

TOWN OF MELBOURNE BEACH

REGULAR TOWN COMMISSION MEETING

MARCH 15, 2023

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Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING MARCH 15, 2023 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

PUBLIC NOTICE

AGENDA

The Town Commission will conduct a Regular Town Commission Meeting on Wednesday, March 15, 2023, in the Community Center to address the items below

Commission Members:

Mayor Wyatt Hoover Vice Mayor Joyce D. Barton Commissioner Sherri Quarrie Commissioner Corey Runte Commissioner Marivi Walker

Staff Members:

Town Manager Elizabeth Mascaro Town Attorney Clifford Repperger Town Clerk Amber Brown

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. 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.

5. Approval of the Agenda

6. Consent Agenda

- A. Approval of the Regular Town Commission Meeting Minutes February 15, 2023
- B. Approval of the site plan for 410 Atlantic St Garage addition
- C. Approval of the site plan for 214 Surf Rd Building addition
- D. Approval of the site plan for 210 Second Ave Cabana accessory structure
- E. Approval of the site plan for 320 Avenue A Garage accessory structure

7. Public Hearing

A. Second reading of proposed Ordinance 2023-01 – Landscaping and Trees Section 9A and Fences and Walls 7A-53 and 7A-58

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; APPENDIX "A" OF THE TOWN CODE OF **ORDINANCES OF MELBOURNE BEACH. THE LAND DEVELOPMENT CODE:** AMENDING CHAPTER 9A REGARDING LANDSCAPING AND TREES; SPECIFICALLY AMENDING SECTION 9A-4, PERMIT REOUIRED FOR CUTTING DOWN TREE; SPECIFICALLY AMENDING SECTION 9A-5, APPLICATION FOR PERMIT; REVIEW OF APPLICATION; SPECIFICALLY 9A-6, AMENDING SECTION **ON-SITE INSPECTION;** SPECIFICALLY AMENDING SECTION 9A-7, MINIMUM TREE PLANTINGS; SPECIFICALLY AMENDING SECTION 9A-10, EXCEPTIONS; SPECIFICALLY AMENDING SECTION 9A-12, PENALTY; AMENDING ARTICLE IV, CHAPTER 7A, SUPPLEMENTARY DISTRICT REGULATIONS; SPECIFICALLY AMENDING SECTION 7A-53, FENCES AND WALLS; SPECIFICALLY AMENDING SECTION 7A-58, VISION **CLEARANCE** AT **CORNERS;** PROVIDING Α **SEVERABILITY/INTERPRETATION CLAUSE;** PROVIDING FOR **CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES** AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND **PROVIDING AN ADOPTION SCHEDULE.**

B. Second reading of proposed Ordinance 2023-02 – Second Kitchens AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; APPENDIX "A" OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 1A-3 TO ADD THE DEFINITION FOR KITCHEN OR KITCHEN FACILITY; AMENDING CHAPTER 7A REGARDING SECOND

KITCHENS; SPECIFICALLY AMENDING SECTION 7A-31, SECTION 7A-32, AND SECTION 7A-33 TO PERMIT SECOND KITCHENS IN 1-RS, 2-RS, AND 3-RS ZONING **DISTRICTS:** CREATING **SECTION** 7A-72 TO PROVIDE SUPPLEMENTARY DISTRICT REGULATIONS FOR SECOND KITCHENS IN SINGLE FAMILY RESIDENTIAL **DISTRICTS**; PROVIDING Α SEVERABILITY/INTERPRETATION **CLAUSE:** PROVIDING FOR **CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES** AND RESOLUTIONS; PROVIDING FOR AN EFFECTIV

8. Old Business

9. New Business

- A. Consideration of Proclamation recognizing January 2023 as National Human Trafficking Awareness and Prevention Month
- B. Consideration of Proclamation recognizing April 2023 as Water Conservation Month
- C. Consideration of a special event permit application
- D. Consideration of the installation of a Clean-Up Station at Ocean Park
- E. Consider approving the new contract for Computer Experts
- F. Consideration of request for reduction of code enforcement fine CEB 2019-CE-054

10. Staff Reports

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

11. Town Commission Comments

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

12. Adjournment

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING FEBRUARY 15, 2023 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

Mayor Wyatt Hoover Vice Mayor Joyce Barton Commissioner Sherri Quarrie Commissioner Corey Runte Commissioner Marivi Walker

Staff Members:

Town Manager Elizabeth Mascaro Town Attorney Cliff Repperger Finance Manager Jennifer Kerr Building Official Robert Bitgood Fire Chief Gavin Brown Police Chief Melanie Griswold Public Works Director Tom Davis Town Clerk Amber Brown

1. Call to Order

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

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Wyatt Hoover Vice Mayor Joyce Barton Commissioner Sherri Quarrie Commissioner Corey Runte Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro Town Attorney Clifford Repperger Building Official Robert Bitgood Public Works Foreman Sean Hasner Public Works Director Tom Davis Town Clerk Amber Brown

Commission Members Absent

3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance

4. 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.

Yabsira Adera US Small Business Administration

Yabsira Adera spoke about disaster assistance for individuals that have been impacted by Hurricane Nicole. The US Small Business Administration provides low-interest loans.

Amy Rickman 303 Sunset

Amy Rickman spoke about the preservation, conservation, and improvement of the sea dunes at First Ave. Amy Rickman spoke about being part of DAR and they volunteered to maintain the First Ave beach crossover. Amy asked to place a DAR sign at the First Ave beach crossover.

Mayor Wyatt Hoover spoke about not being able to vote on it tonight, but it would be added as an agenda item next month.

Crystal Cain 309 Surf Rd

Crystal Cain spoke about the Adopt an Area program. The EAB had 50 volunteers last weekend to plant sea oats. March 11th at Old Town Hall there will be a native plant sale and oak tree giveaway from 11-3 pm. Spoke about updates and plans for Old Town Hall.

Ali Dennington 413 Surf Rd

Ali Dennington spoke about objecting to the entire meeting because she sent in a public records request on February 6, 2023, for any records related to the meeting that was canceled on February 1, 2023, and she has not received anything yet. The packet was sent to the Commission last Friday, why wasn't it posted online then?

Town Clerk Amber Brown spoke about the agenda and agenda packet being posted on the website and the Town bulletin boards on Friday, February 10, 2023, the same day they were sent to the Commission. Also, the deadline to submit items for the meeting is Thursday, February 9, 2023, so she wouldn't have had all of the documents before that.

5. Approval of the Agenda

<u>Vice Mayor Joyce Barton made a motion to approve the agenda as presented;</u> <u>Commissioner Marivi Walker seconded; Motion carried 5-0.</u>

6. Consent Agenda

- A. Approval of the Regular Town Commission Meeting Minutes January 18, 2023
- B. Approval of the site plan for 921 Oak St Two-car attached garage
- C. Approval of the site plan for 419 Riverview Ln Room addition
- D. Approval of the site plan for 404 Colony St Porch addition
- E. Appointment and reappointment of Board Members
 - Reappointment to the History Center Board
 1. Steven Doles
 - Appointment to the Police Pension Fund Board of Trustees
 1. Robin Petersen

<u>Vice Mayor Joyce Barton moved to approve the Consent Agenda as presented;</u> <u>Commissioner Marivi Walker seconded; Motion carried 5-0.</u>

7. Public Hearing

A. Proposed Ordinance 2023-01 - Landscaping and Trees Section 9A

Mayor Wyatt Hoover spoke about the background information about this proposed ordinance.

Town Attorney Clifford Repperger - first reading of Ordinance 2023-01

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; APPENDIX "A" OF THE TOWN CODE OF **ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE;** AMENDING CHAPTER 9A REGARDING LANDSCAPING AND TREES: SPECIFICALLY AMENDING SECTION 9A-4, PERMIT REQUIRED FOR CUTTING DOWN TREE; SPECIFICALLY AMENDING AND RENAMING SECTION 9A-5, APPLICATION FOR PERMIT; REVIEW OF APPLICATION; MINIMUM CONSTRUCTION STANDARDS; SPECIFICALLY AMENDING SECTION 9A- 6, ON-SITE INSPECTION; SPECIFICALLY AMENDING SECTION 9A-7, MINIMUM TREE PLANTINGS; SPECIFICALLY AMENDING SECTION 9A-10, EXCEPTIONS; SPECIFICALLY AMENDING SECTION 9A- 12, PENALTY; AMENDING ARTICLE IV, CHAPTER 7A, SUPPLEMENTARY DISTRICT **REGULATIONS; SPECIFICALLY AMENDING SECTION 7A-53, FENCES AND** WALLS: SPECIFICALLY AMENDING SECTION 7A-58, VISION CLEARANCE AT CORNERS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; **CODIFICATION;** PROVIDING FOR PROVIDING FOR REPEAL OF **CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.**

Town Attorney Clifford Repperger spoke about the amendments to the ordinance which include the following.

- Amends Section 9A-4 to require permitting, removal standards, and exempt trees posing an unacceptable risk in accordance with Florida Law.
- Amends Section 9A-5 regarding the number of tree removal plans required.
- Amends Section 9A-6 to provide dimensions for replacement trees.
- Amends Section 9A-7 to revise minimum tree plantings for new construction.
- Amends Section 9A-10 to provide for clarified exemptions in accordance with State Law.
- Amends Section 9A-12 to provide for enhanced penalties for mature tree removal without a permit.
- Amends Section 7A-53 to allow for fences/walls extending beyond the front building line on residential lots abutting A1A and Oak Street south of Ocean Avenue to be erected to a maximum height of six (6) feet with required plantings and corner lot limitations.
- Amends Section 7A-53 to clarify references to fences and walls.
- Amends Section 7A-58 to clarify references to fences and walls.

Town Attorney Clifford Repperger spoke about the Planning and Zoning Board not being ready to provide a recommendation and tabled it until their March meeting. At the Planning and Zoning Board meeting, they had concerns regarding the twofor-one tree replacement for new construction which has since been amended to a one-to-one requirement, another section was related to the fines for removing a tree without a permit being too steep. The ordinance mirrors what State Statute has regarding fines.

Mayor Wyatt Hoover spoke about a couple of corrections.

Vice Mayor Joyce Barton asked if the \$5,000.00 fine is per tree.

Town Attorney Clifford Repperger spoke about the fine is up to \$5,000.00 per tree.

Commissioner Corey Runte spoke about any fines that are collected from this being put into a separate fund for beautification.

Commissioner Sherri Quarrie asked about the process in section 9A-4 permit required for cutting down a tree.

Further discussion ensued

Commissioner Corey Runte spoke about three scenarios that would not require a permit which are unsafe conditions, unhealthy trees, and invasive trees.

Building Official Robert Bitgood spoke about a permit not being required for trees that pose an unacceptable risk.

Jim Simmons 409 Avenue B

Jim Simmons spoke about the last sentence in section 94-A should be changed to say any tree which poses an unacceptable risk may qualify for removal without a Town permit. Don't tell them they can, tell them they may qualify. 9A-6b1a who determines if it unreasonably restricts. 9A-7c who determines similar species. The last thing regarding fences is to make sure when gates are put in that there is enough space to get off the road while the gate opens.

Mayor Wyatt Hoover spoke about changing 94-A to reverse the sentence structure to say a tree that poses an unacceptable risk may qualify. Regarding 9A-6b1A how can unreasonably restricts be changed so it is not so subjective

Vice Mayor Joyce Barton spoke about section 9A-6b1A removing unreasonably restricts.

Town Attorney Clifford Repperger spoke about reworking that language.

Commissioner Corey Runte spoke about adding a section that states if the removal of any tree or shrub causes the number of remaining trees and shrubs to fall below the minimum number required a replacement tree or shrub shall be planted within thirty days of removal to section 9A-6.

Commissioner Sherri Quarrie spoke about being okay with the Florida Statute fines in 9A-12 to allow the Special Magistrate the ability to determine the fine amount.

Mayor Wyatt Hoover spoke about double-checking to make sure the Code has a section that requires gates to be set back to allow vehicles to get off A1A.

Further discussion ensued

Dan Harper 418 Avenue B

Dan Harper spoke about several reasons why 9A-7c should not be included. Doubling tree density is not practical. Maintaining the same density pre and postconstruction is reasonable. Tree density should be defined in the definitions. The \$5,000.00 fine is excessive.

Town Attorney Clifford Repperger spoke about the doubling tree density concern is related to the proposed ordinance when it went to the Planning and Zoning Board but was amended before it came to the Town Commission. Will look into the definition of tree density to see if that needs to be included

Ali Dennington 413 Surf Rd

Ali Dennington spoke about objecting because she has not had enough time, she made public records requests and Amber has had the records, Amber's lying, what Amber said is not true. The notice for this meeting for these ordinances is defective. There was ex parte communication that was not disclosed. The Planning and Zoning Board has not recommended this yet. Where is the report with the findings that this is in compliance with the comprehensive plan. There was mention of an agenda report; what's that and where is it. This is horrible who wrote it. Does not oppose it in theory, but rushing it through like this is so bad.

Town Attorney Clifford Repperger spoke about the ordinance's full title was advertised in Florida Today for the Planning and Zoning Board and has been out for weeks and available to the public for that meeting last week. The first reading is not required to be noticed, but we over notice by doing a first public notice for planning and Zoning and the Commission meeting and then we will do a second notice for planning and Zoning and the Commission meeting in the newspaper. As far as the ex parte communication, this is not a quasi-judicial proceeding. This is a legislative proceeding and you are free to talk to whomever you want to.

<u>Vice Mayor Joyce Barton moved to pass the first reading of Ordinance 2023-01</u> <u>Landscaping and Trees Section 9A with the points discussed; Commissioner</u> <u>Corey Runte seconded; Motion carried 5-0.</u>

B. Proposed Ordinance 2023-02 - Second Kitchens

Town Attorney Clifford Repperger – first reading of Ordinance 2023-02 AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; APPENDIX "A" OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 1A-3 TO ADD THE DEFINITION FOR KITCHEN OR KITCHEN FACILITY; AMENDING CHAPTER 7A REGARDING SECOND KITCHENS; SPECIFICALLY AMENDING SECTION 7A-31, SECTION 7A-32, AND SECTION 7A-33 TO PERMIT SECOND KITCHENS IN 1-RS, 2-RS, AND 3-RS ZONING DISTRICTS; CREATING SECTION 7A-72 TO PROVIDE SUPPLEMENTARY DISTRICT REGULATIONS FOR SECOND KITCHENS IN SINGLE FAMILY RESIDENTIAL DISTRICTS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

Town Attorney Clifford Repperger spoke about the amendments to the ordinance which include the following.

- Amends Section 1A-3 to add a definition for "kitchen" or "kitchen Facility" which excludes outdoor barbeque areas without a range or stove.
- Amends Section 7A-31 to cite appropriate supplementary regulations.
- Amends Section 7A-32 to cite appropriate supplementary regulations.
- Amends Section 7A-33 to cite appropriate supplementary regulations.
- Creates Section 7A-72 to allow for second kitchens in 1-RS, 2-RS, and 3-RS zoning districts with permitting and regulatory conditions.

Town Attorney Clifford Repperger spoke about this ordinance going to Planning and Zoning which they recommended by a 4-1 vote. Since the Planning and Zoning meeting there has been an amendment to 7A-72(1) to read the second kitchen facility and the area or quarters it serves shall be integrated architecturally into the principal single-family dwelling unit or may be located within separate quarters connected to the principal single-family dwelling unit or may be located within separate quarters connected to the principal single-family dwelling unit by a common wall or common roof. For purposes of this Section, a breezeway connected between the principal single-family dwelling unit structure and the separate quarters served by the second kitchen may constitute a common roof. Access to the second kitchen shall be as required by the Florida Building Code.

Mayor Wyatt Hoover spoke about the history of and discussions regarding this ordinance change.

Commissioner Sherri Quarrie spoke about not being in favor of allowing second kitchens in detached accessory structures, so she likes the rewrite to Section 7A-72(1)

Mayor Wyatt Hoover spoke about not wanting to explore allowing kitchens in detached structures so he is happy with this ordinance.

Commissioner Corey Runte, Commissioner Marivi Walker, and Commissioner Sherri Quarrie agreed.

Dan Harper 418 Avenue B

Dan Harper spoke about section 7A-72(1) which allows for an internal and external entrance. Asked to get opinion letters from Town Council and Town Planner that allowing the exterior access would not turn it into multifamily.

Town Attorney Clifford Repperger spoke about Mr. Harper's feedback is about the previous revision of the ordinance. The language of the newest revision does not have the language related to the external entrance. Town Attorney Clifford Repperger did speak with the Town Planner Corey O'Gorman who did not feel that the allowance of a restricted separate guest cottage would convert a property from a single-family use as it is zoned to multifamily because of the restrictions such as size and location. We are not proposing detached only attached separate quarters, so there is no concern about it becoming multifamily.

Vice Mayor Joyce Barton asked if the guest cottage would still need to be attached by a roof line.

Town Attorney Clifford Repperger spoke about currently you can have separate living quarters that are attached by a roof line or common wall you just cannot have a second kitchen. This section would allow you to have a second kitchen, but you would still have to maintain the attached roof line or common wall. The other consideration related to the multifamily concern is that you would still be required to have and maintain the homestead exemption on it.

Vice Mayor Joyce Barton thought it would be a good idea to get a memo from Corey O'Gorman.

Jim Simmons 409 Avenue B

Jim Simmons spoke about the County is supposed to be looking at and monitoring properties that are being rented out that have the homestead exemption.

Further discussion ensued

<u>Vice Mayor Joyce Barton moved to pass the first reading of the proposed</u> <u>Ordinance 2023-02 for second kitchens; Commissioner Marivi Walker seconded;</u> <u>Motion carried 5-0.</u>

8. Old Business

9. New Business

A. Consideration of updates to the Town Boards

Town Clerk Amber Brown spoke about this agenda item is to start a discussion on updates to the boards. The first item is discussing the status of the Historical Preservation and Awareness Board because the Board's status was previously discussed and put in a probationary status. The second item is to consider changing the term lengths for the Environmental Advisory Board (EAB), History Center Board (HCB), Historical Preservation and Awareness Board (HPAB), and Parks Board from two-year terms to three-year terms which would be consistent with the Planning and Zoning Board and Board of Adjustment. The third item is to consider allowing nonresidents as board members for the EAB, HCB, and HPAB. The fourth item is to consider increasing the number of members on the EAB, HCB, HPAB, and Parks Board to seven members plus two alternates. The last item is to consider allowing the HCB to change their meeting date and time from the first Thursday at 5:30 pm to the first Wednesday at 5:00 pm.

Further discussion ensued

Vice Mayor Joyce Barton spoke about being in favor of making the HPAB an official Board.

Mayor Wyatt Hoover spoke about moving forward with a draft resolution.

Commissioner Sherri Quarrie spoke about changing the name of the HPAB to include Ryckman House.

<u>Vice Mayor Joyce Barton moved to change the term lengths for the mentioned</u> <u>boards to three-year terms; Commissioner Marivi Walker seconded; Motion</u> <u>carried 5-0.</u>

Ali Dennington 413 Surf Rd

Ali Dennington spoke about consistency and simplicity is a good idea. Would like to ask if HPAB is an actual board right now since resolution 2021-03 was never passed. Was this board disbanded and still meeting as the board anyway.

Crystal Cain 309 Surf Rd

Crystal Cain spoke about clarifying what the HCB does and the HPAB. The HCB is just the museum whereas the HPAB is everything else in Town.

Vice Mayor Joyce Barton spoke about allowing a limited number of non-residents on a Board.

Town Manager Elizabeth Mascaro spoke about there being very knowledgeable people who are interested in being on our boards, but they do not live in Town.

Commissioner Corey Runte spoke about allowing a limited number of non-residents on the boards to take advantage of their passion and expertise.

Commissioner Sherrie Quarrie spoke about being in favor of it except for on the Board of Adjustment and Planning and Zoning Board.

Mayor Wyatt Hoover spoke about combining the non-resident item with the number of board members excluding the Board of Adjustment, Planning and Zoning, and Police Pension Fund the other Boards will be allowed to have seven members and two alternates of which two can be non-residents.

Ali Dennington 413 Surf Rd

Ali Dennington asked what Mr. Runte thinks about this because he was not a resident. What happens if someone lies about their address to get on a board? You have procedural rules about not interrupting people. If you have a hard time getting people why not have a closing time for residents to apply and then after that allow non-residents to apply. Have a rule to fill any open positions with a resident first. The Charter says you have to be a resident to be on the Commission and believes it says that for all of the Boards as well, so the Charter would need to be amended. You should not have non-residents if a resident is interested.

Mayor Wyatt Hoover spoke about the Commission having to approve each application.

Town Attorney Clifford Repperger read the Town Charter section 3.12 Advisory Boards which states "such boards shall be composed of a representative membership of registered electors of the Town.

Mayor Wyatt Hoover spoke about not addressing the non-resident issue.

<u>Vice Mayor Joyce Barton moved to approve the number of board members for the specified boards to be seven members and two alternates; Commissioner Corey Runte seconded; Motion carried 5-0.</u>

Mayor Wyatt Hoover spoke about the last issue is allowing the HCB to change the meeting date and time from the first Thursday at 5:30 pm to the first Wednesday at 5:00 pm.

<u>Vice Mayor Joyce Barton moved to change the meeting date for the History Center</u> <u>Board to the first Wednesday at 5:00 pm; Commissioner Marivi Walker</u> <u>seconded; Motion carried 5-0.</u>

B. Consideration of restoring the dolphin tree in Ryckman Park

Public Works Director Tom Davis introduced Phil Bryan who is the artist who originally carved the dolphin tree.

Phil Bryan spoke about the history of the dolphin tree and what he would like to do to restore it.

Further discussion ensued

Commissioner Sherri Quarrie spoke about keeping it as part of the park and not closing it off from people being able to access it.

Ali Dennington 413 Surf Rd

Ali Dennington said thank you to Tom for tracking the artist down. She doesn't like the idea of blocking the tree off from the public, but maybe add a bench near it to allow people to sit and take pictures. Post a plaque with the history of it and ask that people don't climb on it. It could be the Town mascot and you could have Gemini students come up with a name for it.

<u>Vice Mayor Joyce Barton made a motion to move forward with restoring the</u> <u>dolphin tree not to exceed \$4,000.00; Commissioner Corey Runte seconded;</u> <u>Motion carried 5-0.</u>

10. Staff Reports

A. Town Attorney Report

No additions

B. Town Manager Report

Town Manager Elizabeth Mascaro spoke about submitting fifty stormwater projects into the State System, Parks Board has fifty booths signed up for the kid's entrepreneur fair, Friends of the Melbourne Beach Library would like to sponsor a book box in Ryckman Park with kid's books at no cost to the Town, and the 5k on Founder's Day is not going to work out. The person that was going to coordinate it wanted it to be a dessert run so we could not come to an agreement. Another group wanted to do a moonlight run the night before Founder's Day which would not work due to staffing but they will be looking into doing it on the Spessard Holland Golf Course. The Town is looking into doing a fun obstacle course on the beach on the morning of Founder's Day.

C. Town Clerk Report

No additions

- D. Departmental Reports
 - 1. Building Department

Building Official Robert Bitgood spoke about not having any new homes or stop-work orders. There are a lot of renovations going on right now.

2. Code Enforcement

No additions

3. Public Works Department

Public Works Director Tom Davis spoke about updates on projects and introduced Sean Hasner the Public Works Foreman.

No additions

Commissioner Sherri Quarrie spoke about the large increase in police department calls from the previous month.

5. Fire Department

No additions

6. Finance Department

Town Manager Elizabeth Mascaro spoke about a couple of overages such as salaries during hurricanes which get reimbursed from FEMA, the second area is tree removal, and the communication budget for the police dispatch was \$500.00 more than what was estimated. Looking into the building department and where some items are being put to make sure they are put in the correct line item.

Ali Dennington 413 Surf Rd

Ali Dennington spoke about the Town rules which say during public comment she can ask anyone questions and they are supposed to answer, and if they don't know the answer they are supposed to say they will look it up and get back to you. Ali Dennington spoke about not accounting for the revenues properly for the building department and having to do corrected W2s for the already corrected W2s. She asked what the process is for selling old Town vehicles. She heard the Town bought the vehicle the building official drives around town from his daughter which is a huge conflict of interest. Why did Tom resign, why did Robert Schaefer resign.

Commissioner Sherri Quarrie spoke about being allowed to take money from one line item within a department to cover another line item within the same department.

<u>Vice Mayor Joyce Barton made a motion to approve the finance report as</u> <u>presented; Commissioner Corey Runte seconded; Motion carried 5-0.</u>

11. Town Commission Comments

A. Review of Commission Action Item List

<u>Updated</u>

• **Town Newsletter** – Get 3 quotes for publishing and mailing every other month on 11x17 in color - March

- **Sixth Ave Boat Ramp:** Public Works Director Tom Davis spoke about meeting with Bowman Engineering at the Sixth Ave boat ramp to get them to draw something up March
- Second Kitchens: Closed
- **Isolate Dunes:** Public Works Director Tom Davis spoke about a resident contacting DEP and due to turtles the wood fencing had to be removed, so colored rope is being installed instead– March
- B. General Comments

Vice Mayor Joyce Barton spoke about changing the order of the agenda such as staff reports towards the beginning so employees do not have to stay for the whole meeting, and general public comment towards the end so it doesn't set the tone for the meeting.

<u>New Action Item</u> – Address the order of the agenda for Town Commission Meetings- Town Clerk - March

12. Adjournment

<u>Commissioner Sherri Quarrie moved to adjourn; Commissioner Corey Runte</u> <u>seconded; Motion carried 4-0.</u>

Meeting adjourned at 9:34 p.m.

ATTEST:

Wyatt Hoover, Mayor

Amber Brown, Town Clerk



TOWN OF MELBOURNE BEACH **DEVELOPMENT APPLICATION**

١. SUBMITTAL REQUIREMENTS:

- 1. Fees per current schedule.
- 2. Deed to property.
- 3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
- 4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
- 5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. **REQUEST:**

- □ Land Use Plan Amendment
- Special Exception
- □ Variance
- Site Plan Review Single Family (1RS, 2RS, 3RS)
 Site Plan Review Multifamily (4RM, 5RMO)
- □ Site Plan Review Commercial (6B, 7C, 8B, 9I) □ Amendment to the Land Development Code
- Rezoning
- Coastal Construction Variance
- Appeal (Application must be filed within 30 days)

19

- Other (specify)

Ш. **PROPERTY INFORMATION:**

General Location: The subject site	is located toward the north end of Atlantic St.	
Address: 401 Atlantic St, Melbourne Beach, FL 32951		
Parcel Number(s): 28-38-05-50	-5-1 (Account No. 2846441)	
Area (in acreage): ~ 0.85	Area (in square feet): ~37,234	
Current Zoning: 1-RS	Proposed Zoning: 1-RS	
Single-family	Proposed Future Land Use: Single-family	
Brief Description of Application: requested	bastal Control Line Variance and a Site Plan review is d to allow for a building addition to the existing single-family a located on the subject lot.	
Date of Mandatory Pre-Application Meeti	Email submittal 4/27/2022	

IV. APPLICANT INFORMATION:

Property Owner

O John Alpizar Trust - Managing Member	Phone: (321) 591-7942
401 Atlantic Street	Fax:
Melbourne Beach, FL	Email: John@ AlpiZARLaw. Com
Applicant (if other than property owner)	(321) 622-4462

4940 Ranchland Rd.

Melbourne, FL 32934

Phone: (321) 622-4462	
Fax: (321) 622-4462	
Email: cbennett@cfl.rr.com	- A.

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

- 1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
- 2. That I/we have read and understands the entire application and concurs with the request.
- 3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

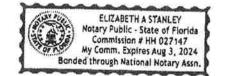
Signature: 0 mm	Date: 10 27 22
Print Name: 0. JOHN ALDIZAr	Title: Owner

*Must sign in front of notary.

State of Florida County of Brevard. The foregoing application is acknowledged before me this $\underline{\partial}$ day of $\underline{\partial} c f c b e c$, $20 \underline{\partial} c$, by $\underline{\partial} c \overline{\partial} b - \underline{A} + \underline{p} c \overline{c} c$ who is/are personally known to me, or who has/have produced ______ as identification.

No. Charles

Signature of Notary Public, State of Florida



VI. <u>APPLICANT CERTIFICATION:*</u>

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

21

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

2022 Member Date: Signature: -layton Bennett Title: Print Name: *Must sign in front of notary. State of Florida County of Brevard. The foregoing application is acknowledged before me this 17th day of Neveraber, 2022, by Clayton Benriett who is/are personally known to me, or who has/have produced_ as identification. nature of Notary Public, State of Florida 108 06/29/2025 Commission No. HH 146952 and the state work which a real

VII. PROJECT DESCRIPTION:

Describe Application: Both a Coastal Construction Control Line Variance and a Site Plan review are requested to allow for a building addition to an existing single-family residence located on the subject site.

Provide attachment if more space is needed.

Describe Existing Conditions: The subject site is currently developed as a single-family residence.

Provide attachment if more space is needed.

A. Variance to Coastal Construction Line Restrictions*

Applications for variance to the Coastal Construction restrictions shall provide a statement describing the proposed work, activity, and construction seaward of the coastal setback line.

A Coastal Construction Control Line variance of 139.6 feet is requested to allow for a building addition on the landward side of the existing single-family residence. The proposed work will include a building addition, site grading, removal and reconstruction of the driveway, and other associated site related items.

Provide attachment if more space is needed.

Applications shall also include a topographic survey of the subject property with the following specific information:

- The location of the contour line corresponding to elevation zero feet NGVD;
- The location of any existing vegetation line on the subject property;
- The location of the established State Department of Environmental Protection Coastal Construction Control Line and the mean high water line, for the full width of the subject property, including the location and number of the two nearest State Department of Environmental Protection's baseline monuments;
- The location of all proposed development to be constructed as a result of the proposed variance;
- The location of all existing development to remain on-site as a part of the development or redevelopment of the site;
- The location seaward of the coastal construction control line of all portions of all existing, and planned development, depicting the number of feet seaward of the coastal construction control line of the development;
- The location for the full width of the subject property of: the line of continuous construction; the top of the coastal dune system; the toe of the coastal dune system on or adjacent to the property at the time of application to the point at the dune, as it existed in September, 1972; and the location of the East side of the A-1-A right-of-way; the location of any principal structure to the North and South of the proposed project property and located within 100 feet of the proposed project property. As used in this subsection, the term *LINE OF CONTINUOUS CONSTRUCTION* is a line drawn from the most seaward edge of any principal structure to the North, and within 100 feet of the proposed project to the most seaward edge of any principal structure to the South, and within 100 feet, of the proposed project; and
- A certification as to the maximum number of feet seaward of the coastal construction control line for which the variance is requested for the full width of the subject property.

The applicant shall also provide detailed final construction plans and specifications for all structures proposed to be constructed seaward of the coastal setback line. These documents shall be signed and sealed by a professional engineer or architect, as appropriate, who must be registered in the state.

The Applicant must provide documentation and narrative demonstrating the following:

That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time of application to the point at the dune as it existed in September, 1972, which corresponds to the same elevation as the toe of the dune as it exists at the time of application;

The enclosed special purpose survey of FDEP R-130, prepared by Kane Surveying, Inc., Job No. 42320, dated 10/20/22, demonstrates that the subject site has experienced less than 25 feet of beach-dune erosion since 1972.

Provide attachment if more space is needed.

That the granting of the variance will not be injurious to adjacent properties, nor contrary to the public interest

The proposed improvements will be design to comply with the requirements of the Florida Building Code. In addition, the proposed improvements are to be located on the landward side of the existing single-family residence. Furthermore, the proposed project will require a coastal construction permit by the Florida Department of Environmental Protection.

Provide attachment if more space is needed.

That the granting of the variance will not jeopardize the stability of the beach-dune system. In granting any variance, the Board of Adjustment will when reasonable to do so require that new development on the property subject to the variance be no further seaward than existing development to the North or South of the subject property.

No improvements are proposed on the beach dune, nor any vegetation proposed to be removed from the beach dune. Furthermore, the existing residence will serve as a buffer between the proposed improvements and the beach dune.

Provide attachment if more space is needed.

A notice containing the aforementioned information shall be posted by the applicant on the affected property at least 15 days prior to the public hearing. If the property abuts a public road right-of-way, the notice shall be posted in such a manner as to be visible from the road right-of-way. An affidavit signed by the owner or applicant evidencing posting of the affected real property shall be received by the Town Board of Adjustment, prior to the public hearing.

<u>Public notification</u> – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500' radius. The applicant must also provide self-addressed envelopes with the Town's return address for each property owner within that 500' radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

* Provide twelve (12) copies of the completed application and all supporting documentation.

23

Site Plan for Single Family Development

A site plan must be reviewed and evaluated by the Town Engineer, Building Official and or Zoning Official and Planning and Zoning Board and approved by the Town Commission. The applicant shall provide the following in support of their application for site plan approval of a single family home:

- 1. Narrative description of proposed improvements and demolitions.
- 2. Two (2) Sealed Surveys of the existing conditions prepared by a professional surveyor. All elevations should be NGVD/DAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage Percentage)
 - a. All existing structures (including but not limited to outbuildings, sheds, pools, etc), major features, trees and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and property or lot lines.

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- 3. Two (2) Professionally prepared plans in compliance with Ordinance 2019-06 showing the following:
 - a. Name, location, owner, and designer of the proposed development and the intended use
 - b. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties
 - c. Date, north arrow, and graphic scale (not less than one inch equals 20 feet)
 - d. Location of all property lines, existing streets adjacent to the subject property, easements, as well as proposed driveways and general lot layout
 - e. All existing and/or proposed structures, major features, and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines
 - f. Site data providing all information needed to confirm compliance with zoning regulations including "required" and "provided" information:
 - i. Proposed principal use and/or any proposed accessory uses
 - ii. Lot size and dimensions
 - iii. Lot coverage
 - iv. Proposed living area square footage (e.g., square footage under air), and square footage of any other spaces including garage, covered entries, covered porches, screen rooms, etc.
 - v. Number of enclosed parking spaces
 - vi. Setbacks from all property lines
 - vii. Number of stories
 - viii. Height of structure
 - ix. Floor plan a fully dimensioned floor plan shall be provided depicting all existing and/or proposed spaces corresponding to the square footages on the site data breakdown above.
 - x. Architectural elevations of each building façade professionally prepared plan drawn to scale and depicting the height dimension of the proposed structure, construction, or expansion or redevelopment thereof.
 - xi. Landscaping & irrigation plan
- 4. Drainage Site Plan showing flow paths and retention areas to meet certification requirements. (3A-80 & 7A-51.1)
- 5. Ten (10) 11X17 Complete sets of plans (all information as outlined in item 3 above) including a copy of the survey both existing and proposed and the Drainage Site Plan.



BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes Town of Melbourne Beach Land Development Code 2020 Florida Building Code

Date:	12/13/2022
Owner:	ALPIZAR, JOHN O.
Owner Address:	401 ATLANTIC STREET, MELBOURNE BEACH FL
Site Address:	401 ATLANTIC STREET, MELBOURNE BEACH FL
Parcel ID:	28-38-05-50-5-1
Zoning:	1RS

Proposed Project: Addition of a garage connected to existing single family 2 story dwelling.

References: Town of Melbourne Beach Code of Ordinances: 7A-31.

Request: Approval by Planning and Zoning Board, Town Commission for construction of a garage connected to existing single family 2 story dwelling.

Staff Review: The property lies in Zoning District 1RS

1). Project is an addition of an attached garage to an existing single family 2 story dwelling.

There is no current structure to be demolished.

