review of Commission Action List

**14. Adjournment**

## Town Commission Agenda Item

**Section:** Presentations

**Meeting Date:** April 21, 2021

**Subject:** Recognition from the International City/County Management Association

**Submitted By:** Mark K. Ryan. City Manager, Indian Harbour Beach

**Background Information:**

The Florida City Council Management Association (FCCMA) has a program of recognizing cities and counties on the anniversary of local government's recognition by the International City/County Management Association (ICMA) of its operation under the commission-manager form of government. In 2020, the Town of Melbourne Beach commemorated a 30 year anniversary of the Council Manager form of government. Last year, due to the COVID-19 virus, many communities did not hold in-person meetings and FCCMA was unable to properly recognize member communities. With your permission, I am requesting to attend a Town Council meeting to provide a belated recognition to the Town of Melbourne Beach.

**Recommendation:** N/A

**Attachments:**

**Note:** The Town of Melbourne Beach is undergoing modifications to provide enhanced access to documents for individuals who are visually impaired and to comply with the requirements of the Americans with Disabilities Act (ADA) to make reasonable accommodations. While these modifications are being made some attachments may not be included as part of the online agenda packet. If you would like to obtain a document not currently provided, please contact our Town Clerk at (321) 724-5860 or [townclerk@melbournebeachfl.org](mailto:townclerk@melbournebeachfl.org)

## Town Commission Meeting

**Section:** Consent

**Meeting Date:** April 21, 2021

**Subject:** Consent Agenda

**Submitted By:** Jennifer Torres, Town Clerk

**Background Information:**

- Approval of March 3, 2021 TCW draft minutes
- Approval of March 17, 2021 RTCM draft minutes
- Approval of three (3) Site Plan Reviews which were each unanimously approved by the Planning & Zoning Board during their April 6, 2021 meeting

**Recommendation:** Approve Consent Agenda

**Attachments:**

- March 3, 2021 TCW Draft Minutes– Town Clerk Torres
- March 17, 2021, RTCM Draft Minutes – Town Clerk Torres
- Site Plan Review for 204 Dogwood Ave, Melbourne Beach
- Site Plan Review for 405 Riverside Drive, Melbourne Beach
- Site Plan Review for 203 Riverside Drive, Melbourne Beach

**Note:** The Town of Melbourne Beach is undergoing modifications to provide enhanced access to documents for individuals who are visually impaired and to comply with the requirements of the Americans with Disabilities Act (ADA) to make reasonable accommodations. While these modifications are being made some attachments may not be included as part of the online agenda packet. If you would like to obtain a document not currently provided, please contact our Town Clerk at (321) 724-5860 or [townclerk@melbournebeachfl.org](mailto:townclerk@melbournebeachfl.org)

# **Town of Melbourne Beach**

## **TOWN COMMISSION WORKSHOP**

**WEDNESDAY, March 3, 2021, at 6:00 p.m.  
MASNY ROOM, 507 OCEAN AVENUE**

### **DRAFT MINUTES**

**Commission Members:**

Mayor Wyatt Hoover

Vice Mayor Joyce D. Barton

Commissioner Steve Walters

Commissioner Sherrie Quarrie

Commissioner Corey Runte

**Staff Members:**

Town Manager Elizabeth Mascaro

Town Clerk Jennifer Torres

## 1. Call to Order

Mayor Hoover called the meeting to order at 6:00 p.m.

## 2. Roll Call

Town Clerk Torres conducted Roll Call:

### Commissioners Present:

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

### Staff Present:

Town Manager Elizabeth Mascaro  
Town Clerk Jennifer Torres

## 3. Pledge of Allegiance and Moment of Silence

Led by Mayor Hoover

## 4. Public Comments

*Alan Ross*

*Rotary Club of Melbourne Beach*

Mr. Ross thanked the Town and Commissioners for all the support they've given over the years. He added that the club members spend a lot of their own time to support the Rotary Club and said it was his understanding that the Town is going forward with Founders Day and considering taking away their oversight of the beer tent. He asked the Commission to reconsider this decision and to support the club because the work they do benefits everyone in Town including Gemini Elementary School.

In addition, Mr. Ross noted that the club is thinking of doing the Pineapple Man on Sunday, September 12. They are enlisting the support of a new race director and have a high level of confidence it will be a successful event if the Commission approves it.

Mayor Hoover said the discussion over replacing Rotary in the beer tent came about because membership was down. He said that if they are prepared to do the same job then we can keep things as they are.

Mr. Ross said they have meetings every Tuesday and do have a few members not participating due to COVID. Snowbird members are also effected. But excluding that they have 11 members and 3-4 who will be new. He went on to say that they can get the job done and don't foresee any problems at all in terms of manning the beer tent.

Commissioner Quarrie said that this is only a workshop and they can't make any decisions here so if they want to pursue this it has to be in the right forum at the next RTCM.



*Eddie Struttmann  
Park Board Chairman  
Rotary Club of Melbourne Beach*

Mr. Struttmann questioned where the whole idea of removing the Rotary Club from the beer tent was coming from and why a decision about Founders Day was made when the Parks Board hasn't been meeting.

He went on to say that the Rotary Club has done a lot for the Town and he didn't understand why the Town would burn a 30-year relationship.

Mayor Hoover explained they had a workshop with the Fire Department where they discussed their needs and concerns, etc. He said the Commission is open to meeting with the Rotary Club at a future workshop if they would like to do the same.

Commissioner Quarrie said it was her understanding there were concerns over Pineapple Man.

Mr. Struttmann said she was misinformed.

Commissioner Quarrie expressed concern over previous events arranged by the Rotary and went on to say that if an event is held in the Town, the Commission has to be sure it's done in a safe manner. They need to make sure everyone at events in the community are safe and when they are told it's not safe, it's their duty, as a Commission, to correct that.

Mayor Hoover said that in terms of the issue Mr. Struttmann is here for – the focus is on who is handling the beer tent on Founders Day.

Further discussion took place related to the Rotary Club and Founders Day. The Commission invited the club to attend the next RTCM and make a presentation along with a representative from the Melbourne Beach Volunteer Fire Department Inc., so they can make a final determination as to which group would organize the beer tent at the next Founders Day.

*Shaun Scenti  
175 Beachwood Blvd.*

Ms. Scenti asked who was doing the shirts for Founders Day because she has always done them in the past with the proceeds going to the Parks Board and the Melbourne Beach Rotary Club.

Mayor Hoover said he did not see any reason she could not continue to provide the t-shirts.

## 5. New Business

- A. Ocean Avenue Beautification – Discuss ideas for landscaping, lighting and pedestrian-friendly projects to enhance the beauty of Ocean Avenue.

Vice Mayor Barton handed out a PowerPoint presentation titled *Beautification of Ocean Avenue* and proceeded to go over the information enclosed.

She felt that once the Commission went over various elements and came to a mutual agreement about what they want to pursue, they can create a new PowerPoint to present to the business owners along Ocean Avenue.

In regard to establishing what the Town's style is she referred to the Town Code which calls for Gothic Revival and/or Key West. Establishing exactly what the term Key West implies is important. Once they establish what style they want, the process can move forward.

She went on to say that the west side of Ocean Avenue does look great but they could make more of a statement at the intersection. Her main area of concern is the east side of Ocean where the buildings look like a strip mall area. It's old and outdated.

Discussion took place and Commissioners shared various thoughts and ideas that included:

- The fact that the Key West region is lush and tropical and not just comprised of native plants and there are many attractive non-native plants that could be used in conjunction with the use of native plants.
- Taking the strip mall area businesses and making them look like individual shops with a Key West style.
- White picket fencing is very common in Key West style.
- What color palate should be used?

Town Manager Mascaro suggested the use of different colors, various awnings and trim to achieve different looks for the each different business located in one long building.

Mayor Hoover raised the previous idea of allowing outdoor seating and adjusting the parking spaces in front to allow space for this. Town Manager Mascaro said the owner of the shopping center approached her tenants and they do not want to do it because the parking is for everyone. She went on to say that several tenants didn't see how taking the whole front part of that parking lot away for seating for half the tenants would benefit them.

On the west side of the shopping plaza where the market is located – they will offer outdoor seating on the side of the building.

