



TOWN OF MELBOURNE BEACH

TOWN COMMISSION REGULAR MEETING

March 18, 2020

AGENDA PACKET

TOWN COMMISSION MEETING PACKAGE

MEETING DATE: MARCH 18, 2020

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Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING WEDNESDAY MARCH 18, 2020 at 6:30 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

AGENDA

PUBLIC NOTICE

**The Town Commission will conduct a Regular Town Commission Meeting
on Wednesday March 18, 2020 in the Community Center
to address the items below.**

Commission Members:

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

Staff Members:

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

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

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

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

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

I. Call to Order – Led by Mayor Simmons

II. Roll Call

III. Pledge of Allegiance and Moment of Silence

IV. Presentations

~~Beach Parking survey-rescheduled~~

V. Boards and Committees

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

VII. Approval of the Agenda

VIII. Consent Agenda

IX. Public Hearings

A. First reading of Ordinance 2020-02 – regulation vacation rentals - Town Attorney Repperger

X. Old Business

A. Consideration of revising Ordinance 7A-67 – Review recommended changes to the Ordinance by the Planning & Zoning Board

XI. New Business

A. Consideration of the February 19, 2020 Regular Town Commission Meeting draft minutes – Interim Town Clerk Torres

B. Consideration of the March 4, 2020 Town Commission Workshop draft minutes – Interim Town Clerk Torres

C. Consideration of request by Commissioner Steve Walters to have his statement attached to the RTCM minutes of January 15, 2020.

- D. Consideration of Resolution 2020-03 – Increasing U.S. Census Bureau awareness and participation.

XII. Staff Reports

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

XIII. Town Commission Comments

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

XIV. Adjournment

Attachments:	Draft Vacation Rental Ordinance 2020-02 and supporting factual data.
Date Prepared:	March 13, 2020
Prepared By:	Town Attorney Repperger
Meeting Date:	March 18, 2020

Agenda Category:

<input type="checkbox"/>	Proclamations & Awards	<input checked="" type="checkbox"/>	Public Hearings
<input type="checkbox"/>	Presentations	<input type="checkbox"/>	Old Business
<input type="checkbox"/>	Boards & Committees	<input type="checkbox"/>	New Business
<input type="checkbox"/>	Consent	<input type="checkbox"/>	Other:

Subject:	First reading of Ordinance 2020-02.
Recommended Action:	Pass Ordinance 2020-02 on First Reading.
Background Information:	<p>The Town Commission has directed the preparation of an Ordinance regulating vacation rentals.</p> <p>The proposed Ordinance 2020-02 comports with Chapter 509, Florida Statutes, Florida Case Law interpretations, and promulgates regulations which are intended to serve and protect the health, safety, and welfare of the citizens of Melbourne Beach and the occupants of vacation rental properties within the Town of Melbourne Beach.</p>

ORDINANCE NO. 2020 - 02

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA CREATING AND ADOPTING A NEW CHAPTER 74 OF THE TOWN OF MELBOURNE BEACH CODE OF ORDINANCES RELATING TO "VACATION RENTALS;" PROVIDING A GENERAL FRAMEWORK FOR THE REGULATION OF VACATION RENTALS; PROVIDING AUTHORITY, SCOPE AND PURPOSE; MAKING FINDINGS OF FACTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR APPEALS; PROVIDING FOR CONSTRUCTION OF CHAPTER; REQUIRING VACATION RENTAL REGISTRATION; PROVIDING REQUIREMENTS FOR REGISTRATIONS AND INSPECTIONS; PROVIDING DUTIES OF VACATION RENTAL OWNERS AND RESPONSIBLE PARTIES; PROVIDING MINIMUM LIFE/SAFETY AND OPERATIONAL REQUIREMENTS; PROVIDING MAXIMUM OCCUPANCY AND GRANDFATHERING OF OCCUPANCY; PROVIDING GENERAL CODE COMPLIANCE REQUIREMENTS FOR VACATION RENTALS; PROVIDING FOR REQUIRED POSTING AND LEGAL AGREEMENT REQUIREMENTS; PROVIDING FOR EXEMPTIONS; PROVIDING A SERVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, FLORIDA:

SECTION 1. A new Chapter 74 of the Town of Melbourne Beach Code of Ordinances, titled "Vacation Rentals" is hereby created and adopted to read as follows:

CHAPTER 74: VACATION RENTALS

ARTICLE I. GENERAL PROVISIONS

§ 74-1. Authority, Scope, and Purpose.