- 2). The Building Lot Zoning District requirements of min. lot area, width and depth. Lot area is 37,234 sq. ft. (min. 12,000 sq. ft.) Lot width is 125.34 ft. (min. 100 ft) Lot depth is 296.25 ft.(min. 120 ft.)
- Lot coverage has a maximum of 30% for principle structure. Lot coverage per plan is 18 % Footprint of Primary Structure is 6670 sq. ft. Max allowed for Primary Structure is 11,170.2 sq. ft. for Lot Area of 37,234sq. ft. Minimum pervious area per lot is 30%. Pervious area is 72%
- 4). Structure maximum height for zoning district is 28 ft. The proposed height of Garage addition will be 19' Flood Zone X and VE

5). Zoning District Setback requirements Proposed Garage Structure Front Setback is 42.09 feet (min. 25 ft.) Proposed Garage Structure North Side Setback 15.07 feet (min. 15 ft.) Proposed Garage Structure South 85.27 feet (min. 25 ft.) Proposed Garage Structure Rear is attached to existing dwelling (min. 25 ft.)

6). Sediment and Erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach Code of Ordinances (27-28) and Florida Building Code (3307.1).

7). On-site Storm water Retention Control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach Code of Ordinances (27-28) and the Florida Building Code (3307.1). Town Engineer will submit a review of drainage per Ordinance 2019-06. Town Engineer will be required for final inspection before a Certificate of Occupancy may be issued as per Ordinance 2019-06. Minimum Landscaping Standards shall be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

Mutra

Robert Bitgood Building Official

401 Atlantic Street Melbourne Beach Fl.

IMPERVIOUS

PERVIOUS

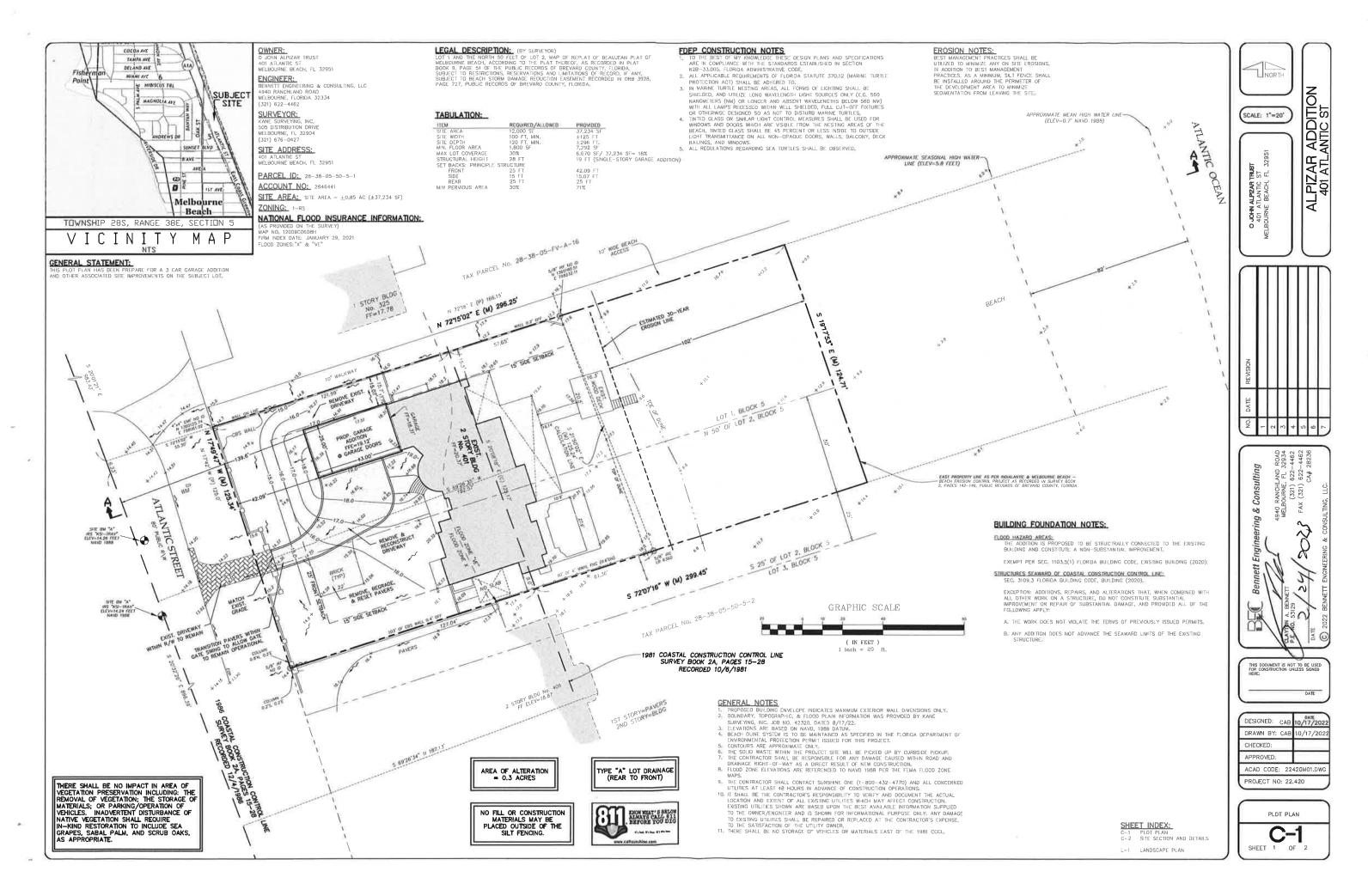
Primary Structure	7292
Pool	300
Decks	320
Driveway	676
Accessory Bldg	
Concrete areas	520
Pavers areas	1406
Other	
TOTAL IMPERVIOUS	10514

Lot Total Sq Footage 37,234

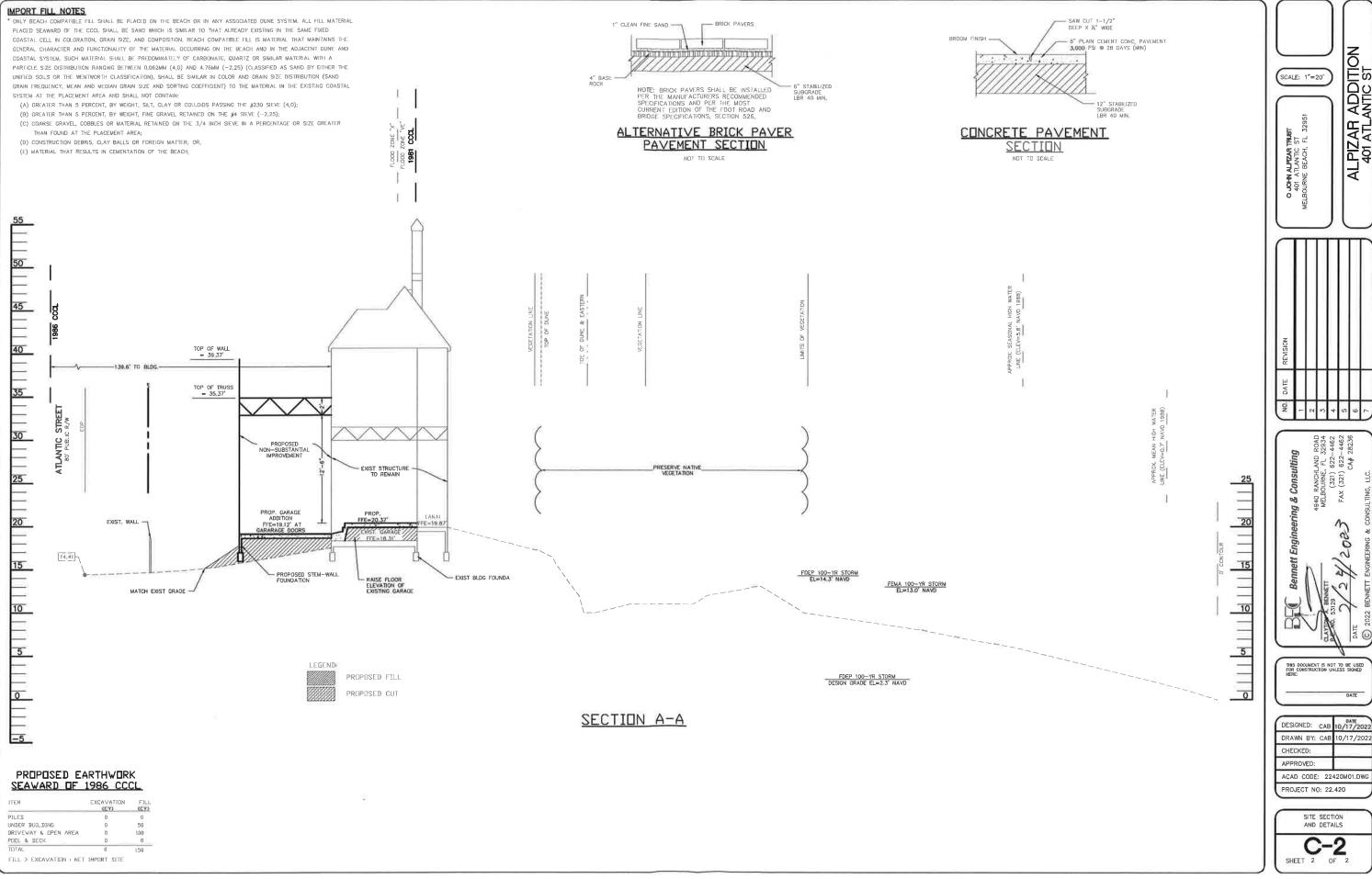
Shed space	0
Open areas	
Other	0

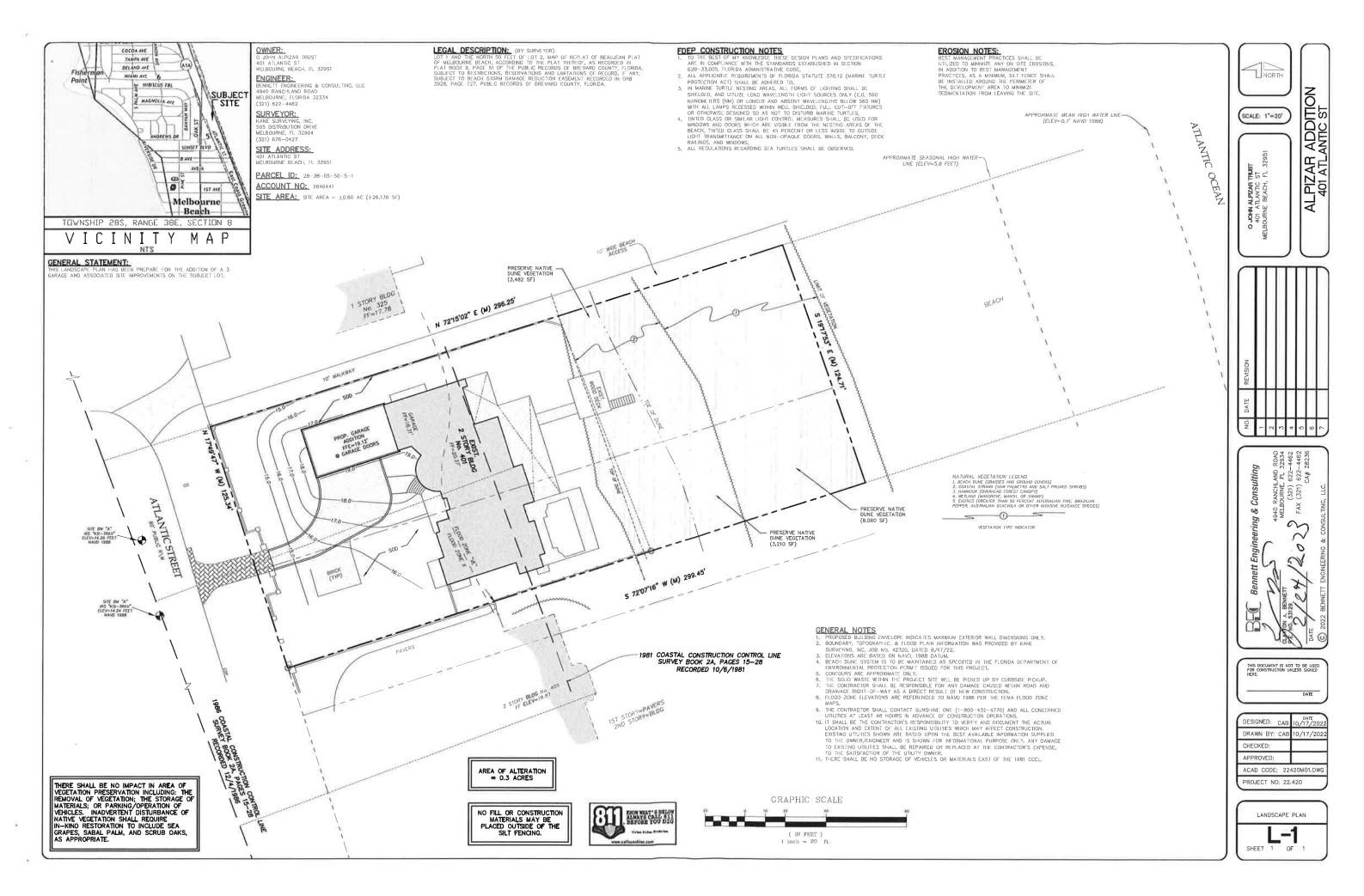
Primary Structure 19.50%

TOTAL % PERVIOUS 72%

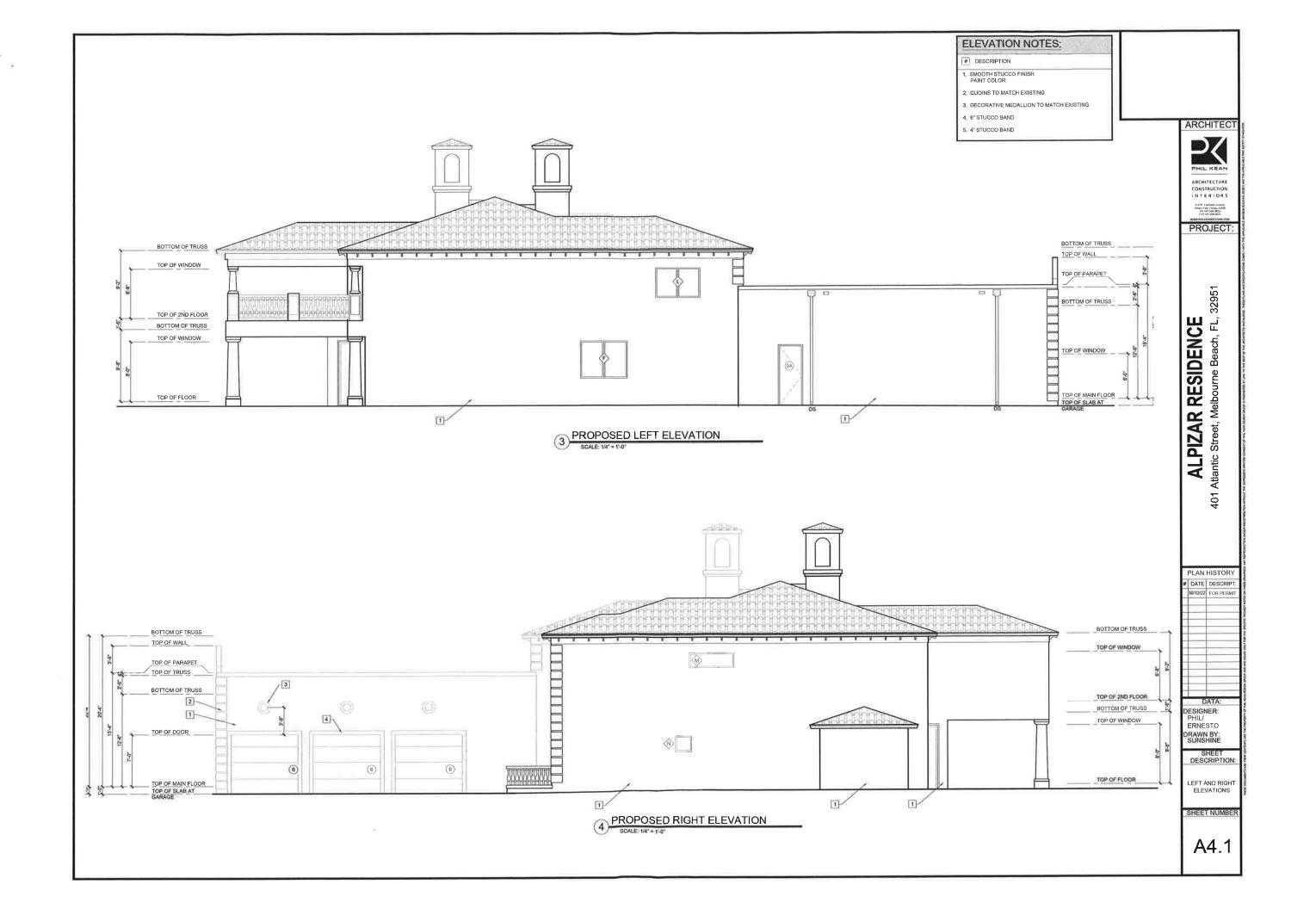


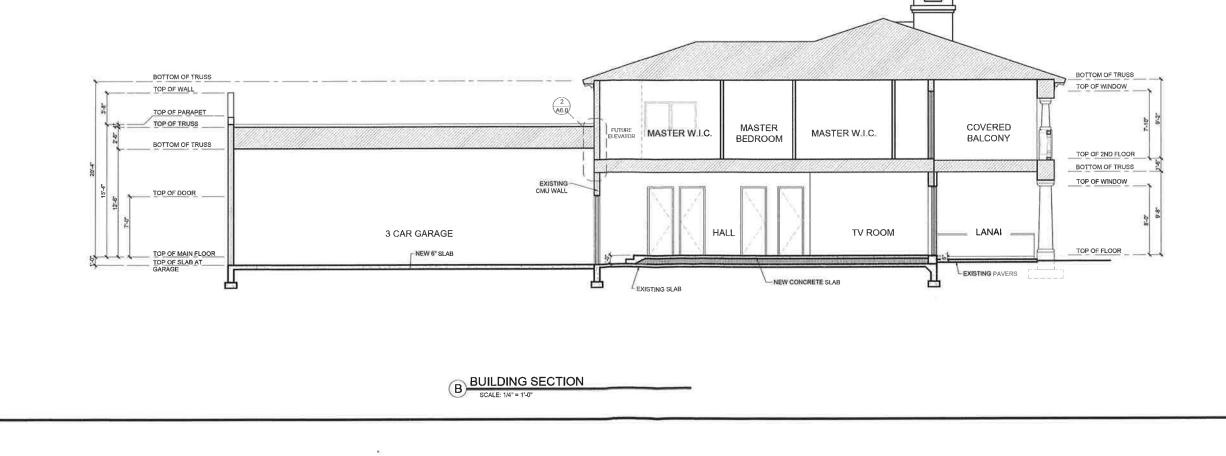








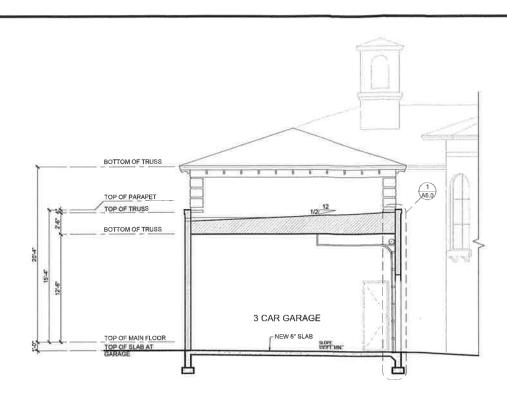


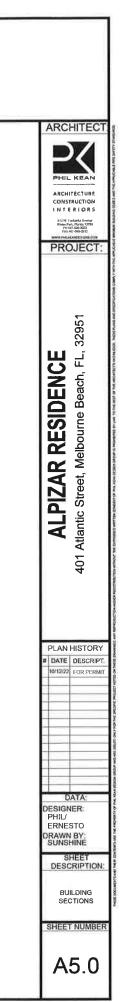




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TOWN OF MELBOURNE BEACH **DEVELOPMENT APPLICATION**

SUBMITTAL REQUIREMENTS: I.

- 1. Fees per current schedule.
- 2. Deed to property.
- 3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
- 4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
- 5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

П. **REQUEST:**

Land Use Plan Amendment

PROPERTY INFORMATION:

- Special Exception
- Variance

Ш.

- □ Site Plan Review Single Family (1RS, 2RS, 3RS) □ Site Plan Review Multifamily (4RM, 5RMO)
- Site Plan Review Commercial (6B, 7C, 8B, 9I)
- Rezoning
- Coastal Construction Variance
- Appeal (Application must be filed within 30 days)
- Amendment to the Land Development Code
- Other (specify)

General Locatior	NORTH SIDI	OF SURFRO WESTOFAIA
Address: 21	4 SURF RD	
Parcel Number(s): 284B079	
Area (in acreage)	. 29	Area (in square feet): 12500
Current Zoning:		Proposed Zoning:
Current Future La	and Use:	Proposed Future Land Use:
Brief Description	of Application: $T_{O}R$	EMODEL AN EXZSTING HOME
Date of Mandator	ry Pre-Application Meeting (a	ittach meeting minutes if applicable):
pg. 1 01-2020	Town of Melbourne Beach – [Development Application

IV. **APPLICANT INFORMATION:**

Property Owner

Name: ADAM MEYER Address: 214 SURF RD MELB BGN FL

Phone:_	321-960-9997	
		-

Fax:___ Email: ADAM.Z. HEYER C. GMARL. LOM

Applicant (if other than property owner)

Name: MILGHAEL MAGUZRE Address: 18 MARZNA ISCES Burg INB, FL 32937

Phone:	32	1-	626-8186
		_	

Fax:____ Email: MZREQ395EASILLC. Com

V. **OWNER AUTHORIZATION:***

The undersigned hereby affirms the following:

- 1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
- 2. That I/we have read and understands the entire application and concurs with the request.
- 3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: Date: 2/2/2023 Print Name: ADAM MEYER Title: OWNER

*Must sign in front of notary.

State of Florida County of Brevard. The foregoing application is acknowledged before me this 2nd day of <u>february</u>, 20,23 by <u>Adam Meyer</u>, who is/are personally known to me, or who has/have produced _____ as identification.

Signature of Notary Public, State of Florida



pg. 2 01-2020 Town of Melbourne Beach - Development Application

VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

Signature: Date: Print Name: MacAME, E. MAGUER Title: APPLEGANT *Must sign in front of notary. State of Florida County of Brevard. The foregoing application is acknowledged before me this and day of february, 2023, by Michael Maguire who is/are personally known to me, or who has/have produced _____ as identification. **JENNIFER DESANTIS** Signature of Notary Public, State of Florida MY COMMISSION # GG 311132 EXPIRES: June 23, 2023 Bonded Thru Notary Public Underwriters VII. PROJECT DESCRIPTION: Describe Application: APD SUMROOM PORCH & EXTEND MASTER BEDROOM_ Provide attachment if more space is needed. Describe Existing Conditions: Provide attachment if more space is needed. pg 3 Town of Melbourne Beach – Development Application 01-2020

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BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes Town of Melbourne Beach Land Development Code Current Florida Building Code

Date: 2-8-23 Owner: Adam Meyer Owner Address: 214 Surf Rd. Site Address 214 Surf Rd. Melbourne Beach Fl. Parcel ID: 28-38-08-FZ-36-5 Zoning: Zoning District 2RS

Project: Interior remodel and addition.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-32.

Request: Approval by the Planning and Zoning Board and the Town Commission for: Addition.

Staff Review:

1).The project is interior remodel and addition to rear of residence.

- 2). The Building Lot Zoning District requirements of min. lot area, width and depth. Lot area is 12,500 sq. ft. (min. 11,250 sq. ft.) Lot width is 100' (min. 90 ft.) Lot depth is 125' (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure. Lot coverage per plan is: 3,834 Footprint of Primary Structure is 3,254 sq. ft. with the addition. Max allowed for Primary Structure is 3,750 sq. ft. for Lot Area of 12,500 sq. ft. Minimum pervious area per lot is 30%. Pervious area is 69.3%
- 4). Structure maximum height for zoning district is 28 ft. The proposed height provided is 14'10 ¼" from FFE. Flood Zone :__X____

- 5). Zoning District Setback requirements Proposed Primary Structure Rear Setback is 49.17" (min. 25 ft.) Proposed Primary Structure Front Setback is 25' (min. 25 ft.) Proposed Primary Structure West Side Setback 15.77" (min. 15 ft.) Proposed Primary Structure East Side Setback 17.51" (min. 15 ft.)
- 6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

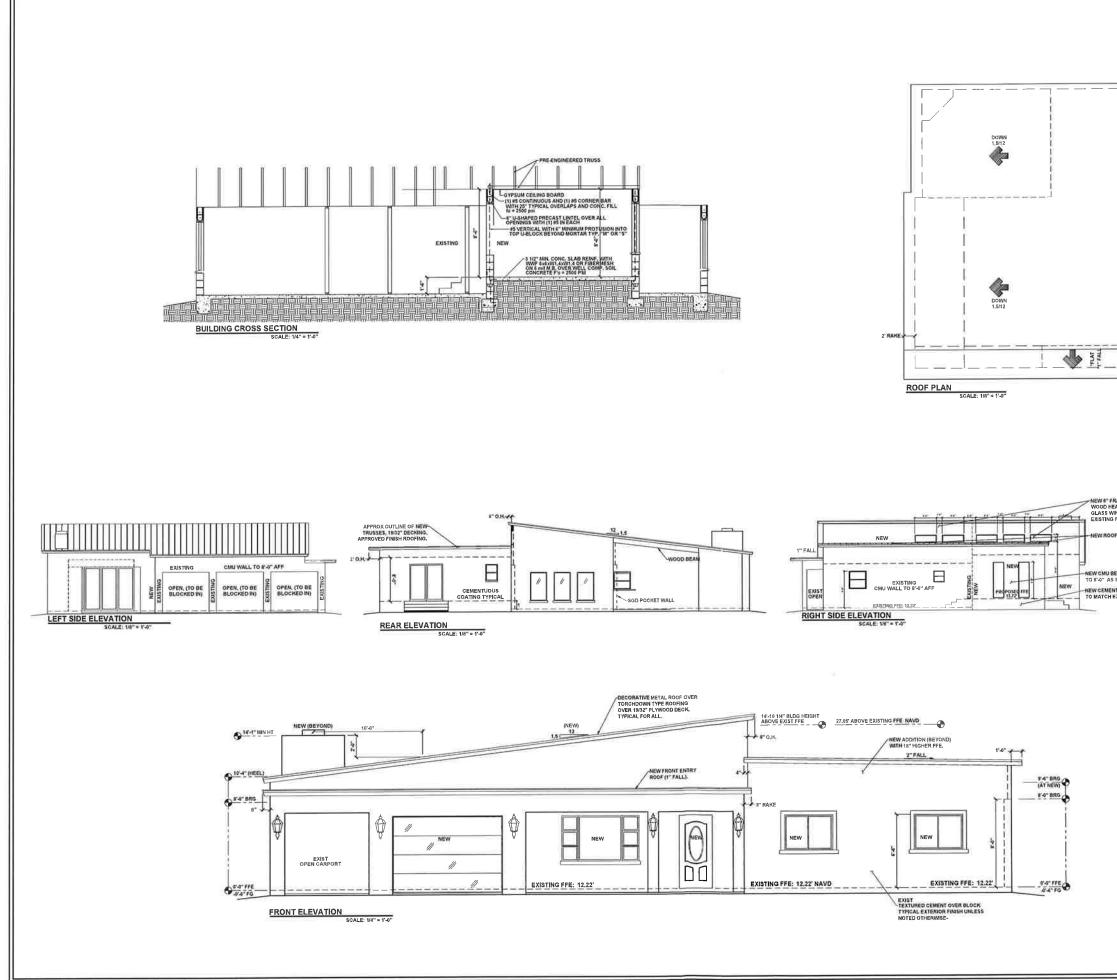
ter

Robert Bitgood Building Official

2/3/2023

214 Surf Rd.

IMPERVIOUS		PERVIOUS	8,666
Primary Structure	3,254	Shed space	
Pool		Open areas	
Decks		Other	
Driveway	580		
Accessory Bldg			
Concrete areas	69	TOTAL PERVIOUS	8,666
Paver areas, Driveway			
Other			
TOTAL IMPERVIOUS	30.70%		
		Lot Total Sq Footage	12,500
		TOTAL % PERVIOUS	69%



'FLAT '2" FALL (NEW RAISED PLATE 9'-6") -'FLAT '2' FALL (EXISTING #'PLATE)

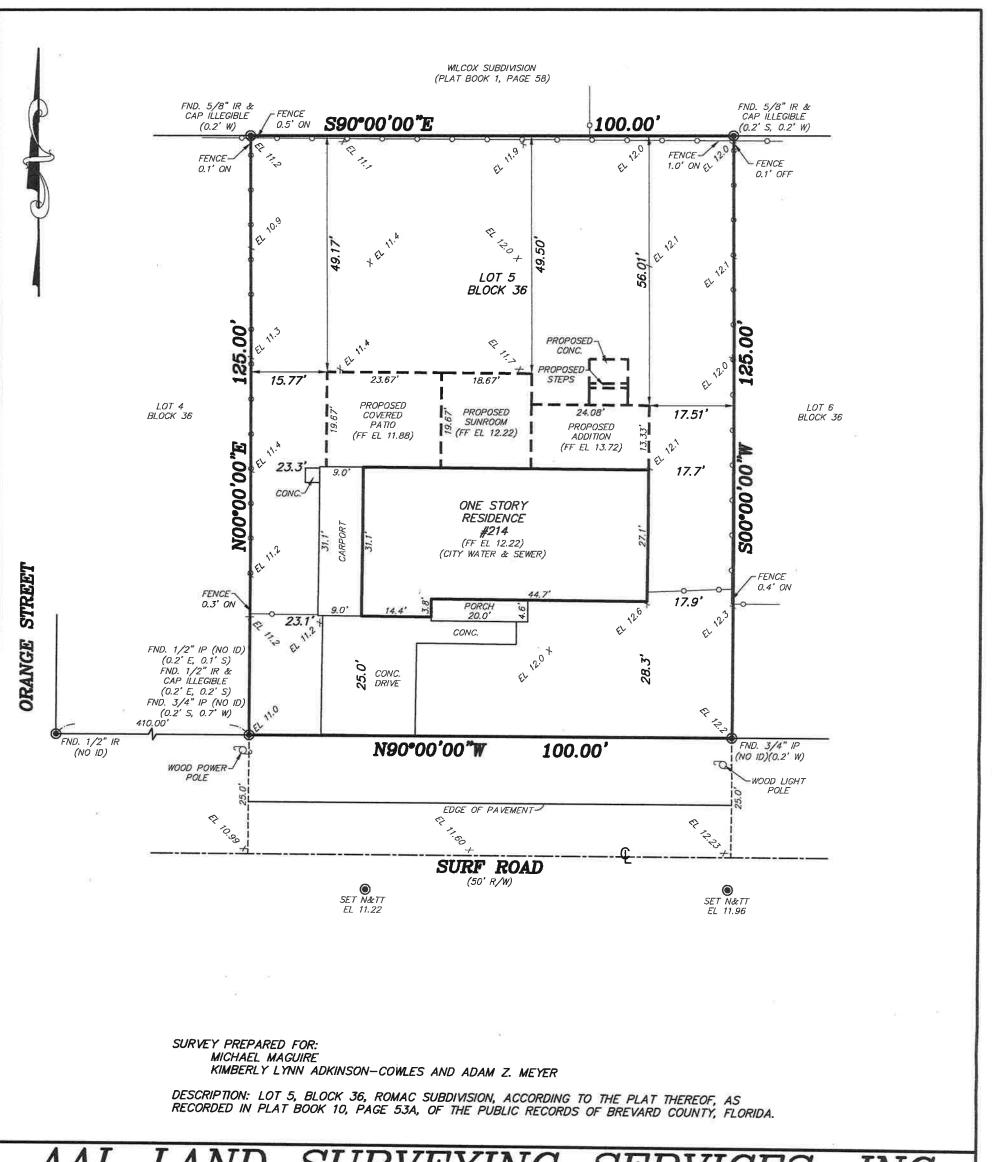
NEW 5" FRAME BEARING WALL AND WOOD HEADERS OVER NEW FIXED GLASS WINDOWS IS TO PLANE WITH EXISTING FRAME WALL AS SHOWN

WINDERS SHOW

NEW CMU BEARING WALL TO 8'-0" AS SHOWN. NEW CEMENTUOUS FINISH TO MATCH EXISTING,

TYPICAL ELEVATION NOTES: OF THER HAND, AND IF MAN MANE (CARLE) UNLESS N CALLED "STUCCO", ARE: 3 COAT L CALLED "STUCCO", ARE: 3 COAT L TCO FINISHES ARE TO RECEIVE CO OL JOINTS TO COMP CEMENT NOTE TH ASPHALT SHINGLE LASHING TO CONPLY WITH FBC 1507.2.9 FBC REG.2.8 DRIFTCOLE TO COMPLY WITH FOR 1917, 23.3, FIRE PRINT, 24.5, ALL ROOF CRICKETS TO BE A WHERE W OF A STUMPOL WENTED ATTIC TO COMPLY WITH R565,5 OF THE FBC-F LATION PER ASTM 263. POS DUTALLY SIGNED DOCUMEN COM, Y, PRINTED CONTEXCENT NO. DOCUMENT ARE NOT CONSIDERED DOCUMENT ARE NOT CONSIDERED DIGNESTING WOST REVEAL SIGNESTING WOST REVEAL BOT MAND WITCHT TEXL AND TROUBLES STRUCTURAL ONLY

REVISION 0: 05FEB2023 DATE A35 OWNERS: MIKE MAGUIRE JIM SANTANGELO R BEACH, FL 18 MARI DESIGNED MINIMUM THE H EDITION CUSTOM REMOPEL FOR: MEYER / ADKINSON-COWLES EXTERIOR ELEVATIONS, ROOF PLAN 214 SURF ROAD MELBOURNE BEACH, FL 32951 SHEET: **A2**



PROJECT #9518	ANDREW W. POWSHOK P.L.S. No. 5383	DANIEL D. GAR P.L.S. No. 61	80 R/W	- RADIUS - REINFORCED CONCRETE PIPE - RIGHT OF WAY - PROPOSED GRADE
SECTION 08, TOWNSHIP 28 SOUTH, RANGE 38 EAST		au	P.O.L. PP PT P.U.	– POINT ON LINE – POWER POLE – POINT OF TANGENCY – PUBLIC UTLITY
FIELD DATE: 01-27-03	3970 MINTON ROAD, WEST ME PHONE: (321)768-8110 FAX: (321)9	LBOURNE, FL 32904 L.B. 52–9771 EMAIL: frontdesk	#6623 @aalsurvey.com (P) PC PLS	– OVERNEAD WIRE – PLAT – POINT OF CURVATURE – PROFESSIONAL LAND SURVEYOR
PLOT PLAN: 01–03–23 IPDATE/TOPOGRAPHIC: 06–16–22	9. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE	FOUND USING STANDARD SURVEY LOCA	ATING EQUIPMENT, N&TT	– MEASURED – NAIL AND DISK – NAIL AND TIN TAB – OVERHEAD WIRE
	 NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCAT ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH , NOTED. 	ED UNLESS OTHERMISE SHOWN. AMERICAN VERTICAL DATUM OF 1988, U	INLESS OTHERWISE	– IRON PIPE – IRON ROD – ARC LENGTH – LICENSE BUSINESS
SCALE: 1" = 20'	 THIS SURVEY WAS PREPARED FROM INFORMATION FUL AND MAY BE SUBJECT TO EASEMENTS OR LIMITATION BEARINGS ARE BASED ON AN ASSUMED DATUM AND 	RNISHED TO THE SURVEYOR BY THE CLI IS EITHER RECORDED OR IMPLIED.	IENT, EP	– ELEVATION – EDGE OF PAVEMENT – FINISH FLOOR – FOUND
TYPE OF SURVEY: BOUNDARY	3. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL S REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN I 4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXP	PERMISSION OF THE SURVEYOR IS HEREI RESSED OR IMPLIED BY THE SURVEYOR	EYOR, AND ANY BY FORBIDDEN. D.E.	– CORRUGATED METAL PIPE – CONCRETE – DEED – DELTA – DRAINAGE EASEMENT
ACCORDING TO F.I.R.M. #12009C 0616 H, DATED JANUARY 29, 2021 THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X.	GENERAL NOTES: 1. THIS SURVEY AND DRAWING HAS BEEN PREPARED TO AS SET FORTH BY THE FLORIDA BOARD OF PROFESSION CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA 2. THIS SURVEY AND DRAWING IS FOR THE SOLE USE A SPECIFIC PURPOSE AS NOTED, AND SHOULD NOT BE RE UNDER ANY CIRCUMSTANCES.	AL SURVEYORS IN CHAPTER 5J–17, FLC STATUTES. ND RENEFIT OF THE PARTIES NAMED HI	ORIDA ADMINISTRATIVE B.S.L CB CH EREON AND FOR THE & D IS NOT TRANSFERABLE C.M.	 BUILDING SETBACK LINE CHORD BEARING CHORD LENGTH CENTERLINE CONCRETE MONUMENT



TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

I. SUBMITTAL REQUIREMENTS:

- 1. Fees per current schedule.
- 2. Deed to property.
- 3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
- 4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
- 5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. <u>REQUEST:</u>

- Land Use Plan Amendment
- Special Exception
- U Variance

08-2022

- □ Site Plan Review Single Family (1RS, 2RS, 3RS)
- □ Site Plan Review Commercial (6B, 7C, 8B, 9I)
- Rezoning
- Coastal Construction Variance
- Appeal (Application must be filed within 30 days)

42

- □ Site Plan Review Multifamily (4RM, 5RMO)
- Amendment to the Land Development Code
 - □ Other (specify)_

III. <u>PROPERTY INFORMATION:</u>

General Location:		
Address: 2/2	AND AUS MELE	EASH FL.
Parcel Number(s):	Lot 16\$17	BLOCK 7 WILCOX PLAT
Area (in acreage):	+413	Area (in square feet): <u>200 437 A</u>
Current Zoning:	RES	Proposed Zoning:
Current Future Lar	nd Use:	Proposed Future Land Use:
Brief Description o	of Application: <u>ADDIM</u>	IG A IB'XZY' POOL CADANA
Date of Mandatory	y Pre-Application Meeting (at	ttach meeting minutes if applicable):
		~
pg. 1	Town of Melbourne Beach – D	evelopment Application

	43
IV. APPLICANT INFORMATION:	
Property Owner	
Name: CHARCES SLOTT NEEL Phone: 954 257 100	
Address: 210 2ND AUS Fax: N/A	
Email: <u>CHanles - S. Neer</u>	@ 6 MATL . Can
Applicant (if other than property owner)	
Name: Phone:	
Address: Fax:	
Email:	
The undersigned hereby affirms the following: 1. That I/we are the fee simple title owner/contract purchaser (circle one) of the proapplication. 2. That I/we have read and understands the entire application and concurs with the read and understands the entire application and concurs with the read and all conditions of approval imposed by the Town of Melbourne Beach. Signature: V Date: Print Name: V Date: *Must sign in front of notary.	equest. the Applicant to accept
State of Florida County of Brevard. The foregoing application is acknowledged before me this le_day of Tanvary 2023 by Charles Weeky who is/are personally known to me, or who has/have produced FLDL who is/are personally known to me, or who has/have produced FLDL as identification. MBER L BROWN Commission # HH 202131 Expires December 4, 2025	
pg. 2 Town of Melbourne Beach – Development Application	

08-2022

VI. <u>APPLICANT CERTIFICATION:*</u>

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

44

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

AMBER L. BROWN Commission # HH 202131 Expires December 4, 2025

Date: 1/6 Signature: Print Name: CHANLLSS ✓ Title:__

*Must sign in front of notary.