Some discussion took place over decreasing the size of the parking lot and what code changes might need to occur in order to do certain work.

Town Manager Mascaro indicated they would need to have somebody come up with a drawing to see how many spaces they could get and take that to the business owners.

Mayor Hoover said there would be an advantage to only having one entrance to the shopping area in that it would help relieve traffic at the stoplight.

Commissioner Quarrie said, that according to FDOT, those exits and entrances are grandfathered in and if they are changed, we have to have de-acceleration lanes. Therefore, she said, we need input from FDOT before we start offering to change that for the owners.

Mayor Hoover said that his position related to FDOT is that there is explosive growth and construction and what will happen is that FDOT will fix it for us on their own without our input. He suggests we start talking to them now and have a say in how they decide to fix it – so we are an active part of that conversation. He said the Commission may want to invite FDOT to the next workshop to discuss it.

PWD Davis said it's very difficult to get a response from FDOT.

Commissioner Quarrie said she thinks they need to have sketch of the parking done first.

Town Manager Mascaro agreed saying they need to provide business owners with a mockup of the parking lot that shows they wouldn't lose parking spots.

Some discussion ensued related to asking a landscape architect to create the design – and whether or not to offer payment.

Some discussion ensued about the use of non-native or native plants with Vice Mayor Barton saying that she knows there are some in the Town who are adamant about using natives, however, they don't always have the most appealing look and she hopes they can mix ornamentals in with natives.

Mayor Hoover said he is not a native purist but in his opinion they should target the native-type plants for the majority but can certainly have accent plants in certain areas that are lush.

Mayor Hoover said the next step is definitely to talk to various agencies. He offered to reach out to SCTPO and the Florida Regional Planning Council. He also wanted to look into Economic Development Grants.

Both Town Manager Mascaro and Vice Mayor Barton offered to call FDOT.

Town Manager Mascaro wanted to note that there is a color palette in the Town Code but we do need to define exactly what Key West style is in the code. She added that perhaps if they get a sketch done – the colors could be added to it.

Mayor Hoover said they should reach out to agencies to see what they can do and then start looking for a local landscape artist who could help draft a sketch for us in exchange for visibility.

- B. Discussion related to setting meeting parameters for the History Preservation and Awareness Board and process for how and where the Town's historical items are stored.

Vice Mayor Barton said she was approached by a member of the HPAB who expressed concern they hadn't met as a group all year. This member wants to see something happen with the Board and while she doesn't want to be in charge, she would like to see some parameters set to help guide the Board.

Some discussion ensued and Mayor Hoover suggested that each Town Department should schedule a time to meet with the Commission to discuss what's going on and any issues or problems that may be occurring, even if it's just for morale.

In addition, he suggested a similar schedule for the Town Boards to create an official way for the Boards to check in with the Commission. He suggested each Board join them for one workshop each year. He believes it would go a long way towards making the resident volunteers feel better about what they are doing.

Town Manager Mascaro asked if the Commission remembered the fact that last year they voted to have the Parks Board report to the EAB because they needed oversight.

She added that several Board members have historical memorabilia at their homes that needs to be collected and documented.

Mayor Hoover said they can incorporate that into their conversation with the Boards and suggested they create a photo catalog of where each historical item is being stored.

Mayor Hoover added an Action Item:

- Draft a schedule to meet with each Town Board and Department on an annual basis (on the same month for each group each year.) Bring to April RTCM for approval.

### C. Discuss Placement of Traffic Stop Signs

Town Manager Mascaro said there has been a lot of discussion about the traffic on Pine Street. Police Chief Griswold has speed trailers out there to count cars and look at the speeds. On Riverside they counted 9,000 cars in a 7-day period.

On Pine Street, 97-percent of the cars are driving under the speed limit but it's the volume of cars that is concerning particularly with the number of people who walk and ride bikes in the middle of the street.

Police Chief Griswold would like to put in a few more stop signs to hopefully force the cars off Pine and onto Oak. She suggested making Ocean and Pine a 4-way stop, then if it doesn't work out or we get too many complaints, we can remove them.

Public Works Director Davis suggested the use of a fog line, which is a white line painted on the edges of the road on both sides.

He said they could paint the lines three-feet from the curb on each side which would allow travel lanes of eight-feet.

Mayor Hoover suggested the fog lines be painted right against the curb because allowing three feet on either side may give pedestrians and bicyclists a false sense of security if they choose to walk/bike within it. He would prefer they continue with their initial discussion with regard to the bike decals and said this discussion about Pine is not relegated to Pine, it's on other streets too.

Mayor Hoover said that through our infrastructure we want people to know that people are walking and biking here and that this is a residential place.

Public Works Director Davis discussed options related to creating fog lines and moveable speed bumps.

Further discussion ensued about the amount of children, bicycles and skateboarders on Pine. The Commission expressed concerns related to children's safety around speedbumps and the amount of space between the curb and the fog line.

Mayor Hoover also suggested a "road diet" in which the road could be narrowed.

In regard to the speed limit, he would like to change the speed limit on Pine to 20 mph and to be consistent, institute a 20 mph speed limit everywhere in Town with the exception of Oak and Riverside.

Commissioner Walters reminded the Commission that a traffic study needs to be done for each road where the speed limit is changed.

Mayor Hoover said the traffic study on Pine is complete so they can move forward with that change to 20 mph and then complete for traffic studies on Shannon, South Palm and Orange.

Public Works Director Davis and Town Manager Mascaro spoke about the work that will be done on Orange.

Vice Mayor Barton said she would like to see more community outreach related to safety issues in the Town.

Town Manager Mascaro said the police and fire departments do work a lot with the children from Gemini on safety issues.

Commissioner Quarrie said she thinks it's more about educating the drivers behind the wheel.

Commissioner Walters suggested a stop sign at Ocean and Pine.

Mayor Hoover asked how everyone felt about a four-way-stop at Ocean and Pine and everyone agreed it was a good idea.

Mayor Hoover asked if everyone was ok with doing the fog line on the edge of the road as opposed to three-feet in and everyone agreed they were.

Public Works Director Davis talked about the possibility of adding sidewalks in the future.

Some discussion about surveys and easements related to new construction occurred.

Further discussion occurred about turning right on Ocean and reaching out to FDOT.

Public Works Director Davis said he did a lot of research and found the marking the lines is an expensive process and he looked at various striping machines and found a company in Ocala that has numerous striping machines and he was able to get a battery powered machine with the ability to do double yellow lines for \$2,700.

Commission Walters said it needs to be maintained properly so it works properly.

Public Works Director Davis said it comes equipped with a good cleaning system.

Mayor Hoover asked if they need to vote on reducing the speed limit.

Commissioner Quarrie said they need to make the final decision and vote at the RTCM.

Town Manager Mascaro said in the code it does say that it needs to come in front of the Commission.

Mayor Hoover directed PWD Davis to paint the fog lines on Pine.

Commissioner Quarrie said she wanted to circle back to public comments related to Founders Day. She said that some of the behavior she witnessed from people brought in to work for the Rotary at the beer tent was not good. They were not dedicated the way the Fire Department is and with COVID, she can't imagine them handling it well.

Town Manager Mascaro said that one of the issues is that there are strong personalities like Eddie Struttman involved that were given free rein to run Founders Day and when she first became Town Manager she couldn't figure out why the Rotary ran Town events.

She assured the Commission that it's not that we are taking this away from them – however many of the charities receiving support are good charities – but may not be in the Town of Melbourne Beach and she is trying to keep things tighter and not have these issues, so she thought it may be a good time for the Fire Department to take this on.

Commissioner Quarrie wanted to note that she did not appreciate the way Mr. Struttman spoke to her earlier and did not think anyone on the Commission should have to be treated that way without being addressed and admonished,

Further discussion ensued and the Commission clarified they would hear both sides (from the MBVFD Inc. and the Melbourne Beach Rotary Club) at the next RTCM with a specific focus on what COVID protocols each would have in place.

**Commissioner Quarrie moved to adjourn; Vice Mayor Barton seconded; Motion carried 5-0.**

The workshop adjourned at 8:28 p.m.

