



TOWN OF MELBOURNE BEACH

TOWN COMMISSION WORKSHOP

October 7, 2020

AGENDA PACKET



Town of Melbourne Beach

AGENDA

TOWN COMMISSION WORKSHOP

**WEDNESDAY, October 7, 2020 @ 6:00 p.m.
COMMUNITY CENTER, 509 OCEAN AVENUE**

PUBLIC NOTICE

**The Town Commission will conduct a TOWN COMMISSION WORKSHOP on
Wednesday, October 7, 2020 at 6 p.m. in the Community Center to address items below.**

Commission Members:

Mayor Jim Simmons
Vice Mayor Wyatt Hoover
Commissioner Steve Walters
Commissioner Sherrie Quarrie
Commissioner Corey Runte

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Jennifer Torres

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 Simmons**
- 2. Roll Call**
- 3. Pledge of Allegiance and Moment of Silence**
- 4. Presentation**
- 5. Public Comment**

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. Please remember to sign the sign-in sheet provided if you will be speaking at the meeting.

6. New Business

- a. Discussion of Ordinance 2020-03, related to Boats/Recreational Vehicles Amending section 7A-67, Appendix A, Land Development Code
- b. Discuss and Consider Suggested Actions related to recently submitted annual performance reviews for the Town Manager – Vice Mayor Hoover
- c. Discussion on a Town-Resident Communications Plan – Vice Mayor Hoover

7. Adjournment

Town Commission Agenda Item

6A

Section: New Business

Meeting Date: October 6, 2020

Subject: Discussion of Ordinance 2020-03, related to Boats/Recreational Vehicles Amending section 7A-67, Appendix A, Land Development Code

Submitted By: Mayor Simmons

Background Information:

The Commission agreed to table the second reading of Ordinance 2020-03 at the September RTCM in order to continue the discussion during this workshop with members of the Planning & Zoning Board invited to attend. The second reading of Ordinance 2020-03 is scheduled for The October 21, 2020 RTCM.

Attachments:

1. Draft Ordinance 2020-03

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE OF THE TOWN OF MELBOURNE BEACH REGARDING TRAILERS, BOATS AND RECREATIONAL VEHICLES; AMENDING SECTION 7A-67; AMENDING THE MAXIMUM LENGTH OF TRAILERS, BOATS, AND RECREATIONAL VEHICLES STORED ON ANY LOT WITHIN THE TOWN TO FORTY-FIVE (45) FEET; PROVIDING THAT TRAILERS, BOATS, AND RECREATIONAL VEHICLES MAY BE CONNECTED TO ELECTRICAL POWER SOURCES FOR MAINTENANCE PURPOSES; AMENDING THE CONDITIONS FOR STORAGE OF TRAILERS, BOATS, AND RECREATIONAL VEHICLES ON CORNER LOTS TO REQUIRE SAID TRAILERS, BOATS, AND RECREATIONAL VEHICLES TO BE SUBSTANTIALLY SCREENED BUT NOT COMPLETELY SHIELDED FROM VIEW; PROVIDING THAT EXTERNAL SIDE-ROOM EXTENSIONS ON RECREATIONAL VEHICLES CAN ONLY BE EXTENDED FOR LOADING AND UNLOADING; AMENDING THE ALLOWABLE PERIOD OF ACTIVE LOADING AND UNLOADING OF TRAILERS, BOATS, AND RECREATIONAL VEHICLES TO FORTY-EIGHT (48) HOURS IN ANY SEVEN (7) DAY PERIOD; PROVIDING A SERVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, the Town of Melbourne Beach desires to amend the Land Development Code of the Town of Melbourne Beach regarding the parking, placement, storage, and screening of trailers, boats, and recreational vehicles within the Town of Melbourne Beach; and,

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that the amendments to Section 7A-67 of the Land Development Code proposed in this Ordinance will provide for the improved regulation of the parking,

placement, storage, and screening of trailers, boats, and recreational vehicles in the Town of Melbourne Beach, consistent with currently acceptable community standards for the same; and,

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that the amendments to Section 7A-67 of the Land Development Code provided for in this Ordinance are consistent with the Comprehensive Plan and are in the best interests of its citizens and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach;

NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF MELBOURNE BEACH, FLORIDA:

SECTION 1. That Section 7A-67, Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, is hereby amended to read as follows:

§7A-67. TRAILERS, BOATS AND RECREATIONAL VEHICLES.