State of Florida County of Brevard. The foregoing application is acknowledged before me this \underline{lo} day of <u>Sanvary</u>, 2023 by <u>Charles</u> <u>Neely</u>, who is/are personally known to me, or who has/have produced <u>FL</u><u>DL</u> as identification.

Signature of Notary Public, State of Florida

VII. **PROJECT DESCRIPTION:**

Describe Application: BUILD A 24'X 18' POOL CABANA

Provide attachment if more space is needed.

Describe Existing Conditions:

Provide attachment if more space is needed.

pg. 3 Town of Melbourne Beach – Development Application 08-2022



BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes Town of Melbourne Beach Land Development Code Current Florida Building Code

Date: 2-8-23 Owner: Scott Neely Owner Address: 210 Second Ave. Melbourne Beach Fl. Site Address: Same. Parcel ID: 28-38-08-FY-7-16 Zoning: Zoning District 3RS

Project: Cabana accessory Structure.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-33.

Request: Approval by the Planning and Zoning Board and the Town Commission for

Staff Review:

1). The project is an Accessory Structure to Primary.

- 2). The Building Lot Zoning District requirements of min. lot area, width and depth. Lot area is 18,000 sq. ft. (min. 10,000 sq. ft.) Lot width is 120.17 (min. 90 ft.) Lot depth is 150.26 (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure. Lot coverage per plan is: 15.9%
 Footprint of Primary Structure is 2,867 sq. ft. with the addition. Max allowed for Primary Structure is 5,400 sq. ft. for Lot Area of 18,000 sq. ft. Minimum pervious area per lot is 30%. Pervious area is 66%
- 4). Structure maximum height for zoning district is 28 ft. The proposed height provided is 14"11" from FFE. Flood Zone:_X____

- 5). Zoning District Setback requirements
Proposed Primary Structure Rear Setback is 26Ft.(min. 25 ft.)Proposed Primary Structure Front Setback is 100 Ft.(min. 25 ft.)Proposed Primary Structure West Side Setback is 15"8"(min. 15 ft.)Proposed Primary Structure East Side Setback is 86 Ft.(min. 15 ft.)
- 6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

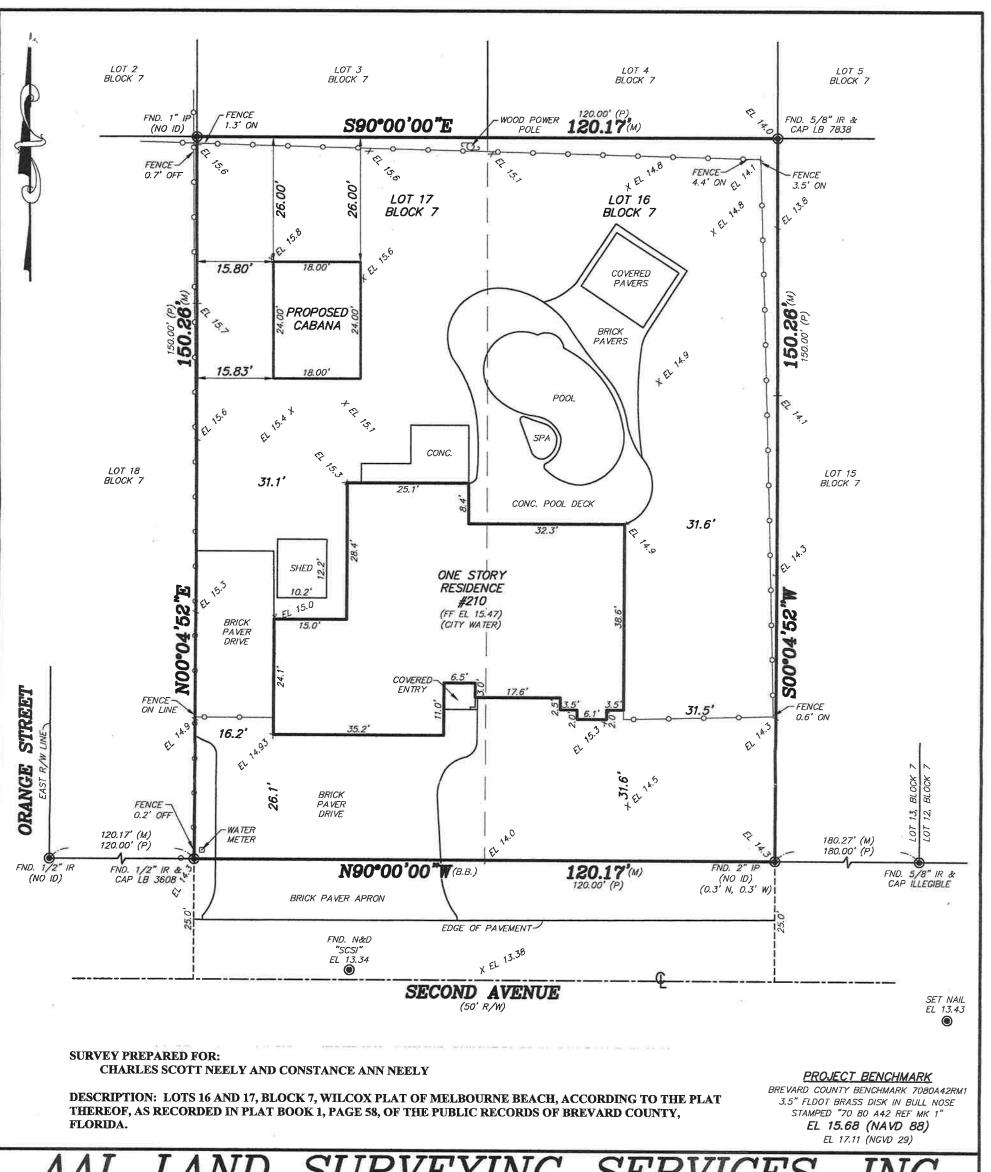
Might **Robert Bitgood**

Robert Bitgood Building Official

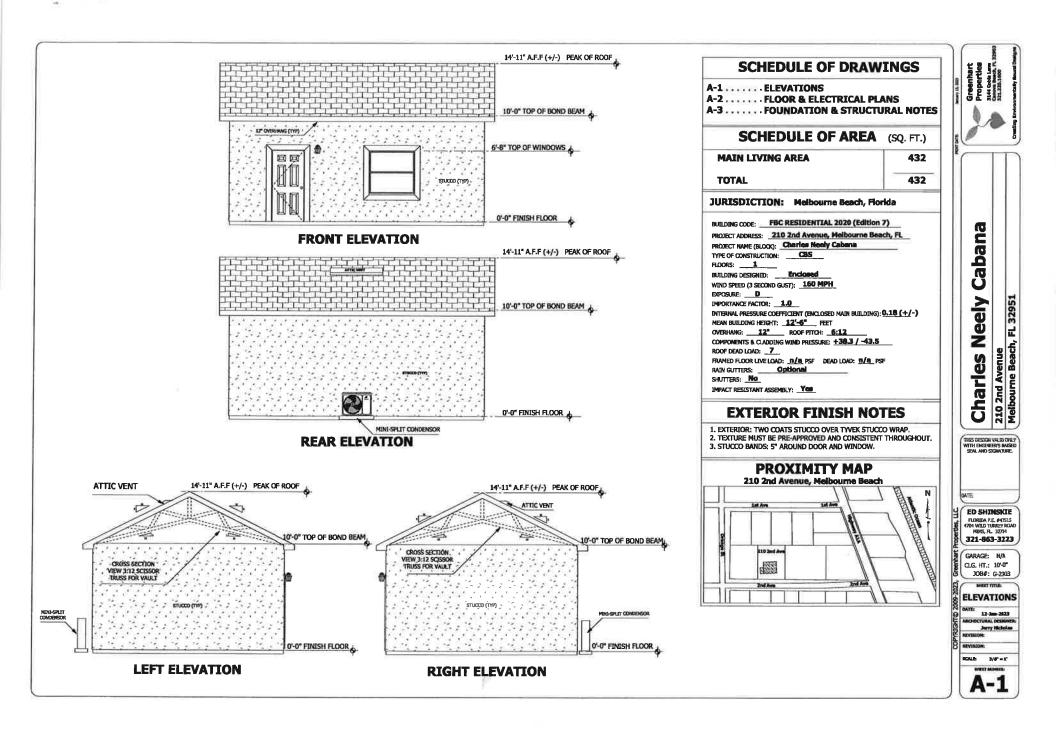
2/3/2023

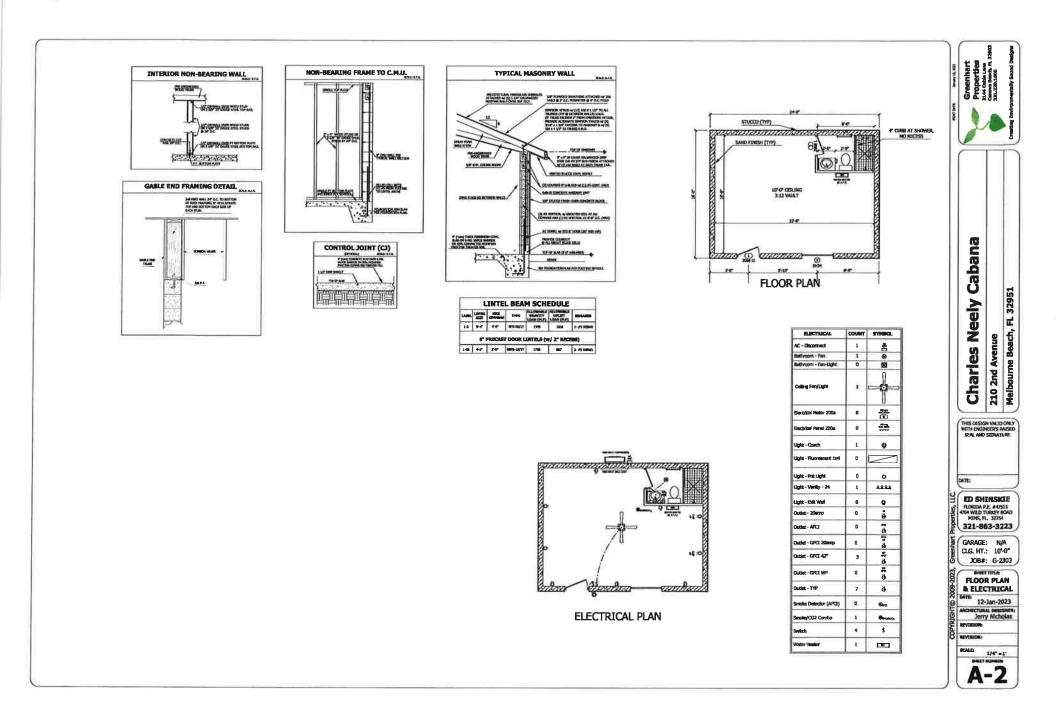
210 Second Ave.

IMPERVIOUS		PERVIOUS	
Primary Structure	2,867	Shed space	
Pool	680	Open areas	11,860
Decks		Other	
Driveway			
Accessory Bldg			
Concrete areas	848	TOTAL PERVIOUS	11,860
Paver areas, Driveway	2,425		
Other			
TOTAL IMPERVIOUS	34.00%		
		Lot Total Sq Footage	18,000
			6604
		TOTAL % PERVIOUS	66%



AAL	LAND SURVEYING SERVICE	S, INC.
ACCORDING TO F.I.R.M. #12009C 0605 H, DATED JANUARY 29, 2021 THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X.	GENERAL NOTES: 1. THIS SURVEY AND DRAWING HAS BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES. 2. THIS SURVEY AND DRAWING IS FOR THE SOLE USE AND BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE AS NOTED, AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY, AND IS NOT TRANSFERABLE UNDER ANY CIRCUMSTANCES.	LEGEND (B.B.) – BEARING BASIS B.S.L. – BUILDING SETBACK LINE CB – CHORD BEARING CH – CHORD LENGTH € – CENTERLINE C.M. – CONCRETE MONUMENT C.M.P. – CORRUGATED METAL PIPE CONC. – CONCRETE
TYPE OF SURVEY: BOUNDARY	 THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF THE SURVEYOR, AND ANY REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR. THIS SURVEY WAS REPRARED FROM INFORMATION FURNISIES TO THE SURVEYOR BY THE OUTST. 	(D) – DEED D – DELTA D.E. – DRAINAGE EASEMENT EL – ELEVATION
SCALE: 1" = 20'	 THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED. BEARINGS ARE BASED ON AN ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS, HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT. 	$\begin{array}{llllllllllllllllllllllllllllllllllll$
PLOT PLAN: 02-03-23	3970 MINTON ROAD, WEST MELBOURNE, FL 32904 L.B. #6623	OHW – OVERHEAD WRE (P) – PLAT
FIELD DATE: 01-26-23	PHONE: (321)768–8110 FAX: (321)952–9771 EMAIL: frontdesk@aalsurvey.com	PC – POINT OF CURVATURE PLS – PROFESSIONAL LAND SURVEYOR
SECTION 08, TOWNSHIP 28 SOUTH, RANGE 38 EAST	hul	P.O.L. – POINT ON LINE PP – POWER POLE PT – POINT OF TANGENCY P.U. – PUBLIC UTILITY R – RADIUS
PROJECT #48264	ANDREW W. POWSHOK P.L.S. No. 5383 P.L.S. No. 6189	R.C.P. – REINFORCED CONCRETE PIPE R/W – RIGHT OF WAY XX.XX – PROPOSED GRADE





CONCRETE MASONRY SPECS.

125

- Grout (2500 psi @ 28 day strength) and type "M" morter in concrete maximy walls shall comply with the requirements of Standard Specification for Marter and Grout for Relationard Maxony, ASTM C476.
- , Concrete massersy units shall comply with the requirements of ASTM C90 and C145 for hollow and wild basi basing units and shall have compressive strength of 1,500 p.s.L on the net area. 2. Cm
- 3. Provide clean-out indum at bottom of wells for inspection and cleaning dust, duty, morting dropping, isose places of memory and other frontige materials from great space. Colors marknessment and adjust to prope position. After final cleaning and inspection close clean-out holes and
- 4. All cells containing reinforcing ainsil be grouted. Vestical reinforcing in concrete mesonry ainsi extend into the Bond Besin, at the top of the well, provide minimum 4%4° opening at U Block for Vertical Ber.
- 5. All CMU shall comply with 2020 FBC, 7th Edition, Chapter 44 HWHZ

REINFORCING SPECIFICATIONS 1. All reinforcing simul shall be Grade 60. (60.0 KSJ yield strength)

- 2. All reinforcement splices shell be in accord with ACI 318, chapter 12.
- All reinforcement elsel skell be accurately placed, rigidly supportal and firmly bed in place with bar supports and spacers in accordance with the requirements of ACI 301 and ACI 318.
- Weidazi Wine Neah reiner shall conform to ASTM A 165-79 and be located in the center of depth and lapped minimum 6° ends and al (Sideweiks and Driveways shall be reinforced with Weided Wire Ne of lepth and lapped minimum 6" ends and sides, ways shall be reinforced with Welded Wire Nesh).
- All accenteries shall have upturned legs and be plastic dipped after fabrication. Accuments for reinforcing shall be in accordance with ACI 315, current edition.
- Horizontal wall reinforcing shall be atandard class "Our-O-Wat" 9 guage gelvented Ladur type or approved equal et 16" vertical centers.
- 7. For concrete beams, lap top bars at mid spans and bottom bars over the supports

CO-ORDINATION

- These notes shall apply satupt where otherwise indicated by Drawings. Where is detail is shown for one condition, it shall apply for all five or similar conditions even though not specifically marked on the Drawings.
- General Contractor music verify all dimensions and conditions, confirm there with Shop Drewings and report any decogeneties to Structural Engineer prior to proceeding with the wells.
- 4. See. Picersiae, Mechanical, Runsling and Bectrical Drawings for size and location of openings in the structure into shown on the structural plane. Check for sisewes, androw and hanna. Approval must be obtained from the forginere point in bihrication of the atted and placement of concerts for any spenings not shown on the structure direction.
- Adequate vertical and harizontal shoring shell be provided to safely support all construction loads during the
- General Contractor shall protect existing facilities and structures and utility lines from all damage.

LUMBER GRADE

1. All Wood members shall be a minimum of #2 SYP.

CONTROL JOINT NOTES

Control joints in concrete are recommended by the engine of record. Elimination of the control joints cut in concrete will be at the discretion and liability of the builder/owner.

CONCRETE SLAB ON FILL

- 1. All state on fill shall be placed on clean non-proanic fill. 2. FB shall be thoroughly maintained.
- 3. Control Joints (gave cuts) shall be spaced at 12-0° centers maximum to form near square panels. Joints may be formed in the plastic concrete or sown after the concrete has functions!.
- Formed joints may be transtructed by installing a participation be left in places or by depressing an approved too has the placetic concerns. Sals on grade shall be save cut to a sogeth of 1/3 of the thickness of the slate.

COMPONENT AND CLADDING WIND PRESSURES TRUNCARY ANIA (SO, FT.) AREA -10 20 50 100 200 500 ANN ROCK 1,333 29.2 28.3 25.4 20.6 the DRUGGER BUCTION per -46.4 -40.0 -44.3 -42.1 2 RCTION pd 40.8 -78.5 -71.3 -88.3 RCTION pd -119.5 -116.7 -100.1 43.7 2 SUCTION put -102.3 -102.3 -102.3 -102.3 roof overhand 3 SUCTION per -166.8 -161.1 -145.8 -115.2 485 PRESSURE (not SQ.7 SO.4 6.4 47.8 44.6 34.8 4 8XCTRON per 08.3 -90.1 -91.4 -90.2 5 5XCTRON per 64.5 -41.4 -40.0 -97.7 -15.8 WALL -38.7

CONCRETE SPECIFICATIONS Stuctural concrete shall estain a minimum compre-te 28 days as follows: days strength

- > Rooting/Sieb on grade 2,500 p.s.l. > Elevated beams 3,000 p.s.l. Pump Mite
- 2. Aggregatus shall be deen end well greded maximum size 3/4".
- Use regular weight concrete for all structural members, (145 PCF minimum.)
- 4. All combility, silenvits and pipes embesided in concrete shall conform to excition 6.3 of ACI 318 and the following: Silenve all pipes through slates individually unless approved by Engineer.

5. Reinforcing Bar Cover: (Dimensions shown are clear dimensions.)

- Ninimum Concrete Gover, In. HIN. Concrete Cast against & permanently exposed to sorth 3 Concrete exposed is no. 6 through no. 18 Bars Earth or Weather: no. 5 Bar, W31 or 031 Wire, & snailer 2* 1 1/2 Sabe, Walls, Joist: - mo. 14 & ma. 18 Bers 1 1/2 - no. 11 Bars & smaller 3/4" Bearre, Columns: - Primary Reinforcement, Tim, Stimups, Spirals Conc. not exposed to weather or in 1 1/Z ntarct w/ around Shelin, Folded Flate Members: - co. 6 & larger - no. 5, W31 or C31 Wire, & smaller 1/2"
- 6. HASONITY CONSTRUCTION CHEC R4407.5.1 B R4407.5.3) All memory construction data bas in conformance with the provident of "Halding Code Requirements for Univery Structures" (PGL SSG-02) AGE: POOL and are herdyn adopted as a informary towards, the requirements of this section. The design of balance and development confidence and the section. The design of balance and development confidence and the section.

GENERAL STRUCTURAL NOTES

1. THESE GENERAL NOTES ARE TO BE READ IN CONJUNCTION WITH THE NOTES ON OTHER STRUCTUAL ORIVINGS. 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2020 FLORIDA BUILLOWS CODE, 75 EDITION.

ROOF PLAN NOTES:

- INCOMPARANTINE: 1. STRUCTURAL MERIET TO BE DETAILED, FARREDATED AND RESELED FRAI ATTRE THREE CONSTRUCTION NAMULA NO NOS STRUCTURAL REY NA 200 DISTRUCTION 1. UNRER SANL BE NA 200 THERM PTIRE, KLIN DRIED, WITH A MAX NOISTRUCTURE CONTENT OF SING (KOT SENICE) C. REQUIVALIST. 1. ROOF DRIED, KLIN BE SYST CONSTRUCTURAL 1 R VMOOD FIED PRINTER FLOREDA BILLER GYC CAN STRUCTURAL 1 R VMOOD FIED PRINTER FLOREDA BILLER CONTENT OF SING (CON SENICE) SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE TAIST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE WITH THE LATEST EDITION OF THE SINUL DE UN ACCORDANCE TO THE TAISS AND EDITIONEST BACHING FOR TURINESS SINUL DE UN ACCORDANCE OF CONDUCTOR DESIGN AND PROVINCENT BACHING FOR TURINESS BALEST DE SINUL BE OF CONVERTION STRUCTURE OF WITH THE ACTIONESS BALEST DE SINUL BE OF CONVERTION OF THE TAISS AND DESIGNMENT BACHING FOR TURINESS BALEST DE SINUL BE OF CONVERTION STRUCTURE OF WITH THE ACTIONESS BALEST DE SINUL BE OF CONVERTION OF THE TAILON OF THE BACHING FOR TURINESS BALEST DE SINUL BE OF CONVERTION OF THE TAILS AND DESIGNMENT BACHING FOR TURINESS BALEST DE SINUL BE OF CONVERTION OF THE TAILS AND DESIGNMENT BACHING FOR TURINESS BALEST DE SINUL BE OF CONVERTIONS STRUCTURE OF SINUL AND DESIGNMENT BACHING FOR TURINESS BALEST DATEST DATE
- BRACHNE FOR TRUSSES C. TRUSS FAILED FOR GALVANCED STEEL AND SWALL BE APAULDE TO BOTH HOLS OF THE HEPRES BEENS CONNECTED. 2. DEFLECTION OF TRUSSES BAILL BE OF COLONNES LOVE LOAD DEFLECTION SAN(SS) LEVEL CON DEFLECTION SAN(SS) THE CONTENT OF TRUSSES BAILL BE SMALL BE TO THE CONTENT OF TRUSSES BAILL BE SMALL BE TO THE CONTENT OF TRUSSES BAILL BE TRUSTION FOR HEADER WOOD OF PRESERVIEYS ASSOCIATION LATEST REQUIREMENTS. LOVODOR FOR OF TRUSSES BAILL BE DESTRIBUTION FOR HEADER LOVODOR JOINT TO THE WIND LOADS ON DAWNING SJ AND THE SAFE VERSION OF THE MISSIS

- LONGS, IN ADDITION TO THE WIND LONDS ON DIRATIONAL 32 AND THE SERF WART OF THE TABLE (SEE DRIAD LONG TOP (ORDOR) 12 PSF DRIAD LONG TOP (ORDOR) 12 PSF DRIAD LONG TOP (ORDOR) 12 PSF THE LONG TOP (ORDI PROVIDE TWO GROUTED CHU CELLS TO GIRDER TRUSS BEARING ON OPU WALL

FLYWOOD ROOF SHEATHING

-52.5 -36.7

- 1. PLYMOOD SHALL CONFORM TO CONCEALED APA PERFORMANCE A PLYNOD SAND CONTONY TO DURCHARD ANY PERFORMANCE RATED PANELS FOR WALL, ROOF AND FLOOR SHEATHING. 2. ROOF SHEATHING SHALL BE S/8" STRUCTURAL 1, EXPOSURE 1 SPAN-DATED PANELS

- SAME ARAIDE PARES. SINCOF DUPARAMON SEANTURG SHALL BE FASTERED AT 20NE I AND 2 WITH BEI OF © BEGES AND OF © FIELD, ZONE 3 WITH 4 RING SHAW OF © BOES AND OF © FIELD, ZONE 3 WITH 4 RING SHAW OF © BOES AND OF © FIELD. 4. PROVIDE 246 DUPARAMON OF OND ANALUM PERIMETER OF BULLIONE AND DOOR LINES, FASTER WITH 5 ING CONTON HALLS. 5. PROVIDE CONTINUOUS BUCQUING AT BOOK FROME, MULEYS, CONTROLS, DEGRAM AND ALL PLYTONED WITH 5 ING CONTON HALLS.

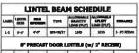
NANUFACTURED METAL CORNECTORS

- 1. PROFERENCEATED AND MANUFACTURED HETAL CONNECTORS, STRAFS, ANCHORS, TIES AND HANGERS SHALL BE HOT DIPPED GALVANIZED TO CONFORM TO ASTM A-525, 690 UNLESS

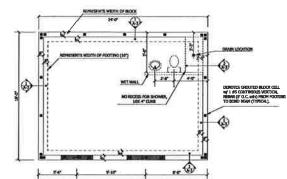
- 3. TRUSS SYSTEM HAND/ACTURER MUST SPECIFY AND PROVIDE CONNECTIONS AND ANY ANCHORS OR CONNECTORS REQUIRED TO JOEN TRUSS TO TRUSS.

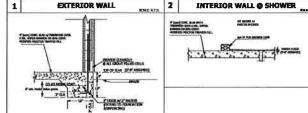
FOUNDATION PLAN NOTES:

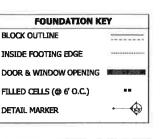
- CONTINUENCE FOR TODUERS IN ALLOWAGE NET SOB BEAUTIC GARACITY = 2000 PSF. CONTINACTOR IS TO CONFERN THIS BEFORE EXCANATING. IN WHICH THERE BE A DISCOLUMENT REVTER TO MORENSIONS ON THE CONSTRUCTION DRAWINGS, CONTACT THE ARCHITECTURAL DESIDER FOR CALIFICATION REPORTS PROTEINED DESIDER FOR ALLOWING IN THE SUM ON GRADE AT 12 PT MADMAIN CENTERS AND ADDRESS PROTEINED REVER DESIDER FOR ADDRESS PROTEINED REVER MADMAIN CENTERS AND ADDRESS PROTEINED REVER MADMAIN CENTERS AND ADDRESS PROTEINED REVERSION FOR ADDRESS ADDRESS PROTEINED REVERSION FOR ADDRESS PROTEINED ADDRESS PROTEINED REVERSION FOR ADDRESS PROTEINED ADDRESS PROTEINED REVERSION FOR ADDRESS PROTEINED ADDR SLAB PANELS, MINIMUM LAP LENGTH OF REINFORCENCE STEEL AT SPLICES SHALL BE 32 BAR DEAMETERS KINIMUM UNO, DO NOT WELD REBAR
- NOT WELD RESARC. 4. WHERE REQUIRED RELAYED COMPACTING SHALL BE REACED AT CORRERS IN FOOTBACK, WALLS AND BOND BEANS TO MAINTAIN CONTINUOUS RELAYEDRICES, THIS APPLIES TO EXTERIOR AND/OR INTERIOR LOAD BEARING OFU WALLS.



LAR 46 20 MIGUAT UNE BU > COMM







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NOTE: ROOF COMER INCLUDING BUT NOT LINETED TO SHEATHING, NAILING, LINCERLANNENT, JOINTS, RASHING, HAETRATIONS, VENTING, TILE AND ATTACHERT, ROOF ATTACHERT, ACCESSIONER AND COMPOSITIOS SHALL COMPOSITION THE 202 (THE BRIDING CODE, WITH REVISIONS, RESIDENTIAL (WIGH VELOCITY HURRICAME ZONE).

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DATE

32951

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Beach,

Melbourne

2nd Avenue

210

THIS DESIGN VALID ONLY WITH ENGINEERS RAISED SEAL AND STONATURE.

ED SHINSKIE

FLORIDA P.E. #47515 4704 WILD TURKEY ROAD

MINS, FL. 32754

GARAGE: N/A

CLG. HT.: 10'-0"

Descript TTILE

FOUNDATION

12-Jan-2023

1/4" = 1"

GREET RUMINER A-3

NOTES

CIUSAL O Jerry Nicholas

541

REVIEWOR:

No. Contraction

SCALE

JOB#: G-2303

321-863-3223

BLOCK OUTLINE INSIDE FOOTING EDGE



TOWN OF MELBOURNE BEACH **DEVELOPMENT APPLICATION**

Ī. SUBMITTAL REQUIREMENTS:

- 1. Fees per current schedule.
- 2. Deed to property.
- 3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
- 4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
- 5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

П., **REQUEST:**

- Land Use Plan Amendment
- □ Special Exception
- □ Variance
- X Site Plan Review Single Family (1RS, 2RS, 3RS) D Site Plan Review Multifamily (4RM, 5RMO)
- □ Site Plan Review Commercial (6B, 7C, 8B, 9I)
- □ Rezoning
- Coastal Construction Variance

□ Other (specify)

Appeal (Application must be filed within 30 days)

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- Amendment to the Land Development Code
- HI. **PROPERTY INFORMATION:**

General Location: 320 Avenue A, Melbourne Beach, FL 32951

Address: 320 Avenue A, Melbourne Beach, FL 32951

Parcel Number(s): 28-38-08-FW-E-20

Area (in square feet): 10,454.4

Current Zoning: SF Proposed Zoning: SF

Current Future Land Use:_____ Proposed Future Land Use:_____

Brief Description of Application: Build detached garage in the rear of the parcel

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable):

pg 1 01-2020 Town of Melbourne Beach -- Development Application

IV. APPLICANT INFORMATION:	
Property Owner	3
Name: Michael Covington	Phone: <u>321-243-2928</u>
Address:320 Avenue A	Fax:
Melbourne Beach, FL 32951	Email: mikec@coservicesllc.com
Applicant (if other than property owner)	
Name: CO Services LLC	Phone: 321-243-2928
Address: 12 W Eagle Ave.	Fax:
Eagle Lake, FL 33839	Email:mikec@coservicesllc.com
V. OWNER AUTHORIZATION:*	3. 6
The undersigned hereby affirms the following:	
application. 2. That I/we have read and understands the entire	present the application, and empowers the Applicant to
Signature:	Date:
Print Name: Michael Covington	Title:Owner
*Must sign in front of notary.	
State of Florida County of Brevard. The foregoing application is acknowledged before me this day of, 20, by who is/are personally known to me, or who has/have as identification.	produced
Signature of Notary Public, State of Florida	NO, ARI SEAL
pg. 2 Town of Melbourne Beach – Developme 01–2020	nt Application

VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

	my/our knowledge and belief the facts stated in the app Signature:	Title: President
	*Must sign in front of notary.	
	State of Florida HawAil County of Brevard. How of the foregoing application is acknowledged before me this 10 ⁻⁴ day of Elemented 20 ⁻²⁰ by MCHAPL who is/are personally known to me, or who has/have as identification. Signature of Notary Public, State of Florida LISA KIMON No. 19 VII. PROJECT DESCRIPTION: Describe Application: Construct a detached garage in	MO ORIVER LICENSE MO Doc. Date: 2-10-2029 # Pages 3 Notary Name: USAKIMIN Filest Circuit Doc. Description DOS SEMEUSIMENE 603961 Doc. Description DOS SEMEUSING Doc. Description DOS SEMEUSING <
	Provide attachment if more space is needed.	TTE OF HAWA
	Describe Existing Conditions: <u>Single Family Residence</u>	
and from the second designment	Provide attachment if more space is needed.	
	pg. 3 Town of Melbourne Beach Developme 01-2020	nt Application



BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes Town of Melbourne Beach Land Development Code Current Florida Building Code

Date: 2-16-2023 Owner: Michael Covington Owner Address: 320 Ave. A. Melbourne Bch Fl. 32951 Site Address: Same Parcel ID: 28-38-08-FW-E-20 Zoning: Zoning District 3RS

Project: Proposed accessory garage structure.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-33.

Request: Approval by the Planning and Zoning Board and the Town Commission for

Staff Review:

1). The project is A Garage accessory structure.