# **Town of Melbourne Beach**

## **REGULAR TOWN COMMISSION MEETING**

**WEDNESDAY, MARCH 17, 2021, 6:00 p.m.  
COMMUNITY CENTER, 509 OCEAN AVENUE**

### **DRAFT MINUTES**

**Commission Members:**

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

**Staff Members:**

Town Manager Elizabeth Mascaro  
Town Attorney Cliff Repperger  
Town Clerk Jennifer Torres  
Public Works Director Tom Davis  
Fire Chief Gavin Brown



**1. Call to Order**

Mayor Hoover called the meeting to order at 6:00 p.m.

**2. Roll Call**

Commissioners Present:

Mayor Wyatt Hoover  
 Vice Mayor Joyce D. Barton  
 Commissioner Steve Walters  
 Commissioner Sherrie Quarrie  
 Commissioner Corey Runte

Staff Present:

Town Manager Elizabeth Mascaro  
 Town Attorney Cliff Repperger  
 Town Clerk Jennifer Torres  
 Public Works Director Tom Davis  
 Fire Chief Gavin Brown

**3. Pledge of Allegiance and Moment of Silence**

Led by Mayor Hoover

**4. Presentations**

- A. A Representative from the Rotary Club of Melbourne Beach and a Representative from the MBVFD Inc. will each give a short presentation related to running the beer tent at Founder's Day.

**Alan Ross**  
**Rotary Club of Melbourne Beach**

Mr. Ross explained that the Rotary Club supports local and international charities. Their main focus is raising money for community-based charities. They are all volunteers and the club has been running the beer tent successfully for years. They are a big supporter of Gemini Elementary School and the money raised from the beer tent is important to this goal.

He handed out a letter from Jennifer Julian, Principal of Gemini Elementary School who wrote in support of the Melbourne Beach Rotary Club continuing their oversight of the beer tent. He said he also received a letter of support from Gemini's PTO President.

As a club, he said the Rotary is committed to supporting the community. Last year they gave \$10,000 to the Melbourne Beach Fire department, the year before they gave \$7,000 for Ryckman Park.

He said, when asked, they have always tried to help. He went on to say that it is his hope the Commission will award them the opportunity to continue their stewardship. He promised to check IDs, abide by the Town's plastic policies, provide liability insurance, and abide by any COVID protocol in place.

**Jim Turner**  
**MBVFD Inc.**

Mr. Turner said the MBVFD is in a unique position to offer an extra layer of safety protocols during the COVID pandemic because public safety is their top priority. In 2020, the MBVFD assisted with several "safe" community events including the Halloween event and the Christmas Parade.

Given the success of these events, the Town Manager asked if they would be interested in handling the beer tent during Founder's Day. Because of the pandemic many of the department's typical fundraising avenues were closed, so the additional funds would be welcome to their cause.

**Back to the Commission for questions:**

**Commissioner Quarrie's questions:**

*How much money did the Rotary net at the last Founders Day?*

- Mr. Ross said the Rotary typically brings in between \$5,000 and \$6,000.

*Do you have anything that shows this accounting?*

- Their accountant is not at the meeting. He would have to check.

*Commissioner Quarrie queried where the \$10,000 they gave the Fire Department came from.*

- The \$10,000 we gave last year was from a different event – a charity concert at Ryckman Park.

**Vice Mayor Barton**

*Did the Town Manager approach the MBVFD to run the beer tent?*

- Mr. Tuner said yes. To enforce a strong safety protocol.

*Is there any history in the past of the MBVFD running the beer tent?*

- Mr. Turner said yes, before the Rotary they did the beer tent.

Mr. Ross of the Rotary said the club has been doing the tent for 30 years.

*To Mr. Tuner – would the beer tent be manned by volunteer firefighters?*

– We have two groups, the association and the fire department. The event would be run by members of the MBVFD but not in the capacity of fire fighters during the event – instead as members of the association.

*What happens if there is a fire during the event?*

- Mr. Turner said that as a representative of the corporation, he would not comment on that.

Fire Chief Brown responded that they are two organizations and volunteering at the beer tent would in no way effect the volunteers on standby for any kind of emergency.

### **Commissioner Runte**

*Last Founders was 2019. What was the total net profit and where did it go?*

– Mr. Ross of the Rotary said they raised \$5,000 and most all of the funds went to the Gemini Schools program.

*In addition to running the beer tent – is there another function you have for Founder's Day other than operating the tent?*

- Mr. Ross said they would have someone signing up prospective new members. Their hope is to get people interested in Rotary and increase membership.

*Who plans it?*

- Mr. Ross said that typically the Rotary handles every aspect including providing liability insurance

### **Commissioner Walters**

*Commissioner Walters said he has a fundamental problem with public safety personnel serving alcohol to the residents. If there is an issue, there could be a problem, so he will be voting not to change it.*

### **Mayor Hoover**

*How many volunteers would each of you be prepared to field and from where?*

- Mr. Ross of the Rotary said between 20-30 people. The source of the volunteers are the club, family, friends and Gemini. He added that they have never had any issues getting volunteers, noting that they ran Southern Squall and had no issues.

- Mr. Turner of the MBVFD said they typically get between 25-30 people who are active members in the department.

*What COVID safety precautions have you considered implementing this year?*

- Mr. Ross from the Rotary said they are prepared to wear masks and interested in hearing what the Town's rules are because they will prevail.
- Mr. Turner of the MBVFD said that masks and gloves are required, gloves come in handy when separating money from beer and through the use of tickets they can keep cross-contamination to a minimum.

*What precautions are in place to avoid over serving/underage drinking?*

- Mr. Ross of the Rotary said they have a system in place to check IDs and they keep an eye on people who have had too much. They would not serve someone who had too much.
- Mr. Turner of the MBVFD said they check IDs, and are nationally accredited in liquor service certification. He added that he would never want anything negative to come back on the Town.

### **Commissioner Runte**

To Rotary Spokesman: *I was under impression there was an issue with volunteers at the Pineapple Man?*

- Mr. Ross of the Rotary said they did have some issues due to the fact that 4-5 volunteers did not come at the last minute but otherwise they ran a good event.

*Commissioner Runte said that in his opinion all proceeds should stay in the Town of Melbourne Beach because there are plenty of organizations we have here who need help and he does not like the idea of taking money made in Town outside the community. Therefore he wants to be reassured on paper that would be the case.*

- Mr. Ross of the Rotary said they would have no problem with that.

**Commissioner Quarrie** asked Mr. Ross of the Rotary if they have any kind of agreement with members as far as beer consumption during the event because she has seen a lot of consumption in the past.

- Mr. Ross of the Rotary said that to the best of his knowledge no one ever drinks while serving. They may have had a few people on break have a beer but they can institute a policy of no drinking until they are finished volunteering. Mr. Ross added that it is the Rotary's intention to donate the money they raise to support Gemini's school's programs and they can donate anything left over to the MBVFD.

**Commissioner Runte** said he thinks it's pertinent that all records are made transparent to the Town and that the Town approves who receives the money raised. He added that the Town staff handle a lot of the event and it's important to have transparency no matter who ends up running the tent. He also took issue

with the fact that the Rotary could not offer specific figures on money raised or provide any kind of financial records, saying they should have been ready to answer the question of exactly how much money has been raised each year and exactly where the money goes.

**Commissioner Walters** reminded the Commission that the Town had no say in how the money raised in the past by the Fire Department was spent and agreed that the decision on how and where to spend any and all money raised in the Town, should be decided by the Town.

**Mayor Hoover** thanked both groups and said the Commission is grateful for everything they each do for the community.

**Commissioner Walters moved to allow the Rotary Club to have the beer concession for Founders Day on May 1, 2021; Vice Mayor Barton seconded; Motion carried 4-1 with Commissioner Quarrie in dissent.**

Mayor Hoover said moving forward there are several stipulations and procedures that must be followed going forward.

They include:

- All proceeds must stay in the Town of Melbourne Beach
- All volunteers must obtain nationally accredited liquor service certification
- No alcohol consumption by volunteers until shift is complete
- All financial records must be made transparent and readily available upon request to the Town
- The Town approves who receives any funds and how much they receive from funds raised at an event within the Town of Melbourne Beach.
- All volunteers must follow COVID protocol established by Town

Commissioner Runte added that the beer tent must be run flawlessly and all procedures followed precisely this year – or the Rotary will not be asked to handle the event ever again.