(a) General parking restrictions. Trailers, boats and recreational vehicles which do not exceed 26 forty-five (45) feet in overall length may be parked, stored or stopped on any lot in the Town provided the following provisions are complied with:

- (1) Such trailers, boats, and recreational vehicles, or any combinations thereof, shall not be used for residential, office or commercial purposes.
- (2) Such trailers, boats and recreational vehicles, or any combinations thereof, shall not be connected in any manner to utilities, except for the purpose of charging batteries thereon ~~connection to electric service for the purpose of charging batteries or maintenance only~~. The use of trailers and recreational vehicles for sleeping, housekeeping or living quarters while so parked shall not be permitted.
- (3) Such trailers, boats and recreational vehicles shall be located to the rear of the front building line and in no event, less than twenty-five (25) feet from the front lot line, except for purposes of loading and unloading ~~for reasonable periods of time as provided for in Section 7A-67(c)(1)~~. Additionally, on any corner lot, no trailer, boat or recreational vehicle shall be located in front of the building line of any side of the structure which abuts a street, unless the boat, trailer or recreational vehicle is sheltered substantially screened, but not completely shielded from view, by a vegetative barrier or fence.

- (4) Such trailers, boats, and recreational vehicles shall not be parked on any part of the road right-of-way.
- (5) Such trailers, if collapsible, shall be parked or stored in a collapsed condition only.
- (6) The sites upon which such trailers, boats, and recreational vehicles are parked shall be well-kept and free from weeds and other growth.
- (7) Any deviations from the provisions of this subsection (a) shall be by special permit issued by the Town Commission setting forth the specific use to be made and the term of such use.

(8) Recreational vehicle side-room extensions may only be extended for the purposes of loading and unloading.

(b) Parking cargo trailers restricted. Cargo trailers shall not be parked in the Town, except for purposes of loading and unloading for no more than forty-eight (48) hours in any seven (7) consecutive day period ~~reasonable periods of time~~, unless stored fully within a garage, carport or fenced yard.

(c) Temporary parking; placement, storage, or parking on vacant lots.

(1) Parking trailers, boats, and recreational vehicles on residential lots prohibited, with exceptions. Trailers, boats, and recreational vehicles which exceed 26 forty-five (45) feet in overall length, whether powered or unpowered, shall not be parked, stored, or placed on any residential lot located within the Town except for purposes of active loading and delivery. Said period of active loading and unloading of any trailer, boat, recreational vehicle or combination thereof exceeding forty-five (45) feet in overall length or not parked in compliance of with subsection (a) of this Section shall not exceed two six-hour periods forty-eight (48) hours in any seven (7) consecutive day period.

(2) No trailer, boat, recreational vehicle, or camper, regardless of size, may be parked, placed, or stored on any vacant lot. No trailer, boat, recreational vehicle, or camper, regardless of size, may be used as a place to live, temporarily or permanently, on any vacant lot. For the purposes of this paragraph, a VACANT LOT is a lot without a structure used as a principal permitted use or use for which a special exception has been issued.

SECTION 2. Severability/Interpretation Clause.

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) In interpreting the provisions of this Ordinance, the following rules and symbols shall apply:

(1) Words underlined are additions to existing text.

(2) Words ~~stricken through~~ are deletions from existing text.

(3) Asterisks (* * *) indicates a deletion from the Ordinance of text existing in the Code of Ordinances. It is intended that the text in the Code of Ordinance denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 3. Codification. The provisions of this Ordinance shall be codified as, and become and be made a part of, the Town of Melbourne Beach Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon adoption.

SECTION 6. Adoption Schedule.

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on the 19th day of August, 2020, and ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida, on final reading on the 16th day of September, 2020.

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
JAMES D. SIMMONS, Mayor

ATTEST:

(TOWN SEAL)

Jennifer Torres,
Town Clerk

Town Commission Agenda Item

6B

Section: New Business

Meeting Date: October 7, 2020

Subject: Discussion of Town Manager Performance Review and Suggested Actions

Suggested Action: Discuss and Consider Suggested Actions

Submitted By: Vice Mayor Hoover

Background Information: The Town Commission members recently submitted annual performance reviews for the Town Manager. Included were several suggested future actions to improve the Town and possible actions to improve the Town Manager's performance moving forward. Vice Mayor Hoover would like to discuss which items the Commission would like to prioritize moving forward.