- 2). The Building Lot Zoning District requirements of min. lot area, width and depth. Lot area is 10,500 sq. ft. (Min. 10,000 sq. ft.) Lot width is 70' (min. 90 ft.) Existing non-conforming. Lot depth is 150' (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure. Lot coverage per plan is 18% Footprint of Primary Structure is 2,016.4 sq. ft. with the addition. Max allowed for Primary Structure is 3,200 sq. ft. for Lot Area of 10,500 sq. ft. Minimum pervious area per lot is 30%. Pervious area is 82%
- 4). Structure maximum height for zoning district is 28 ft. The proposed height provided is 13'11" from FFE. Flood Zone:_X____

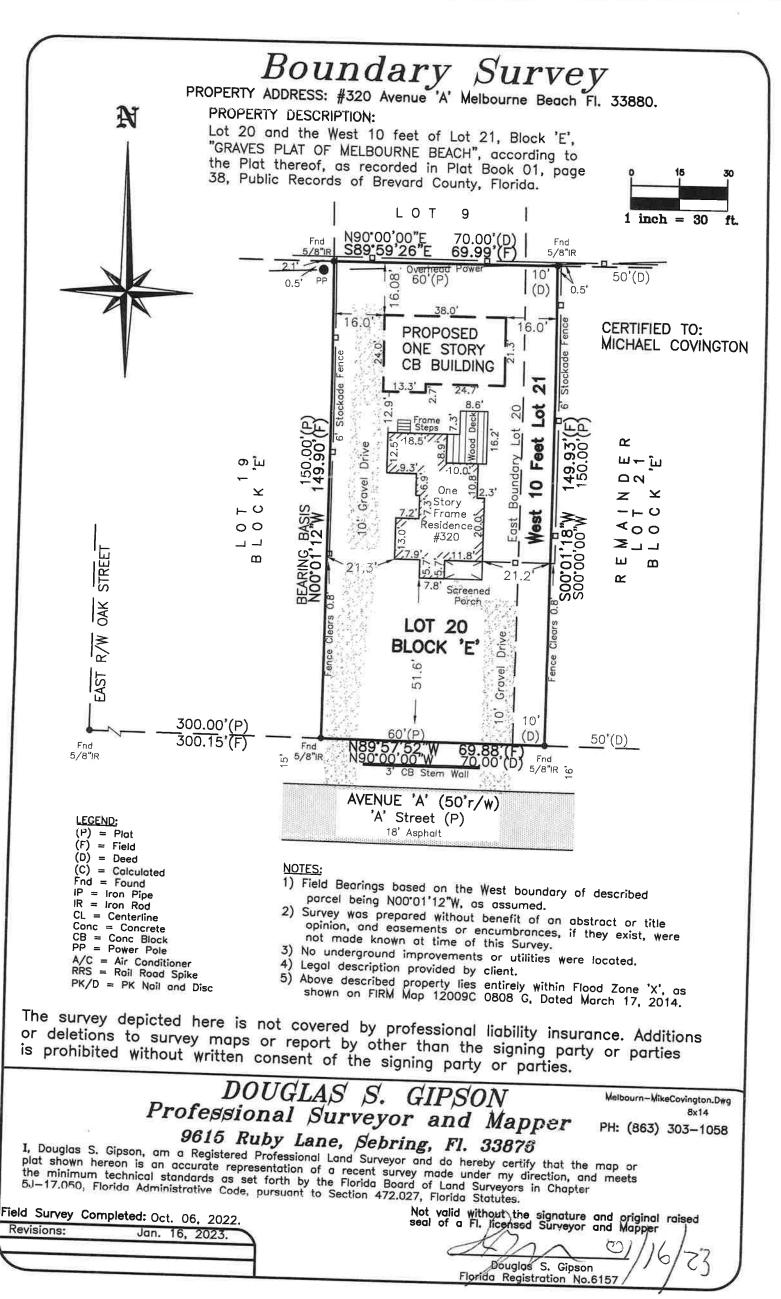
- 5). Zoning District Setback requirements Proposed Primary Structure Rear Setback is 16.08" (min. 25 ft.) Proposed Primary Structure Front Setback is 51.6" (min. 25 ft.) Proposed Primary Structure West Side Setback is 16' (min. 15 ft.) Proposed Primary Structure East Side Setback is 16' (min. 15 ft.)
- 6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

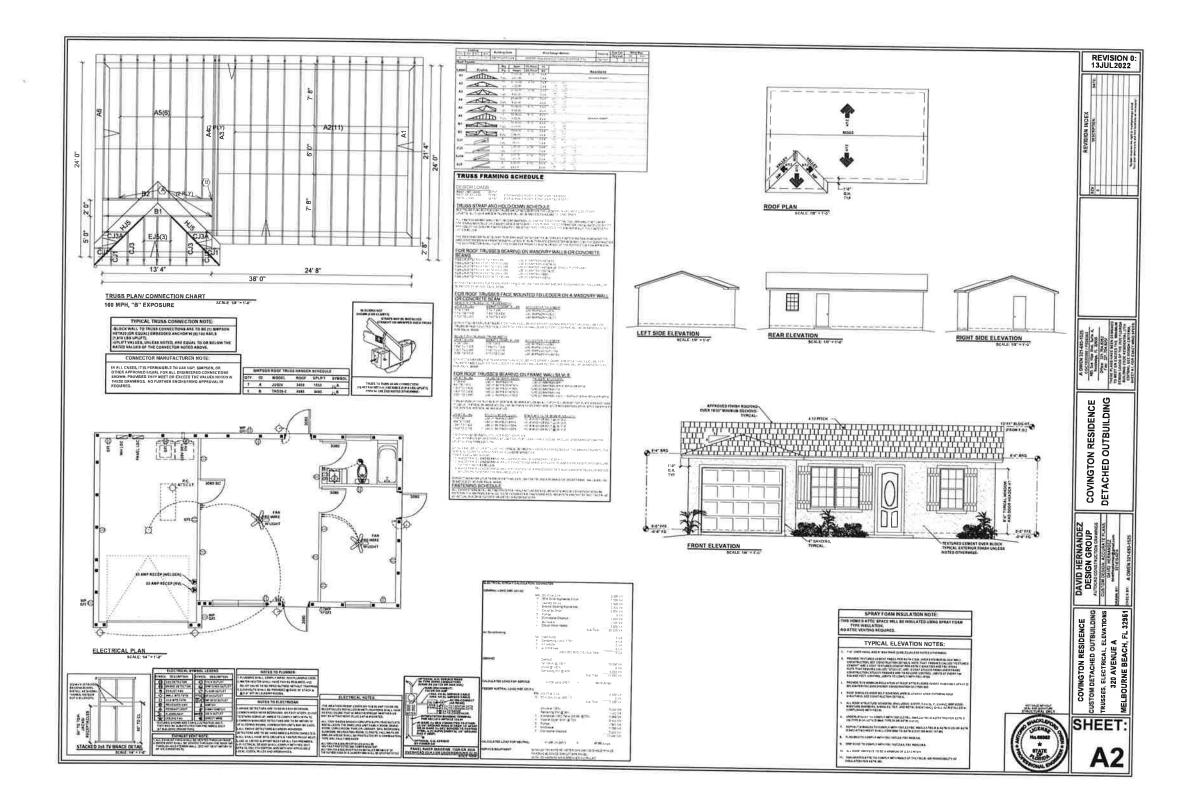
Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

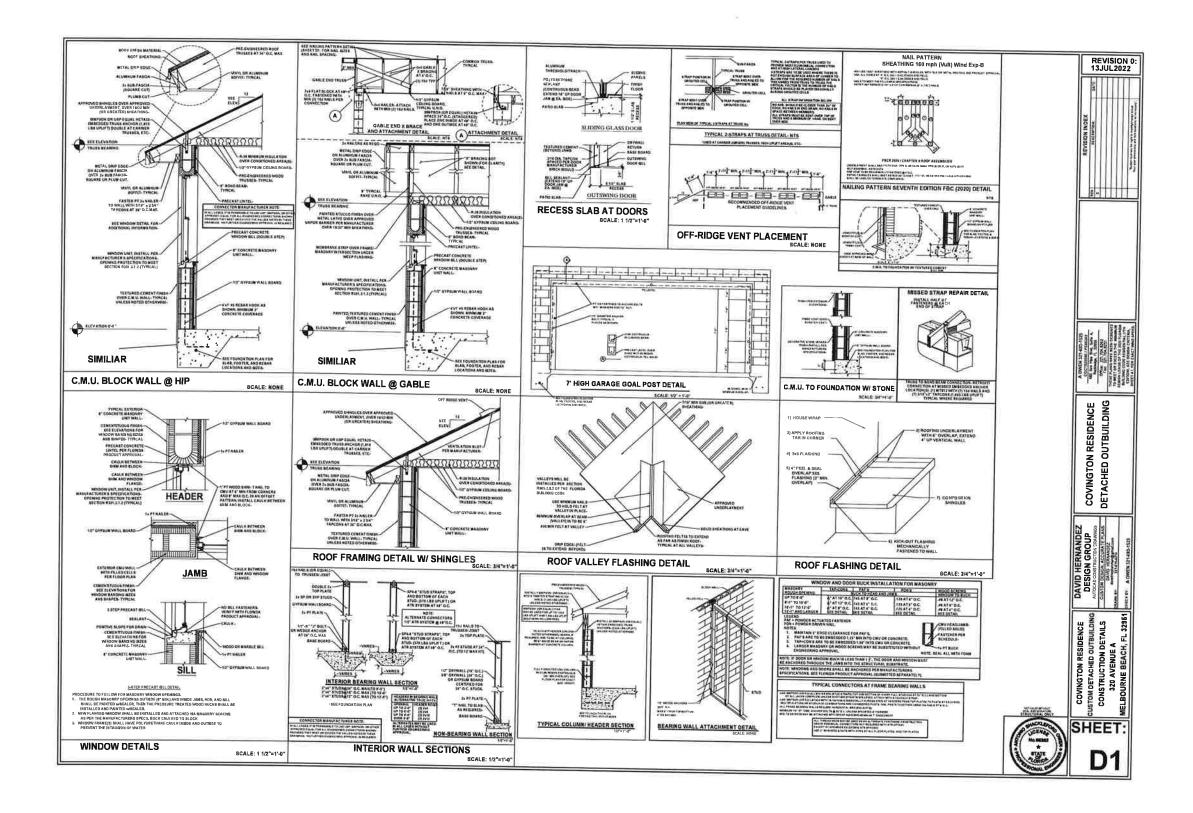
Robert Bitgood Building Official

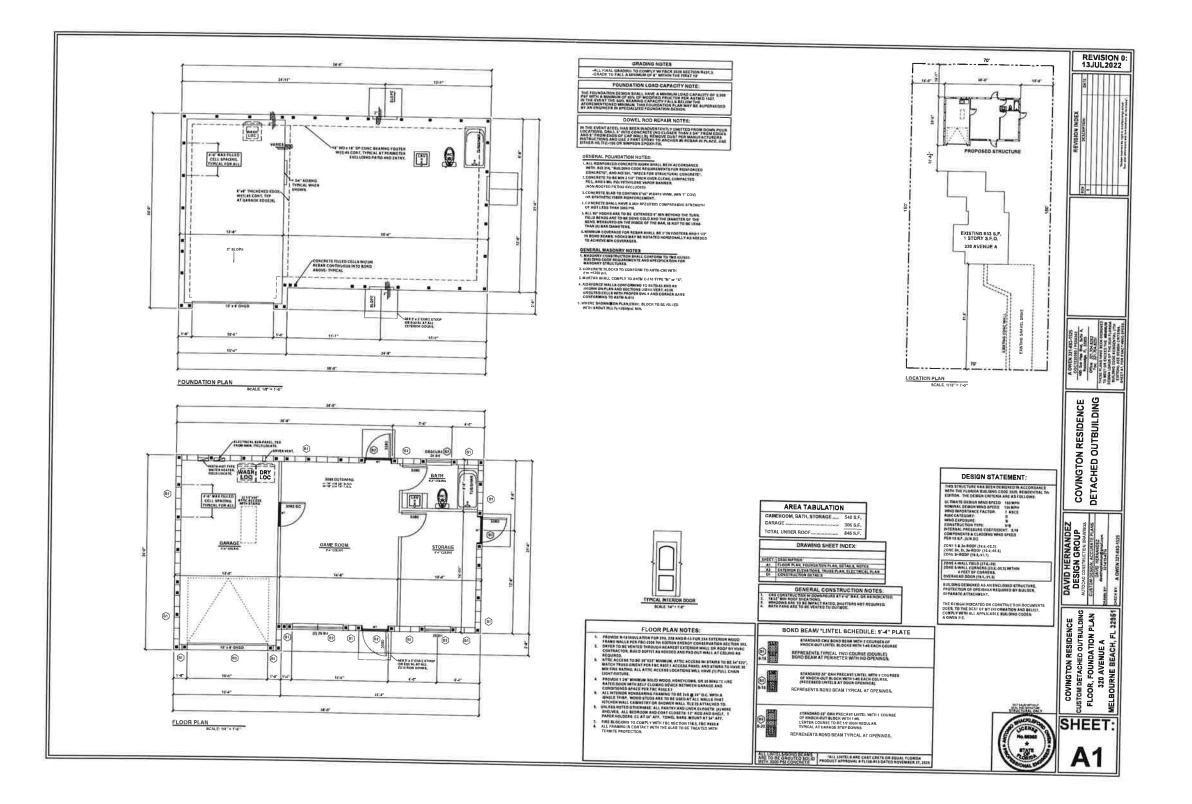
320 Avenue A

IMPERVIOUS		PERVIOUS	
Primary Structure	1,017	Shed space	
Pool		Open areas	8,484
Decks	154	Other	
Driveway			
Accessory Bldg	845.4		
Concrete areas		TOTAL PERVIOUS	8,484
Paver areas, Driveway			
Other			
TOTAL IMPERVIOUS	0.19%		
		Lot Total Sq Footage	10,500
		TOTAL % PERVIOUS	81%









Town Commission Agenda Item

Section: Public Hearing

Meeting Date: March 15, 2023

Subject: Proposed Ordinance 2023-01 (Landscaping and Trees Section 9A and Fences and Walls 7A-53 and 7A-58)

Submitted By: Town Attorney Repperger

Background Information:

On June 15, 2022, the Town Commission directed that Town Staff develop an Ordinance improving regulation regarding landscaping and trees.

On February 7, 2023, the Planning and Zoning Board/LPA continued its consideration of the proposed ordinance to March 7, 2023.

On February 15, 2023 the Town Commission passed Ordinance No. 2023-01 on First Reading.

On March 7, 2023 the Planning and Zoning Board/LPA recommended approval of Ordinance No. 2023-01 with changes as discussed below.

Summary of Proposed Ordinance Amendments:

- Amends Section 9A-4 to require permitting, removal standards, and exempt trees posing and unacceptable risk in accordance with Florida Law.
- Amends Section 9A-5 to regarding number of tree removal plans required.
- Amends Section 9A-6 to provide for dimensions for replacement trees and justification for removal permits.
- Amends Section 9A-7 to revise minimum tree plantings for new construction and to add maintenance and replacement requirements.
- Amends Section 9A-10 to provide for clarified exemptions in accordance with State Law.
- Amends Section 9A-12 to provide for enhanced penalties for mature tree removal without a permit.
- Amends Section 7A-53 to allow for fences/walls extending beyond the front building

line on residential lots abutting A1A and Oak Street south of Ocean Avenue to be erected to a maximum height of six (6) feet with required plantings and corner lot limitations.

- Amends Section 7A-53 to clarify references to fences and walls.
- Amends Section 7A-53 to add entrance gate standards.
- Amends Section 7A-58 to clarify references to fences and walls.
- Edits to the proposed Ordinance made after first reading are reflected in yellow highlight.

Planning and Zoning Board Recommendations:

On March 7, 2023 the Planning and Zoning Board/LPA recommended **approval** of Ordinance No. 2023-01 with the following changes:

- Amend proposed Section 9A-7 (c) to remove the sentence, "Any trees that are removed for new construction shall be replaced by the same or similar species."
- Amend the Ordinance to include an amendment to Section 1A-3 which would provide a definition of "Tree Density" based on the measure of trees per square foot of a lot's pervious area. A sample definition and illustration provided by Planning and Zoning Board alternate member Dan Harper is included as part of this Agenda item.
- Amend proposed Section 9A-12, Penalty, to remove the phase "or similar trees."
- The Planning and Zoning Board also recommended that the Town Commission • consider amending Section 7A-53 (9) to require the last 25 feet of any fences or walls abutting waterfront or beach to be reduced in height from six (6) feet to four (4) feet to protect neighboring riparian site lines. The proposal was suggested by Planning and Zoning Board member Doug Hilmes, but was not part of the initial directive of the Town Commission. Upon Town Staff's consideration of this issue, Town Staff believes that the suggested change would not be appropriate for consideration within Section 7A-53 (9), which has a limited application, but rather, would require a wholesale change to Section 7A-53 (2) a and b to have the desired effect on all waterfront and beachfront lots. The potential consequence of the suggested change would likely render a large number of fences erected on waterfront or beachfront lots as non-conforming. Should the Town Commission desire to consider implementing the suggested change, Town Staff requests additional time to further evaluate the practical effect of the suggested change and proposes to bring the suggested change back as a separate ordinance and not part of 2023-01.

Attachments:

- Draft Ordinance 2023-01.
- Suggested Tree Density Definition Dan Harper

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; **APPENDIX "A" OF THE TOWN CODE OF ORDINANCES** OF MELBOURNE BEACH, THE LAND DEVELOPMENT **CHAPTER** CODE: AMENDING 9A REGARDING LANDSCAPING AND TREES; SPECIFICALLY AMENDING SECTION 9A-4, PERMIT REQUIRED FOR CUTTING DOWN TREE; SPECIFICALLY AMENDING SECTION 9A-5. APPLICATION FOR **PERMIT; REVIEW** OF APPLICATION; SPECIFICALLY AMENDING SECTION 9A-6, ON-SITE INSPECTION; SPECIFICALLY AMENDING **SECTION** 9A-7, **MINIMUM** TREE **PLANTINGS; SPECIFICALLY** AMENDING SECTION 9A-10, **EXCEPTIONS; SPECIFICALLY AMENDING SECTION 9A-**12, PENALTY; AMENDING ARTICLE IV, CHAPTER 7A, DISTRICT **SUPPLEMENTARY REGULATIONS;** SPECIFICALLY AMENDING SECTION 7A-53, FENCES AND WALLS; SPECIFICALLY AMENDING SECTION 7A-58, VISION CLEARANCE AT CORNERS; PROVIDING A SEVERABILITY/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 Landscaping and Trees and Fences and Walls 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 various sections of Chapter 9A and Sections 7A-53 and 7A-58 of the Land Development Code proposed in this Ordinance will provide for the improved regulation of required Landscaping and Trees and Fences and Walls in 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 various sections of Chapter 9A and Sections 7A-53 and 7A-58 of the Land Development Code proposed in this Ordinance are consistent with the Comprehensive Plan, are in the best interests of its citizens of the Town of Melbourne Beach, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on March 7, 2023 the Planning and Zoning Board/Local Planning Agency (collectively the "LPA") at a duly noticed public hearing, reviewed and considered the proposed

amendments to Chapter 9A and Sections 7A-53 and 7A-58 of the Land Development Code and took public comment regarding the same; and

WHEREAS, the LPA has determined that the proposed amendments to Chapter 9A and Sections 7A-53 and 7A-58 of the Land Development Code are consistent with the Town's Comprehensive Plan and are in the best interest of the Town of Melbourne and has recommended that the Town Commission approve of the same.

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

<u>SECTION 1</u>. That Article I, Chapter 9A, of Appendix "A," of the Town Code of the Town

of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

* *

§9A-4. PERMIT REQUIRED FOR CUTTING DOWN TREE.

No person, organization, society, association or corporation, or any agent or representative thereof, directly or indirectly, shall cut down, destroy, remove, move or effectively destroy through damaging any tree situated on property in any zoning district without first obtaining a permit as herein provided. Tree removal on any property in any zoning district shall be in accordance with the standards mandated in the most recent edition of the Best Management Practices - Tree Risk Assessment published by the International Society of Arboriculture or a certification from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect as to substantial compliance with such standards. Any tree which poses an unacceptable risk may qualify for removal without a permit pursuant to Fla. Stat. Sec. 163.045 or as such section may be amended.

§9A-5. APPLICATION FOR PERMIT; REVIEW OF APPLICATION.

(a) Application. Permits for removal, relocation, or replacement of trees covered herein, shall be obtained by making application for a permit to the Building Official. The application shall be accompanied by a written statement indicating the reason for removal, relocation, or replacement of trees and four two copies of a legible site plan drawn to a minimum scale of one inch equals 20 feet, indicating the following:

(1) Location of all existing or proposed structures, improvements, and sites used, properly dimensioned and referenced to property lines, setback, and yard requirements;

(2) Location of existing or proposed utility services, when known;

(3) The location of all trees on the site designating the trees to be retained, removed, relocated, or replaced. Groups of trees in close proximity may be designated as clumps of trees with the predominant type and estimated number and average diameter noted. Only those trees to be removed, relocated, or replaced must be named (common or botanical name) on the site plan;

(4) The tree information required above shall be summarized in legend form on the plan and shall include the reason for the proposed removal, relocation, or replacement; and

(5) An application involving developed properties may be based on drawings showing only that portion of the site directly involved, and adjacent structures and landscaping or natural growth incidental thereto.

(b) Application review. Upon receipt of a proper application, the Building Official shall review the application, which will include a field check of the site and referral of the application to others concerned as necessary, to determine any adverse effect upon the general public welfare, adjacent properties, or Town services and facilities.

§9A-6. ON-SITE INSPECTION.

(a) On-site inspection. Prior to the issuance of a permit for tree removal or relocation, the Building Official or his agent shall conduct an on-site inspection to determine whether or not such a removal or relocation conforms to the requirements of this chapter.

(b) Issuance.

(1) Removal. No permit shall be issued for tree removal unless one of the following conditions exists:

a. The tree is located in a buildable area or yard where a structure or improvements may be placed and it where inability to remove the tree would unreasonably restricts the permitted use of the property and the tree removal has been authorized by the Town as part of a site plan review;

b. The tree cannot be relocated on or off the site because of age, type, or size of tree;

c. The tree is diseased, dead, injured, in danger of falling, too close to existing or proposed structures, interferes with utility service, creates unsafe vision clearance, or conflicts with other ordinances or regulations; or

d. It is in the welfare of the general public that the tree be removed for a reason other than set forth above.

(2) Relocation or replacement. As a condition to the granting of a permit, the applicant may be required, where practical, to relocate the tree being removed or be required to replace the tree being removed with a tree somewhere within the site of the type that will attain an overall height of at least 15 twelve feet (12') and <u>have a trunk caliper of at least two inches (2'') at planting</u>, measured six inches four and one half feet (4.5') above grade. The green areas left after all building and parking lot requirements have been met shall contain a tree density equal to or greater than that existing on the overall site before the beginning of construction.

§9A-7. MINIMUM TREE PLANTINGS.

(a) Trees in residential zoning districts. A minimum of three trees must exist or must be planted on each newly developed residential lot. Trees planted must be of a variety which is compatible with the existing soil and drainage-conditions and must be provided with adequate water and food materials to encourage growth. Trees shall be planted in locations so as not to cause danger to nor interference with existing structures at the time of maturity.

(b) Buffer and tree planting requirements for all non-residential and multiple family residential uses.

(1) A landscape buffer with a minimum of ten feet in width shall be provided between any residentially zoned property and a property utilized for a non-residential or multiple family residential use. Responsibility for providing a landscape buffer shall be upon the nonresidential or multifamily use. The landscape buffer shall include a minimum of one canopy tree for every 40 linear feet, or fraction thereof. In addition one ornamental tree or palm shall be planted for each 50 linear feet, or fraction thereof.

(2) A landscape buffer with a minimum of ten feet in width shall be provided along all road frontage of the site. The landscape buffer shall include a minimum of one canopy tree for every 25 feet of frontage, or fraction thereof.

(3) A continuous hedge shall be planted in all perimeter landscape buffer areas.

(4) Parking areas shall be designed so that there is a minimum of 200 square feet of open space, not including perimeter landscape buffer areas, at the end of each row of parking. In addition a minimum of 200 square feet of open space shall be provided in the interior of the parking lot for each ten parking spaces, or fraction thereof. These open spaces shall be distributed throughout the parking lot in a manner that no more than ten parking spaces in a row shall be allowed without an intervening landscaped area.

(5) Minimum specifications for trees and hedge material shall be as follows:

a. Canopy trees at the time of planting shall have a trunk diameter of two inches measured four and one-half feet above the ground grade. The trees shall be a minimum of eight feet in height and have a minimum spread of five feet. The trees are not required to be spaced evenly along property lines.

b. Ornamental trees at the time of planting shall have a trunk diameter of one and one-half inches measured four and one-half feet above the ground grade. The trees shall be a minimum of six feet in height and have a minimum spread of four feet.

c. Palms at the time of planting shall have a minimum clear trunk of eight feet.

d. Hedge material at the time of planting shall be a minimum of 18 inches in height when planted. Individual plants shall be planted a maximum of 24 inches on center.

(6) All plant material shall be Florida Number 1 in quality and shall be planted according to sound landscape installation standards.

(7) All landscaping shall be maintained to present a neat and orderly appearance. Dead, deteriorating or missing landscape material shall be replaced with substantially equivalent landscaping as permitted by the Land Development Code. Replacement of landscaping material shall occur within 60 days, unless said time is extended by the Town Manager for good cause shown.

(8) Exceptions shall be considered on an individual basis when obstacles such as overhead power lines or other conditions inhibit the ability to comply.

(9) Canopy trees shall be those that develop a crown spread of 25 feet or greater at maturity. Trees with less than 25 feet of crown spread at maturity shall be considered ornamental trees.

(10) Clusters of three palms shall be an acceptable substitute for up to 50% of the required canopy trees and 50% of the required ornamental trees.

(11) Landscape material should be drought tolerant to the extent practical and feasible. A water source shall be available to ensure the plant material can be watered while it is being established and during drought occurrence. Automatic irrigation systems may be utilized.

(12) Currently developed sites that do not meet the landscape requirements will not be considered non-conforming. Landscaping consistent with the regulations shall be installed at these sites, to the extent practical, as redevelopment occurs. Unless complete reconstruction or rehabilitation that results in closure of a building or buildings for a period of over six months occurs, full compliance with this section shall not be required.

(c) Minimum replacement standards for new construction. Any trees that are removed for new construction shall be replaced by the same or similar species. Specifically for mature oak trees, replacement of one (1) similar species for each tree removed shall be required which at a minimum will attain an overall height of at least twelve feet (12') and have a trunk caliper of at least two inches (2") at planting, measured four and one half feet (4.5') above grade.

(d) Maintenance of trees and landscaping. If the removal of any tree or landscaping from any lot causes the number of remaining trees or vegetative species to fall below the minimum standards required by this section or as reflected on any approved site plan or landscaping plan for said lot, replacement trees or vegetative species meeting the requirements or this section or any approved site plan or landscaping plan shall be re-planted on the lot within thirty (30) days after removal.

* * *

§9A-10. EXCEPTIONS.

(a) In the event that any tree shall be determined to <u>pose an unacceptable risk as provided for in</u> <u>§ 9A-4 or to</u> be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety and requires immediate removal without delay, authorization may be given by the Public Works Department, and the <u>such</u> tree <u>may be</u> removed without <u>first</u> obtaining a written permit as herein required. Such authorization shall be given in writing.

(b) During a period of emergency, such as a hurricane, tropical storm, flood, or any other act of God, the requirements of this Article may be waived by the Town Commission.

(c) All licensed plant or tree nurseries shall be exempt from the terms and provisions of this Article only in relation to those trees planted and growing on the premises of the licensee, which are so planted and growing for sale or intended sale to the general public in the ordinary course of the licensee's business.

(d) The types of trees included on the current Florida Noxious Weed List and Florida Exotic Pest Council's List of Invasive Plant Species shall be exempt from the terms and provisions of this article and shall not be used to meet any replacement or planting requirements.

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§9A-12. PENALTY.

The improper removal of each tree shall constitute a separate offense under this chapter. Violation of this chapter and imposition of the penalty shall be determined and imposed by the Code Enforcement Board Special Magistrate or by a court of proper jurisdiction.

<u>Removal of any mature oak or similar trees without first obtaining a permit from the Town</u> as required in § 9A-4 shall constitute prima facie evidence of a violation which is irreparable or irreversible in nature for the purposes of enhanced fine assessment provided for in §11-21(b)(1) or as otherwise amended.

*

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SECTION 2. That Article IV, Chapter 7A, Section 7A-53, of Appendix "A," of the

Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby

amended to read as follows:

§7A-53. FENCES AND WALLS.

* *

(2) Fence/wall height - all zoning districts except as otherwise provided.

*

a. Fences<u>/walls</u> on rear property lines may be erected up to a maximum height of six (6) feet.

b. Fences/walls on interior side lot lines may be erected up to a maximum height of six (6)feet from the rear property line up to the front building line.

c. Portions of fences/walls that extend beyond the front building line may be erected up to a maximum height of four (4) feet, except that on residentially zoned lots abutting State Road A1A and Oak Street south of Ocean Avenue fences/walls that extend beyond the front building line may be erected up to maximum height of six (6) feet. For any fence/wall installed on any lot beyond the front building line on or after March 16, 2023, any portion of the fence/wall running parallel to any right-of-way frontage shall have no less than four feet (4') of vegetation planted on the right-of-way side of the fence/wall.

d. Fences/walls on corner side lot lines may be erected up to a maximum height of six (6) feet from the rear property line up to the front building line.

e. Portions of fences/walls on corner side lot lines that extend beyond the front building line may be erected up to a maximum height of four (4) feet, except that on residentially zoned lots abutting State Road A1A and Oak Street south of Ocean Avenue fences/walls that extend beyond the front building line may be erected up to maximum height of six (6) feet. For any fence/wall installed on any lot beyond the front building line on or after March 16, 2023, any portion of the fence/wall running parallel to any right-of-way frontage shall have no less than four feet (4') of vegetation planted on the right-of-way side of the fence/wall. Any fence/wall installed on any corner side lots that extend beyond the front building line must meet the sight triangular clearance requirements of §7A-53(4) and §7A-58 as may be amended.

f. Chain link fences, to a maximum height of ten (10) feet, may be erected around tennis courts. The fences may be erected on the property line, behind the front building line, or on the rear property line, if the fence does not encroach upon any easements, rights-of-way, or similar encumbrances.

g. Ornamental entrances, fountains, plant containers, and similar architectural features exceeding the wall height restriction will be permitted, provided that:

i. No such feature shall exceed in height the wall height restriction for that district plus one (1) foot; and

ii. There shall be only one such feature in any front, side or rear yard, except that there may be two (2) entrance gates.; and

iii. Entrance gates must be designed such that they do not encroach into any right-of-way.

(3) Fence/wall height measurement. The required fence/wall height is measured from the finished grade of the land where the fence/wall is located prior to berming or placement of fill in

excess of that required by the Code of Ordinances, to the highest point of the fence/wall, including posts and ornamental and architectural features. A survey prepared by a licensed Florida mapper and surveyor with reference elevations shall be submitted with all wall and fence permit applications. Fence/wall height shall be measured from the surveyed elevation prior to placement of fill.

(4) Vision clearance at corners. Fences/walls on corners lots shall not be located within the triangular clearance area formed by lines that are measured from the point of intersection of the rights-of-way a distance of 25 feet, along the lot lines, parallel to each street and the line that connects the endpoints of the two lines measured from the point of intersection of the rights-of-way.

(5) Maintenance. All fences/walls shall be continuously maintained in a good and nondeteriorated condition, free of graffiti, peeling or blistering paint, broken or missing boards or posts, broken concrete block masonry, and the like.

(6) Submission of plans and building permits. Plans showing the exact location of all walls, fences, and hedges, and the proposed height, construction, and materials to be used, shall be submitted to the Building Official for approval, and the issuance of a permit for same upon payment for the permit. Termite and rot-resistant durable wood or rust and corrosion resistant material (or finish) shall be used.

(7) Fencing Enclosing of easements, rights-of-way, and sidewalks.

(a) In the event a lot owner fences or encloses any utility easement, as a condition of any fence/wall permit, the lot owner agrees and understands that utilities, rights-of-way, and sidewalks may need repair, maintenance, installation or removal, from time to time, and that to do so it may be necessary for utility companies or public and governmental agencies, or their respective employees, agents, or independent contractors, to remove certain portions of a lot owner's fence/wall. The lot owner/occupant agrees as a permit condition to hold harmless the Town, any other governmental agencies, and any utility company, and their respective employees, agents, officials, and independent contractors, in both their official and individual capacities, from any costs related to fencing/walls or damages to fencing/walls arising from removal, repair, installation or maintenance of any utilities, rights-of-way, sidewalks or fences/walls. As used in this paragraph, the term utilities shall include cable television companies.

(b) Prior to issuance of a building permit for a fence or wall constructed on an easement or right-of-way the property owner shall sign an affidavit stating agreement with the conditions of this section.

(8) Installation. Fencing/walls shall be installed in such a manner as not to detract from the value of the adjoining residential property; in particular, the fence/wall shall have the finished side face the adjoining property. Walls and fences shall be installed abutting the property line in such a manner that they are located entirely on the property of the owner of the structure.

(9) Fences/walls abutting beach or river access way or rights-of-way. Fences/walls up to a height of six (6) feet are allowed adjacent to and abutting any public or private motor vehicle or pedestrian access or right-of-way connecting to the Indian River Lagoon or the beach along the Atlantic Ocean. Said fence/wall may be located forward of the front building line; provided that said fence shall not be of a chain-link type. All of said fence/wall shall be setback a minimum of five (5) feet from any right-of-way line.

SECTION 3. That Article IV, Chapter 7A, Section 7A-58, of Appendix "A," of the

Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby

amended to read as follows:

§7A-58. VISION CLEARANCE AT CORNERS.

Vision clearance at corners. Fences/walls on corner lots shall not be located within the triangular clearance area formed by lines that are measured from the point of intersection of the rights-of-way a distance of 25 feet, along the lot lines, parallel to each street and the line that connects the endpoints to the two lines measured from the point of intersection of the rights-of-way.

<u>SECTION 4</u>. 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 <u>underlined</u> are additions to existing text.
- (2) Words stricken through are deletions from existing text.

(3) Asterisks (* * *) indicates a deletion from the Ordinance of text existingin the Code of Ordinances. It is intended that the text in the Code of Ordinance denoted by the

9

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asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

<u>SECTION 5</u>. 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.

<u>SECTION 6</u>. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

<u>SECTION 7</u>. Effective Date. This Ordinance shall become effective upon adoption.

<u>SECTION 8</u>. Adoption Schedule.

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on the 15th day of February, 2023, and ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida, on final reading on the 15th day of March, 2023.