This Chapter is enacted under the home rule authority and power of the Town of Melbourne Beach in the interest of the health, peace, safety and general welfare of the citizens of the Town of Melbourne Beach.

Section 509.013, Florida Statutes, provides a distinction between "transient public lodging establishments," defined as dwelling units which are rented, advertised or held out for rental to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, and "nontransient public lodging

establishments," defined as dwelling units which are rented, advertised or held out for rental to guests for periods of at least 30 days or 1 calendar month, whichever is less.

Section 509.242(1)(c), Florida Statutes, further provides for a subset of transient public lodging establishments, classified as "vacation rental" which is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.

It is the intent of this Chapter to regulate vacation rental transient public lodging establishments as defined by Florida Statutes, which are located in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

In 2011, the Florida Legislature passed House Bill 883 (Chapter 2011-119, Laws of Florida) amending Florida Statutes, Section 509.032 (7)(b) to provide that, "[a] local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011."

In 2014, the Florida Legislature passed Senate Bill 356 (Chapter 2014-71, Laws of Florida) amending Florida Statutes, Section 509.032 (7)(b) to read, "[a] local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011."

The official statement of legislative intent of Senate Bill 356 as reflected in the House of Representatives' Final Bill Analysis, dated June 19, 2014, states that the "Effect of the Bill" is as follows:

The bill permits local governments to create regulation that distinguishes vacation rentals from other residential property. In the past, local government regulations have included noise, parking, registration, and signage requirements for vacation rentals.

The bill does not allow local governments to create regulations that would prohibit vacation rentals or restrict the duration or frequency of vacation rentals. These types of regulation remain preempted to the state.

The grandfather provision in existing law exempting any local law, ordinance, or regulation adopted on or before June 1, 2011, is maintained. Any local law, ordinance, or regulation passed before that date that prohibits or restricts vacation

rentals based on the duration or frequency may continue to be enforced.

This Chapter does not prohibit Vacation Rentals, or the duration or frequency of Vacation Rentals, nor is it the intention of the Town of Melbourne Beach to do so, but rather, this Chapter is intended to address life, safety, and compatibility concerns in the interests of the health, peace, safety, and general welfare of the citizens and visitors to the Town of Melbourne Beach.

§ 74-2. Findings of Facts.

Based on information presented to the Town Commission Members by residents of Melbourne Beach and managers, owners, and operators of Vacation Rentals, the practical first-hand experience and observations of Town Commission Members, common sense deductions of Town Commission Members based on long-term experiences in Melbourne Beach and familiarity with the character of the Town's residential zoning districts, information learned by Town of Melbourne Beach Staff, information from the U.S. Census as well as evidence and testimony presented at public hearings before the Town Commission, and after consideration of the Short-Term Rental Housing Restrictions White Paper, prepared by Robinson & Cole, Attorneys at Law, in 2011, prepared for the National Association of Realtors®, the Town Commission finds:

(1) Residents residing within their residential dwelling units are inherently familiar with the local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from their residential dwellings, thereby minimizing potential risks to themselves and their families.

(2) In contrast, transient occupants of Vacation Rentals, due to their transient nature, are typically not familiar with local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from the Vacation Rentals in which they are staying, thereby increasing potential risks to themselves and their families, and putting an additional burden on, and potentially putting at risk, emergency personnel in the event of an emergency situation.

(3) Certain Vacation Rentals may be presently located within the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

(4) Vacation Rentals, left unregulated, can create negative impacts within residential neighborhoods due to excessive noise, parking and traffic problems, excessive use and impact on public services and public works, extreme size, and/or greater occupancy.

(5) Vacation Rentals situated within residential neighborhoods can disturb the quiet nature and atmosphere of the residential neighborhoods and the quiet enjoyment of residents of such neighborhoods.

(6) Vacation Rentals located within established residential neighborhoods can create negative compatibility impacts relating to extreme noise levels, late night activities, on-street parking issues, and traffic congestion.

(7) A residential dwelling is typically the single largest investment a family will make with the residents of the residential dwelling desiring the tranquility and peaceful enjoyment of their neighborhood without excessive noise and increased parking issues and traffic congestion caused by transient occupants of Vacation Rentals.

(8) According to the U.S. Census, (2010), the Town of Melbourne Beach has an average household size of 2.30 persons.