Attachments:

1. Town Manager Review Comments, June 2020



Town of Melbourne Beach

PERFORMANCE FACTORS

Organizational Management:

#1 During this 6-month interim review period, Ms. Mascaro has quickly and quite effectively transitioned into the Town Manager role. Among her accomplishments:

- Numerous long-term Commission-directed action items have been resolved and closed (after languishing for several years under previous TMs)
- Unanticipated personnel vacancies have been quickly filled with an even stronger staff (Town Clerk, Deputy Town Clerk, Code Enforcement, Fire Inspector and her replacement as Finance Director);
- Personnel and organizational issues with the Police (PBA negotiations, personnel complaints) have been effectively managed;
- Fire Dept. leadership has been effectively transitioned;
- Numerous, unforeseen emergencies have been proactively managed (two hurricane preparations, CORONA virus pandemic, including beach and parking closures, numerous storm water and street issues have been repaired, etc.); and
- Several new policies have been developed in order to document best practices (pandemic response, budget reporting and resolutions, etc.)

#2 Very professional when dealing with difficult situations or people.

#3 Nothing but positive feedback. Best TM performance I have seen to date. Great job handling hurricanes and COVID-19.

#4 Organizational management is good. Improvements could be made in applying structure across departments to ensure all tasks are being completed on time, with consistency, and minimal oversight.

Fiscal Management:

#1 Ms. Mascaro consistently underruns the budget in key areas under her control. She develops effective solutions when unavoidable overruns (e.g., legal) arise. She has also ensured that her replacement as Finance Director is well-trained and provides effective budget control.

#2 I feel good about Elizabeth's financial background. It a true plus for our small town.

#3 Extremely proficient in financing and accounting. Her experience is unrivaled and extremely invaluable as Town Manager.

#4 Good work here, as expected, based on your previous experience as Finance Manager.

Planning:

#1 See above

#2 No comment

#3 Town Manager is proactive rather than reactive.

#4 In fairness, this is the most difficult aspect of your job as you've been in the position only a short time. Completion of tasks as directed by the Commission is good. Improvements can be made in understanding the long-term goals of the Commission and then working to identify short term goals that will build toward completion of long term goals.

Supervision:

#1 Ms. Mascaro has provided the appropriate level of supervision and support to her management team, knowing when to "let them run" (e.g., Public Works) and when to provide counsel and support (Police Chief personnel issues)

#2 Not sure about question 1, most departments are in communication regarding decisions.

#3 Town Manager allows departments heads to function without micro managing and fosters growth for all responsibly and respectfully.

#4 more structure is needed in order to effectively delegate tasks while ensuring timely and consistent completion of tasks, with high quality outcomes- meeting documents with department heads to track completion of goals and objectives, digital calendars to share events and associated responsibilities across teams/departments/committees, etc. These documents and meeting also serve as evidence when applying discipline or when terminating an employee.

Relations with Commission:

#1 Ms. Mascaro strikes the right balance between advocating for her and her staff's recommendations and each Commissioner's initial thoughts. She effectively provides her opinions and rationales, but, when the decision is made, she implements it thoroughly.

#2 I'm happy with above average understanding of how government works.

#3 Town Manager is very approachable and easy to communicate with.

#4. Great interpersonal skills, you've done well with creating a unique relationship with each Commission member and have worked to better understand their perspective and directives.

Reporting:

#1 Ms. Mascaro began the practice of providing the financial reports at each Commission meeting in order to provide ongoing insight into budget vs. actuals, while also forecasting potential overruns and mitigations. While initially somewhat deficient (due to other pressing priorities during the transition) her manager's report is now well-defined and documented. She actively and regularly encourages all commissioners to meet with her regularly to discuss and issues, concerns or thoughts. She is an open book, there are no hidden agendas.

#2 Responds quickly. Also doesn't say "I'll find out" and wait a month to provide answers.

#3 Great job here. My only improvement would be to send follow up emails on items not on agenda that are deemed important.

#4 Sometimes more frequent updates on discussion items are needed (i.e. those that are emailed/discussed, but not added as action items or not on meeting agendas. Better/consistent use of digital records/documents will remedy this small issue.

Citizen and Intergovernmental Relations:

#1 Ms. Mascaro coordinates with all outside agencies and municipalities very effectively (e.g., during the COVID-19 pandemic) and provides excellent communication via the Town's Facebook and web pages.

#2 Knows what other municipalities are doing and uses the information for our Town.

#3 Our residents have never been happier. Never receive any negative complaints. Town Manager has developed great working relationships with neighboring municipalities.

#4 I like that I've seen a more supportive approach from Town staff. Customer service appears to be a priority, with staff helping residents trouble shoot to achieve their goals (while still complying with codes/ordinances) is a welcome change from the "you can't do that" attitude of many local governments. You've done a good job connecting with our beachside neighbors, building a relationship with Melbourne should be a priority, as well.

Professional/Personal Characteristics:

#1 Ms. Mascaro is committed to providing exceptional and professional service to the Town.

#2 blank

#3 Town Manager represents the Town very professionally. I am proud to have Elizabeth as our representative.