TOWN OF MELBOURNE BEACH, FLORIDA

By:

WYATT HOOVER, Mayor

ATTEST:

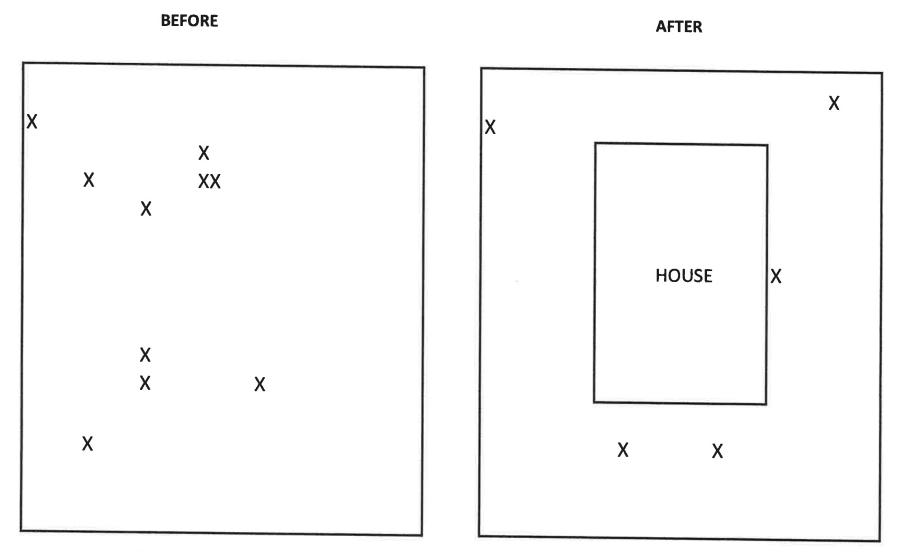
(TOWN SEAL)

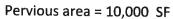
Amber Brown, Town Clerk

9A-1 DEFINITION

Tree Density – The measure of trees per square foot of a lots pervious area. (Groups of trees in close proximity may be designated as clumps of trees and given a value of less than one.) 1 Aut = 70 IWAT Less Than I Aut = 70 I

TREE DENSITY





Pervious area = 5,000 SF

SAME TREE DENSITY MAINTAINED

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Town Commission Agenda Item

Section: Public Hearing (Second Reading)

Meeting Date: March 15, 2023

Subject: Proposed Ordinance 2023-02 (Second Kitchens)

Submitted By: Town Attorney Repperger

Background Information:

On June 15, 2022, the Town Commission directed that Town Staff develop an Ordinance improving regulation regarding second kitchens within single family residences (1-RS, 2-RS, and 3-RS).

On February 7, 2023, the Planning and Zoning Board/LPA voted to recommend approval of the proposed ordinance by a vote of 4-1.

On February 15, 2023, the Town Commission passed Ordinance No. 2023-02 on First Reading.

On March 7, 2023, the proposed Ordinance was returned to the Planning and Zoning Board/LPA for additional consideration given that the approved Ordinance was revised to address separate living quarters attached to the principal structure. The Planning and Zoning Board/LPA voted to recommend approval of the proposed ordinance by a vote of 3-2.

Summary of Proposed Ordinance Amendments:

- Amends Section 1A-3 to add a definition for "Kitchen" or "Kitchen Facility" which excludes outdoor barbeque areas without a range or stove.
- Amends Section 7A-31 to cite to appropriate supplementary regulations.
- Amends Section 7A-32 to cite to appropriate supplementary regulations.
- Amends Section 7A-33 to cite to appropriate supplementary regulations.
- Creates Section 7A-72 to allow for second kitchens in 1-RS, 2-RS, and 3-RS zoning districts with permitting and regulatory conditions.

Attachments:

• Draft Ordinance 2023-02.

• Email from Town Planner Corey O'Gorman dated March 7, 2023 addressing question regarding conversion of single-family units to multi-family units.

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; **APPENDIX "A" OF THE TOWN CODE OF ORDINANCES** OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 1A-3 TO ADD THE **DEFINITION FOR KITCHEN OR KITCHEN FACILITY;** AMENDING CHAPTER 7A REGARDING **SECOND KITCHENS; SPECIFICALLY AMENDING SECTION 7A-31,** SECTION 7A-32, AND SECTION 7A-33 TO PERMIT SECOND KITCHENS IN 1-RS, 2-RS, AND 3-RS ZONING **DISTRICTS; CREATING SECTION 7A-72 TO PROVIDE SUPPLEMENTARY** DISTRICT REGULATIONS FOR SECOND KITCHENS IN SINGLE FAMILY RESIDENTIAL **DISTRICTS;** PROVIDING A SEVERABILITY/INTERPRETATION **CLAUSE**; **PROVIDING FOR CODIFICATION: PROVIDING FOR** REPEAL CONFLICTING **ORDINANCES** OF 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 second kitchens in residential zoning districts in the Town of Melbourne Beach 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 amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Comprehensive Plan, are in the best interests of its citizens of the Town of Melbourne Beach, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on February 7, 2023 and March 7, 2023 the Planning and Zoning Board/Local Planning Agency (collectively the "LPA") at a duly noticed public hearing, reviewed and considered the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code and took public comment regarding the same; and

WHEREAS, the LPA has determined that the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Town's Comprehensive

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Plan and are in the best interest of the Town of Melbourne and has recommended that the Town Commission approve of the same.

WHEREAS, the Town Commission and LPA have determined that an amendment to Section 1A-3 of the Land Development Code to add the definition of the terms "kitchen" or "kitchen facility" is necessary to allow for the desired regulatory changes and that such definition shall specifically exclude outdoor barbeque areas without a stove or range.

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

SECTION 1. That Article I, Chapter 1A, Section 1A-3, of Appendix "A," of the Town

Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby created to

read as follows:

<u>§1A-3. DEFINITIONS.</u>

<u>KITCHEN OR KITCHEN FACILITY.</u> A room or area within a room whose primary purpose is to store, prepare and cook food. A kitchen will have a refrigerator to store food, counter space and a sink to prepare food, and a stove and/or range to cook food. An outdoor or external barbeque area with no stove or range shall not constitute a kitchen or kitchen facility.

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SECTION 2. That Section 7A-31 of Appendix "A," of the Town Code of the Town of

*

Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-31. 1-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

*

*

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 3. That Section 7A-32 of Appendix "A," of the Town Code of the Town of

Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-32. 2-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

*

*

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(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 4. That Section 7A-33 of Appendix "A," of the Town Code of the Town of

Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§7A-33. 3-RS SINGLE FAMILY RESIDENTIAL DISTRICT.

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

SECTION 5. That Article IV, Chapter 7A, Section 7A-72, of Appendix "A," of the

Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby

created to read as follows:

§7A-72. SINGLE-FAMILY RESIDENTIAL SECOND KITCHEN FACILITY.

<u>A second kitchen facility may be incorporated into a single-family residence located in the 1-RS,</u> <u>2-RS, and 3-RS zoning districts, provided the second kitchen facility meets the following conditions:</u>

(1) The second kitchen facility and the area or quarters it serves shall be integrated architecturally into the principal single-family dwelling unit or may be located within separate quarters connected to the principal single-family dwelling unit by a common wall or common roof. For purposes of this Section, a breezeway connection between the principal single-family dwelling unit structure and the separate quarters served by the second kitchen may constitute a common roof. Access to the second kitchen shall be as required by the Florida Building Code.

(2) A permit for construction must be obtained, and a floor plan of the entire single-family residence, including the additional kitchen facility, demonstrating compliance with the conditions set forth in this section, shall be submitted to the Building Official for plan review and approval prior to construction of any second kitchen. The approved floor plan shall be binding upon all future construction plans in regard to the single-family residence and the second kitchen facility.

(3) No portion of the single-family dwelling unit shall be utilized for rental purposes, and the single-family dwelling unit shall be served by only one electrical and water meter.

(4) The single-family dwelling unit shall continue to be utilized by no more than one family.

(5) The property upon which the second kitchen is planned to be installed must have a valid Brevard County property tax homestead exemption at the time of permit application. A second kitchen facility must be removed within one year of the loss or removal of the homestead exemption maintained on the property.

<u>SECTION 6</u>. 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 <u>underlined</u> 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.

<u>SECTION 7</u>. 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.

<u>SECTION 8</u>. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

<u>SECTION 9</u>. Effective Date. This Ordinance shall become effective upon adoption.

SECTION 10. Adoption Schedule.

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on

the 15th day of February, 2023, and ADOPTED by the Town Commission of the Town of

Melbourne Beach, Florida, on final reading on the 15th day of March, 2023.

TOWN OF MELBOURNE BEACH, FLORIDA

By:_____ WYATT HOOVER, Mayor

(TOWN SEAL)

ATTEST:

Amber Brown, Town Clerk Subject:

FW: Proposed Ordinance 2023-02 (Second Kitchens) (P and Z 3-7-2023) (Town Commission 3-15-23)

From: Corey OGorman <corey@placepnd.com> Sent: Tuesday, March 7, 2023 6:55 AM

To: Cliff Repperger <cliff@whitebirdlaw.com>

Cc: Melbourne Beach Town Manager <TownManager@melbournebeachfl.org>; Melbourne Beach Building Official <BuildingOfficial@melbournebeachfl.org>; Melbourne Beach Town Clerk <TownClerk@melbournebeachfl.org> **Subject:** RE: Proposed Ordinance 2023-02 (Second Kitchens) (P and Z 3-7-2023) (Town Commission 3-15-23)

Good morning Cliff,

I have reviewed the revised language attached to your email and relevant sections of the Town Code and offer the following:

- Section 1A-3 defines an accessory structure as "A permanent building or structure, subordinate to and located on the same lot with a principal building, the use of which is clearly incidental to that of the principal building and which is not attached by any part of a common wall or common roof to the principal building."
- Section 1A-3 defines a dwelling unit as "One (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit."
- Section 1A-3 defines a principal structure as "the primary building or structure on a lot or building site designed or used to accommodate the primary use for which the property is intended."
- The proposed code language includes restrictions on the 2nd kitchens including the following:
 - It shall be integrated architecturally into the principal dwelling unit or connected by a common wall or common roof.
 - A permit must be obtained.
 - No portion of the dwelling shall be used for rental purposes and shall be served by one electric and water meter.
 - The dwelling shall be utilized by no more than one family.
 - There must be a valid homestead exemption.

Based on the above, with the 2nd kitchen either architecturally integrated into the existing single-family home or connected by a common wall or common roof it is consistent with the definition of the principal structure and would not be an accessory structure. In addition, with the restrictions including service by a single water / electric meter and residency by no more than one family, this is consistent with the definition of a "dwelling unit" constituting a single unit.

Consequently, as written the proposed addition of a 2nd kitchen would remain a single-family home as defined by the Town Code and would not result in conversion of single-family homes into multi-family structures.

I hope this is helpful. Please let me know if you have any questions. THANKS!

Corey W. O'Gorman AICP Place Planning

700 US Highway One, Suite C North Palm Beach, FL 33408 561-863-2722 Phone 561-863-2733 fax 561-801-2461 cell

Proclamation Town of Melbourne Beach

NATIONAL HUMAN TRAFFICKING AWARENESS AND PREVENTION MONTH

WHEREAS, January 2023 has been designated as National Human Trafficking Awareness and Prevention Month by the Federal Government; and

WHEREAS, human trafficking is the illegal trade of human beings, a public health and humanitarian issue, a form of modern-day slavery, and a crime against humanity that violates the most basic human rights and deprives victims of their freedom; and

WHEREAS, human trafficking is the recruitment, harboring, transporting, providing, or obtaining of a person for the purpose of a commercial sex act, labor, or services induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age, and

WHEREAS, over 45 million people are being trafficked worldwide and the United States is one of the worst counties globally with an estimated 199,000 incidents occurring each year, and

WHEREAS, Florida ranks third in the United States for human trafficking cases reported to the National Human Trafficking Resource Center with the Central Region having the highest number of cases reported to the Florida Department of Children and Families, as human traffickers regard Florida as one of the most attractive destination and transit points for their victims, and

WHEREAS, human trafficking has increased exponentially as the fastest growing and third largest international criminal enterprise behind illegal drugs and arms trades, generating over 150 billion dollars, specifically involving child sexual abuse material, pornography, and online exploitation and often involves family members or those personally known to the victim, and

WHEREAS, human trafficking community awareness initiatives, interventions, and education of parents and caregivers are critical to the fabric of our society as the average age of recruitment into trafficking is 12-14 years of age, and half of all trafficking victims are children.

NOW, THEREFORE, I, Wyatt Hoover, Mayor of the Town of Melbourne Beach, in the State of Florida, do hereby proclaim January 2023 as:

National Human Trafficking Awareness and Prevention Month

In the Town of Melbourne Beach and urge its' residents, agencies, and champions to support efforts and actions to end human trafficking.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Melbourne Beach to be affixed this fifteenth day of March, Two Thousand Twenty-Three.

Proclamation Town of Melbourne Beach

WATER CONSERVATION MONTH

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts, and the Town of Melbourne Beach are working together to increase awareness about the importance of water conservation; and

WHEREAS, the Town of Melbourne Beach and the State of Florida have designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the Town of Melbourne Beach has always encouraged and supported water conservation, through various educational programs and special events; and

WHEREAS, every business, industry, school, and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school, and citizen can help by saving water and thus promote a healthy economy and community; and

WHEREAS, leak prevention is commonly thought to be the first step in conserving water, the Town of Melbourne Beach will encourage citizens and businesses to focus on fixing leaks;

NOW, THEREFORE, I, Wyatt Hoover, Mayor of the Town of Melbourne Beach, in the State of Florida, do hereby proclaim April 2023 as:

Water Conservation Month

The Town of Melbourne Beach, Florida, is calling upon each citizen and business to help protect our precious resources by practicing water-saving measures and becoming more aware of the need to save water. For this, the 25th year of Water Conservation Month, there will be a special focus on fixing leaks and all forms of water loss.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Melbourne Beach to be affixed this fifteenth day of March, Two Thousand Twenty-Three.

	and the second second
Please complete this form and	SPECIAL EVENT PERMIT APPLICATION Town of Melbourne Beach 507 Ocean Avenue, Melbourne Beach, Florida 32951 Phone: (321) 724-5860 Fax:(321)984-8994
t lease the contraind return it	to u
1. Name of applicant 1. With the second	Melburry Beach, FL 32951
	INT INFORMATION
6. Type of event (Walk, Run, Arts and Crafts Show, equipment) CCICDrath of Life	
7. Bands Marching units Floats	Cars Length Miscellaneous Me Singer
9. Event location (Park, Street, Building, Other)	Ruckman Dark
10. Start location	Start timeSD
11. End location	
12. Route (if appropriate)	
13. Set-up begins	Clean up ends
14. Event begins3	Event ends
15. Will you need parking spaces and if so, how many	12 V15 25
16. Will you need toilet facilities?	How many? What type?
17. Where should the toilet facilities be located?	Would like to use the papil toilets.
18. If this is a for-profit event, what is the ultimate use	of the proceeds?
19. Will the event be advertised? YES NO	
20. Will pamphlets, handbills or advertising of any kind what?	be distributed at the event? YES NO / If YES,
21. Will you need water or electrical connections? YE	SNOExplain: HIV The Singer
22. Will music be provided? If so, what are the hours?	15 during the event
Will loudspeakers be used and where will they be place	ed? yes one speaked of cuitar player
23. Have you made provisions for on-site medical serv	ices? YES NO V Explain:
24. Have you made provisions for on-site security serv	ices/crowd control? YESNO YExplain:
25. Do you have insurance? YES NO	(If YES, you will be asked to provide proof.)
EFFECTIVE: APRIL 16, 2012	Special Event, 1 of 4

Pat
26. Number of participants PARTICIPANTS AND VENDORS
26. Number of spectators
26. Number of spectators
28. Will there be the marchandise for sales and lify to use the worder permit fee?
29. Will there be merchandise for sale? YES YES No. what is the vendor permit tee?
28. Will there be merchandise for sale? YES If YES, what is the vendor permit fee?
an Will there be food and beverages for sales it
30. Will there be food and beverages for sale? If so, what kinds?
24 Will there be alcoholic beverages? V/CS
32. Who will receive the funds from the sale of food and a local of the sale of food and the sale of food and the sale of the
32. Who will receive the funds from the sale of food and beverages?
 You must have a permit from the town for the sale, possession or consumption of alcoholic beverages (see Chapter 53 of the Melbourne Beach town code.) You may obtain this permit application at Melbourne Beach Town Hall.
Only licensed bartenders and caterers are allowed to the clocked into a municipal facility
 You must provide liability insurance and you must show proof of insurance. We require \$1,000,000 public liability coverage. You must shop for coverage; we cannot offer recommendations. <u>The Town of Melbourne Beach</u> must be listed as additional insured.
 Proof of coverage is due no later than two weeks prior to the date of the event.
Liability insurance will also be required if <u>50 or more</u> persons or vehicles are involved.
 A fee may be required for the use of Town services or equipment. Applicant will be notified of such a fee prior to final approval of application by the Town Manager.
Inter approval of apprication by the rown Manager.
As the applicant, I hereby certify that the information I have provided on the form is complete and accurate to the best of my knowledge. I agree to abide by the Terms set forth in this application, and the Ordinances of the Town

of Melbourne Beach. I understand that failure to do so may lead to the cancellation of the event, the denial of future permit applications, and/or other legal action.

DATE

regenaction.	Jule herb /	
APPLIC	ANT SIGNATURE AND AGREEMENT TO TERMS	

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Town Commission Meeting

Section:	New Business	
Meeting Date:	March 15, 2023	
From:	Elizabeth Mascaro, Town Manager	
Subject:	Beach Clean Up Bags	

Background Information:

I received the email below from Casie Farrell asking if the Teens of Blue World Research Institute could install a cleanup station in Ocean Park.

I was wondering who I need to speak to about installing a beach cleanup station at Ocean Ave Beach Park. Our organization installed a Fill A Bag station (<u>https://fillabag.co/</u>) at Pelican Beach Park in Satellite Beach and it has been very well received. We would like to install one in Melbourne Beach for your beach goers to use. The Marine Teens will build and maintain the station at no cost to the town. The station is a 4x4 post with 4 buckets attached to it that beachgoers can use to collect trash.

Teens of Blue World Research Institute

Casie Farrell

Recommendation: Consider the installation of a Clean Up Station

Attachments: Picture of Clean Up Station in Pelican Park



Town Commission Meeting

Section:	New Business	
Meeting Date:	March 15, 2023	
From:	Elizabeth Mascaro, Town Manager	
Subject:	Contract Renewal Computer Experts	

Background Information:

Computer Experts has been the IT provider for the Town since 2016. The last contract renewal was May 21, 2018. When the 2018 Contract was renewed the Town utilized 36 computing devices. The Towns monthly cost for Police, Fire and Town Hall was \$1599. Monthly.

Computer Experts provides the Town with excellent cyber security and phone and onsite support. We receive monthly newsletters keeping us up to date with the latest scams and areas of concern. The Town also receives alerts when there are active scams and virus in cyberspace. Currently we utilize 64 computing devices.

The hourly rates provide on Exhibit C are the rates for customers without service contracts. All of our services are included in our monthly rate, with the exception of After Hour Emergency Services.

Our new contract rate will be \$2322 monthly, an increase of \$823 per month. This equates to an annual increase from 2018 to 2023 of @ \$206.00 per year over the past four (4) years.

Recommendation: Consider approving the new contract for Computer Experts

Attachments: 2023 Service Agreement

Exhibits A, C & D from the 2018 Service Agreement

Expert IT Service Agreement

1. PARTIES

Southern Software Systems of America, Inc. (dba) Computer Experts (hereinafter called "SSSA") for good and valid consideration agrees with Town of Melbourne Beach Florida. (hereinafter called "Customer") to furnish certain computer-related services as provided in this Agreement.

2. INTRODUCTION

WHEREAS SSSA is in the business of managing computer and software systems;

WHEREAS, Customer desires that SSSA monitor, manage and support, for the particular use of the Customer, certain hardware and software programs to be used by the Customer and supplied to Customer from sources other than SSSA.

NOW, THEREFORE, in view of the covenants herein contained and the agreements hereunder taken, the parties hereto agree to as follows:

3. <u>DEFINITIONS</u>

- a. The term "Technology System" as used in this Agreement refers to the hardware and supported software owned by Customer specified in <u>Exhibit A</u> of this Agreement or any addendum hereto which is used to operate the business.
- b. The term "Supported Software" as used in this Agreement refers to software owned by Customer specified in Exhibit A of this Agreement or any addendum hereto.
- c. The term "computing device" refers to any computer system that connects to the Technology System on a regular basis and performs a duty.
- d. The term "supported employee/system" refers to a computing device that is used on a regular basis by one or more employees.
- e. The term "Service Agreement" is defined as Total Information Technology Solution. Total, in this instance, is defined as managing from a remote location with scheduled support and maintenance based on a flat monthly fee. Emergency support is not included, but is available and will be charged by the hour.
- f. Business hours are Monday thru Friday from 8:00am to 6:00pm EST., except holidays where SSSA is closed for business.
- g. Extended hours are Monday thru Friday from 6:00pm to 10:00pm EST., Saturday and Sunday from 8:00am to 10:00 pm except holidays where SSSA is closed for business.
- h. CRM is defined as Customer Relationship Management. A CRM solution is a technology tool which helps organizations manage their customers and provide better service and response time.
- i. VPN is defined as Virtual Private Network This allows a user to connect to the main Technology System via a remote PC and temporarily join this Technology System as a member thus giving this remote PC access to services in the Technology System.
- j. The term "3rd Party Support Providers" is defined as companies or entities that customer is currently in Agreement with or will Agreement with to provide other various support such as ERP, CRM, Telephony Systems, and/or ISP/Telephony Connection support. The list of customers support choices shall be listed in Exhibit B.
- k. The term "other monthly support items" is defined as items that are normally supported by other third party vendors such as ERP, CRM, and Telephony systems. If customer desires, SSSA will additionally support these items in the same manner that it supports the Technology System. Fees are determined on a case by case basis.
- I. The term "Uptime" is defined as the amount of time the Technology System is functioning properly.
- m. The term "End-of- Life" (EOL) is a term used with respect to a product supplied to customers, indicating that the product is in the end of its useful life (from the vendor's point of view, limited or no support for product).
- n. Liaison contact person between SSSA and Customer. Responsibilities include:
 - □ Responsible for changing back-up tapes, toner cartridges, etc.
 - □ Trained by SSSA to discern basic user or computer problems or to call SSSA for technical support.
 - □ Other miscellaneous functions related to helping the Customer improve its' efficiency concerning computer systems. (Should not be over a couple of hours/month)

4. PAYMENT

- a) Set Monthly Fee. Payments shall be made based on a set monthly fee of Two Thousand Seven Hundred dollars (\$2,700.00) per month for the initial 24 months for a total of Thirty Eight Thousand Three Hundred and Seventy Six dollars (\$64,800.00). Invoices shall be processed and mailed on the 20th of each month by SSSA. Payment for services rendered shall be paid and delivered upon receiving said invoices by Customer.
- b) Past Due. Any payment not received by the 10th day of the month will be considered past due. Any services provided to customer while account is past due will be charged at full rate until balance is paid in full. Customer will not receive discounted service rates for services while account is past due.
- c) <u>Optional services</u> along with related fees are described in <u>Exhibit C</u>. These services may be purchased at the reduced rates shown in <u>Exhibit C</u> and will be billed separately monthly.
- d) <u>Hard Goods</u>. Hard goods may be purchased by Customer from SSSA or directly by customer. Payment on all hard goods is due before the goods are ordered if purchased by SSSA.
- e) <u>Travel Time</u>. Travel time will be included as part of the monthly fee for all customer locations within a thirty (30) mile radius of SSSA's main office. Additional travel will be billed separately for all locations located outside the thirty (30) mile radius at the rate of seventy five dollars (\$75.00) per hour for travel time to and from the customer location.
- f) <u>Interest</u>. All payments are due within ten (10) days of the date of invoice. Any payment not made in a timely manner shall bear interest at the rate of one and one-half (1.5%) percent per month or fraction thereof, from the date of delinquency until the date of payment.

5. TECHNOLOGY SYSTEM MANAGEMENT

The parties recognize that operating the Technology System requires regular supervision, maintenance, upgrades, training, and research. Customer therefore agrees to appoint SSSA as their I.T. Management Staff. Customer understands that following the advice and instructions of SSSA in regards to the Technology System is necessary in order to maintain its' integrity. SSSA does not have authority to make purchases of hardware or software for Customer unless approved by the Customer in advance.

SSSA agrees to provide a team of engineers and the CIO function to monitor the Technology System. This team will manage this system in such a way that their will be engineers proactively monitoring customer on a regular basis.

6. <u>RESPONSE TIMES AND SERVICE LEVEL AGREEMENT</u>

SSSA wishes to keep Customer's Technology System in peak performance. Therefore SSSA will guarantee that at least 90% of the time it will be able to respond to customer problem tickets in the following manner:

- a) Low Priority Ticket: Respond within 48 business hours
- b) Medium Priority Ticket: Respond within 24 business hours;
- c) High Priority Ticket: Respond within 4 business hours;

7. CUSTOMER COOPERATION

Customer shall provide reasonable access to its premises and hardware installations to enable SSSA the opportunity to maintain the Technology System. Customer agrees to make necessary purchases advised by SSSA to properly maintain Technology System. If Customer does not follow advice of SSSA to remedy a specific issue then that device will no longer be covered under this agreement. Customer also agrees to assign one employee to be Liaison or contact person to SSSA in order to make communications between both parties effective.

The assigned Liaison will be <u>Elizabeth Mascaro</u>

Phone: <u>443-928-5317</u>

8. CONFIDENTIALITY

- a. SSSA agrees to keep in confidence and not disclose to others the internal structure of Customer or its marketing strategies.
- b. Customer agrees to limit access to the Technology System to those employees or consultants who require such access in order to use the Technology System in furtherance of the Customer's business.
- c. Customer shall take all reasonable precautions to maintain the confidentiality of the Technology System, but not less than that employed to protect its' own proprietary information.

9. SECURITY

SSSA certifies that all employees that access the customers' computer system have had their criminal background checked and have no criminal background and have signed a confidential agreement protecting customer. SSSA certifies that all employees that access the police department are certified by FDLE and credentialed for access.

10. SERVICES PROVIDED

SSSA prides itself on being able to offer the absolute highest standards of service available in the industry. With a Service Agreement, SSSA becomes a literal Partner with Customer. Following is a list of services provided all included in the monthly flat-rate fee:

a) Needs Assessment and Inventory Services

- 1) The first order of business is to make a thorough inventory of all computer and computerrelated equipment and all software owned by Customer, whether it is currently being used or not.
- 2) After that, SSSA will get a good understanding of exactly what Customer does and who within Customer is responsible for each function. SSSA is adept at learning internal business processes and determining what needs to be done to improve efficiency and reduce costs.
- 3) Finally, SSSA will assess what Customer has, intends to procure, and what they are trying to accomplish. From this assessment SSSA will make recommendations to Customer to improve, enhance, and/or better utilize the Technology System in order to benefit Customer overall.

b) Design and Planning Services

- 1) If Customer already has an existing Technology System, SSSA will determine the best use of the Technology System and make recommendations. Recommendations will pertain to creating the best layout of the Technology System and to incorporate the most efficient use of resources.
- Planning also includes Server Room layout if available, directory service design, backup procedures, disaster recovery measures, security measures, anti virus measures and passwords to different levels of information, Internet and Intranet concerns, and remote access and VPN capabilities.
- 3) SSSA will help Customer through management meetings and the like, plan major upgrades to the Technology System including ERP, CRM solutions etc.

c) Technology System Monitoring Services

- 1) SSSA will monitor the Technology System for such problems as virus infection, internal and external security breaches, low system resources, improper employee usage, system failures etc.
- 2) SSSA monitors the usage of the Technology System's capabilities. If the capabilities are getting close to being used at full capacity, SSSA will make recommendations to Customer.

d) Remote Help Desk Services

- SSSA provides full time system engineers on staff who has visited the Customer's site(s) and know their Technology System well. These engineers are available by telephone, facsimile, and electronic messaging during normal business hours to answer questions from Customer's employee base.
- 2) In addition to traditional support, SSSA will setup the ability to connect to the employee's Windows[™] based system and remotely help/train the employee with their current task.
- 3) SSSA reserves the right to notify Customer's management team that a particular employee may need professional training in the event that the employee is not capable of doing what they have been hired to do using technology. These recommendations are usually wonderful for both management and the employee because it solves the problem for management and gives the employee a morale boost about their career.

e) On Site Support Services

- SSSA will assume the responsibilities of making the Technology System as efficient as
 fiscally possible by the Customer. SSSA strives to achieve the highest percent of Uptime
 possible by providing twenty-four hour a day seven days a week monitoring support.
 Customer receives an emergency number as well as a technical support electronic address to
 use to send requests for support to SSSA. SSSA will respond as fast as possible to support
 Customer.
- 2) SSSA will provide Onsite remediation services during regular business hours as part of the monthly service fee. Any and all new equipment installations, new projects and any services performed outside of regular business hours will be charged separately based on the current

rates in Exhibit C.

3) A SSSA engineer will visit Customer's main site on a scheduled basis. The engineer will be engaged in management meetings, planning sessions, and will perform routine maintenance. If there are problems they will assess the degree and either perform an onsite fix, have a Remote Support Engineer contact the employee as soon as possible or take measures to resolve the problem themselves by bringing in extra support etc.

f) Training Services

- 1) SSSA will train the computer liaison for Customer how to perform their basic duties such changing and rotating backup media, changing printer toner etc.
- 2) SSSA will train the employee staff of Customer to have a better understanding of Customer's Technology System acceptable usage policy.
- 3) SSSA will train Customer's employee staff how to better cope with newer technologies that are being inserted into the Technology System such as Internet access, electronic messaging, etc.

11. MAINTENANCE

SSSA agrees to visit Customer's site three times per year and will service the equipment by physical cleaning, inspection and verification of backup data integrity and perform remote maintenance of all crucial Windows updates, hot fixes and security patches as well as monitoring of important Windows application, security and system logs. Such services shall be provided in the most expeditious manner possible and at no additional cost to the Customer.

12. WARRANTIES AND DISCLAIMERS

SSSA MAKES NO WARRANTIES OF ANY KIND, EXPRESSED OR IMPLIED ON ITS' OWN REGARDING THE FUNCTIONALITY OF HARDWARE OR SOFTWARE, BUT INSTEAD RELIES ON THE WARRANTIES PROVIDED BY THE MANUFACTURER OF EACH PRODUCT.

13. LIMITATION OF LIABILITY AND REMEDIES

UNDER NO CIRCUMSTANCES SHALL SSSA BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOSS OF ANTICIPATED PROFITS OR LOSS RESULTING FROM BUSINESS DISRUPTION DUE TO FAULTY EQUIPMENT, EVEN IF SSSA HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

THE STATED WARRANTIES AND THE COMMITMENTS SET FORTH HEREIN ARE IN LIEU OF ALL OTHER OBLIGATIONS OR LIABILITIES ON THE PART OF SSSA FOR DAMAGES OR OTHER RELIEF, INCLUDING, BUT NOT LIMITED TO, SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES THAT IN ANY WAY ARISE OUT OF OR IN CONNECTION WITH THE USE AND/OR THE PERFORMANCE OF ANY SOFTWARE.

14. DEFAULTS AND TERMINATION

- A. Capital Events of Default
 - 1. SSSA shall be in default under this Agreement if any of the following occur:
 - (a) SSSA becomes insolvent or is a party to any voluntary bankruptcy or receivership proceeding, makes an assignment for a creditor, or there is any similar action that affects the affairs or property of SSSA;
 - (b) SSSA is the subject of a petition or involuntary bankruptcy and such petition is not removed within ninety (90) days;
 - (c) SSSA fails to materially perform or comply with the terms and conditions of this Agreement.
 - 2. Customer shall be in default under this Agreement if any of the following occurs:
 - (a) Customer fails to make payment of any undisputed invoice within thirty (30) calendar days after it is rendered;
 - (b) Customer fails to materially perform or comply with the terms and conditions of the Agreement.

B. The term of this Agreement will be for five (5) years following the execution date of this Agreement. The annual fee for year 3, year 4 and year 5 of this agreement will increase six per cent (6%) each year.

C. <u>Termination of Notice</u>. The party not in default may terminate this Agreement by written notice to the other party if the other party has failed to cure a material default under this Agreement within thirty (30) days after

receiving written notice specifically stating forth such default. Upon termination, the terminating party shall have all rights under the Uniform Commercial Code or otherwise, whether at law or in equity, that may be available to it. The election of one remedy shall not exclude the election of another.

15. MEDIATION

Any dispute or controversy arising out of, based on or in connection with this Agreement, or any breach of this Agreement shall be first submitted to mediation initiated by either party by written request with mutually acceptable mediator. In the absence of a mutually acceptable mediator, each party will choose a mediator and the two mediators will choose the mediator of the dispute. The costs of the mediation shall be equally divided. Only after the mediator enters a finding of impasse or if a mediator can not be agreed upon within 30 days of the initial written request can litigation be initiated by either party.

16. ATTORNEY FEES

If either party sues to enforce the mediation provision of this Agreement or brings suit after a mediation impasse or failure to agree upon a mediator regarding a dispute over any of the terms and provisions of this agreement or to enforce a judgment, the prevailing party shall be entitled to all attorney's fees and costs incurred, including pre litigation and appellate costs and appeal.

17. ACCEPTANCE

This Agreement shall be governed by the laws of the State of Florida and shall be construed in accordance therewith.

18. <u>WAIVER</u>

No provision of this Agreement may be waived, except by an agreement in writing signed by both Customer and SSSA. A waiver of any term or provision shall not be construed as a waiver of any other provision.

19 WAIVER OF CONTRACTUAL RIGHT

The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement

20. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

21. ASSIGNMENTS

Neither party shall have the right to transfer or assign its rights and obligations under this Agreement, directly or indirectly, without the prior written consent of the other party, which consent will not be unreasonably refused.

22. SEVERABILITY

If any term of this Agreement is held by a court of a competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.

23. FORCE MAJEURE

SSSA shall not be in default under this Agreement because of any failure to perform in accordance with its" terms and conditions if such failure arises from causes beyond its" control, including, but not restricted to, acts of God, acts of government, fires, floods, epidemics, quarantine, restrictions, strikes, embargoes, inability to secure raw materials or transportation facilities, acts or omissions of carriers, or any and all causes beyond control of SSSA.

24. MODIFICATIONS

This Agreement can only be modified by a written Agreement duly signed by authorized representatives of SSSA and Customer, and variances from or in addition to the terms and conditions of this Agreement in any order or other writing from the Customer will be of no effect.

25. NOTICES

Any notice given by either party hereto to the other party shall be in writing and shall be signed by the party giving notice. Any notice or other document to be delivered to either party hereto by the other party shall be

deemed delivered if mailed postage prepaid to the party to who directed at the address of such party stated below:

SSSA:	1500 Palm Bay Road Palm Bay, Florida 32905
Customer:	Chief Melanie Griswold and Elizabeth Mascaro, Town Manager Town of Melbourne Beach Florida 507 Ocean Ave Melbourne Beach, FL 32951

26. VENUES AND JURISDICTION

Customer hereby (i) agrees that any litigation, action or proceeding arising out of or relating to this Agreement be instituted in a state circuit court in the county of Brevard, or if applicable the federal district court for the Middle District of Florida, Orlando Division,, (ii) waives any objection which it might have now or hereafter to venue of any such litigation, action or proceeding, (iii) irrevocably submits' to the jurisdiction of any court in such litigation, action or proceeding, and (iv) hereby waives any claim or defense to inconvenient forum.

27. COUNTERPARTS

This Agreement may be executed simultaneously in several counterparts, each of which shall be deemed an original but which together shall constitute one and the same original.

28. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior contemporaneous written or oral agreements and representations between the parties with respect thereto. This Agreement shall not be deemed to extinguish or mitigate any payments, which are owed to SSSA by Customer pursuant to the terms of any previous or other existing agreements between SSSA and Customer. Customer acknowledges that it has read this Agreement, understands it and agrees to be bound by its' terms and conditions.

29. COLLECTION

If it is necessary for SSSA to employ attorneys for the collection of amounts payable hereunder, all costs and expenses incident to such collection, including without limitation, reasonable fees of such attorneys, shall be added to the amount payable hereunder and be collected as a part thereof.

30. <u>CAPTIONS AND HEADINGS</u>

The captions and headings are inserted in this Agreement for convenience only, and in no event be deemed to define, limit or describe the scope or intent of this Agreement, or of any provision hereof, nor in any way affect the interpretation of this Agreement.

31. CONSENTS AND AUTHORIZATIONS

By the execution of this Agreement, each party acknowledges and agrees that each such party has the full right, power and legal capacity and authority to enter into this Agreement., and the same constitutes the valid and legality binding agreement of each such party in accordance with the terms, conditions and other provisions contained herein.