## **5. Boards and Committees**

## **6. Public Comments**

***Frank Thomas***  
***606 Atlantic***

Mr. Thomas pointed out that Founders Day should never be referred to as Founder's Day (with an apostrophe). There were several founders, not just one. He also does not like the fact that some people pronounce the name of Ryckman Park incorrectly.

***Neil Tompkins***  
***204 Neptune Drive***

Mr. Tompkins said that at 432 Riverview Lane there is a storm drain and baffle box that have an issue. He requested an update from the Public Works Director. He also mentioned an article in Florida Today related to the American Rescue Plan Act, noting there is a lot of money going to municipalities and whatever the Town needs to do to pursue this, they should. He would like to see a public discussion on how funds received are used. His choices would be stormwater and lagoon management.

***Bob Semones***  
***149 Moonlight Drive***

Mr. Semones lives in the unincorporated area of Melbourne Beach and would like to be able to park at Town parks for free because no one is parking there.

Mayor Hoover responded by saying that the Town is implementing paid parking so in the near future, the public (non-residents) can use those parking spots as well, which will be free until 8 a.m.

**7. Approval of the Agenda**

**Commissioner Quarrie moved to approve the Agenda; Vice Mayor Barton seconded; Motion carried 5-0.**

**8. Consent Agenda**

Commissioner Walters said there are 25 pages included in the agenda packet related to the site plan approvals that he doesn't feel are necessary. He feels it just adds work to the Town Clerk and increases our use of paper unnecessarily.

Mayor Hoover said that is an issue they could discuss later and adjust if needed.

**Commissioner Quarrie moved to approve the Consent Agenda; Commissioner Runte seconded; Motion carried 5-0.**

**9. Public Hearings**

**10. Old Business**

- A. Request for a reduction of code enforcement lien for 2204 Redwood Avenue, CE Case CEB15-01

Town Attorney Repperger gave a brief history of the issue.

The applicant was present and addressed the Commission.

***David Crespie***

### ***2204 Redwood***

Mr. Crespie stated that when he bought the property it had multiple liens and he has worked with the Town Attorney to get the property into compliance, noting that he had nothing to do with what happened to the property prior.

The Commission asked various questions of the applicant to which he responded that the pool in question had been filled in. He has no connection to the owner and his plan is to sell the property. When asked if he benefited from the lien, he said he didn't. When he purchased it he hoped the lien would be reduced.

Commissioner Walters said he did not see any reason to reduce the lien.

Commissioner Runte said the property is worth at least \$350,000 and he believes the applicant stands to make a large profit, but by reducing the lien, the Town would not recoup its expenses.

The applicant stated that he has a contract for \$310,000, so according to the Commissioner's numbers, he is leaving \$40,000 on the table. He added that he solicited two attorneys to get the property and pool compliant.

Commissioner Quarrie said the applicant could ask a higher price and added that they are trying to make sure the Town's expenses are covered and she didn't see any reason to offer a reduction.

Town Attorney Repperger said he had advised the applicant to attend the Commission meeting to plead his case. The request was very clear. The violation remained for a very long time – even prior to the code case. He added that it's very clear that Mr. Crespie had no involvement in any of the violations on the property and is the one who brought the property into compliance.

Vice Mayor Barton said she believes if there was a time for negotiating the lien it would have been prior to this, although she was not entirely opposed to somewhat of a reduction because he is not the one responsible for the violations.

The applicant, who identified himself as the General Contractor stated they wanted a 10-percent reduction.

Commissioner Runte questioned the reduction amount, and said according to the written request, the applicant was requesting a 90-percent reduction and now that amount is being changed to 10-percent. He pointed out that the applicant knowingly purchased this property and knew there was a lien when he did so.

Addressing the applicant, Commissioner Quarrie said he was an astute business man capable of making the money back. However, the Town doesn't have the same opportunity if they reduce the lien.

Some discussion about the amount of the reduction took place.

**Commissioner Walters moved to deny the request for a reduction of the code enforcement lien for 2204 Redwood Avenue, CE Case CEB15-01 and to let the current fine stand; Commissioner Quarrie seconded;**

Town Attorney Repperger said it's important for the Commission to understand this was a life safety issue as well and while they can look at it as a financial issue, it was a safety issue because of the pool and a substantial violation for a long time.

**Motion carried 5-0.**

**B. Review and consideration of Orange Street Project Bid Acceptance Recommendation**

Town Manager Mascaro presented a breakdown of the bids and said the Town engineers recommend the Commission consider the lower bid from Brewer Paving.

She went over the details of the project and said letters and door hangings will be sent to nearby property owners once the bid is approved and Brewer Paving will reach out to residents as well.

Mayor Hoover said the Andrews Project was not done while the current Town Manager was here but communication with residents wasn't good and he wants to make sure that doesn't happen again with this project.

Commissioner Walters said he wants to see written communication to residents that provides specific details including contact information and exactly when the work is happening and exactly what work is happening. He said there needs to be a written log.

Commissioner Runte said that a lot of that communication is supposed to start with the contractor. They should be knocking on doors and the Town should be managing that and collecting their logs.

Town Attorney Repperger said he believes that the performance bond can't be waived for a project of this cost but if that turns out not to be true, they can revisit the issue.

Commissioner Walters asked where money for the project is coming from and Town Manager Mascaro said it was all part of the budget the Commission previously discussed and approved.

**Commissioner Runte moved to approve the Orange Street project bid acceptance recommendation from Brewer Paving in the amount of \$737,952.60 including the removal of the performance bond unless it is proven that we cannot remove the performance bond and in that case we approve the full amount including the**



**performance bond; Commissioner Walters seconded; Motion carried 5-0.**

**11. New Business**

A. Consideration of Resolution 2021-02

Town Manager Mascaro explained that the Commission has discussed the issue of outdoor seating to aid local businesses with financial recovery from the pandemic several times and agreed to allow the Town to create a resolution allowing Town businesses to take advantage of this temporary use.

Town Attorney Repperger said he doesn't see any problems with it.

**Commissioner Runte moved to approve Resolution 2021-02 as presented; Commissioner Quarrie seconded; Motion carried 5-0.**

**12. Staff Reports**

Town Attorney Repperger disclosed that Serene Blue is applying for a variance with the Board of Adjustment the following night and he has had dealings with them in the past, unrelated to the variance. He went on to say that his firm, White Bird, has not provided any service to Serene Blue but he does have some of their files from his time at former law firms. However he said there is no conflict related to this variance. In disclosing this, he asked the Commission to approve a conflict waiver.

Commissioner Walters asked whether the \$5,000 deposit is being collected for variance applications.

Town Attorney Repperger said in the fee resolution the \$5,000 deposit applies only to text changes. It was enacted after Sun on the Beach requested to change the definition of bed and breakfast. A lot of time and effort was put into the work including drafting an ordinance and at that time the Commission agreed that any citizen can file a text change to the code but changed the fee schedule to allow for a \$5,000 deposit to cover the extensive costs involved.

Mayor Hoover added that collecting a \$5,000 deposit isn't reasonable in all cases.

Town Manager Mascaro added that in the current variance request there is no ordinance draft required and very little work that needs to be done, so the \$5,000 deposit would be excessive.

**Commissioner Runte moved to approve the conflict of interest waiver as presented; Vice Mayor Barton seconded; Motion carried 5-0.**

**Town Manager Report**

Town Manager Mascaro addressed the funding being made available from the Florida League of Cities and she is researching it and will share that information when it's received.

Commissioner Runte said the funding seems very excessive at \$1.3 million and asked the Town Manager to make sure there are no strings attached before moving ahead with anything.

She also said that she and the Public Works Director have been reaching out to the kiosk people about their arrival and are told it will be “soon.” Signage is ready to go as soon as they arrive.

Commissioner Quarrie asked what’s been happening at the beaches the last few weekend.

Town Manager Mascaro said nothing more than usual. There is increased traffic and tickets have been issued – but nothing out of the ordinary at this time of year.