#4 I expect that, as you continue to settle into your role, your participation in seminars/conferences and your presence throughout the Brevard community will increase.

PERFORMANCE OBJECTIVES

#1 -Assist in transition to new Mayor
 -Develop more detailed policies and procedures proactively
 -Continue to monitor developments in PD while addressing issues that led to request for bargaining
 -Develop long-term infrastructure maintenance plan such that only minor annual modifications are required and department heads do not need to significantly revise it each year.

#2 -none

#3 -Establish a long-term infrastructure, utility, construction cost program for improvements.
 -Increase grant writing-applications and awards by 25% with a transparent tracking log.
 -Implement a 25-50% of EAB goals or start eth process towards achievement.
 -Develop a business partnership program with Ocean Avenue business owners to foster a stronger relationship and offer support.
 -Start/develop a long term vision for Ryckman Park, Ocean Park and Ocean Avenue corridor

(streetscapes, improvements, etc.)

- #4
- Seriously pursue your commitment to earning your degree in Public Administration
 - Created written plans/processes that will articulate how the town functions and who is responsible for various ongoing tasks and when those should be implemented.
 - Build your (and your staff's) knowledge and skills in the use of digital tools in order to improve efficiency in managing and completing new/recurring tasks. I suggest starting with a goal of earning a Microsoft Office Specialist certification for you and your key staff members.
 - Reach out to connect with community organizations (schools, clubs, churches), which will help you to proactively identify issues or areas in which the town can better serve its residents.
 - Learn more about urban planning and design, how traffic impacts our community, and how we can protect ourselves from the increasing development around us. A good starting point would be to read publications by an organization like Strong Towns.

RATER'S COMMENTS

#1 Ms. Mascaro has performed exceptionally well during her two periods as interim Town Manager and now Town Manager. This is no surprise to me. She is well organized and focused. She truly cares about her team and is a strong motivator, know when to interject herself and when to stand back. She works well with the Commission as a whole and with me individually. I am sure that she will continue to grow and mature in this role and I look forward to her being in this position for a long time.

#2 I am very happy with the flow of Town business and the positive energy in the office.

#3 The Town of Melbourne Beach has never made more progress than it has since the Town Manager has started in her position. It has been noticed by the Town Commission, Mayor, residents and neighboring municipal leaders.

#4 You walked into a challenging situation, immediately faced adversity, had to fill vacancies in key positions, and did all of that very well. You've laid a very strong foundation for yourself and for the Town's future. There are a few areas of improvement among many areas of strength. I look forward to working with you to build on the success and continue to find ways to improve and to better serve our community. Keep up the great work!

Town Commission Agenda Item

6C

Section: New Business

Meeting Date: October 7, 2020

Subject: Town Resident Communications

Suggested Action: Direct Town Staff to create a process for delivering consistent and multi-modal communications to residents regarding Town events and Commission decisions, both recent and upcoming.

Submitted By: Vice Mayor Hoover

Background Information: Residents are not satisfied with the level and quality of communication coming from the Town and, as a result, many feel the Commission is working to deliberately obfuscate its actions (though I do not agree with that sentiment).

With recent turnover in staff, many long-standing communication methods have ceased (i.e. posting signs before meetings) and the Town has not been able to adapt to modern communication methods. To prevent this failure from recurring in the future, the Town should create documented processes that outline what types of communications should occur at what times, at what intervals, in association with what events, and with whom the responsibility of these tasks should lie.

Attachments:

1. Outline of items to consider

ITEMS TO CONSIDER & SUGGESTIONS

1. Types of communication

a. Roadside Signage

- i. Where to place signs – A1A, Riverside, Oak St, in front of Town Hall
- ii. When to place them – RCTM, RTCW, other board meetings, elections, other special events?
- iii. Uniform size/layout of the signs or banners

b. Email lists – the Town has an email signup page on its website that does not do anything when you sign up, this is confusing and frustrating to residents - <https://www.melbournebeachfl.org/subscribe> (see last page)

- i. Adjust above webpage to reflect items that exist or create the listed items
- ii. Beachcomber
- iii. Monthly Recap Newsletter of Commission actions & upcoming items of interest (no commentary, just facts)

1. Add this to website, so sharing can be done easily through a link instead of attaching a document

c. Social Media – share information posted on town website

- i. Platforms: Facebook, Nextdoor
- ii. What content should be posted and on what schedule? Suggest posting of any items that are sent out through email or posted on the website.
- iii. Facebook events – create events for Town Meetings & other events (list from 1.a.ii above), how far in advance should events be created?
- iv. Other?