(9) According to the U.S. Census, (2010), the Town of Melbourne Beach has an average household size of owner-occupied units of 2.36 persons.

(10) According to the U.S. Census, (2010) the Town of Melbourne Beach has an average household size of renter-occupied units of 2.02 persons.

(11) Vacation Rentals situated in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts can and do create a great disparity in occupancy.

(12) The Town finds that such rentals increase the demands upon code enforcement, police, fire, and emergency services beyond those created by non-vacation rental residential dwelling units.

(13) Vacation Rental use and longer-term residential use and ownership can be generally incompatible, due to rapid turnover associated with short-term vacation residential use and its potentially disruptive effect on the peaceful use and enjoyment of residential areas.

(14) The primary reasonable investment-backed expectation of owners of residential dwelling units in the Town is that adjacent and surrounding residential dwelling units will be used as family-occupied residential units and not vacation rentals.

(15) Vacation Rentals are a use that is more similar to the character of the use of hotels, motels, and timeshares than to that of family-occupied residential units.

(16) The regulation of Vacation Rentals will contribute to the stability of existing residential neighborhoods.

(17) The regulation of Vacation Rentals will protect visitors to the Town by assuring that fire and safety inspections are periodically conducted, that they receive necessary information about the dwelling which they have rented, and notifying them of the owner of the dwellings obligation to provide for their safety and welfare.

(18) The regulation of Vacation Rentals is necessary in order to protect the public health, safety and welfare of the Town, its residents and its visitors.

§ 74-3. Definitions.

The following terms as used in this Chapter are defined as set forth hereinafter:

"Bedroom" means any room in a Vacation Rental which has a bed or other place for sleeping and a separate closet that is an integral part of the permanent construction within the bedroom or an ensuite bathroom, and complies with the Florida Fire Code and Florida Life Safety Code as a bedroom, but shall not include a bathroom, a kitchen, a dining room, or any main living area. If a room has been added, altered, or converted without any required building permit having been granted, such room shall not be deemed a bedroom. If a previously approved bedroom exists as of the effective date of this Chapter and does not have a separate closet that is an integral part of the permanent construction of the structure, but rather utilizes an armoire or other furniture piece for clothing storage, the requirement for a closet to qualify as a bedroom is waived.

"Town Code" means the Town of Melbourne Beach Code of Ordinances and Land Development Code, Appendix "A" to the Code of Ordinances, including, but not limited to, the Zoning Code of the Town of Melbourne Beach, Florida, the Comprehensive Plan, the Future Land Use Map, and any items incorporated by reference.

"Living Area" means the minimum floor area of a residential dwelling as measured by its outside dimensions exclusive of carports, porches, sheds and attached garages. As used in this Chapter, the total living area shall be computed as follows: The exterior dimensions of all enclosed spaces within the framework of the dwelling unit (length and width) multiplied and totaled, as follows:

- (1) Any room or area accessible from any other room or area within the framework shall constitute living area.
- (2) A room or area must be totally enclosed by walls and covered by roofing.
- (3) A room or area must be protected from the elements.
- (4) A utility room within the framework of the residential dwelling and accessible within the main living area constitutes living area.

"Occupant" means any person who occupies a Vacation Rental overnight.

"Owner Occupied" means the Vacation Rental is then occupied by person(s), at the Vacation Rental Owner's consent, who do not pay rent for the occupancy of the Vacation Rental, when such persons are members of the family of the Vacation Rental Owner. "Family" shall be defined as provided in §1A-3, Appendix A, Land Development Code.

"Peer-to-Peer Platform/Entity" means any person, service, business, company, marketplace, or other entity that, for a fee or other consideration, provides property owners and responsible parties a platform or means to offer vacation rentals to transient occupant whether through the internet or other means.

"Responsible Party" shall mean the owner, or the person designated by the owner of a Vacation Rental to be called upon to answer for the maintenance of the Vacation Rental and the conduct and acts of the occupants of the Vacation Rental.