32. EXECUTION

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal this _____ day of _____, 2023.

CUSTOMER:TOWN OF MELBOURNESOUTHERN SOFTWARE SYSTEMS OF AMERICA,
INC. (dba) COMPUTER EXPERTSBEACH FLORIDAINC. (dba) COMPUTER EXPERTS507 OCEAN AVE.1500 PALM BAY ROADMELBOURNE BEACH, FL 3295PALM BAY, FL 32905

Signature:	Signature:
Printed Name:	Printed Name:
Date:	Date:

EXHIBIT A

The "Technology System" as described in this Agreement consists of the following hardware and software count:

Net	work Equipment		
	Name	Location	Serial# / Description
1	Unifi Camera	Community Center	7483C28F9D9A / Unifi IP Camera
2	Unifi Camera	Community Center	7483C28F5776 / Unifi IP Camera
3	Community Center NVR	Community Center	B4FBE48C29B3 / Unifi NVR
4	MBPD - Barracuda BSA290	Network Closet	1174402 / Barracuda Backup Appliance
5	MBPD - Camera	Booking	F09FC21458BF / Unifi IP Camera
6	MBPD - Camera	Cell 1	F09FC2148257 / Unifi IP Camera
7	MBPD - Camera	Cell 2	F09FC2145B64 / Unifi IP Camera
8	MBPD - Camera	Evidence Door	802AA84E8107 / Unifi IP Camera
9	MBPD - Camera	Evidence Room	F09FC2C0DB15 / Unifi IP Camera
10	MBPD - Camera	Interview 1	F09FC2145B09 / Unifi IP Camera
11	MBPD - Camera	Interview 2	F09FC2145745 / Unifi IP Camera
12	MBPD - CAMSERVER	Network Closet	SMJ05ZLCY / DVR
13	MBPD - SonicWall TZ 300	Network Closet	18B169607E24 / Security Appliance
14	Barracuda BSA290	Network Closet	1174401 / Barracuda Backup Appliance
15	Ryckman DVR	Ryckman Park	DVR
16	Buffalo LS220D0802B NAS	Network Closet	40526210200187 / Buffalo NAS
17	SonicWall TZ 300	Network Closet	18B16960A308 / Security Appliance
18	Unifi AP-AC-Pro WAP	Comm. Ctr.	FCECDAB6E441 / Unifi Wireless Access Point
19	Unifi AP-AC-Pro WAP	Fire Department	68D79AD0CD19 / Unifi Wireless Access Point
20	Unifi AP-AC-Pro WAP	Public Works	E063DA3C605B / Unifi Wireless Access Point
21	Unifi AP-AC-Pro WAP	Upstairs	68D79AD639AB / Unifi Wireless Access Point
22	Unifi AP-Mesh-Pro WAP	Ryckman Park	68D79AD6FEE7 / Unifi Wireless Access Point
23	Unifi UAP-PRO WAP	Town Hall	60223298E83D / Unifi Wireless Access Point
24	Unifi US-8-60W Switch	Ryckman Park	74ACB9DF85C6 / Unifi 8 Port Switch
25	Unifi US-8-60W Switch	Public Works	E063DA573F07 / Unifi 8 Port Switch
26	Unifi US-8-60W Switch	Comm. Ctr.	B4FBE424E458 / Unifi 8 Port Switch
27	D-Link DGS-1100-24 Switch	Network Room	QBB31EB000032 / D-Link 24 Port Switch
28	MBPD - D-Link DGS-1100-24 Switch	Network Closet	SG092FB000502 / D-Link 24 Port Switch
29	Wireless Bridge	Comm. Ctr.	7483C2EC0180 / Unifi Bridge
30	Wireless Bridge	Main to Comm. Ctr.	7483C2EC0244 / Unifi Bridge
31	Wireless Bridge	Main to Ryckman	F492BFF8EB42 / Unifi Bridge
32	Wireless Bridge	Ryckman	F492BFF8EB47 / Unifi Bridge
54	Whereas Bridge	rty oxinian	1 19201 1 020 () Chini Dinage
Prin	ters		
	Name	Location	Serial# / Description
1	Canon PIXMA MG3600	Public Works	/ Canon Printer
2	Kyocera FS-4200DN	Finance	/ Kyocera FS-4200DN Printer
3	MBTH Canon Copier	Town Hall	XUP09105 / Canon iR-ADV C5540i Printer
4	MBPD Canon Copier	Police Department	2JU02956 / Canon iR-ADV C5540i Printer
5	MBFD Canon Copier	Fire Department	2TP13511 / Canon iR1643i Printer

Server

Server

Server

Computers

	Name
1	MBFD01
2	MBFD02
3	MBPD - MBPD01
4	MBPD - MBPD02
5	MBPD - MBPD03
6	MBPD - MBPD04
7	MBPD - MBPD05
8	MBPD - MBPD06
9	MBPD - MBPD07
10	MBPD - MBPD08
11	MBPW01
12	MBPW02
13	MBPW03
14	MBTH01
15	MBTH02
16	MBTH03
17	MBTH04
18	MBTH05
19	MBTH06
20	MBTH07
21	MBTH08
22	TOMB-LT01

Servers

1 2 3

4

5

	Name	Location	Serial # / Description
	MBPD - MBPD-HYPERV	Network Closet	MJ05V8YY / Lenovo ThinkServer TS460
!	TOMB-HYPERV	Network Closet	FGOP5118113 / Intel S2600CP
•	MBPD- MBPD-DC	Network Closet	9378-6781-7378-8740-2331-5122-81 / Virtual S
ŀ	TOMB-DC2	Network Closet	1055-2954-0611-3188-6237-6012-44 / Virtual S
;	TOMB-EXH13	Network Closet	2897-2383-8719-8198-7238-1557-33 / Virtual S

Location

Fire Department

Fire Department

Chief

Police Desk

Admin Assistant

Matt

Police Desk

Jason

Booking

Police Desk

Public Works

Public Works

Public Works

Town Manager

Building

Code Enforcement

Town Clerk

Finance

Reception

Building

Admin Assistant

Town Clerk

Serial # / Description

21-4072 / CE Desktop

18-3690 / CE Desktop

19-3814 / CE Desktop

20-4044 / CE Desktop

19-3886 / CE Desktop

20-4045 / CE Desktop

20-4046 / CE Desktop

20-4047 / CE Desktop

20-4048 / CE Desktop

22-4258 / CE Desktop

21-4073 / CE Desktop

18-3776 / CE Desktop

23-4286 / CE Desktop

21-4070 / CE Desktop

22-4166 / CE Desktop

22-4268 / CE Desktop

22-4269 / CE Desktop

22-4167 / CE Desktop

22-4168 / CE Desktop

22-4226 / CE Desktop

21-4071 / CE Desktop

PF3EB4RC / Lenovo Laptop

EXHIBIT B

Customer 3rd Party Support Providers

Telephony Systems Support Provider: (i.e.: PBX Switch reseller)

Account Number:

Contact Number:

EXHIBIT C

Optional Services Include:

<u>Disaster Recovery Planning</u> – We can develop and document a customized disaster recovery plan based on your needs that can be implemented in the event of a catastrophe. This plan is designed so that if an unfortunate event should occur you are prepared with a step by step plan that has already been tested, which reduces downtime, costs and gives you peace of mind. Disaster recovery plans from \$500.

OPTIONAL SERVICE RATES:

Normal SSSA hourly labor performed beyond the normal duties of the Service Agreement Plan as stated above have a rate of \$125/hr. Furthermore, there is a one hour minimum per visit. Rate Chart listed below for other services.

Description	Rate	Discounted Rate
Phone Support per hour	\$ 150.00	Included in Monthly Fee
Remote Services Per hour	\$ 150.00	Included in Monthly Fee
In-Store Standard Rate per hour	\$ 65.00	Free upgrade to Express Service
Onsite Standard Rate per hour	\$ 150.00	Included in Monthly Fee
Onsite Express Rate per hour	\$ 225.00	Included in Monthly Fee
Onsite After Hours Emergency Rate per hour	\$ 275.00	\$ 225.00

EXHIBIT D

Initial fee

<u>\$ 0.00</u>

Normal labor costs to complete optimizing the Technology System are quite extensive. Customer agrees to pay the amount above as a one time fee to help defray the costs of optimizing the Technology System.

Customer Initials

Date

SERVICE AGREEMENT Monthly fee

1. Enter the number of customer computing devices used in technology system:

64

Town of Melbourne Beach: \$2,322.00 Town of Melbourne Beach Fire Department: \$162.00 Town of Melbourne Beach Police Department Cameras: \$216.00 Total Monthly Cost: \$2,700.00

Customer agrees to pay the amount above of this exhibit on a monthly basis. This exhibit will be amended on a month by month basis as the Customer grows or shrinks in size. A separate monthly surcharge may be applied for equipment that is past End-of-Life. Payment is due on the first day of each month.

Customer Initials

Date

EXHIBIT A

The "Technology System" as described in this Agreement consists of the following hardware and software count:

Networ	k Equipment		
	Name	Location	Serial # / Description
1.	TOMB Ryckman DVR		
2.	TOMB D-Link Switch		
3.	TOMB Unifi WAP		802AA816C789 / Wireless Access Point
4.	TOMB Sonicwall TZ 300		18B16960A308 / Security Appliance
5.	TOMB Sharp MX-3760N		
6.	Wireless Bridge	Comm. Ctr.	
7.	Wireless Bridge	Main Bldg	
8.	TOMB HPLaserJet M402		
9.	TOMB RMM		
10.	MBPD Soniewall TZ 300		18B169607E24 / Security Appliance
11.	MBPD Sharp Copier		
12.	MBPD DVR		

Desktop Computers

	Name	Location	Serial # / Description
Ι.	<u>MBTH01</u>	Town Manager	16-3387
2.	MBTH02	Building	16-3393
3.	MBTH03	Deputy Clerk	16-3394
4.	MBTH04	Town Clerk	16-3395
5.	MBTH05	Finance	16-3396
6.	MBTH06	Reception	16-3397
7.	MBTH07	Beth	16-3398
8.	MBPW01	Dan	16-3419
9.	MBPW02	Public Works	J2M7BP1
10.	MBFD01	Fire Dept.	J2MV9P1
11.	MBFD02	Fire Dept.	<u>J2M9BP1</u>
12.	LENOVO-T400	Fire Dept.	L3AAB5Y
13.	LTOI	Town Clerk	CND2500P03
14.	MBPDOL	Chief	16-3383
15.	MBPD02	Police Desk	16-3386
16.	MBPD03	Sherry	16-3388
17.	MBPD04	Rick	16-3389
18.	MBPD05	Detective	16-3390
	MBPD06	Matt	16-3391
20.	MBPD07	Booking	16-3392

Servers

	Name	Location	Serial # / Description
1.	TOMB-HYPERV		FGOP5118113
2.	TOMB-DC		1349-2611-9948-1908-3456-8843-45
3.	TOMB-EXH13		2897-2383-8719-8198-7238-1557-33
4.	MBPD-PD-DC01		<u>8YP2BP1</u>

EXHIBIT C

Optional Services Include:

<u>Disaster Recovery Planning</u> – We can develop and document a customized disaster recovery plan based on your needs that can be implemented in the event of a catastrophe. This plan is designed so that if an unfortunate event should occur you are prepared with a step by step plan that has already been tested, which reduces downtime, costs and gives you peace of mind. Disaster recovery plans from \$500.

OPTIONAL SERVICE RATES:

Normal SSSA hourly labor performed beyond the normal duties of the Service Agreement Plan as stated above have a rate of \$125/hr. Furthermore, there is a one hour minimum per visit. Rate Chart listed below for other services.

Description	Rate	Discounted Rate
Phone Support per hour	\$ 75.00	Included in Monthly Fee
Remote Services Per hour	\$ 125.00	Included in Monthly Fee
In-Store Standard Rate per hour	\$ 55.00	Free upgrade to Express Service
Onsite Standard Rate per hour	\$ 125.00	Included in Monthly Fee
Onsite Express Rate per hour	\$ 175.00	Included in Monthly Fee
Onsite After Hours Emergency Rate per hour	\$ 250.00	\$ 200.00

EXHIBIT D

Initial fee

\$ 0.00

Normal labor costs to complete optimizing the Technology System are quite extensive. Customer agrees to pay the amount above as a one time fee to help defray the costs of optimizing the Technology System.

Date

Customer Initials

SERVICE AGREEMENT Monthly fee

1. Enter the number of customer computing devices used in technology system:

36

Town of Melbourne Beach: \$1,499 Town of Melbourne Beach Fire Department: \$100

Total Monthly Cost: \$1,599

Customer agrees to pay the amount above of this exhibit on a monthly basis. This exhibit will be amended on a month by month basis as the Customer grows or shrinks in size. A separate monthly surcharge may be applied for equipment that is past End-of-Life. Payment is due on the first day of the each month.

Date Date Customer mitials

107

Town Commission Agenda Item

Section: New Business

Meeting Date: March 15, 2023

Subject: Request for Reduction Code Enforcement Fine CEB 2019-CE-054

Submitted By: Town Attorney Repperger

Background Information:

On December 5, 2019, the Code Enforcement Board rendered a Findings of Fact, Conclusions of Law, and Order finding a violation of Sections 4A-20 and 7A-53(6) regarding installation of a fence on 419 Ocean Ave., Unit 203, Melbourne Beach, FL 32951 without a permit.

The fine imposed (\$25.00 per day) accrued from January 5, 2020 to December 6, 2022 and totals **<u>\$26,675.00</u>**. Town Staff inspected the Subject Property and deemed the violation to be in compliance on December 7, 2022.

On or about March 1, 2023, attorney Dennis Fairbanks representing the owners of the Subject Property filed a Request for Reduction or Waiver of Fine. An explanation of the Request and a Reduction or Waiver Factor Worksheet is attached.

As provided in Section 11-21(b)(3)(C)4, Town Code, the Code Enforcement Special Magistrate typically issues a recommendation on such requests to the Town Commission. However, because the enforcement case in question was initially heard by the Code Enforcement Board prior to the Town's transition to a Special Magistrate in 2020, it appropriate for the Town Commission to consider this matter directly.

Town Staff recommends that the Town Commission consider the request and take action as it deems appropriate given the circumstances.

Attachments:

- Order on CEB 2019-CE-054
- Filed Request for Reduction or Waiver of Fine and Reduction or Waiver Factor Worksheet

CFN 2019271702, OR BK 8614 Page 1166, Recorded 12/16/2019 at 12:29 PM Scott Ellis, Clerk of Courts, Brevard County

WV

CODE ENFORCEMENT BOARD OF TOWN OF MELBOURNE BEACH

CEB Case No. 2019-CE-054

TOWN OF MELBOURNE BEACH, FLORIDA,

Petitioner,

v.

OCEAN PINE VILLAS, LLC 419 Ocean Ave., Unit 203 Melbourne Beach, Florida 32951

Respondent,

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came on for public hearing before the Code Enforcement Board on December 5, 2019, and the Board having heard testimony under oath, received evidence, and considered arguments of the parties, the Board thereupon issues its Findings of Fact, Conclusions of Law and Order as follows:

1. <u>FINDINGS OF FACT</u>:

The Respondent, OCEAN PINE VILLAS, LLC is the record owner of the following described property: **419 Ocean Avenue**, Unit 203, Melbourne Beach, FL 32951.

The Board finds that the property is currently in violation of Section 4A-20, Appendix "A," Land Development Code of the Melbourne Beach Code of Ordinances, Florida, adopting Section 105.1, Florida Building Code (permits required) and Section 7A-53 (6), Appendix "A," Land Development Code of the Melbourne Beach Code of Ordinances, Florida in that a fence has been installed on the subject property without obtaining proper building permits.

2. <u>CONCLUSIONS OF LAW:</u>

The property owned by the Respondent, OCEAN PINE VILLAS, LLC to wit: **419 Ocean Avenue, Unit 203, Melbourne Beach, FL 32951** is in violation of Section 4A-20, Appendix "A," Land Development Code of the Melbourne Beach Code of Ordinances, Florida, adopting Section 105.1, Florida Building Code (permits required) and Section 7A-53 (6), Appendix "A," Land Development Code of the Melbourne Beach Code of Ordinances, Florida in that a fence has been installed on the subject property without obtaining proper building permits.

3. ORDER:

Respondent is to obtain a building permit for the subject fence or remove the subject fence on or before January 4, 2020. In the event that the aforementioned violation is not corrected on or before January 4, 2020, then and in that event, there shall be imposed against the Respondent a **fine of \$25 a day for the violation**, from January 5, 2020 and continuing for each and every day until compliance is established. The burden shall rest upon the Respondent to request a reinspection by the Code Enforcement Officer to determine whether the property has been brought into compliance.

5th

DONE AND ORDERED THIS

day of December, 2019.

CODE ENFORCEMENT BOARD OF THE TOWN OF MELBOURNE BEACH, FLORIDA

By:

Charles Baird, Chairman Code Enforcement Board

Members: Marty Remark, Kimberly Adkinson-Cowles, Robert Baldwin, and Hans Wittelsberger CONCUR.

ilson Mi ATTEST: Nancy Wilson, own Clerk

I. Jorge Triana, do hereby submit this Request for Reduction or Waiver of the fine amount of \$26,675.00 accrued and imposed as a Claim of Lien in Town of Melbourne Code Enforcement Case CEB 2019-CE-054, and in support offer the following statement:

Ocean Pine Villas, LLC is the owner of 419 Ocean Ave., Unit 203, Melbourne Beach, Florida. My brother, Manuel Triana, and I are the owner/members of Ocean Pine Villas, LLC

My brother and I were not aware of the fence violation and the Code Enforcement proceedings. The Tenant installed the fence without permission. We became aware of the issue when we sought to sell another property we own in Melbourne Beach. I hired an attorney, Dennis Fairbanks, to represent us and he provided us with documents provided by the Town of Melbourne Beach which appear to show a receipt for mail sent to Manuel signed by Cecelia Triana. Cecelia (age 70) is Manuel's (age 78) wife and does not remember signing the certified mail receipt. Manuel did not receive the mail from Cecelia.

We corrected the violation on December 7, 2022, by hiring James Nuara to remove the fence and contacted the City inspector. We have owned property in Melbourne Beach for 18 years without previous problems and request that you consider our unfortunate circumstances, the relatively minor violation which was not done by the owners and the quick response.

Date: 02-28-2023

Signed:

STATE OF FLORIDA COUNTY OF Mich: DAPK

The foregoing instrument was acknowledged before me this 28 day of fabric -, 2023, by means of A physical presence, or I online notarization, by Jorge Triana, who is personally known to me, or who has produced & Wide P as identification.



SHAILYN ENCARNACION Notary Public State of Florida Comm# HH212312 Expires 1/2/2026

Notary Public, State of Florida

REDUCTION OR WAIVER FACTOR WORKSHEET

- A. Extenuating Circumstances? Circle any that apply.
 - 1) The Applicant did not have the resource to comply
 - 2) The applicant had a financial hardship
 - 3) The applicant had a medical hardship
 - (4) The applicant was experiencing hard times or was a victim of circumstances Explain: <u>Applicant was unaware of the violation</u>. <u>Applicant did not create the</u> Violation and <u>Applicant did not receive notice</u>.
 - 5) There were technical and/or procedural issues with the case
 - 6) The applicant did not have authority to make corrections (i.e., other legal Action pending)
 - 7) The required corrections were complex in nature
 - (8) The applicant's age prevented timely compliance
 - 9) The applicant experienced a language barrier
- B. Nature of the violation.
 - 1) Heightened health, safety, welfare concern Yes/No
 - 2) The amount of time to correct
 - a) 1-60 days
 - b) 61-120 days
 - c) Over 11 days
 - 3) Degree of responsibility the applicant contributed to the delay in compliance
 - a) None
 - (b) Somewhat
 - c) Complete
 - 4) The applicant's level of cooperation with code enforcement
 - a) None
 - b) Somewhat
 - c) Complete
 - 5) Did the applicant ever request an extension of the compliance date? Yes was it granted denied None requested $\sqrt{}$
 - 6) If yes, how many extensions were granted?
- C. What type of interest does the applicant have on the property?
 - 1) Considering acquiring the property
 - 2) Foreclosure/Tax Deed Sale
 - 3) Inherited property
 - 4) Acquired property from the violator
 - 5) The applicant was the owner when the violation occurred
- D. Financial beneficiary of the reduction or waiver
 - 1) Violator
 - $\overline{2}$) New owner who corrected the violation
 - 3) Government Entity/Acquired property to correct and resolve the violation

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Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Limited Liability Company OCEAN PINE VILLAS, LLC

Filing Information

Document Number	L05000092006
FEI/EIN Number	20-3506113
Date Filed	09/20/2005
State	FL
Status	ACTIVE
Principal Address	
2123 Granada Blvd	
CORAL GABLES, FL 33134	4
Changed: 04/11/2016	
Mailing Address	

2123 Granada Blvd CORAL GABLES, FL 33134

Changed: 04/11/2016

Registered Agent Name & Address triana, manuel . 2123 Granada Blvd

coral gables, FL 33134

Name Changed: 04/01/2013

Address Changed: 04/11/2016

Authorized Person(s) Detail

Name & Address

Title MGR

TRIANA, MANUEL O 2123 Granada Blvd CORAL GABLES, FL 33134

Title MGR

TRIANA, JORGE 2123 Granada Blvd CORAL GABLES, FL 33134

Annual Reports

Report Year	Filed Date
2021	04/07/2021
2022	04/27/2022
2023	02/20/2023

Document Images

02/20/2023 ANNUAL REPORT	View image in PDF format
04/27/2022 ANNUAL REPORT	View image in PDF format
04/07/2021 ANNUAL REPORT	View image in PDF format
05/03/2020 ANNUAL REPORT	View image in PDF format
04/10/2019 ANNUAL REPORT	View image in PDF format
03/29/2018 ANNUAL REPORT	View image in PDF format
04/05/2017 ANNUAL REPORT	View image in PDF format
04/11/2016 ANNUAL REPORT	View image in PDF format
02/17/2015 ANNUAL REPORT	View image in PDF format
04/02/2014 ANNUAL REPORT	View image in PDF format
04/01/2013 ANNUAL REPORT	View image in PDF format
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01/05/2010 ANNUAL REPORT	View image in PDF format
04/19/2009 ANNUAL REPORT	View image in PDF format
04/23/2008 ANNUAL REPORT	View image in PDF format
06/30/2007 ANNUAL REPORT	View image in PDF format
04/23/2006 ANNUAL REPORT	View image in PDF format
09/20/2005 Florida Limited Liabilites	View image in PDF format

Florida Department of State, Division of Corporations

AFFIDAVIT OF MANUEL TRIANA IN SUPPORT OF REQUEST FOR REDUCTION OR WAIVER OF CODE ENFORCEMENT FINE

STATE OF FLORIDA COUNTY OF <u>Migminilade</u>

BEFORE ME, the undersigned authority, this day personally appeared Manuel Triana, who was duly sworn and says

- 1. I make all statements in this Affidavit based upon my personal knowledge.
- 2. My brother, Jorge Triana, and I are the member/owners of Ocean Pine Villas, LLC.
- 3. I did not know that a fence had been installed in violation of the Town Code at 419 Ocean Ave., Unit 203, Melbourne Beach, Florida until December 2022, when another Melbourne Beach property was sold by my bother and myself.
- 4. I was furnished documents by our attorney showing that my wife, Cecelia Triana, signed for certified mail concerning a code violation. My wife, who is age 70, does not remember signing the certified mail receipt and she did not give it to me.

MANUEL TRIANA, AFFIANT

SWORN TO AND SUBSCRIBED before me by means of [χ] physical presence, or [] online notarization; this <u>28</u> day of <u>Felorogry</u>, 2023 by MANUEL TRIANA, who is personally known to me or who has produced <u>Fr Driver License</u> as identification.



JORGE MONTESINOS Commission # HH 327491 Expires October 30, 2026

NOTARY PUBLIC State of Florida



Town Manager Report for March 2023

1. Brewer Paving & Development, LLC will begin paving project in approximately two weeks. Waiting for the pipe to be delivered.

2. Attended P&Z meeting. Site plans approved, Tree Ordinance approved, Second Kitchen 3/2 vote. the Town of Melbourne Beach.

3. Attended Board of Adjustments meeting. Coastal Variance approved.

4. Building Official, Dave Micka and I met with the Roger and Doris Newell to discuss the vacation rental on Colony. Notice has been sent to homeowner that Vacation Rental must be registered with the Town.

5. Met with Kelly Hyvonen from Land Development Strategies to discuss bringing language forward for an Ordinance that would address parking and outdoor seating. I should have detail at the next Town Commission meeting.

6. Andrea Hart from the Coastal Community School will be hold a Moonlight 5k run at Spessard Holland Golf Course on Friday, May 5th. The run will be in conjunction with Founders Day, with the Town supporting the event with social media coverage and banners. This will be a Family Fun event, which we hope will become an annual event.

7. Met with Deklyn Gardner a senior at West Shore Jr./Sr. High School. To graduate, Deklyn is required to complete a senior project. He plans to design a website that can be accessed through QR codes placed in Ryckman Park. The QR codes will identify native species in our park.

8. Working with Chief Brown and the Indialantic Town Manager to obtain more information about hiring full time lifeguards. The Town Attorney also mentioned a possible sports grant which we may be able to use to hire lifeguards.

9. EAB completed the installation of a butterfly garden between the Library and the Market. The funds for the garden plants were paid for through the Sunshine donation to the EAB.



Building Department Report

February 2023

- permits issued 52
- Construction value of the 52 permits totaled \$1,255,826.08
- Total permit fees \$20,671.80
- 100 inspections completed
- 75 plans reviewed
- 4 site plan review for P&Z
- 0 vacation rental inspections
- 0 new homes
- 1 stop work order

Permit List

Permit

Permit	Туре	Address	Applicant	Issued	Expired	Paid
PF22~0029	Fence	217 SECOND AVE	All Florida Fence	02/27/202	08/27/202	\$132.00
PCD23-0003	Paver, Concrete, & Deck	212 THIRD AVE	Dave Nielsen LLC		08/07/202	\$310.58
PSH23-0002	Shed	303 THIRD AVE	PERNA, NICHOLE/ERIK		08/16/202	\$79.00
PE23-0016	Electrical	304 3rd ave	LOOBY, KIRK ADAM		08/27/202	\$471.50
PF22-0032	Fence	422 FOURTH AVE	American Fence of Brevard	· ·	08/23/202	\$242.86
PSL23-0002	Solar	201 FIFTH AVE 3-A	LSCI INC	02/21/202	08/27/202	\$537.72
PRR23-0012	Reroof	413 ANCHOR KY	EXOTITE ROOFING AND WATERPROOFING SERVICES		08/07/202	\$512.50
PRR23-0013	Reroof	415 ANCHOR KY	EXOTITE ROOFING AND WATERPROOFING SERVICES	02/08/202	09/05/202	\$1004.50
PF23-0004	Fence	503 ANDREWS DR	FENCE OUTLET INC	02/13/202	08/26/202	\$314.85
PAS22-0004	Accessory Structure	217 ASH AVE	BIG KAHUNA TIKI HUTS		08/14/202	\$0.00
PCD23-0007	Paver, Concrete, & Deck	217 ASH AVE	COMPAGNONI, BARRY A		08/20/202	\$109.00
PP23-0007	Electric	400 ATLANTIC ST	SCOTT SALLADE	02/14/202		\$79.00
PWS23-0009	Window, Door, & Shutter	401 ATLANTIC ST	TVR CONSTRUCTION INC		08/07/202	\$1998.75
PWS23-0008	Window, Door, & Shutter	1805 ATLANTIC ST 132	BREVARD SOFFIT & SIDING, INC DBA BSS EXTERIORS			\$520.67
PWS23-0003	Window, Door, & Shutter	2101 ATLANTIC ST 523	Brooks Glass Co Inc.	02/14/202	08/13/202	\$540.94
PWS23-0007	Window, Door, & Shutter	2105 ATLANTIC ST 612	BREVARD SOFFIT & SIDING, INC DBA BSS EXTERIORS			\$423.76
prb22-0049	Res Building	315 ATLANTIC ST	GROUNDED BUILDS BREVARD, LLC	02/28/202	09/04/202	\$509.00
PRB23-0007	Res Building	1427 ATLANTIC ST	KAIROS CONSTRUCTION GROUP	02/16/202	08/16/202	\$307.50
prb23-0006	Res Building	2207 ATLANTIC ST APT 815	SMITH DEVELOPMENT AND CONSTRUCTION INC	02/08/202	09/03/202	\$461.25
PF23-0005	Fence	310 AVENUE A	SECURE FENCE AND RAIL	02/21/202	09/05/202	\$135.27
PRR23-0016	Reroof	526 AVENUE A	JAL ROOFING INC	02/28/202	08/27/202	\$610.39
PSL23-0001	Solar	407 AVENUE B	LSCI INC	02/07/202		\$465.60
PE23-0007	Electrical	404 BANYAN WAY	Harry J Pingston	02/08/202		\$102.02
PRB23-0010	Res Building	404 COLONY ST	BFARR CONTRACTING	02/21/202		\$754.25
PWS23-0010	Window, Door, & Shutter	413 DRIFTWOOD AVE	OVERHEAD DOOR COMPANY OF BREVARD			\$85.90
PF23-0002	Fence	506 HARLAND AVE	Professional Grade Fence	02/06/202	08/05/202	\$167.80
PP23-0006	Electric	407 HIBISCUS TRL	HOARD, BARRETT	02/06/202		\$79.00
PCD23-0009	Paver, Concrete, & Deck	612 HIBISCUS TRL	Complete Landscapes by Chris	02/23/202		\$334.15
PRR23-0010	Reroof	605 JASMINE DR	BLUE LINE ROOFING JACOB ANZANI	02/02/202	08/07/202	\$493.28
РМ23-0004	Mechanical	418 MAGNOLIA AVE	JONATHON Black	02/08/202	08/14/202	\$381.37
PD23-0001	Demolition	508 MAGNOLIA AVE	LOTT, MARK	02/08/202		\$154.25
PWS23-0011	Window, Door, & Shutter	509 MAGNOLIA AVE	LOWES Home Centers	02/28/202		\$288.07

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Permit List

Permit	Туре	Address	Applicant	Issued	Expired	Paid
PM23-0003	Mechanical	307 OAK ST	WHITLOCK, GARY	02/08/202	2 08/07/202	\$291.82
PRR23-0018	Reroof	503 OAK ST	Patrick Roofing Inc	02/22/202	2 08/21/202	\$376.48
PM23-0006	Mechanical	801 OAK ST	WHITLOCK, GARY	02/21/202	2 08/20/202	\$296.12
PP23-0005	Electric	2011 OAK ST	CORNERSTONE CONSTRUCTION AND DEVELOPMENT	02/06/202	2 08/07/202	\$199.93
PCD23-0002	Paver, Concrete, & Deck	209 OCEAN AVE	Big 5 General Construction Company Inc		2 08/12/202	\$139.03
РСВ23-0001	Com Building	300 OCEAN AVE	TSC Construction LLC	02/13/202	2 09/03/202	\$1578.50
PCD23-0008	Paver, Concrete, & Deck	419 OCEAN AVE 101	NEALON, HELEN FRANCES	02/28/202	2 08/27/202	\$79.00
PD22-0013	Demolition	1302 ORANGE ST	CARLOW, DON W	02/21/202	2	\$0.00
PCD22-0046	Paver, Concrete, & Deck	1203 PINE ST	ELITE PAVERS & PRICE RITE PAINTING INC	02/10/202	2 08/09/202	\$317.75
PRR23-0014	Reroof	414 POINSETTIA RD	DC ROOFING	02/08/202	2 08/26/202	\$451.00
PRB23-0005	Res Building	511 POINSETTIA RD	MARKLE CONSTRUCTION LLC	02/21/202	2	\$871.25
PRR23-0015	Reroof	449 RIVER VW	Patrick Roofing Inc	02/09/202	2 08/08/202	\$412.77
PCD23-0004	Paver, Concrete, & Deck	203 RIVERSIDE DR	ELITE PAVERS & PRICE RITE PAINTING INC	02/10/202	2 08/09/202	\$375.15
PMS23-0001	Marine - Seawall	410 RIVERSIDE DR	DC MARINE CONSTRUCTION	02/09/202	2 08/08/202	\$922.30
PRR23-0019	Reroof	417 SECOND AVE	ATLANTIC BUILDING & DEVELOPMENT LLC	02/28/202	2 08/27/202	\$307.50
PPE23-0001	Pool Enclosure	531 SUNSET BLVD	Housman's Aluminum & Screening Inc	02/27/202	2 08/26/202	\$368.75
PCD23-0006	Paver, Concrete, & Deck	538 SUNSET BLVD	ELEVATION CONTRACTORS	02/13/202	2 08/12/202	\$307.50
PE23-0008	Electrical	207 SURF RD	Extreme Air & Electric Inc.	02/21/20	2 08/23/202	\$358.09
PCD23-0005	Paver, Concrete, & Deck	222 SURF RD	MELBOURNE LAWN & LANDSCAPE	02/10/202	2 08/28/202	\$79.00
PP23-0008	Electric	303 SURF RD	TOTAL PLUMBING INC JOSEPH RITTALL JR	02/15/202	2 08/14/202	\$333.13

Total Permits: 52

Total Paid: \$20671.80

Inspection Totals	L 03/10/2023 1/2
Building	4
Building - Final	2
Column & Tie Beam	1
Dry-In	11
Dry-In Roof	1
Drywall	3
Final Building	4
Final Electrical	6
Final Fence	5
Final Mechanical	7
Final Plumbing	4
Final Pool Enclosure	1
Final Reroof	9
Final Seawall	2
Final Solar	1
Final Window, Door, & Shutter	7
Footer	3
Framing	1
Insulation	2
Plumbing Underground	2

		120
Inspection Totals		03/10/2023
		2/2
Roof Sheathing		1
Rough Electrical		1
Rough Mechanical		1
Rough Plumbing		2
Sheathing		2
Slab		5
Solar Panel Affidavit		2
Steel & Ground		2
Truss, Bracing & Strapping		1
Ufer Ground		1
Underground Plumbing		6
	Total # of Inspections	5: 100

Public Works Activities

February 2023

Continuous mowing – landscape edging, trimming Complete irrigation system work – ongoing maintenance by landscape person Spread fill dirt on east and west side of Ryckman house covered large roots and sodded Filled in area along Orange avenue where underground water is and sodded Rope lines/post installed on pathways to beach protect dunes Met with rep. from Save Turtles arranging to get turtle signs replaced Rebuilt part of mobile information sign trailer Installed sun shades on toddler playground area Continued fine tuning of cameras Did rough out of pathway behind pavilions - edging to be installed and benches Met with Bowman Engineering ref. 6th Ave. ramp area Installed stop signs/stop bars Shannon and Citrus Removed sea grapes Shannon and Citrus Built boardwalk north side of Ryckman restrooms Built boardwalk from playground area to sidewalk on Ocean Ave. 80 feet long Rebuilt the large cover over the city water inlet area west of Ryckman house Assembled 4 more rocking chairs and placed them on Ryckman house porch Unclogged toilet upstairs Town Hall Replaced light in janitor closet Ocean Park Repaired stop sign Orange and Rosewood



Melbourne Beach Police Department Monthly Report February 2023



Operations:

In February 2023, The Department responded to 1118 calls for service and 70 house checks.

Activity:

- 19 Citations
- 101 Traffic Stops
- 127 Traffic Enforcement
- 2 Traffic Complaint
- 24 Parking Citations

Our radar trailer continues to be placed in various locations throughout the Town.