Town Manager Mascaro handed out a proposed layout for Founders Day and reminded the Commission that the Town has always been the responsible party to make sure that Founders Day goes off without a hitch, we do all the purchasing and planning. The protocols that we are putting into place is that the beer tent will not have space for people to hang out. There will be no tables under it.

She went on to discuss other COVID precautions for Founders Day, vendor information, and what food will be provided.

Vice Mayor Barton asked if the food trucks keep their profit. The Town Manager said they keep their profits from sales, we charge each a registration fee. She also said the Town plans to add misting fans to cool off patrons.

The Town Manager added that the Town has not benefited from beer sales in the past.

Commissioner Runte said that if the Rotary doesn’t execute the beer tent flawlessly then in his opinion this will be their last chance to run it.

Town Manager Mascaro said she did feel strongly about the Fire Department handing the beer tent this year – especially due to safety and COVID concerns.

Mayor Hoover said an overall review of all the boards and how they communicate with Town Staff needs improvement and that hasn’t happened under previous administrations and thanks to the current Town Manager it’s finally happening. He said he wants to have specific stipulations for how the beer tent is run.

Commissioner Quarrie said there should be a contract with the Rotary that states all money raised goes back into the Melbourne Beach community. We need financial records. We need them all to get certified to serve alcohol and those certificates need to be provided to the Town. In addition, she added, safety issues are so important.

Mayor Hoover said they need to have a deadline for completing the certificates and letting us know who is volunteering that day, etc.

Changing the subject, Commissioner Walters told the Town Manager he was under the impression the Commission agreed that former police officer Tilesio was not to be paid

sick time unless there was a formal release signed stating that he would not sue the Town. He asked when that changed.

Town Manager Mascaro said it was not enforceable and he was entitled to his money.

Town Attorney Repperger said there was an initial attempt to get him to sign a waiver. He had an attorney. The decision was made to cut the check because it was treated as a voluntary resignation.

Commissioner Walters had a copy of the letter sent to Mr. Tilesio with the check.

Town Manager Mascaro asked why Commissioner Walters is communicating with Mr. Tilesio.

Commissioner Walters said Mr. Tilesio initiated the conversation because he feels cheated.

Town Attorney Repperger said that it was best to limit discussion of Town employment adding that they can go back and look at the minutes to see the actual wording on the issue.

Commissioner Walters then asked what happened to the costs that were once listed on the building report.

Town Manager Mascaro said the Commission decided in August not to disclose the individual's cost on the Building Report and asked for it to be removed.

Commissioner Walters then said that staff shouldn't be making recommendations to residents or non-residents related to getting a reduction in fines.

Town Attorney Repperger said the only reason a recommendation was given is due to the fact that the Commission might have been inclined to grant a reduction in this particular case.

Commissioner Walters then asked where the protocols for the presentation came from. Town Manager Mascaro said it was provided to offer guidance for new members of the Commission.

**Due to a family emergency Commissioner Runte asked to be excused from the remainder of the meeting at 9 p.m.**

Commissioner Quarrie noted that one site plan review didn't have the correct number.

To correct this issue in the future, Town Manager Mascaro told the Building Official to use a spreadsheet with formulas calculated and attached to every site review plan.

### Public Works Report

- PWD Davis met with Eau Gallie Electric and they will start the process of installing the light bases next week and the lights could be completely installed by the end of April.
- The Ocean Park flagpole was rehabbed below the expected cost and it is currently flying.
- The striping is in progress. Ocean is completed. The two white side lines on Pine are looking good. His striping capabilities now allow him to do 133 stop bars.
- Special Olympics of Florida called this afternoon and in the past they used our Bocce ball courts for practice. They would like to do this again this year at 5:30 p.m. Wednesday nights and Saturdays at noon. This does not conflict with any league play. The Commission did not object to their use of the courts.

Town Attorney Repperger said the contract with the HOA will be on next month's agenda.

### Finance Report

**Commissioner Quarrie moved to approve the February Finance Report; Vice Mayor Barton seconded; Motion carried 3-1 with Commissioner Walters in dissent.**

### **13. Town Commission Comments**

- A. General comments
- B. Action Items List

### **Closed Action Items**

- **Storm water issue on 2<sup>nd</sup> Avenue - Closed**

Town Manager Mascaro said that engineering plans were reviewed. There is a downhill low point- it was engineered this way - in keeping with engineering practices. There is nothing wrong with the engineering process. Scott has met with this resident and gone over this information with her several times.

Commissioner Walters initially did not want to close the item but after some clarification as to the extent the Town has gone to – including daily observations by multiple people with no issues found - he agreed.

Vice Mayor Barton said she drove by the property on a very rainy day when she noticed some other areas were flooding and didn't observe any flooding on this particular property.

### **Updated Action Items**

- **Everything parking** – Discuss at April Town Commission Workshop

Mayor Hoover said there was an idea of incorporating in additional spots from Ocean Park into what is in front of the business. He would like it to be on the agenda of the next workshop.

Commissioner Quarrie said she feels that the Planning & Zoning Board should look at the issue and offer their insight before the Commission went any further.

Mayor Hoover said he agrees that Planning & Zoning should be involved but the Commission needs to have a little more discussion in order to refine specifically what they are looking for. Instead of giving them an ambiguous task we can narrow down what we are asking of them.

Commissioner Quarrie said there are so many parts of the code and Planning & Zoning can offer insight. Perhaps our first step is to present them with the Resolution we just passed and get them to brainstorm a little

Mayor Hoover asked if everyone was ok with talking about it at the next workshop.

For a due date – this will be moved to the April Workshop.

- **Expand Outdoor seating** - Update at June RTCM

Town Manager Mascaro said she spoke to the owner of shops on Ocean Avenue who was in favor of the beautification suggested and open to help with funding and grants. However, outdoor seating is still a no-go with her tenants. She will wait and see if any business owners elect to participate.

**Vice Mayor Barton** shared information about a grant she learned about – called the FDOT JPA. She said they must act quickly because the deadline to apply is June 30, and if they can get an application in by June 30, there is a good chance the Town could receive this grant which is for \$700,000. This money is only for landscaping and landscaping materials, not buildings. The grant requires Town to maintain the landscaping once installed.

Vice Mayor Barton said we would have to create the design and they would implement it. Some design costs are reimbursed. The Town would need to submit a design in order to be considered.

Town Manager Mascaro said if the Commission is interested in pursuing this grant they might consider approving the estimated costs for an architectural designer to create a design.

*Mayor Hoover suggested they add FDOT JPA Agreement Grant to the current Action Item related to Beautification of Ocean Avenue and update the item again at the April RTCM.*

**Commissioner Quarrie moved to approve \$5,000 to begin the landscape design process with an architectural designer; Vice Mayor Barton seconded; Motion carried 5-0.**

- **Bike Trail Options** – Update at April RTCM

PWD Davis said he needs to do further research on what he can do, He would like to give another update during the April RTCM. The paint is available and he can do it with our own machine.

Mayor Hoover said the important thing is contrast in visibility. It does not have to be done in green paint. PWD Davis said he may have to get a custom stencil.

- **Address Faded Crosswalks** – Update at April RTCM

PWD Davis said the process to refresh the crosswalks has begun. Areas on Riverside and Ocean have been completed as well as several parking spaces. He said he feels confident the process will get better and better and residents will notice a significant change in the next few weeks.

Commissioner Quarrie suggested tagging some of the COVID money for new Commission microphones and audio/visual equipment.

PWD Davis offered a quick update on the stanchions – saying he was able to contact someone who confirmed the Town is on the list but there is currently no projected date.

**Commissioner Quarrie moved to adjourn; Vice Mayor Barton seconded; Motion carried 4-0.**

The meeting adjourned at 9:11 p.m.

**Town Commission Agenda Item**

**Section:** Old Business  
**Meeting Date:** April 21, 2021  
**Subject:** FDOT Landscape Grant Submission Allotment Increase  
**Submitted By:** Elizabeth Mascaro, Town Manager

**Background Information:** The Town Commission allowed a payment of \$5,000 for a “high level” concept plan to be submitted to FDOT by a registered FDOT Landscape Architect as required by the grant application. Two FDOT registered Landscape Architect were contacted, Susan Hall of Susan Hall Landscape Architecture, Inc., and Edward Haeck of Edward Haeck Landscape Architecture and Site Planning. Only Susan Hall responded to my request. Susan accompanied me, Vice Mayor Barton, and Tom Davis, Public Works Director, on a tour of the area under consideration for the grant.