"Transient public lodging establishments" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

"Vacation Rental" is collectively a vacation rental as defined under Florida Statutes, and any transient public lodging establishment, which is operated in a dwelling unit or living unit as defined under §1A-3, Appendix A, Land Development Code in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

"Vacation Rental Owner" is the fee simple owner of the Vacation Rental property, whether an individual, partnership, corporation, limited liability company, trust, or other entity. In the event the Vacation Rental Owner is not an individual, the Vacation Rental Owner shall designate a responsible natural person to perform the functions and duties of a Vacation Rental Owner as provided in this Chapter. The duties and functions of a Vacation Rental Owner may, at the option of the Vacation Rental Owner, be performed by an agent of the Vacation Rental Owner, so long as the Vacation Rental Owner notifies the Town in writing, on a form provided by the Town, of the identity and contact information of such agent, and the specific duties that the agent will be performing for the Vacation Rental Owner. The Vacation Rental Owner may change the designation of agent at any time through the filing of a new form and the payment of an administrative fee in an amount as set by resolution by the Town Commission. The Vacation Rental Owner shall be held responsible for all actions of such designated agent with respect to the applicable Vacation Rental.

§ 74-4. Enforcement.

Violations of this Chapter shall be enforced as code violations in accordance with the provisions of Florida Statutes, Chapter 162, and Article II of Chapter 11 of the Town of Melbourne Beach Code of Ordinances.

§ 74-5. Appeals.

Any decision of the Town Manager or his or her authorized designee relating to implementation this Chapter shall be rendered in writing in appealable form, and reviewed by the Town Attorney if a notice by the Vacation Rental Owner or agent is filed

with the Town Clerk within ten (10) days after the action to be reviewed. The Town Clerk or designee shall place the matter on the agenda of the next available meeting of the Town Commission, but no later than thirty-five (35) days after the notice by the Vacation Rental Owner or agent is filed, at which the matter will be reviewed. The decision of the Town Commission shall be final and shall be rendered in writing in appealable form. Such final decision may be reviewed as permitted under Florida law.

§ 74-6. Construction of Chapter.

This Chapter shall be liberally construed to accomplish its purpose of regulating Vacation Rentals, protecting the residential character of the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach, the health, safety, and general welfare of its residents and visitors, and the quiet enjoyment by Melbourne Beach residents of their residential property located in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts.

§ 74-7 -74-14 Reserved.

ARTICLE II. VACATION RENTAL REGISTRATION

§ 74-15. Registration Required.

As of June 1, 2020, a Vacation Rental registration shall be required to operate a Vacation Rental within the Town of Melbourne Beach in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts, utilizing forms promulgated by the Town, electronically or in hard copy. The Town may extend the date that such registration is required by notice on the Town's website should the Town not publish forms and fees for registration by June 1, 2020. Prior to the issuance of a Vacation Rental registration, the Responsible Party has the affirmative duty to ensure that the residential dwelling unit and property in or on which the Vacation Rental is or will be located, is in full compliance with the appropriate portions of Town of Melbourne Beach Code of Ordinances, the Florida Building Code, the Florida Administrative Code, and the Florida Fire Prevention Codes. A separate Vacation Rental registration shall be required for each separate residential dwelling unit constituting a Vacation Rental. The operation of a Vacation Rental without registration after the date registration is required shall be a violation of this Chapter, except in the instance of providing accommodations to fulfill a pre-existing contract.

§ 74-16. Vacation Rental Registration.

(a) A Vacation Rental Owner, Agent, or Responsible Party, as applicable, registering a Vacation Rental with the Town shall submit to the Town a completed registration form, utilizing a form promulgated by the Town, together with all applicable registration and inspection fees in the amount set by resolution of the Town Commission.

- (b) A registration application shall include the following:
- (1) Full address of the Vacation Rental property being registered, along with proof of ownership;
 - (2) Name, physical address, phone number, and e-mail, of the Vacation Rental Owner;
 - (3) Name, physical address, e-mail, and emergency contact phone number of Responsible Party for the Vacation Rental, which shall be a twenty-four (24) hour, seven (7) days a week contact number;
 - (4) The Vacation Rental's current and active license number as a transient public lodging establishment issued by the Florida Department of Business and Professional Regulation (DBPR), if the registrant has such license;
 - (5) A copy of the Vacation Rental's current and active certificate of registration with the Florida Department of Revenue and Brevard County for sales and Tourist Development Tax collection, respectively, if the registrant has such certificates or accounts; unless a peer-to-peer platform entity through which the vacation rental is booked will be remitting all such taxes associated with the Vacation Rental on the Responsible Party's behalf;
 - (6) Business tax receipt from the Town of Melbourne Beach, if applicable, in accordance with Chapter 65, Town of Melbourne Beach Code of Ordinances;
 - (7) Statement attesting to the number of bedrooms and paved off-street parking spaces available on the property demonstrating compliance with §7A-50, Land Development Code regarding Off-Street Parking and affirming that, "Parking serving the Vacation Rental shall be in compliance with all Town Parking Requirements;"
 - (8) Exterior site sketch. An exterior sketch of the Vacation Rental facility shall be provided. The sketch shall show and identify all structures, pools, spas, hot tubs, fencing, and uses, including areas provided for off-street parking. For purposes of the sketch, off-street parking spaces shall be delineated so as to enable a fixed count of the number of spaces provided. At the option of the Vacation Rental Owner, such sketch may be hand drawn and need not be professionally prepared, but must be scaled to appropriate dimensions.
 - (9) Interior building sketch by floor. A building sketch by floor shall be provided, showing a floor layout identifying all bedrooms, other rooms, exits, hallways, stairways, and safety equipment as applicable. At the option of the Vacation