PD News

- The Police Department has lost and found miscellaneous items that have been brought into the department, for example, keys, sunglasses, and children's toys. These items were found at our beach accesses and Rychman Park. If you believe you may have lost things, come to the Police Department during business hours Monday Friday, 8 am to 5 pm.
- SRO Bradley assisted school faculty with Grandparents Day and Valentine's Day breakfast. In addition, he performed February Monthly Fire Drill with assistance from M.B.F.D.

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:

- Speed Trailer report: Down for maintenance
- Sergeant's monthly reports

Stay Safe, Chief Melanie Griswold



Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
Total Calls for Service	1578	1188											2766
Total Felonies	0	5											5
Total Misdemeanors	5	2											7
Total Capias Requests	0	0											0
Total Traffic Arrests	1	0											1
Total Other Arrests	3	0											3
911 Investigation	27	42											69
Alarm Business	5	7									1		12
Alarm Residence	1	1											2
Alarm Vehicle	0	1											1
Assault	0	0											0
Animal Complaint	7	4											11
AOA Fire/Medical	6	5									1		11
AOA LEO	13	11											24
Assist Citizen	7	11									1		18
Assist DCF	1	2									1		3
Assist Motorist	1	0											1
Attempt To Contact	4	7									1		11
Baker Act	0	3											3
Battery	0	1											1
Battery-Domestic	1	0											1
Burglary - Residential	0	1											1
Burglary - Vehicle	1	3											4
Civil Matter	1	4											5
Crash	6	1											7
Criminal Mischief	0	3											3
Deceased Person	0	0											0
Disturbance	3	2											5
Disturbance Domestic	1	1											2
Disturbance Noise	2	3											5
Fraud/Forgery	1	2											3
House Checks	161	70											231
Illegal Dumping	0	-											0
Illegal Parking	21	27											48
Indecent/Lewd Act	1	0											1
Information	8	6											14
Injured/III Person	20	17											37



Melbourne Beach Police Department

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
Intoxicated Driver	0			лμ	Iviay	June	July	Aug	Зерг	000	NOV	Dec	0
Intoxicated Person	1	0											1
Investigation	1												1
Missing Person	0												0
Narcotics	0												0
Open Door	3	-											3
Ordinance Violation/Code Enf	1												1
Overdose	0												1
Parking Citations	21	24											45
Patrol Area	87	70											157
Patrol Area Business	185	160											345
Patrol Area Residential	522	453			-		-	_					975
Patrol Area School	22	433			-		-	_					42
	1	20											
Phone Call - Threatening	0										1		1 0
Property Confiscated											1		
Property Found	3							_					8
Property Lost	-							_					1
Reckless Driving	5				-	-		_					9
Retail Theft	0	_						_					0
School Zone	23				_	-		_					53
Shooting in the Area	1	0			_	-		_					1
Soliciting	1	=											2
Special Detail	0												0
Special Response ATV	0												0
Special Response Drone	0	-											0
Standby-Keep the Peace	1	=											2
Suicide	0												1
Suicide - Attempt/Threat	0												1
Suspicious Incident	19												28
Suspicious Person	11												17
Suspicious Vehicle	14												35
Theft	1												2
Traffic Citations	47	19											66
Traffic Complaint	3												5
Traffic Enforcement	327	127											454
Traffic Stop	205	101											306
Traffic Obstruction	0	0											0
Trespass	0	3											3



Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
Vehicle Abandoned	1	. 0											1
Vehicle Inspection	4	5											9
Vehicle Repo/Tow	C	0 0											0
Wanted Person	0	0 0											0
Written Warnings	26	5											31

	Vehicle Mileage	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD
Car 300		1000												1000
Car 360		425												425
Car 361		1066												1066
Car 363		118												118
Car 364		74												74
Car 366		548												548
Car 367		625												625
ATV 1		0												0
ATV 2		0												0



MELBOURNE BEACH POLICE DEPARTMENT Jason Hinchman Sergeant 507 Ocean Ave, Melbourne Beach, FL 32951

Phone: (321) 723-4343 Fax: (321)725-3253



Monthly Report February 2023

House Checks: 47

- 02/09: Assist other agency in 100 block of Sea Dunes Drive. Officers responded to assist Brevard County Sheriff's in securing a scene of a death investigation.
- 02/24: Warrant arrest in the 300 block of First Avenue. The male subject was stopped for a traffic violation and had a warrant. The male subject was arrested and turned over to Brevard County Sheriff's jail van.
- 02/24: Assist other agency (Overdose) in the 200 block of Sixth Avenue. The officers arrived on scene with Brevard County Fire Rescue. The male subject was pronounced deceased on scene. Brevard County Sheriff's Office took over the investigation.
- 02/24: Criminal mischief in the 500 block of Ocean Avenue. Unknown person(s) put graffiti on the men's bathroom.



MELBOURNE BEACH POLICE DEPARTMENT Jason Sadler Sergeant 507 Ocean Ave, Melbourne Beach, FL 32951

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



Sgt. Sadler Monthly Report February 2023

2/05- Domestic disturbance in the 300 blk of Avenue B. The disturbance was only verbal.

2/11- Grand theft of a motor vehicle in the 300 blk of Hibiscus Trail. The vehicle was recovered by Melbourne PD and the case is pending investigation.

2/11- Vehicle burglary in the 500 blk of Andrews Drive. Case is pending investigation.

2/11- Two Vehicle burglaries in the 500 blk of Avenue B. Case is pending investigation.

2/11- Vehicle burglary in the 400 blk of Andrews Drive. Case pending investigation.

2/13- Trespassing on a posted construction site in the 500 blk of Third Avenue. Case pending investigation.

2/14- Baker Act in the 2100 blk of Oak Street. Juvenile transported to Circles of Care under a Baker Act.

2/19- Assisted the Brevard County Sheriff's Office with a suicide attempt call in the 3800 blk of MacFarlane Street. White male was found awake and breathing and was transported to the hospital by BCFR.

2/19- Residential burglary in the 500 blk of Shannon Avenue. Victim declined to prosecute.

2/19- Drowning in the area of First Avenue and Atlantic Street. Pending investigation by BCSO.

2/20- Baker Act in the 700 blk of Riverside Drive. White female transported to Circles of Care under a Baker Act.

2/21- Check forgery in the 500 blk of Ocean Avenue. Case pending investigation.

• Total House Checks - 23



<u>FIRE DEPARTMENT MONTHLY REPORT</u> February 2023

Incident Response

For the month of February 2023, the Melbourne Beach Volunteer Fire Department responded to 14 calls for service. The average number of responding volunteer personnel per paged out call for the month was 12.

Breakdown:

- 9 Fire/Rescue 911 Calls (Paged out)
- 2 Medical Assist Incidents
- 1 Special Event Coverage Detail Parade
- 1 Public Service Gemini Fire Drill
- 1 False Call Duplicate

Department Membership

- Certified Firefighters: 23
- Support Services Personnel: 6
- Administrative Personnel: 2
- Probationary Personnel: 5

Notable Incidents

- 02/04/2023 Mutual Aid to BCFR for structure fire in South Beaches.
- 02/07/2023 Mutual Aid to BCFR/BCOR for swimmer in distress in South Beaches.
- 2/10/2023 Mutual Aid to BCFR for possible boat fire in the river south of the powerlines.
- 02/19/2023 Swimmers in distress w/ 1 drowning victim at Ocean Park.
- 02/26/2023 Mutual Aid to IFD for swimmers in distress.

Notable Events

The Department responded to multiple water rescue / drowning incidents at the beaches during the month of February. Many of the incidents are believed to be due to strong rip currents and beachgoers inexperienced with ocean swimming. It is stressed that all ocean swimming should be done near a lifeguarded beach. Chief Brown is working with other local fire, rescue, and law enforcement agencies to improve coordination and response to these incidents, as well as investigating the possibility of year-round life guard coverage for Ocean Park.

A group of MBVFD State certified volunteer firefighters attended a multi-agency live fire training event at Eastern Florida State College.

In addition to leading the parade, the MBVFD ran point for traffic control for the Melbourne Beach Little League Parade this year. The event ran smoothly with no incidents.

Units from the MBVFD and MBPD conducted a birthday party drive-by for a child in the community.

Fire Department leadership continues to work with the Volunteer Firefighters Association Board of Directors and multiple marine contractors to discuss potential ideas and funding options for the construction of a dock & boat lift for the Fire Department's marine rescue boat. The Association agreed to consider funding the project, and additional information and ideas will be brought to the Town Commission Workshop in April.

Chief Brown attended meetings with Melbourne Beach's Medical Director regarding expanding the Fire Departments medical capabilities, and with other local fire agencies regarding accountability system upgrades.

A few members of the Fire, Police, Town Hall, and Public Works Departments have teamed up to help raise money for childhood cancer research as part of the St. Baldrick's Space Coast Conquers event in Viera on March 18th. Statistically more children are lost to cancer in the U.S. than to any other disease, with about 1 in every 263 children (under the age of 20) being diagnosed. To date the team has raised over \$1,000 for the cause. People can read more about the event and join our team or donate at <u>www.stbaldricks.org/teams/melbeach</u>.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 3/10/2023 7:54:34 PM

Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 02/01/2023 | End Date: 02/28/2023

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2023-22	02/04/2023		4560 S. Highway A1A , Melbourne Beach, FL, 32951	Building fire	02/04/2023 17:33	02/04/2023 17:52
2023-23	02/05/2023	Intersection	Palm CT / S. Palm Ave, Indialantic, FL, 32903	Dispatched & cancelled en route	02/05/2023 05:29	02/05/2023 05:38
2023-24	02/07/2023		2281 Atlantic ST , Melbourne Beach, FL, 32951	Search for person in water	02/07/2023 11:06	02/07/2023 11:36
2023-25	02/10/2023		3220 River Villa WAY , Melbourne Beach, FL, 32951	False alarm or false call, other	02/10/2023 18:35	02/10/2023 19:00
2023-26	02/10/2023		3220 River Villa WAY , Melbourne Beach, FL, 32951	Good intent call, other	02/10/2023 18:20	02/10/2023 19:15
2023-27	02/14/2023		507 Ocean AVE , Melbourne Beach, FL, 32951	Medical assist, assist EMS crew	02/14/2023 09:46	02/14/2023 10:04
2023-28	02/17/2023		2100 Oak ST , Melbourne Beach, FL, 32951	Public service	02/17/2023 08:29	02/17/2023 10:04
2023-29	02/19/2023	Intersection	Ocean AVE / Atlantic, Melbourne Beach, FL, 32951	Search for person in water	02/19/2023 16:07	02/19/2023 16:31
2023-30	02/19/2023		190 Ocean AVE , Melbourne Beach, FL, 32951	Good intent call, other	02/19/2023 21:31	02/19/2023 21:53
2023-31	02/25/2023		2100 Oak ST , Melbourne Beach, FL, 32951	Public service	02/25/2023 15:24	02/25/2023 16:28
2023-32	02/26/2023	Intersection	5th AVE / Wave Crest Ave, Indialantic, FL, 32903	Search for person in water	02/26/2023 17:09	02/26/2023 18:19
2023-33	02/27/2023		2545 Atlantic ST , Melbourne Beach, FL, 32951	Medical assist, assist EMS crew	02/27/2023 09:48	02/27/2023 10:01
2023-34	02/28/2023		1005 Atlantic ST , Melbourne Beach, FL, 32951	EMS call, excluding vehicle accident with injury	02/28/2023 09:14	02/28/2023 09:39
2023-35	02/28/2023	Intersection	Atlantic / Surf Rd, Melbourne Beach, FL, 32951	Motor vehicle accident with injuries	02/28/2023 17:37	02/28/2023 17:59





130

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 3/10/2023 12:50:23 PM



131

Personnel Count per Incident for Date Range

Start Date: 02/01/2023 | End Date: 02/28/2023

INCIDENT	NUK			UMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2023-22	2/4/2023 17:33:36	111 - Building fire	19112	1	12	13
** 2023-23	2/5/2023 05:29:41	611 - Dispatched & cancelled en route	19112	1	6	7
** 2023-24	2/7/2023 11:06:19	342 - Search for person in water	19112	4	8	12
2023-25	2/10/2023 18:35:49	700 - False alarm or false call, other	19112	9	11	20
** 2023-26	2/10/2023 18:20:15	600 - Good intent call, other	19112	9	11	20
2023-27	2/14/2023 09:46:10	311 - Medical assist, assist EMS crew	19112	2	0	2
2023-28	2/17/2023 08:29:55	553 - Public service	19112	1	0	1
** 2023-29	2/19/2023 16:07:33	342 - Search for person in water	19112	7	7	14
** 2023-30	2/19/2023 21:31:15	600 - Good intent call, other	19112	4	5	9
2023-31	2/25/2023 15:24:00	553 - Public service	19112	14	0	14
** 2023-32	2/26/2023 17:09:23	342 - Search for person in water	19112	9	2	11
2023-33	2/27/2023 09:48:01	311 - Medical assist, assist EMS crew	19112	1	0	1
** 2023-34	2/28/2023 09:14:23	321 - EMS call, excluding vehicle accident with injury	19112	3	6	9
** 2023-35	2/28/2023 17:37:37	322 - Motor vehicle accident with injuries	19112	1	13	14
TOTAL # OF IN	CIDENTS: 14	AVERAGES:		4.7	5.8	10.5
Total # of inc		Nithout EMS Assist or Service Calls:		4.3	7.8	12.1

paged out for volunteer response: 9 (Paged out calls only)



emergencyreporting.com Doc Id: 358 Page # 1 of 1



Memo

To: Mayor, Vice Mayor and Commissioners

From: Jennifer Kerr, Finance Manager

Date: March 10, 2022

Re: February Fiscal Year 2023

We are in the fifth month of our fiscal year 2023. The target expenditure rate for February is 41.67%. All departments are managing their expenditures well at this time. All budget items highlighted in green are over the target rate but within the anticipated spending of that budget line. Items highlighted in yellow are being monitored, and 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 35.63%. The Departmental expenditure rate breakdown is as follows:

Legislative:	26.74%
Executive:	35.34%
Finance:	36.68%
Legal:	38.31%
Comp & Plan:	13.59%
General Services:	34.63%
Law Enforcement:	38.44%
Fire:	20.01%
Code:	23.16%
Public Works:	41.68%
Grounds Keeping:	32.69%
Parks:	78.05%

Discussion Items:

The Town received Parking Revenue in February in the amount of \$16,883.25

FEMA has closed out and obligated funding for Hurricane Ian in the amount of \$31,187.69

We are actively working with FEMA for funding for Hurricane Nicole.

We are currently in the FY22 Audit.

REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH Balance As Of 02/28/2023

001-00-311.00.00 AD VALOREM TAXES 2,418,002.00 0.00 214,454.54 93 001-00-312.41.00 LOCAL OPTION COUNTY GAS TAX 93,000.00 0.00 85,508.68 8 001-00-314.10.00 UTILITY SERVICES TAX FPL 248,000.00 0.00 153,222.81 30 001-00-314.30.00 UTILITY SERVICES TAX MATER 52,500.00 0.00 35,038.84 33 001-00-314.40.10 UTILITY GAS TAX AMERIGAS 7,700.00 0.00 (19,640.54) 355 001-00-314.40.20 UTILITY GAS TAX AMERIGAS 7,700.00 0.00 (16,640.54) 355 001-00-314.40.30 UTILITY GAS TAX SUBURBAN 1,000.00 0.00 (16,640.54) 355 001-00-314.40.30 UTILITY GAS TAX SAN'S GAS 0.00 0.00 (18,640.21) 40 001-00-314.40.30 UTILITY GAS TAX SAN'S GAS 0.00 0.00 12,650.36 22 001-00-314.40.40 UTILITY GAS TAX SAN'S GAS 0.00 0.00 12,850.36 22 001-00-314.40.30 COMMUNICATIONS SERVICE TAX 137,000.00 0.00	Fund: 001 GENERAL FUND					
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001-00-312.41.00 LOCAL OPTION COUNTY GAS TAX 93,000.00 0.00 85,508.68 32 001-00-314.10.00 UTILITY SERVICES TAX FPL 248,000.00 0.00 153,222.81 33 001-00-314.30.00 UTILITY SERVICES TAX WATER 52,500.00 0.00 35,034.84 33 001-00-314.40.00 UTILITY SERVICES TAX GAS 0.00 (36.28) 100 001-00-314.40.10 UTILITY GAS TAX AMERIGAS 7,700.00 0.00 (19,640.54) 35 001-00-314.40.20 UTILITY GAS TAX SUBURBAN 1,000.00 0.00 1,660.12 44 001-00-314.40.30 UTILITY GAS TAX SAM'S GAS 0.00 0.00 1,660.2 44 001-00-315.00.00 COMMUNICATIONS SERVICE TAX 137,000.00 0.00 1,2,503.6 22 001-00-323.70.00 FRANCHISE FEES SOLID WASTE 40,000.00 0.01 21,350.30 44 001-00-323.70.00 BONFIRE PERMIT 900.00 0.00 21,350.30 44 001-00-329.20.00 BONFIRE PERMIT 900.00 0.00 21,350.30 44						
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001-00-315.00.00 COMMUNICATIONS SERVICE TAX 137,000.00 0.00 102,850.36 24 001-00-316.00.00 OCCP. LIC 16,000.00 0.00 2,597.16 83 001-00-323.10.00 FRANCHISE FEES FPL 190,000.00 0.00 137,361.98 27 001-00-323.70.00 FRANCHISE FEES SOLID WASTE 40,000.00 0.00 21,350.30 46 001-00-323.70.10 SOLID WASTE COMMERCIAL 13,500.00 0.00 7,224.75 46 001-00-329.20.00 BONFIRE PERMIT 900.00 0.00 (400.00) 100 001-00-329.50.00 LOW SPEED VEHICLE REGISTRATION 0.00 (400.00) 100 001-00-329.50.00 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100 001-00-329.50.10 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100 001-00-334.40.00 FMIT SAFETY GRANT 7,500.00 0.00 4,600.00 00 001-00-335.12.00 STATE REVENUE SHARING PROCEEDS 87,000.00 0.00 4,600.00 00 <t< td=""><td>001-00-314.40.40</td><td>UTILITY GAS TAX SAM'S GAS</td><td>0.00</td><td>0.00</td><td>(80.02)</td><td>100.00</td></t<>	001-00-314.40.40	UTILITY GAS TAX SAM'S GAS	0.00	0.00	(80.02)	100.00
001-00-323.10.00 FRANCHISE FEES FPL 190,000.00 0.00 137,361.98 27. 001-00-323.70.00 FRANCHISE FEES SOLID WASTE 40,000.00 0.00 21,350.30 46. 001-00-323.70.10 SOLID WASTE COMMERCIAL 13,500.00 0.00 7,224.75 46. 001-00-329.20.00 BONFIRE PERMIT 900.00 0.00 900.00 0.00 001-00-329.50.00 LOW SPEED VEHICLE REGISTRATION 0.00 0.00 (400.00) 100. 001-00-329.50.10 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100. 001-00-334.40.00 FMIT SAFETY GRANT 7,500.00 0.00 47,037.43 45. 001-00-335.12.00 STATE REVENUE SHARING PROCEEDS 87,000.00 0.00 4,600.00 0.00 001-00-335.15.00 ALCOHOLIC BEVERAGE LICENSES 4,600.00 0.00 4,600.00 0.00 001-00-342.20.00 SAFETY INSPECT FEE VAC RENTAL 800.00 0.00 885.00 10.00 001-00-345.10.00 VAC RENTAL APP FEE-INITITAL 5,000.00 0.00	001-00-315.00.00	COMMUNICATIONS SERVICE TAX	137,000.00	0.00		24.93
001-00-323.70.00 FRANCHISE FEES SOLID WASTE 40,000.00 0.00 21,350.30 46 001-00-323.70.10 SOLID WASTE COMMERCIAL 13,500.00 0.00 7,224.75 46 001-00-329.20.00 BONFIRE PERMIT 900.00 0.00 900.00 0 001-00-329.50.00 LOW SPEED VEHICLE REGISTRATION 0.00 0.00 (400.00) 100 001-00-329.50.10 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100 001-00-334.40.00 FMIT SAFETY GRANT 7,500.00 0.00 47,037.43 45 001-00-335.12.00 STATE REVENUE SHARING PROCEEDS 87,000.00 0.00 4,600.00 0 001-00-335.15.00 ALCOHOLIC BEVERAGE LICENSES 4,600.00 0.00 4,600.00 0 001-00-335.18.00 HALF CENT SALES TAX LOCAL GOV 192,000.00 0.00 885.00 10 001-00-342.20.10 SAFETY RENEWAL-VAC RENTAL 800.00 0.00 885.00 10 001-00-345.10.00 VAC RENTAL APP FEE-INITITAL 5,000.00 0.00 4,450.00 </td <td>001-00-316.00.00</td> <td>OCCP. LIC</td> <td>16,000.00</td> <td>0.00</td> <td>2,597.16</td> <td>83.77</td>	001-00-316.00.00	OCCP. LIC	16,000.00	0.00	2,597.16	83.77
OD1-00-323.70.10 SOLID WASTE COMMERCIAL 13,500.00 0.00 7,224.75 44 001-00-329.20.00 BONFIRE PERMIT 900.00 0.00 900.00 0 001-00-329.20.00 LOW SPEED VEHICLE REGISTRATION 0.00 0.00 (400.00) 100 001-00-329.50.00 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100 001-00-329.50.10 LOW SPEED VEHICLE PERMIT FEE 0.00 0.00 (400.00) 100 001-00-334.40.00 FMIT SAFETY GRANT 7,500.00 0.00 47,037.43 45 001-00-335.12.00 STATE REVENUE SHARING PROCEEDS 87,000.00 0.00 47,037.43 45 001-00-335.15.00 ALCOHOLIC BEVERAGE LICENSES 4,600.00 0.00 4,600.00 0 001-00-342.20.00 SAFETY INSPECT FEE VAC RENTAL 800.00 0.00 885.00 10 001-00-342.20.10 SAFETY RENEWAL-VAC RENTALS 800.00 0.00 4,450.00 12 001-00-345.10.00 VAC RENTAL APP FEE-INITITAL 5,000.00 0.00 (4,410.15) </td <td>001-00-323.10.00</td> <td>FRANCHISE FEES FPL</td> <td>190,000.00</td> <td>0.00</td> <td>137,361.98</td> <td>27.70</td>	001-00-323.10.00	FRANCHISE FEES FPL	190,000.00	0.00	137,361.98	27.70
001-00-329.20.00BONFIRE PERMIT900.000.00900.000001-00-329.50.00LOW SPEED VEHICLE REGISTRATION0.000.00(400.00)100001-00-329.50.10LOW SPEED VEHICLE PERMIT FEE0.000.00(400.00)100001-00-334.40.00FMIT SAFETY GRANT7,500.000.007,500.000001-00-335.12.00STATE REVENUE SHARING PROCEEDS87,000.000.0047,037.4345001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.004,600.000001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0533001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(4,410.15)210001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-323.70.00	FRANCHISE FEES SOLID WASTE	40,000.00	0.00	21,350.30	46.62
001-00-329.50.00LOW SPEED VEHICLE REGISTRATION0.000.00(400.00)100001-00-329.50.10LOW SPEED VEHICLE PERMIT FEE0.000.00(400.00)100001-00-334.40.00FMIT SAFETY GRANT7,500.000.007,500.000001-00-335.12.00STATE REVENUE SHARING PROCEEDS87,000.000.0047,037.4345001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.0046,000.000001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0533001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0013001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(4,410.15)21001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)21	001-00-323.70.10	SOLID WASTE COMMERCIAL	13,500.00	0.00	7,224.75	46.48
001-00-329.50.10LOW SPEED VEHICLE PERMIT FEE0.000.00(400.00)100001-00-334.40.00FMIT SAFETY GRANT7,500.000.007,500.000001-00-335.12.00STATE REVENUE SHARING PROCEEDS87,000.000.0047,037.4345001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.004,600.000001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0532001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.004,450.0012001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(4,410.15)21001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)21	001-00-329.20.00	BONFIRE PERMIT	900.00	0.00	900.00	0.00
001-00-334.40.00FMIT SAFETY GRANT7,500.000.007,500.000001-00-335.12.00STATE REVENUE SHARING PROCEEDS87,000.000.0047,037.4345001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.004,600.000001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0533001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.00800.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-329.50.00	LOW SPEED VEHICLE REGISTRATION	0.00	0.00	(400.00)	100.00
001-00-335.12.00STATE REVENUE SHARING PROCEEDS87,000.000.0047,037.4345001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.004,600.000001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0532001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.00800.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	0.00	0.00	(400.00)	100.00
001-00-335.15.00ALCOHOLIC BEVERAGE LICENSES4,600.000.004,600.000.00001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0533001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.00800.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.00(10001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-334.40.00	FMIT SAFETY GRANT	7,500.00	0.00	7,500.00	0.00
001-00-335.18.00HALF CENT SALES TAX LOCAL GOV192,000.000.00131,791.0533001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.00800.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0013001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)13001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)21	001-00-335.12.00	STATE REVENUE SHARING PROCEEDS	87,000.00	0.00	47,037.43	45.93
001-00-342.20.00SAFETY INSPECT FEE VAC RENTAL800.000.00885.00(10001-00-342.20.10SAFETY RENEWAL-VAC RENTALS800.000.00800.00(10001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	4,600.00	0.00	4,600.00	0.00
001-00-342.20.10 SAFETY RENEWAL-VAC RENTALS 800.00 0.00 800.00 0 001-00-345.10.00 VAC RENTAL APP FEE-INITITAL 5,000.00 0.00 4,450.00 12 001-00-345.10.10 VAC RENEWAL FEE - RENTALS 2,500.00 0.00 (750.00) 130 001-00-361.10.00 INTEREST ON INVESTMENTS 4,000.00 0.00 (4,410.15) 210	001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	192,000.00	0.00	131,791.05	31.36
001-00-345.10.00VAC RENTAL APP FEE-INITITAL5,000.000.004,450.0012001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	800.00	0.00	885.00	(10.63
001-00-345.10.10VAC RENEWAL FEE - RENTALS2,500.000.00(750.00)130001-00-361.10.00INTEREST ON INVESTMENTS4,000.000.00(4,410.15)210	001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	800.00	0.00	800.00	0.00
001-00-361.10.00 INTEREST ON INVESTMENTS 4,000.00 0.00 (4,410.15) 210	001-00-345.10.00	VAC RENTAL APP FEE-INITITAL	5,000.00	0.00	4,450.00	11.00
	001-00-345.10.10	VAC RENEWAL FEE - RENTALS	2,500.00	0.00	(750.00)	130.00
D01-00-369.00.00MISCELLANEOUS REVENUE2,500.000.001,253.6845	001-00-361.10.00	INTEREST ON INVESTMENTS	4,000.00	0.00	(4,410.15)	210.25
	001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	0.00	1,253.68	49.85

001-00-369.00.49	INSURANCE RECOVERY	350.00	0.00	350.00	0.00
					73.47
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 21 LAW ENFORCEMENT					
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	0.00	45,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	65,000.00	0.00	32,500.00	50.00
001-21-337.25.01	STATE LE COMPUTER GRANT	1,000.00	0.00	1,000.00	0.00
001-21-347.90.01	SPECIAL EVENTS	1,000.00	0.00	1,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	7,500.00	0.00	4,731.25	36.92
001-21-351.13.00	PARKING TICKETS	600.00	0.00	300.00	50.00
001-21-351.13.10	ACCIDENT REPORT	100.00	0.00	(16.00)	116.00
001-21-369.00.00	MISCELLANEOUS REVENUE	0.00	0.00	(56.00)	100.00
					29.61
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 22 FIRE CONTROL		ONIGINAL DODGET	Encumbrance	Available	70 Dugt
001-22-322.30.00	FIRE PROTECTIVE SERVICES	5,000.00	0.00	3,545.00	29.10
001-22-369.00.00	MISCELLANEOUS REVENUE	500.00	0.00	500.00	0.00
001-22-369.55.10	SHARED TRAINING	1,000.00	0.00	1,000.00	0.00
001 22 000.00.10		1,000.00	0.00	1,000.00	22.38
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 29 CODE ENFORCEMENT					
001-29-359.00.00	OTHER FINES AND FORFEITURES	800.00	0.00	800.00	0.00
					0.00
	_				
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 72 PARKS & RECREATION			_		
001-72-347.41.00	FOUNDER'S DAY	6,000.00	0.00	4,540.00	24.33
001-72-347.50.00	FACILITY RENTALS	8,000.00	0.00	5,525.00	30.94
					28.11

OVERALL REVENUE RATE:

Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 11 LEGISLATIVE					
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	0.00	9,450.05	41.67
001-11-500.12.00	REGULAR SALARIES	56,710.00	0.00	35,989.07	36.54
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	4,338.00	0.00	2,075.57	52.15
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	6,754.00	0.00	4,288.58	36.50
001-11-500.23.01	HEALTH INSURANCE	5,940.00	0.00	2,969.70	50.01
001-11-500.23.02	LIFE INSURANCE	68.00	0.00	34.22	49.68
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	181.00	0.00	138.17	23.66
001-11-510.31.00	PROFESSIONAL SERVICES	2,902.00	0.00	1,402.00	51.69
001-11-510.40.00	TRAVEL & MEETINGS	3,640.00	0.00	2,595.46	28.70
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,788.00	0.00	1,397.34	49.88
001-11-510.47.00	PRINTING	5,015.00	0.00	4,911.36	2.07
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	0.00	442.83	44.65
001-11-510.48.40	LEGAL NOTICES	10,000.00	0.00	9,396.47	6.04
001-11-510.49.50	ELECTION EXPENSE	2,500.00	0.00	1,909.81	23.61
001-11-510.54.00	DUES & SUBSCRIPTIONS	875.00	0.00	450.00	48.57
001-11-510.54.10	TRAINING & SCHOOLS	4,410.00	0.00	4,410.00	0.00
001-11-510.64.00	MACHINERY & EQUIPMENT	2,000.00	0.00	825.67	58.72
001-11-510.64.01	CAPITAL OUTLAY	50,000.00	0.00	50,000.00	0.00
001-11-543.00.00	LICENSES & FEES	7,421.00	0.00	1,046.14	85.90
					26.74
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 12 EXECUTIVE					
001-12-500.12.00	REGULAR SALARIES	143,243.00	0.00	93,748.19	34.55
001-12-500.14.00	SALARIES OVERTIME	0.00	0.00	(80.57)	100.00
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	10,958.00	0.00	6,683.54	39.01
001-12-500.22.01	RETIREMENT - ICMA	17,060.00	0.00	12,424.35	27.17
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,436.00	0.00	3,138.45	29.25

71.75

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
					<u>. </u>
001 1 1 -310.31.01	CODE EN ORCEMENT ATTORNET	10,000.00	0.00	3,000.00	38.31
001-14-510.31.00	CODE ENFORCEMENT ATTORNEY	10,000.00	0.00	8,600.00	40.84 14.00
001-14-510.31.00	PROFESSIONAL SERVICES	96,000.00	0.00	56,790.50	40.84
Department: 14 LEGAL COUNSEL	Description		Encumprance	Available	% Bdgt
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Rdat
					36.68
001-13-764.10.00	Filing Fee Clerk-Parking Ticke	50.00	0.00	50.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	800.00	0.00	686.00	14.25
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	0.00	60.00	0.00
001-13-510.47.00	PRINTING	180.00	0.00	180.00	0.00
001-13-510.40.00	TRAVEL & MEETINGS	1,200.00	0.00	214.75	82.10
001-13-510.32.90	BANKING FEES	6,900.00	0.00	3,888.05	43.65
001-13-510.32.00	AUDITING SERVICES	26,600.00	0.00	17,600.00	33.83
001-13-510.31.00	PROFESSIONAL SERVICES	5,300.00	0.00	5,300.00	0.00
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	349.00	0.00	264.35	24.26
001-13-500.23.02	LIFE INSURANCE	136.00	0.00	68.44	49.68
001-13-500.23.01	HEALTH INSURANCE	14,824.00	0.00	7,412.08	50.00
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	12,988.00	0.00	8,301.69	36.08
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,343.00	0.00	5,037.83	39.62
001-13-500.12.00	REGULAR SALARIES	109,053.00	0.00	69,206.68	36.54
Department: 13 FINANCE					, 0 D 46 C
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
001 IL 01000			0.00	-30.00	35.34
001-12-510.54.10	TRAINING & SCHOOLS	450.00	0.00	450.00	0.00
001-12-510.52.50	DUES & SUBSCRIPTIONS	3,595.00	0.00	2,151.00	40.17
001-12-510.52.50	GAS & OIL	2,400.00	0.00	1,400.00	41.67
001-12-510.40.00	TRAVEL & MEETINGS	1,320.00	0.00	852.33	35.43
001-12-500.25.00	LIFE INSURANCE UNEMPLOYMENT COMPENSATION	458.00	0.00	358.84	47.72 21.65
001-12-500.23.02		749.00	0.00	391.61	17 77

Department: 15 COMPREHENSIVE PLANNING

001-15-510.31.00	PROFESSIONAL SERVICES	20,000.00	0.00	17,281.25	13.59
					13.59
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 16 FEMA - HURRICANE DAMAG	E				
001-16-510.51.00	OFFICE SUPPLIES	0.00	0.00	(542.20)	100.00
001-16-530.46.12	MAINTENANCE SUPPLIES	0.00	0.00	(325.55)	100.00
001-16-530.46.40	GROUNDS MAINTENANCE	0.00	0.00	(2,376.56)	100.00
					100.00
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 19 GENERAL SERVICES					
001-19-500.24.00	WORKERS COMPENSATION	2,618.00	0.00	2,618.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,020.00	0.00	2,453.75	38.96
001-19-510.31.11	SECURITY	3,308.00	0.00	(1,589.50)	148.05
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	0.00	10,705.00	37.03
001-19-510.35.00	PRE-EMPLOYMENT EXP	300.00	0.00	104.00	65.33
001-19-510.41.00	TELEPHONE	18,240.00	0.00	8,015.50	56.06
001-19-510.41.10	COMMUNICATION SERVICES	43,056.00	0.00	24,152.07	43.91
001-19-510.43.00	STREET LIGHTS	47,000.00	0.00	31,014.24	34.01
001-19-510.43.10	ELECTRICITY	38,500.00	0.00	29,379.60	23.69
001-19-510.43.20	WATER & SEWER	3,520.00	0.00	2,359.01	32.98
001-19-510.43.50	WASTE TAX SERVICE	3,300.00	0.00	1,031.09	68.75
001-19-510.45.00	GENERAL LIABILITY INSURANCE	85,728.00	0.00	42,366.50	50.58
001-19-510.45.01	FLOOD INSURANCE	3,751.00	0.00	3,751.00	0.00
001-19-510.45.02	PROPERTY INSURANCE	69,960.00	0.00	37,981.00	45.71
001-19-510.45.03	AUTO INSURANCE	8,172.00	0.00	4,087.50	49.98
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,232.00	0.00	2,682.30	36.62
001-19-510.46.15	EQUIPMENT MAINTENANCE	25,000.00	0.00	7,290.00	70.84
001-19-510.46.36	PEST CONTROL	3,000.00	0.00	1,797.68	40.08
001-19-510.47.00	PRINTING	500.00	0.00	236.69	52.66
001-19-510.49.90	ADOPT AN AREA	1,500.00	0.00	1,298.84	13.41
001-19-510.49.98	CONTINGENCY	25,000.00	0.00	25,000.00	0.00