I have received a proposal from Susan Hall for the completion of the high level concept plan. The cost is \$9,750.00.

**Recommendation:** Increase the fee allocation to \$9,750.00 and accept Susan Hall of Susan Hall Landscape Architecture Inc., to prepare the high level plan to be submitted to FDOT.

**.Attachments:**

- Proposal
- Susan Hall resume
- Copy of email sent to Edward Haeck asking him to submit a proposal.

**Note:** The Town of Melbourne Beach is undergoing modifications to provide enhanced access to documents for individuals who are visually impaired and to comply with the requirements of the Americans with Disabilities Act (ADA) to make reasonable accommodations. While these modifications are being made some attachments may not be included as part of the online agenda packet. If you would like to obtain a document not currently provided, please contact our Town Clerk at (321) 724-5860 or [townclerk@melbournebeachfl.org](mailto:townclerk@melbournebeachfl.org)

## Town Commission Agenda Item

**Section:** Old Business  
**Meeting Date:** April 21, 2021  
**Subject:** Mural for Ocean Avenue Bathrooms  
**Submitted By:** Elizabeth Mascaro, Town Manager

**Background Information:** Local artist, Lance Behringer to provide art work on front of Ocean bathrooms.

**Recommendation:** Approve as submitted or suggest a different scene for consideration.

**Attachments:**

- 6 pictures

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**Town Commission Agenda Item**

**Section:** Old Business

**Meeting Date:** April 21, 2021

**Subject:** Building Department Work Flow

**Submitted By:** Elizabeth Mascaro, Town Manager

**Background Information:** The Town Commission wanted to see the work flow of the building department from permit application through final inspection.

The first permit added was dated 2/19/2021. 120 permits have been added to the spreadsheet.

**Recommendation:** Continue to monitor the process

.

**Attachments:**

- Spreadsheet

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## Town Commission Agenda Item

**Section:** New Business

**Meeting Date:** April 21, 2021

**Subject:** Proclamation for Police Memorial Week

**Submitted By:** Police Chief Melanie Griswold

**Background Information:** Recognize May 15, 2021, as Police Memorial Day and May 9 through May 15, 2021, as Police Memorial Week in the Town of Melbourne Beach.

**Recommendation:** Approve Proclamation recognizing May 15, 2021, as Police Memorial Day and May 9 through May 15, 2021, as Police Memorial Week in the Town of Melbourne Beach.

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**Attachments:**

- Proclamation

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**A PROCLAMATION RECOGNIZING POLICE MEMORIAL WEEK  
MAY 9-15, 2021**

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls, as National Police Week; and

**WHEREAS**, the members of the law enforcement agency of the Town of Melbourne Beach play an important role in safeguarding the rights and freedoms of the citizens of our community; and

**WHEREAS**, the officers of the Melbourne Beach Police Department provide a vital public service; and

**WHEREAS**, it is important that all citizens know and understand the problems, duties and responsibilities of their police department and that members of our department recognize their duty to serve the people by safeguarding life and property, protecting them against violence and disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and

**WHEREAS**, those officers who have dedicated their lives to the service of humanity through law enforcement and those officers who have given their lives in this noble cause should be recognized and remembered;

**THEREFORE**, I Mayor Wyatt Hoover and the Town of Melbourne Beach Commissioners urge our citizens to join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their communities, have established for themselves the rights and security of all citizens.

**NOW, THEREFORE**, I, Wyatt Hoover, Mayor of the Town of Melbourne Beach, in the State of Florida, do hereby proclaim **May 15, 2021, as Police Memorial Day and May 9 through May 15, 2021, as Police Memorial Week in the Town of Melbourne Beach.**

\_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Town Clerk

**Town Commission Agenda Item****Section:** New Business**Meeting Date:** April 21, 2021**Subject:** Food Trucks**Submitted By:** Elizabeth Mascaro, Town Manager

**Background Information:** There has been a food truck parked in the shopping center by the market. I have received phone calls from residents asking me if food trucks are legal. The definition of food truck in our code is “ *a vehicle (including trailers) operated by a mobile food vendor to prepare and sell food at multiple locations, typically operating at one location for more than 30 minutes*” Under the definition of restaurant is “*a restaurant includes any building, vehicle, place or structure, or any room or division in a building, vehicle, place or structure where food is prepared, served, or sold all for money or other consideration, for immediate consumption on or in the vicinity of the premises...*”

The issue with food truck is Florida Statute section 509.102(2) prohibits municipalities from banning the operation of mobile food dispensing vehicles within the entirety of a municipal jurisdiction and prohibits the Town from requiring other licensing requirements.

The Town may regulate its uses to certain commercial or industrial zoning districts or temporary special events. The Town can require specific requirements regarding the operation and location of the food dispensing vehicle.

**Recommendation:** The Town develop an Ordinance relating to zoning requirements for Mobil Food Dispensing Vehicles and provide general standards for operating Mobil Food Dispensing Vehicles.

**.Attachments:**

- Copy of Florida Statutes 509.102

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## Town Manager Report for March-April 2021

1. P&Z voted 5/0 to reject any change to the parking space width but did approved using the parking spaces in Ocean Park to count in the parking requirements for the shopping center.
2. As of Friday April, 9th, the Town has issued 1396 parking permits
3. The kiosks are online and operational. The Town is receiving income from Ocean Park, Ryckman Park and the crossovers.
4. The Police Union voted in favor of a 2.5% increase effective 10/1/2020 for FY 2021. The Town Manager will meet with the PBA in July to begin talks on FY2022 requests.
5. The Orange Street Paving Project will begin on 4/19/21. The work will take approximately 90 days (July) with rain delays August 19, 2021. The Public Works Director and I spoke with all of the residents on Orange Street and the cross streets. A handful of residents were not home. I left our business cards with a note to please call me about the upcoming road project. We met with very favorable responses from the residents. A preconstruction meeting was held on 4/13/21 with BSE, Brewer, Tom Davis and myself. The entire construction area was walked verifying removals, locates and process and timeframes.
6. On Wednesday, April 7<sup>th</sup>, Town Hall employees (TM, Clerk, Building (2) and Public Works (2) and the Fire Chief) worked shifts at the Covid Shot Center with Satellite Beach and Indian Harbour Beach. The event was very successful with over 300 shots given. Additional shot days will be scheduled, and Town Staff will continue to provide shift coverage. All Town staff found the event very rewarding and look forward to participating in additional days.
7. The Chief of Police, myself and Alan Ross met to discuss the conditions the Commission has placed on Rotary to run the beer tent. Vice Mayor Barton was also in attendance. Alan was told he needed to provide a driver's licenses and completed Server course for each beer server for Founders Day. As of this writing we have not received any licenses or completion certificates. I also reiterated the Commissions requirements of

All proceeds must stay in the Town of Melbourne Beach  
 No alcohol consumption by volunteers until shift is complete  
 All financial records must be made transparent and readily available upon request to the Town  
 The Town approves who receives the funds raised at the event.

8. Waste Pro has provided proper notice, per their contract, of their rate adjustments beginning in May 2021. Schedule attached with comparison of May 2020 pricing.
9. Beth Crowell, Building Administrative Clerk and I attended a mandatory (all Brevard Co. building representatives and TM's) meeting with the Brevard County Property Appraiser's office to discuss the submission of information to the Property Appraiser's office for tax purposes. Beth Crowell from

112  
Melbourne Beach was recognized as 10 municipalities that are a shining example of how to submit the Property Appraiser correctly. Congratulations to Beth for a job very well done! See attachment.

10. Congratulations and welcome to our newest Police Officer, Kevin Bradley. Also several officers received promotions: Sadler to Corporal, Hinchman to Sergeant and Smith to Lieutenant.

11. I have been participating in the weekly cohort calls for the Green House Gas Emissions project as part of the Town's overall commitment to sustainability. I will be providing documentation to the UCF student on the town's use of electric, gas, waste collected, etc.. to determine how much greenhouse gas the Town produces and how the Town can reduce our emissions. The Town was asked to participate in this (free) study by the East Central Florida Regional Planning Council.