Rental Owner, such sketch may be hand drawn, and need not be professionally prepared, but must be scaled to appropriate dimensions.

- (10) Acknowledgement signed by the Vacation Rental Owner, Agent, or designated Responsible Party, understanding and agreeing to initial and ongoing compliance with this Chapter and all other applicable local, state, and federal laws, regulations, and standards: and
 - (11) The landline telephone number on the main level and in the common area at the Vacation Rental with the ability to call 911 as required by Article III of this Chapter.
- (c) If a registration form is incomplete, the registrant will be notified of the deficiency, and be allowed fifteen (15) days to provide any missing information.

§ 74-17. Modification/Change of Ownership of Vacation Rental Registration.

An amendment of a Vacation Rental Registration Application and Affidavit of Compliance shall be required, with payment of the appropriate fee set by resolution, in the event that any of the following changes to the Vacation Rental are proposed:

- (1) An increase in the number of bedrooms in the Vacation Rental.
- (2) An increase or decrease in the number of parking spaces or a change in the location of parking spaces for the Vacation Rental.
- (3) A change in the designated Responsible Party.

A change of ownership shall require a new application and all required documents including appropriate fees set by resolution.

§ 74-18. Duration of Vacation Rental Registration.

A Vacation Rental Registration shall be valid for one (1) year after the date of registration.

§ 74-19. Renewal of Vacation Rental Registration.

A Vacation Rental Owner must renew its registration annually prior to the expiration date of the previous Vacation Rental Registration. At the time of said renewal, the Vacation Rental shall be subject to an annual inspection and applicable renewal fees shall apply.

§ 74-20. Inspection of Vacation Rentals.

- (a) Inspection of a Vacation Rental to verify compliance with the Florida Building Code and the Florida Fire and Life Safety Codes, which governed at the time of

completion of the construction of the subject residential dwelling unit, shall be required subsequent to the initial registration of the Vacation Rental and annually after each renewal. If instances of noncompliance are found, all such instances of noncompliance shall be handled as other violations of the Florida Building Code and Florida Fire and Life Safety Codes are otherwise handled in the Town. Enforcement of violations of the Florida Building Code and Florida Fire and Life Safety Codes by the Town shall not affect rental contracts that pre-exist the effective date of this Ordinance unless such violations present a heightened threat the the public, health, safety, and welfare of the occupants of a Vacation Rental. This inspection fee shall be set by Resolution of the Town Commission.

- (b) Annual inspections to verify compliance with the Florida Building Code and the Florida Fire and Life Safety Codes, and the posting of notice requirements required herein shall be made by the Town or designated contractor through appointment with the Vacation Rental Owner, agent, or Responsible Party, as applicable. The annual inspection fee shall be set by Resolution of the Town Commission. If a Town inspector or designated contractor has made an appointment with Vacation Rental Owner or agent, as applicable, for an inspection, and the Town inspector or designated contractor is unable to complete the inspection as a result of an action or inaction of the Vacation Rental Owner, Agent, Responsible Party, or an occupant of the Vacation Rental, the Vacation Rental Owner shall be charged a "re-inspection" fee in an amount set by resolution of the Town Commission to cover the inspection expense incurred. The re-inspection fee shall be paid prior to scheduling the re-inspection. In addition, failure of a Vacation Rental Owner Agent, or Responsible Party, as applicable, to make the Vacation Rental available for an inspection within twenty (20) days after notification by the Town in writing that the Town is ready to conduct an annual inspection, shall be a violation of this Chapter punishable by a fine as set by resolution by the Town Commission. Such violation shall continue until the inspection is accomplished. Each day that such violation continues shall be a separate violation. Such violation may be enforced in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.