001-19-510.49.99	MISCELLANEOUS	300.00	0.00	300.00	0.00
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	0.00	6,351.15	42.26
001-19-510.51.10	POSTAGE	1,400.00	0.00	563.80	59.73
001-19-510.52.10	JANITORIAL SUPPLIES	3,500.00	0.00	1,376.95	60.66
001-19-510.54.00	DUES & SUBSCRIPTIONS	325.00	0.00	325.00	0.00
001-19-510.64.01	CAPITAL OUTLAY	39,916.00	0.00	17,558.85	56.01
001-19-543.00.00	LICENSES & FEES	21,286.00	0.00	14,264.65	32.99
001-19-581.00.00	TRANSFER OUT	115,000.00	0.00	115,000.00	0.00
					34.63
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 21 LAW ENFORCEMENT					
001-21-500.12.00	REGULAR SALARIES	627,879.00	0.00	371,271.75	40.87
001-21-500.12.50	HOLIDAY PAY	20,000.00	0.00	1,389.49	93.05
001-21-500.14.00	SALARIES OVERTIME	15,000.00	0.00	9,032.95	39.78
001-21-500.14.16	HURRICANE PAY	18,000.00	0.00	5,992.94	66.71
001-21-500.15.00	EDUCATION INCENTIVE PAY	6,800.00	0.00	3,247.50	52.24
001-21-500.15.01	FIRST RESPONDER	8,000.00	0.00	5,625.00	29.69
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	52,087.00	0.00	29,855.09	42.68
001-21-500.22.02	POLICE PENSION	206,912.00	0.00	151,912.00	26.58
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	0.00	3,194.08	38.78
001-21-500.23.01	HEALTH INSURANCE	210,119.00	0.00	168,533.21	19.79
001-21-500.23.02	LIFE INSURANCE	2,700.00	0.00	1,490.20	44.81
001-21-500.23.10	STATUTORY AD&D	1,000.00	0.00	0.00	100.00
001-21-500.24.00	WORKERS COMPENSATION	16,853.00	0.00	0.00	100.00
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,179.00	0.00	1,532.14	29.69
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	0.00	215.39	70.29
001-21-520.34.40	DISPATCHING SERVICES	17,785.00	0.00	(533.55)	103.00
001-21-520.40.00	TRAVEL & MEETINGS	3,324.00	0.00	2,476.18	25.51
001-21-520.41.10	COMMUNICATION SERVICES	5,388.00	0.00	4,340.74	19.44
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	5,500.00	0.00	3,105.68	43.53
001-21-520.46.15	EQUIPMENT MAINTENANCE	5,500.00	0.00	5,500.00	0.00
001-21-520.46.16	RADAR CALIBRATION	700.00	0.00	600.00	14.29
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	0.00	3,456.73	79.67
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001-21-520.48.00	PROMOTIONAL ACTIVITIES	3,000.00	0.00	3,000.00	0.00
001-21-520.48.50	CRIME PREVENTION	2,100.00	0.00	618.74	70.54
001-21-520.49.99	MISCELLANEOUS	100.00	0.00	100.00	0.00
001-21-520.51.10	POSTAGE	150.00	0.00	144.60	3.60
001-21-520.52.00	UNIFORMS	7,000.00	0.00	5,248.34	25.02
001-21-520.52.05	PROTECTIVE GEAR	8,328.00	0.00	6,587.04	20.90
001-21-520.52.50	GAS & OIL	40,000.00	0.00	33,616.73	15.96
001-21-520.52.70	MEDICAL	500.00	0.00	174.57	65.09
001-21-520.52.90	OPERATING SUPPLIES	4,320.00	0.00	1,187.34	72.52
001-21-520.54.00	DUES & SUBSCRIPTIONS	935.00	0.00	100.60	89.24
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	0.00	5,800.00	9.38
001-21-520.64.01	Capital Outlay	18,400.00	93,436.00	(99,473.80)	132.81
001-21-543.00.00	LICENSES & FEES	13,837.00	0.00	5,382.43	61.10
001-21-581.00.00	TRANSFER OUT	13,479.00	0.00	13,479.00	0.00
					38.44
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 22 FIRE CONTROL					
Department: 22 FIRE CONTROL 001-22-500.12.00	REGULAR SALARIES	88,036.00	0.00	54,849.65	37.70
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001-22-500.12.00	REGULAR SALARIES	88,036.00	0.00	54,849.65	37.70
001-22-500.12.00 001-22-500.14.50	REGULAR SALARIES STIPEND PAYROLL	88,036.00 38,689.00	0.00 0.00	54,849.65 36,799.00	37.70 4.89
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION	88,036.00 38,689.00 9,695.00	0.00 0.00 0.00	54,849.65 36,799.00 6,949.71	37.70 4.89 28.32
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA	88,036.00 38,689.00 9,695.00 7,513.00	0.00 0.00 0.00 0.00	54,849.65 36,799.00 6,949.71 4,604.22	37.70 4.89 28.32 38.72
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00	0.00 0.00 0.00 0.00 0.00	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42	37.70 4.89 28.32 38.72 32.88
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00	0.00 0.00 0.00 0.00 0.00 0.00	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75	37.70 4.89 28.32 38.72 32.88 41.24 45.54
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07	37.70 4.89 28.32 38.72 32.88 41.24 45.54
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00)	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00 001-22-500.25.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00 282.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00 210.98	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00 25.18
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00 001-22-500.25.00 001-22-520.34.40	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION DISPATCHING SERVICES	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00 282.00 5,400.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00 210.98 4,100.00	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00 25.18 24.07
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00 001-22-500.25.00 001-22-520.34.40 001-22-520.35.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION DISPATCHING SERVICES PRE-EMPLOYMENT EXPENSE	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00 282.00 5,400.00 2,060.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00 210.98 4,100.00 1,803.00	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00 25.18 24.07 12.48
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.22.20 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00 001-22-500.25.00 001-22-520.34.40 001-22-520.35.00 001-22-520.36.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION DISPATCHING SERVICES PRE-EMPLOYMENT EXPENSE ANNUAL PHYSICALS	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00 282.00 5,400.00 2,060.00 4,375.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00 210.98 4,100.00 1,803.00 2,575.00	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00 25.18 24.07 12.48 41.14
001-22-500.12.00 001-22-500.14.50 001-22-500.21.00 001-22-500.22.01 001-22-500.23.01 001-22-500.23.02 001-22-500.23.10 001-22-500.24.00 001-22-500.25.00 001-22-520.34.40 001-22-520.35.00 001-22-520.36.00 001-22-520.40.00	REGULAR SALARIES STIPEND PAYROLL FICA TAXES - EMPLOYER PORTION RETIREMENT - ICMA RETIREMENT TOWN EMPLOYEES HEALTH INSURANCE LIFE INSURANCE STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION DISPATCHING SERVICES PRE-EMPLOYMENT EXPENSE ANNUAL PHYSICALS TRAVEL & MEETINGS	88,036.00 38,689.00 9,695.00 7,513.00 2,973.00 25,626.00 136.00 207.00 16,750.00 282.00 5,400.00 2,060.00 4,375.00 750.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	54,849.65 36,799.00 6,949.71 4,604.22 1,995.42 15,058.75 74.07 (415.00) 16,750.00 210.98 4,100.00 1,803.00 2,575.00 750.00	37.70 4.89 28.32 38.72 32.88 41.24 45.54 300.48 0.00 25.18 24.07 12.48 41.14 0.00

001-22-520.46.20	VEHICLE MAINTENANCE	26,100.00	0.00	23,467.11	10.09
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	0.00	952.65	4.74
001-22-520.48.55	FIRE PREVENTION	4,600.00	0.00	3,362.50	26.90
001-22-520.51.00	OFFICE SUPPLIES	400.00	0.00	51.03	87.24
001-22-520.52.00	UNIFORMS	7,135.00	0.00	7,135.00	0.00
001-22-520.52.02	S.C.B.A.	1,975.00	0.00	435.14	77.97
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	0.00	2,455.14	16.06
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	0.00	447.91	55.21
001-22-520.52.20	TOOLS & HARDWARE	2,000.00	0.00	1,930.86	3.46
001-22-520.52.50	GAS & OIL	6,600.00	0.00	4,918.36	25.48
001-22-520.52.70	MEDICAL	1,400.00	0.00	1,400.00	0.00
001-22-520.54.00	DUES & SUBSCRIPTIONS	435.00	0.00	414.00	4.83
001-22-520.54.10	TRAINING & SCHOOLS	7,525.00	0.00	7,075.00	5.98
001-22-520.54.12	TRAINING MATERIALS	1,960.00	0.00	1,470.00	25.00
001-22-520.64.01	Capital Outlay	82,369.00	30,000.00	52,369.00	0.00
001-22-543.00.00	LICENSES & FEES	13,304.00	0.00	6,384.10	52.01
001-22-581.00.00	TRANSFER OUT	15,277.00	0.00	15,277.00	0.00
001-22-581.00.00	TRANSFER OUT	15,277.00	0.00	15,277.00	0.00 20.01
001-22-581.00.00					20.01
	TRANSFER OUT Description	15,277.00 ORIGINAL BUDGET			
Department: 29 CODE ENFORCEMENT	Description	ORIGINAL BUDGET	Encumbrance	Available	20.01 % Bdgt
Department: 29 CODE ENFORCEMENT 001-29-500.12.00	Description REGULAR SALARIES	ORIGINAL BUDGET 14,898.00	Encumbrance 0.00	Available 11,316.94	20.01 % Bdgt 24.04
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION	ORIGINAL BUDGET 14,898.00 1,140.00	Encumbrance 0.00 0.00	Available 11,316.94 829.73	20.01 % Bdgt 24.04 27.22
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00	Encumbrance 0.00 0.00 0.00	Available 11,316.94 829.73 1,345.04	20.01 % Bdgt 24.04 27.22 24.18
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00	Encumbrance 0.00 0.00 0.00 0.00 0.00	Available 11,316.94 829.73 1,345.04 0.00	20.01 % Bdgt 24.04 27.22 24.18 100.00
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00	Available 11,316.94 829.73 1,345.04 0.00 230.00	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00 001-29-520.40.00	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION TRAVEL & MEETINGS	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00 35.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34 35.00	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13 0.00
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00 001-29-520.40.00 001-29-520.46.12	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION TRAVEL & MEETINGS MAINTENANCE SUPPLIES	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00 35.00 50.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34 35.00 50.00	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13 0.00 0.00
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00 001-29-520.40.00 001-29-520.46.12 001-29-520.46.20	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION TRAVEL & MEETINGS MAINTENANCE SUPPLIES VEHICLE MAINTENANCE	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00 35.00 50.00 150.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34 35.00 50.00 150.00	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13 0.00 0.00 0.00 0.00
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00 001-29-520.40.00 001-29-520.46.12 001-29-520.46.20 001-29-520.51.00	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION TRAVEL & MEETINGS MAINTENANCE SUPPLIES VEHICLE MAINTENANCE OFFICE SUPPLIES	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00 35.00 50.00 150.00 125.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34 35.00 50.00 150.00 104.81	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13 0.00 0.00 0.00 0.00 16.15
Department: 29 CODE ENFORCEMENT 001-29-500.12.00 001-29-500.21.00 001-29-500.22.20 001-29-500.23.10 001-29-500.24.00 001-29-500.25.00 001-29-520.40.00 001-29-520.46.12 001-29-520.46.20	Description REGULAR SALARIES FICA TAXES - EMPLOYER PORTION RETIREMENT TOWN EMPLOYEES STATUTORY AD&D WORKERS COMPENSATION UNEMPLOYMENT COMPENSATION TRAVEL & MEETINGS MAINTENANCE SUPPLIES VEHICLE MAINTENANCE	ORIGINAL BUDGET 14,898.00 1,140.00 1,774.00 21.00 230.00 48.00 35.00 50.00 150.00	Encumbrance 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Available 11,316.94 829.73 1,345.04 0.00 230.00 38.34 35.00 50.00 150.00	20.01 % Bdgt 24.04 27.22 24.18 100.00 0.00 20.13 0.00 0.00 0.00 0.00

150.00

0.00

150.00

0.00

UNIFORMS

001-29-520.52.00

001-29-520.52.50	GAS & OIL	150.00	0.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	75.00	0.00	75.00	0.00
					23.16
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 41 PUBLIC WORKS					
001-41-500.12.00	REGULAR SALARIES	207,196.00	0.00	133,082.11	35.77
001-41-500.14.00	SALARIES OVERTIME	0.00	0.00	(2,023.59)	100.00
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	15,850.00	0.00	9,317.59	41.21
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	24,677.00	0.00	15,591.15	36.82
001-41-500.23.01	HEALTH INSURANCE	31,953.00	0.00	18,311.99	42.69
001-41-500.23.02	LIFE INSURANCE	236.00	0.00	73.60	68.81
001-41-500.23.10	STATUTORY AD&D	83.00	0.00	0.00	100.00
001-41-500.24.00	WORKERS COMPENSATION	2,618.00	0.00	2,618.00	0.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	663.00	0.00	520.12	21.55
001-41-530.40.00	TRAVEL & MEETINGS	150.00	0.00	150.00	0.00
001-41-530.43.10	ELECTRICITY	5,000.00	0.00	(64.48)	101.29
001-41-530.43.50	DUMP SERVICE	2,000.00	0.00	2,000.00	0.00
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	0.00	4,306.07	33.75
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	0.00	1,228.65	75.43
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	0.00	4,772.90	49.76
001-41-530.46.30	BUILDING MAINTENANCE	8,500.00	0.00	4,734.98	44.29
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	0.00	550.00	8.33
001-41-530.46.32	RYCKMAN HOUSE	700.00	0.00	700.00	0.00
001-41-530.46.35	PIER MAINTENANCE	1,500.00	0.00	(2,272.82)	251.52
001-41-530.46.40	GROUNDS MAINTENANCE	7,000.00	0.00	3,340.26	52.28
001-41-530.52.00	UNIFORMS	3,125.00	0.00	1,069.55	65.77
001-41-530.52.05	PROTECTIVE GEAR	1,000.00	0.00	304.83	69.52
001-41-530.52.20	TOOLS & HARDWARE	4,750.00	0.00	389.84	91.79
001-41-530.52.25	TOOL RENTALS	3,500.00	0.00	3,147.24	10.08
001-41-530.52.50	GAS & OIL	5,800.00	0.00	4,282.29	26.17
001-41-530.53.10	STREET REPAIR	7,500.00	0.00	1,905.54	74.59
001-41-530.53.20	STREET SIGNS	8,500.00	0.00	2,412.83	71.61
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	0.00	1,400.20	6.65

001-41-530.57.25	WELDING	500.00	0.00	321.54	35.69
001-41-530.64.01	CAPITAL OUTLAY	10,000.00	0.00	0.00	100.00
001-41-581.00.00	TRANSFER OUT	16,927.00	0.00	16,927.00	0.00
					41.68
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 42 GROUNDS KEEPING					/
001-42-500.14.00	SALARIES OVERTIME	0.00	0.00	(408.53)	100.00
001-42-530.34.91	LANDSCAPING	22,300.00	0.00	21,410.08	3.99
001-42-530.46.12	MAINTENANCE SUPPLIES	1,000.00	0.00	887.53	11.25
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	0.00	2,421.07	3.16
001-42-530.46.40	GROUNDS MAINTENANCE	25,910.00	0.00	23,558.08	9.08
001-42-530.46.43	TREE EXPENSE	2,000.00	0.00	(1,975.00)	198.75
001-42-530.52.00	UNIFORMS	3,125.00	0.00	3,031.60	2.99
001-42-530.52.05	PROTECTIVE GEAR	575.00	0.00	575.00	0.00
001-42-530.52.20	TOOLS & HARDWARE	500.00	0.00	240.15	51.97
001-42-530.54.10	TRAINING & SCHOOLS	300.00	0.00	300.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	0.00	0.00	(10,859.00)	100.00
					32.69
	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 72 PARKS & RECREATION					
001-72-570.48.10	FOUNDER'S DAY	7,000.00	0.00	7,000.00	0.00
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	0.00	870.00	51.67
001-72-570.48.52	FOURTH OF JULY	500.00	0.00	500.00	0.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	3,000.00	0.00	(1,898.02)	163.27
001-72-570.48.60	EASTER EGG HUNT	200.00	0.00	200.00	0.00
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	0.00	4,059.06	18.82
001-72-570.63.01	TENNIS COURT EXPEDITURES	500.00	0.00	(185.97)	137.19
001-72-570.63.02	BBALL & VBALL COURTS	500.00	0.00	(175.79)	135.16
001-72-570.63.05	BOCCE COURT EXPENDITURES	500.00	0.00	430.02	14.00
001-72-570.64.01	CAPITAL OUTLAY	32,600.00	0.00	525.00	98.39
					78.05

Fund: 104 ENVIRONMENTAL ADVISORY BOARE

Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 00					
104-00-271.00.99	CARRY FORWARD	4,904.00	0.00	4,904.00	0.00
104-00-337.90.01	OTHER GRANTS	568.00	0.00	568.00	0.00
104-00-366.47.00	DONATIONS	5,000.00	0.00	0.00	100.00
104-00-381.00.00	TRANSFERS IN	5,374.00	0.00	5,374.00	0.00
					31.55
Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 72 PARKS & RECREATION					
104-72-570.31.00	PROFESSIONAL SERVICES	2,000.00	0.00	2,000.00	0.00
104-72-570.40.00	TRAVEL & MEETINGS	0.00	0.00	(44.97)	100.00
104-72-570.46.12	MAINTENANCE SUPPLIES	0.00	0.00	(65.00)	100.00
104-72-570.46.40	GROUNDS MAINTENANCE	960.00	0.00	640.98	33.23
104-72-570.51.00	OFFICE SUPPLIES	0.00	0.00	(81.98)	100.00
104-72-570.52.50	GAS FOR COMPOSTING TRUCK	1,092.00	0.00	511.60	53.15
104-72-570.64.01	CAPITAL OUTLAY	8,000.00	0.00	6,579.48	17.76

Fund: 125 BUILDING DEPT					
Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 24 PROTECTIVE INSPECT	TIONS				
125-24-322.00.00	BUILDING PERMITS	160,000.00	0.00	64,326.38	59.80
125-24-322.10.00	ZONING PLAN REVIEW	1,000.00	0.00	(31.25)	103.13
125-24-322.10.10	SITE PLAN REVIEW P&Z	12,000.00	0.00	9,500.00	20.83
125-24-322.20.00	BUILDING PLAN REVIEW	12,000.00	0.00	11,660.00	2.83
125-24-322.31.00	ADVERTISING COSTS	250.00	0.00	250.00	0.00
125-24-322.31.20	P&Z ADVERTISING	100.00	0.00	100.00	0.00

35.63

125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	700.00	0.00	(5,036.50)	819.50
125-24-329.00.10	BOA VARIANCE FEES	2,000.00	0.00	2,000.00	0.00
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	8,000.00	0.00	2,062.00	74.23
					56.73
Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
125-24-500.12.00	REGULAR SALARIES	141,440.00	0.00	84,402.29	40.33
125-24-500.14.00	SALARIES OVERTIME	0.00	0.00	(820.50)	
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	10,820.16	0.00	6,411.85	40.74
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	16,845.50	0.00	9,936.64	41.01
125-24-500.23.01	HEALTH INSURANCE	27,083.00	0.00	17,593.76	35.04
125-24-500.23.02	LIFE INSURANCE	136.00	0.00	40.29	70.38
125-24-500.23.10	STATUTORY AD&D	42.00	0.00	42.00	0.00
125-24-500.24.00	WORKERS COMPENSATION	655.00	0.00	655.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	452.61	0.00	331.99	26.65
125-24-520.40.00	TRAVEL & MEETINGS	300.00	0.00	300.00	0.00
125-24-520.51.00	OFFICE SUPPLIES	500.00	0.00	(1,518.76)	403.75
125-24-520.51.10	POSTAGE	75.00	0.00	75.00	0.00
125-24-520.52.00	UNIFORMS	260.00	0.00	19.08	92.66
125-24-520.52.20	TOOLS & HARDWARE	75.00	0.00	75.00	0.00
125-24-520.52.50	GAS & OIL	500.00	0.00	349.69	30.06
125-24-520.54.00	DUES & SUBSCRIPTIONS	4,200.00	0.00	3,140.00	25.24
125-24-520.54.10	TRAINING & SCHOOLS	350.00	0.00	350.00	0.00
125-24-520.64.01	Capital Outlay	16,000.00	0.00	5,359.95	66.50
125-24-543.00.00	LICENSES & FEES	350.00	0.00	237.05	32.27
					42.30

Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 00					
172-00-271.00.99	CARRY FORWARD	62,536.22	0.00	62,536.22	0.00
					0.00

Department: 75 TOWN PARKS

172-75-342.10.00	PARKING TICKET REVENUE	15,000.00	0.00	12,100.00	19.33
172-75-344.50.00	PARKING METER REVENUE	98,000.00	0.00	72,702.92	25.81
					24.95
Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Account category. Expenditures			Encombrance	Available	70 Dugi
172-75-500.12.00	REGULAR SALARIES	34,000.00	0.00	22,676.87	33.30
172-75-575.31.02	LIFEGUARD CONTRACT	21,945.00	0.00	21,945.00	0.00
172-75-575.32.90	BANKING FEES	5,500.00	0.00	4,493.59	18.30
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	0.00	1,050.00	41.67
172-75-575.34.91	LANDSCAPING	3,500.00	0.00	3,371.36	3.68
172-75-575.41.10	IPS COMMUNICATIONS FEE	4,020.00	0.00	2,202.29	45.22
172-75-575.43.10	ELECTRICITY	2,700.00	0.00	1,833.09	32.11
172-75-575.43.20	WATER & SEWER	1,700.00	0.00	1,383.06	18.64
172-75-575.43.50	DUMP SERVICE	660.00	0.00	660.00	0.00
172-75-575.46.12	MAINTENANCE SUPPLIES	1,500.00	0.00	840.45	43.97
172-75-575.46.31	BUILDING MAINT RESTROOMS	1,200.00	0.00	1,135.16	5.40
172-75-575.46.40	GROUNDS MAINTENANCE	3,000.00	0.00	3,000.00	0.00
172-75-575.46.41	MOWING CONTRACT	9,000.00	0.00	8,066.25	10.38
172-75-575.46.43	TREE EXPENSE	500.00	0.00	500.00	0.00
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	0.00	350.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	0.00	683.91	54.41
172-75-575.53.20	SIGNS	300.00	0.00	300.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	0.00	844.59	57.77
172-75-575.64.01	CAPITAL OUTLAY	16,000.00	0.00	16,000.00	0.00
172-75-581.00.00	TRANSFER OUT	1,400.00	0.00	1,400.00	0.00
172-75-764.10.00	Filing Fee Clerk-Parking Ticke	30.00	0.00	10.00	66.67
					17.64

Fund: 175 RYCKMAN CROSSOVER PARKING FU

Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt

Department: 00					
175-00-271.00.99	CARRY FORWARD	97,998.78	0.00	97,998.78	0.00
					0.00
Department: 75 TOWN PARKS					
175-75-342.10.00	PARKING TICKET REVENUE	9,500.00	0.00	8,600.00	9.47
175-75-344.50.00	PARKING METER REVENUE	60,500.00	0.00	27,574.78	54.42
175-75-344.50.10	PARK PASS REVENUE	3,000.00	0.00	1,600.00	46.67
					48.25

Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
175-75-500.12.00	REGULAR SALARIES	320.00	0.00	320.00	0.00
175-75-500.21.00	FICA TAXES - EMPLOYER PORTION	2,625.00	0.00	1,751.49	33.28
175-75-500.22.20	RETIREMENT TOWN EMPLOYEES	4,088.00	0.00	2,690.74	34.18
175-75-500.23.01	HEALTH INSURANCE	7,967.00	0.00	3,499.85	56.07
175-75-575.32.90	BANKING FEES	2,000.00	0.00	1,329.05	33.55
175-75-575.32.95	IPS BANKING FEE	4,200.00	0.00	4,200.00	0.00
175-75-575.41.15	IPS COMMUNICATION FEE	2,500.00	0.00	1,897.29	24.11
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	0.00	7,700.00	26.67
175-75-581.00.00	TRANSFER OUT	31,500.00	0.00	31,500.00	0.00
					16.46
Fund: 351 BEAUTIFICATION					

Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt
Department: 00					
351-00-271.00.99	CARRY FORWARD	45,665.09	0.00	45,665.09	0.00
351-00-381.00.00	TRANSFERS IN	30,000.00	0.00	30,000.00	0.00
					0.00
Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Bdgt

Department: 41 PUBLIC WORKS					
351-41-500.23.01	HEALTH INSURANCE	2,755.00	0.00	2,755.00	0.00
351-41-500.23.02	LIFE INSURANCE	68.00	0.00	39.85	41.40
351-41-500.23.10	STATUTORY AD&D	21.00	0.00	0.00	100.00
351-41-500.24.00	WORKERS COMPENSATION	653.00	0.00	653.00	0.00
351-41-500.25.00	UNEMPLOYMENT COMPENSATION	110.00	0.00	83.75	0.00
351-41-570.31.00	PROFESSIONAL SERVICES	15,000.00	0.00	15,000.00	0.00
351-41-570.34.91	LANDSCAPING	30,000.00	0.00	30,000.00	0.00
351-41-570.43.15	ELECTRICAL WORK	3,000.00	0.00	3,000.00	0.00
351-41-570.46.40	GROUNDS MAINTENANCE	2,500.00	0.00	2,108.84	15.65
351-41-570.53.20	STREET SIGNS	1,500.00	0.00	(1,968.83)	231.26
351-41-570.64.01	CAPITAL OUTLAY	0.00	7,597.00	(7,597.00)	0.00
					7.08

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Research the term multi- generational in terms of building code and its use in other municipalities, aka "Granny Suites."	1/17/2022	CLOSED	2/15/2023	Commission	Town Manager
DATE	DIRECTION/NOT	TES			
1/18/2023	Town Attorney (Clifford Repperge	er – First reading will	be in February	
10/19/2022	Town Manager -	- The Town Atto	rney is working on th	ne language	
8/17/2022	Town Manager - the Commission	· · ·	anguage needs to go	to Planning and	Zoning Board then will come back to
6/15/2022	Add to old busin	ess next month	for the proposed lan	guage, then to PI	NZ, then back to the Commission
5/18/2022			Z to define kitchen. nda item next montl	•	s two kitchens. in our code would prohibit this
4/20/2022		-	rational, how County the return of multi-		 Suites and what other towns and g.
2/16/2022	Town Attorney a	ind Town Manag	ger will discuss "gran	ny suites" and br	ing their findings to the next RTCM.
1/17/2022	The Town Comm relation to "gran		the Town Manager to	o research the us	e of the term multi-generational in
7/21/2021	Update at Augus	st RTCM			
6/16/2021	PWD will ask FD	OT if subcontrac	tor (who is restriping	g cross walks) can	also paint stanchions
5/19/2021	PWD update at J	une RTCM			
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
DAR Sign Placement	2/15/2023	3/15/2023			
DATE	DIRECTION/NOT	ES	I	J	

2/15/2023	Added to Actio	finitenis – Placei		gn	
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Change the order of the agenda for Town Commission meetings	2/15/2023	3/15/2023		Wyatt Hoover	Town Clerk
DATE	DIRECTION/N	OTES	1	I	
2/15/2023	Added to Actio	on Items – Town	Clerk will bring	proposed changes to the total states the total states and the second states and the seco	ne order of the agenda
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
Town Newsletter	1/18/2023	3/15/2023		Corey Runte	
DATE	DIRECTION/N	OTES			
2/15/2023	Get 3 quotes f	or publishing and	d mailing every o	other month on 11x17	in color
1/18/2023	Added to Action options	on Items – Get co	osts for a single p	bage or bifold, potentia	al content, schedule, and production
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Sixth Ave boat ramp	8/17/2022	3/15/2023		Commissioner Runte	Town Manager/ PW Director
improvements				nunce	
-	DIRECTION/N	OTES			
improvements DATE 2/15/2023	_		Engineering at S		get them to draw something up
DATE 2/15/2023	Tom Davis- me Tom Davis – in Commissioner	et with Bowman stalled the geog	rid and painted to come up with fut	ixth Ave boat ramp to the wall, considering ir	
DATE	Tom Davis- me Tom Davis – in Commissioner beautify it and Joyce Barton – Corey Runte –	et with Bowman Istalled the geog Corey Runte – c address parking Spoke about po Research fundin	rid and painted to come up with fut some grant options	ixth Ave boat ramp to the wall, considering ir ure vision plans and ge	stalling a kayak rack
DATE 2/15/2023 1/18/2023	Tom Davis- me Tom Davis – in Commissioner beautify it and Joyce Barton – Corey Runte – Mayor Hoover	et with Bowman Istalled the geog Corey Runte – c address parking - Spoke about po	rid and painted to come up with fut assible grant options ng the seawall	ixth Ave boat ramp to the wall, considering ir ure vision plans and ge	stalling a kayak rack

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO		
Investigate options to isolate access to the dunes	11/16/2022	3/15/2023		Mayor Hoover	Town Manager and Tom Davis		
DATE	DIRECTION/NOTES						
2/15/2023	Tom Davis – A resident contacted DEP and due to turtles the wood fencing had to be removed, so colored rope is being installed instead						
1/18/2023	Tom Davis – Installing wood snow fence						
11/16/2022	Added to Action Items						
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO		
S.E.A. PROJECT	2/17/2021	3/15/2023		Mayor Hoover	Town Manager		
Date	Directions/Notes						
1/18/2023	Town Manager – Waiting on the concept drawings from Bowman.						
11/16/2022	TM – Next step is the concept drawings and sidewalks						
	Corey Runte – Get a quote from the Town's secondary civil engineering company						
9/21/2022	Waiting to hear back from BSE						
7/20/2022	TM – The workshop is scheduled for August 24 th at 6:30 pm.						
6/15/2022	Town Manager – Spoke with Neal, 2 proposed dates in August, bring final date next month						
5/18/2022	Town Manager – additional parking spots are done, planting in Bicentennial Park was done, new poles along						
	Ocean Ave are in the works. The next big-ticket item is underground retention for stormwater						
	Mayor Hoover – FDOT will be doing their portion of A1A fiscal year 2026.						
	Schedule a public workshop in July.						
04/20/2022	Town will have a tent during Founders Day to discuss the S.E.A. Vision and get feedback from the residents.						
	Waiting on estimates for new Town signs from Fast Signs. Flowers planted at the very north end of Bi-						
	Centennial. Flowers also planted around Ryckman House. Established 4 more spaces for golf cart parking.						
2/16/2022	Town Manager Mascaro has met with the resident volunteer and they are currently working on the plan –						
	she will provide another update again in March. Mayor Hoover suggested researching FDOT funding for						
	Bicentennial Park and making it an entrance to the Town with a more impressive sign.						
1/17/2022	Vision statement was approved. An update will be given at February RTCM.						
12/15/2021	Update at January RTCM with Dix Height information.						

DATE 1/18/2023 11/16/2022 9/21/2022	Town Clerk – Co respond. Will s Town Clerk - co out to private c	ontacted severa tart contacting i ntacted other m ompanies. This ke sure the syste	ndividuals that us	e audio visual equip e how they stream a upgrades to the auc	ed, cannot get the products, or didn't ment rather than companies. and what they use and also reaching lio system that was approved, but no		
1/18/2023	Town Clerk – Co respond. Will s Town Clerk - co out to private c	ontacted severa tart contacting i ntacted other m ompanies. This	ndividuals that us nunicipalities to se item ties into the	e audio visual equip e how they stream a upgrades to the auc	ment rather than companies. and what they use and also reaching		
	Town Clerk – Co	ontacted severa	•				
DATE	Dirizerionyno	123					
	DIRECTION/NOTES						
Options and costs for live streaming	9/21/2022	3/15/2023		Joyce Barton	Town Clerk		
ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO		
12/16/2020	wireless microphones. He feels the sound quality of the current microphones is very poor. Dual timers were also requested by the Commission (we have one and need one more).						
	again to discuss in February. Plan for workshops with business owners and PNZ involvement Commissioner Walters requested the Town research a better microphone system, including the option of						
12/2/2020	starting with the area east of the traffic light on both sides of the road north and south – and then meet						
	Mayor Hoover suggested they do the necessary research and reach out to landlords and business owners,						
2/17/2021	Explore grants, etc. Discuss at TCW on March 3, 2021						
5/17/2021	process with an architectural designer. Discuss at April TCW and April RTCM.						
4/21/2021	Commission approved increasing payment. Grant will be awarded in June. Update July RTCM VM Barton researched FDOT landscape grant. Commission approved \$5,000 to begin landscape design						
6/16/2021	Commission will no longer pursue FDOT grant but will continue research of other funding and grants.						
7/21/2021	Check in with Susan (include VM Barton) and update at August RTCM						
3/18/2021	Added landscaping of Parks to Action item – and discussed RFP for landscaping services						
	not been able to make contact with Susan Hall						
	Currently working on RFP for gardening services and will present it at next RTCM as an agenda item. TM has						
9/15/21							

Research Charging Stations	11/20/20	3/15/2023		Simmons	Town Manager/PWD		
DATE	DIRECTION/NOTES						
11/16/2022	Town Manager – Received feedback that without a fast charger, a car would have to be there all day						
10/19/2022	Town Manager – Got other quotes which has raised additional questions						
8/17/2022	Town Manager – having a very hard time getting companies to come out						
6/15/2022	Town Manager met with James Moore (NOT associated with the auditors) who has a company that installs						
	charging stations he recommended putting a charging station in a pay-to-park spot.						
	Vice Mayor stated James Moore's company installed a station Grace Lutheran						
12/15/2021	TM said new ch	arging companies	s are coming out and	installing thei	r own stations with incentives and it may		
	be a good idea to wait and see what they are. Rapid charge is 3-4 times the cost.						
10/20/2021	Commissioner Runte reached out to two vendors he works with update Nov. 2021						
9/15/2021	TM does not have an update. Commissioner Runte explained the companies are hard to reach or non-						
	responsive- still working on it. Update next month						
8/18/2021	Update at September RTCM						
7/21/2021	Update at August RTCM						
6/16/2021	Follow up on "Electrify" a company that leases charging stations						
5/19/2021	Update at June RTCM						
4/21/2021	Town Manager was given a list by Commissioner Runte to evaluate and update again at May RTCM.						
1/20/2021	Update again at April RTCM						
12/16/2020	Town Manager Mascaro said there is a lot to understand about these charging stations that effect cost and						
	what's included. Update again at January 2021 RTCM.						
11/18/2020	Commission advised to keep this item open until the stations are installed						
10/21/2020	Commission approved cost to replace breaker box and TM to get vendor contacts from Comm. Runte						
8/19/2020	PWS said breaker box must be replaced at cost of \$3,000-\$4,000.Commission asked TM to find						
	install/generic cost for Sept RTCM.						
	TM shared that the offer from Tesla no longer available, they cost \$500. TM is looking at other options and						
7/15/2020	will come back in August with information. Commission asked TM to look for similar offers and/or grants as						
	Tesla was offering.						
6/17/2020	Electricians scheduled Wed. Parking spot for bikes and two for charging stations. Update July RTCM						
3/18/2020	Commission suggested TM get with Tesla to see what they may offer - including getting one at no cost. Tobe						
	discussed again at May TCW.						

6/3/2020	Commission a	Commission asked TM to contact Tesla to see what they have to offer. Update June RTCM.						
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO			
Lifeguard cover	3/15/2023	4/19/2023		Wyatt Hoover				
DATE	DIRECTION/N	DIRECTION/NOTES						
3/15/2023	Indialantic, re	Added to Action Items – Fact finding related to funding from other municipalities, open a dialogue with Indialantic, reach out to US Lifesaving Association and Florida Beach Patrol to see what other heavy-traffic beaches are doing, make sure flag signs are up to date, options and costs to get a lifeguard at our beach year round.						

- 1. Call to Order Led by Mayor Hoover
- 2. Roll Call
- 3. Pledge of Allegiance and Moment of Silence
- 4. Approval of the Agenda
- 5. Consent Agenda
- 6. Proclamations and Awards
- 7. Presentations by Special Guests
- 8. Staff Reports
- 9. Action Items
- 10. Public Hearing
- 11. Old Business
- 12. New Business
- 13. Town Commission Comments
- 14. Public Comments
- 15. Adjournment