12. Attended the monthly Town Manager's phone call. COVID protocols remain in place for all towns, although events are being scheduled and some rentals of facilities are taking place.

13. Vice Mayor Barton, Tom Davis and I met with Susan Hall to discuss the landscaping grant. We rode down Ocean Avenue and discussed possibilities.

14. The EAB intern has submitted 2 landscaping grants, each for \$3,000 for improvements to Bi-Centennial Park. The grants will be awarded in May 2021.

15. Met with Karen Fenaughty to discuss energy savings and solar panels for the Town Complex. Karen is a member of EAB but also works for the Energy Research Center in Cocoa. Karen has graciously volunteered the analysis of the Town Hall complex.

## Building Department Report

March 2021

- 68 permits issued
- Construction Value of the 68 permits totaled \$772,598.00
- Total Permit fees \$12,122.40
- 178 inspections completed
- 57 plans reviewed
- 3 Site Plan review for P&Z
- 5 BTR reviews
- 0 new homes

## Public Works Activities

March 2021

Completed swale 500 block Banyan

Repaired re-installed swing at Ryckman

Used grinder various locations to eliminate sidewalk trip hazards

Removed graffiti on sign at Loggerhead

Repaired irrigation

Set up room for PZ meeting

Obtained and installed new signs of beach rules at crossovers and Ocean Park

Purchased and installed new door closers on doors throughout TH and FD

Obtained and installed complete parts Ocean Park turn around flag pole

Examined storm drain outlet sinking driftwood

Ditch witch cleaned all stormwater boxes

Striped Ocean east and parking spaces Town Hall

Yellow lines on Riverside striped

Began repainting all stop bars in Town (133 to be done)

Trimmed tree obstructing drivers view 3<sup>rd</sup> and pine

Cleaned and prepared pads for new lights in Ryckman Park

Repaired irrigation and pump at 5<sup>th</sup> ave. river park

Replaced damaged sign Oak and Orange

Removed barricades and inspected sidewalk fire scene Oak

Installed stop signs at Ocean and pine installed flashing red lights on them same on Pine and 5<sup>th</sup>

Moved speed trailers for PD numerous times



Trimmed crossovers

Trained and prepared installation of Parking kiosk

Repainted and enlarged parking space numbers in Ocean Park

March 26 parking kiosk pay capability started

Built a concrete base for a new park light in Ryckman that was eliminated 4 years ago

Removed old ugly signs Ocean Park leveled and straightened existing ones

Replaced tank on irrigation system near Community Center

Refaced permit parking signs at all crossovers with numbers – savings

## Public Works Overview

March 2021

March was a very productive month for us. Having obtained a striping machine we began to undertake remarking our streets. While our early efforts had flaws we have improved. By the end of next month we will complete all 133 stop bars in Town. We were also able to do the proper markings for the new four way stop on Ocean and three way stop at Pine and 5<sup>th</sup>.

With the introduction of paid parking we had to reface all the permit only parking signs at the crossovers. We were able to have very professional adhesive backed signs made which allowed us to use the same signs. As you can imagine this was quite a savings for the Town.

Additionally we used the striping machine and re - marked all the parking spaces in Ocean Park and enlarged and repainted the space numbers in the area.

The parking system is up and running fully now.

This month we also used the Ditch Witch and cleaned our stormwater boxes. Also the filters were replaced in the boxes.

The new lights in Ryckman Park will be installed the first week of May. The delay is attributed to the 8 plus weeks for the poles to arrive. The pads are cleaned and prepared for the installation.

Once the lights are installed that will be another larger project completed as was the parking.

Thank you again for your support



## **Melbourne Beach Police Department**

### **Monthly Report**

### **March 2021**



In March, we had a total of 5 arrests ranging from Battery, Domestic Violence, Narcotics, Wanted Persons, and Traffic.

House checks/residential and business checks are continued daily. The officers and I continue to be proactive as they conducted several "directed traffic enforcement details" throughout the town. Our radar trailers are also placed in various locations throughout the city to assist in deterring speeders.

We had several animal complaints/calls this month consisting of:

Barking dogs

Dogs on the beach

Ducks and Rabbits behind the MB Supermarket

Found cat

One of our areas of high-volume calls consists of Injured/Ill persons. These calls are unpredictable, and each of the officers is First Responder/CPR/AED certified and is first on the scene to provide medical treatment as necessary. Our agency assisted Brevard County Sheriffs Department with two death investigations.

All reports and calls for service are checked each day by either myself or a supervisor. Depending on the type of crime we have, procedures are in place to take the appropriate action to resolve the issue.

#### **Community Event**

Movie in the Park in April date TBD

#### **PD News**

On March 19<sup>th</sup>, the "Stop Signs" were placed at Ocean Avenue / Pine Street and /Fifth Avenue / Pine Street, with positive reviews.

The message board was placed in the right of way to warn drivers of the change at Ocean /Pine, which was also met with positive reviews.

SRO Dovale continues to meet with the Threat Assessment Team regarding pre-post-action plans on fire drills and various scenarios.

The Melbourne Beach Police Officers and I are committed to community policing and keeping our town safe, which is our #1 priority.

Please see the attachments:

- Sergeant's monthly reports
- Parents Thank you Letter (SRO Dovale)

Stay Safe, Chief Melanie Griswold

**MELBOURNE BEACH POLICE DEPARTMENT****Steven Kino****Sergeant****507 Ocean Ave, Melbourne Beach, FL 32951****Phone: (321) 723-4343****Fax: (321)725-3253****MEMORANDUM**

TO: Lt. Smith

FROM: Sgt. Kino

RE: March Monthly Call Report

DATE: 04/03/2021

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**3/1- Petit Theft in the 300 block of Orange St. The r/p advised that his roommate took his belongings a few months ago and he located them at the mother of the roommate's house. He advised that he recovered the items and just wanted it documented for informational purposes and signed a decline.**

**3/1- Domestic disturbance in the 1300 block of Atlantic St. between a husband and wife. Verbal only and they were separated for the evening.**

**3/3- Warrant arrest in the 400 block of Fourth Ave. W/M was picked up for two felony warrants and turned over to jail transport unit.**

**3/3- Petit Theft in the 1000 block of Atlantic St. A female advised that someone took her cell phone from her belongings while she was in the ocean. She pinged the phone as she was on her way home and it plotted in Palm Bay. She did not want to meet with an officer to fill out proper paperwork. The case was taken and closed out for informational purposes only due to an uncooperative victim.**

**3/12-Drug arrest in the 1400 block of Atlantic St. W/m arrested for possession.**

**3/18- Fraud in the 400 block of Sandy Key. A w/m reported that a w/f took one of his checks and wrote it out to herself without his consent. He has financially supported her in the past and he declined prosecution. A decline to prosecute affidavit was completed.**

**3/18- Deceased person in the 800 block of Pine St. A w/m was reported deceased by**

family and the scene was tot BCSO

**3/18- Warrant arrest in the 700 block of Pine St. A w/f was positively identified by her FL ID and had an active warrant out of this county. She was taken to the station and turned over to the jail van to have the warrant served**

**3/19- Deceased person in the 300 block of Avenue A. A w/f was reported deceased by her family. The scene was tot BCSO.**

**3/26- Civil matter in the 500 block of Poinsettia. Issue between contractor and customer involving roofing tiles.**

**3/26- Fraud in the 500 block of Ocean Ave. A person dropped a check in the mailbox and someone intercepted it and changed the amount on it. The bank reimbursed the victim the money back already and all she needed was a police report number.**

**3/26- Traffic arrest in the area of Oak St. and Ocean Ave. A b/m fled from a traffic stop and was subsequently caught by a K9 and bit. The male was also charged with being a habitual traffic offender, fleeing and eluding, and careless driving.**

**3/27- A Marchman Act in the 300 block of Ocean Ave. A w/m was highly intoxicated and transported to HRMC for further treatment.**



**MELBOURNE BEACH POLICE DEPARTMENT**  
**Matthew Smith**  
**Sergeant**

**507 Ocean Ave, Melbourne Beach, FL 32951**  
**Phone: (321) 723-4343      Fax: (321)725-3253**



**Monthly Report March 2021**

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- 03/05- Voluntary Baker Act of a male in the 2000 block of Oak Street.
- 03/12- Domestic, verbal dispute in the 300 block of Sixth Avenue. Father and son were in a verbal argument and separated for the night.
- 03/16- Petit theft of a Law Enforcement U.S. flag, from Ryckman Park. Unknown suspect(s) stole the flag, which had a GPS tracker tile installed. The location showed the tracker in Orlando, however the Orange County Sheriff's Office was unable to locate the flag or tracker.
- 03/19- Arrested male for battery, domestic violence at Oak Street and Atlantic Street. The male pushed his girlfriend to the ground causing injury to her elbow.
- 03/21- Burglary, petit theft to (4) vehicles in the 500 block of Hibiscus Trail and 500 block of Avenue B. Multiple items were taken from unlocked vehicles from all vehicles. Armed burglary was also committed to another vehicle, when a firearm was stolen from the vehicle. Still under investigation.
- 03/21- Grand theft of a motor vehicle from the 500 block of Hibiscus Trail. The vehicle was recovered in Palm Bay 4 days later, with no one around. Still under investigation.
- 03/23- Overdose in the 200 block of Dogwood Avenue. Male was transported to the hospital with non-life threatening symptoms.

Jennifer,

I wanted to take a moment to thank you and your staff for all of the amazing work you all have done since the start of this school year. I am continually impressed by your dedication to the safety procedures put in place, but even more impressed by how at home you, and every admin and teacher, make the school feel. You know Isla and greet her by name. You are in the carloop and at walk up and at the bus loop. I can feel your heart and soul is committed to your faculty and the children of Gemini and I want to thank you so much for that. When I drop Isla off at school every morning I know she is in the very best hands.

I also just wanted to highlight Officer Rick. I write a note in Isla's lunch every day. In Kindergarten, and at the start of his year, she couldn't always read all of my words, but Officer Rick has faithfully read Isla's daily notes to her for months now. Even now, after I know she can read them herself, he continues to read them and check on her daily. He always takes time to talk to Isla and complement her behavior and highlight what she is doing right. I have watched him play with the kids at recess while I wait in the car-loop pick up line and Isla always tells me when he comes to her recess time as it is a bright spot in her day. Isla had invited Officer Rick to her birthday party, and though he couldn't go, he bought brownies for her and the whole class last Friday. I was so touched by that gesture. The world can be a scary place, but knowing there are good people like Officer Rick protecting my child makes me proud to be a parent that sends my kid (soon to be kids next year!) to Gemini. Please feel free to add this to his file or forward this to his superiors.

Thank you again for your dedicated service to us. I know it can seem like a thankless job, but this parent is very grateful.

Best,

Sarah Vorwaller





**Melbourne Beach**  
**Vol. Fire Department**  
**507 Ocean Avenue**  
**Melbourne Beach, FL 32951**  
**(321)724-1736**  
**FireChief@MelbourneBeachFL.org**

## **FIRE DEPARTMENT MONTHLY REPORT**

### ***March 2021***

#### **Incident Response**

For the month of March 2021, the Melbourne Beach Volunteer Fire Department responded to 18 calls for service. The average number of responding volunteer personnel per paged out call for the month was 11.

Breakdown:

- 13 Fire/Rescue 911 Calls (paged out)
- 1 Public Assist
- 1 Vaccination Task Force Event
- 2 EMS Assists
- 1 Unauthorized Burning

#### **Department Membership**

- Certified Firefighters: 16
- Support Services Personnel: 12
- Administrative Personnel: 3
- Probationary Personnel: 3

## **COVID-19 Update**

The MBVFD continues to work closely with both the Police Department and Town Hall to ensure we are prepared to respond to the COVID-19 health crisis. This includes participation in conference calls, emails, situation reports submitted to Brevard County Emergency Management, updating policies to address response guidelines, and educating citizens and visitors. We continue to monitor the situation and update our response as needed. At this time the majority of our active MBVFD personnel continue to be healthy and are able to respond to incidents under the Department's COVID-19 response guidelines.

## **COVID-19 Vaccination Task Force Update**

The MBVFD and the Town of Melbourne Beach has partnered with the other local beachside municipalities (Indian Ocean, Indian Harbour Beach, and Satellite Beach), the Florida Department of Health, and Brevard County Emergency Management to establish a Beachside Vaccination Task Force.

The Task Force has established a large scale drive-through vaccination site in Satellite Beach and the first vaccination event will be held on Wednesday, April 7<sup>th</sup>. A second vaccination event is scheduled for Sunday, April 18<sup>th</sup>. To register for a vaccination appointment, visit [www.BeachsideFire.com](http://www.BeachsideFire.com). The MBVFD also has the capability to vaccinate homebound patients within the Town of Melbourne Beach.

## **Grant Updates**

The Melbourne Beach Vol. Fire Department has been named a 2021 grant recipient by Firehouse Subs Public Safety Foundation®. The grant will be used to purchase new waterproof extrication tools to expand the capabilities of the fire department for rescuing entrapped victims due to vehicle accidents, structural collapse, or natural disasters. The grant is valued at up to \$33,180.00.

As mentioned last month, the Department has been awarded a FEMA AFG-S grant for \$1,537 for the purpose of obtaining additional PPE related to COVID response. This grant is to assist with the purchase of respirator adapters, filter cartridges, and tyvek suits.

The Department submitted a new FEMA AFG grant to assist in offsetting the cost of purchasing new radios for the Fire Department. At this point we are awaiting notification on if we were successful with this attempt.

## **Extractor Washer & Dryer (Capitol Item) Update**

The overall project is moving forward as planned and the purchasing of equipment and building renovations has begun. The project is scheduled to be complete by June 2021.

Prices for the supplies, labor, and equipment have gone up significantly since the project was submitted back in 2020. The updated estimated cost for the project with the new prices has left the project budget approx. \$6000 short. The Melbourne Beach Volunteer Firefighters Association has agreed to step up and fund this additional unforeseen cost.

As mentioned previously, the Fire Department has partnered with 3 other local municipal fire departments to purchase an extractor style washer and rack dryer. To assist with the cost of the project, the Department submitted and was awarded a partial regional FEMA Assistance to Firefighters Grant in the amount of \$22,272. While this is not the full amount requested, it will certainly help offset the cost to the Town and to the other fire departments partnering in this project. A MOU between the participating municipalities was signed at the Commission Meeting in October.

## **Notable Events**

As mentioned above, the MBVFD was awarded a Firehouse Subs Public Safety Foundation® grant for the purchase of new extrication tools valued at \$33,180.

In addition to weekly Brevard EOC conference calls, Fire Chief Brown attended multiple meetings with other local Beachside Fire Chiefs (Indianalantic, Indian Harbor Beach, & Satellite Beach) as part of the Task Force assigned to establish a beachside COVID-19 vaccination site.

# Memo

To: Mayor, Vice Mayor and Commissioners  
From: Jennifer Kerr, Finance Manager  
Date: April 14, 2021  
Re: March 2021

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We are in the sixth month of our fiscal year 2021. The target expenditure rate for December is 50.0%. All departments are managing their expenditures even though several budget lines are over the targeted expenditure rate. All budget items highlighted in green are over the target rate but within the anticipated spending of that budget line. All items highlighted in yellow are being monitored. Items highlighted in red are over expended. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 47.6%. The Departmental expenditure rate breakdown is as follows:

Legislative:	46.6%
Executive:	51.8%
Finance:	45.5%
Legal:	39.0%
Comp & Plan:	32.9%
General Services:	44.4%
Law Enforcement:	50.8%
Fire:	32.8%
Code:	45.9%
Public Works:	48.0%
Parks:	41.7%
Ocean & Ryckman Parks:	45.8%

## **Discussion Items:**

Ocean & Ryckman Park Funds have a few line items that are high due to no revenue stream coming in at this time from the paid parking that is being installed.

We received \$5,612.33 from Brevard County Board of County Commissioners from the Cares Act Fund for COVID supply expenses.

Submitted the FMIT Safety Grant for funding up to \$2,500.

Audit began March 8, 2021. James Moore is in the process of wrapping up the audit.