§ 74-21. Sale of Vacation Rental Property.

When the ownership of the Vacation Rental is sold or otherwise transferred, the new owner shall file a new registration with the Town within thirty (30) days from the date of the sale or transfer. Failing such application for registration, any Certificate of Compliance as to that Vacation Rental Property shall be null and void on the thirty-first (31st) day after such sale or transfer.

§ 74-22. Vested Rights/Waiver/Estoppel.

A Vacation Rental Registration shall not be construed to establish any vested rights or entitle the registered Vacation Rental to any rights under the theory of estoppel. A

Vacation Rental Registration shall not be construed as a waiver of any other requirements contained within the Town of Melbourne Beach Code of Ordinances and is not an approval of any other Town Code requirement outside this Chapter. The registration of a Vacation Rental is not an approval of a use or activity that would otherwise be illegal under Florida law, the Florida Building Code, the Florida Fire Code or Life Safety Code, or in violation of the Town of Melbourne Beach Code of Ordinances.

§ 74-23 - False Information.

It shall be unlawful for any person to give any false or misleading information in connection with any application for registration, modification, or renewal of a Vacation Rental as required by this Chapter. Vacation Rental applications shall be sworn to under penalty of perjury. Any false statements made in an application shall be a basis for the revocation of any license issued pursuant to such application. In addition, such violations shall be may enforced as provided in § 74-4, Town of Melbourne Beach Code of Ordinances.

§ 74-24 - Effective Date for Existing Vacation Rentals.

The provisions of § 74-15 through § 74-23 will not become effective for existing Vacation Rental properties until June 1, 2020. If the registration forms to implement the required registration provisions of this Chapter are not available on May 1, 2020, the Town may extend the requirement to register Vacation Rental properties by notice on the Town's website.

§ 74-25. Duties of Vacation Rental Owner or Responsible Party.

- (a) Every Vacation Rental Owner or Responsible Party, as applicable, shall be available by phone at the listed phone number 24-hours a day, seven days a week to respond to police, fire, or other emergency personnel requests. Otherwise, response to attempted contact by the Town's Vacation Rental regulatory personnel shall be required only Monday through Friday, except holidays, from 9 a.m. to 5 p.m. Failure of the Vacation Rental Owner or Responsible Party, as applicable, to fulfill this duty, shall constitute a violation of this Chapter which shall be punished by fine in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.
- (b) Responsible Party. All vacation rental units, if not managed by the Vacation Rental Owner, shall have a designated Responsible Party.
 - (1) The Responsible Party shall be available 24 hours per day, seven days a week, for the purpose of promptly responding to complaints regarding conduct or behavior of Vacation Rental occupants or alleged violations of these regulations. The Responsible Party must have authority to immediately address and take affirmative action, within one (1) hour of notice from the Town, on violations concerning life-safety, noise, and parking violations. A

record shall be kept by the Town of the complaint and the Responsible Party's response, as applicable.

(2) A Vacation Rental Owner may change his or her designation of a Responsible Party temporarily, up to thirty (30) cumulative days during any consecutive twelve (12) month period, or permanently: however, there shall only be one designated Responsible Party for each vacation rental property at any given time. To change the designated Agent or Responsible Party, the Vacation Rental Owner shall notify the Town in writing including all information required by § 74-16 (b)(3) Town of Melbourne Beach Code of Ordinances, along with a signed affidavit from the new Responsible Party acknowledging and agreeing to serve in this capacity and perform the duties of this Chapter. Any notice of violation or legal process which has been delivered or served upon the previous Responsible Party, prior to the Town's receipt of notice of change of the Responsible Party, shall be deemed effective service. * NOTE (MOVED FROM SECTION (g)).

(3) It shall be the sole responsibility of the Vacation Rental Owner to appoint a reliable Responsible Party and to inform the Town of his or her correct mailing address, telephone number, and email address. Failure to do so shall not be a defense to a violation of this Section. Service of notice on the Responsible Party shall be deemed service of notice on the Vacation Rental Owner, occupant, or violator.

***NOTE: TOWN STAFF EVALUATING PUBLIC PARK LOCATION DISTANCE REQUIRMENTS.**

(c) A Vacation Rental Owner or Responsible Party is responsible for ensuring sexual offenders/predators as defined in § 775.21, § 943.0435, § 944.607, or § 985.4815 register at the Brevard County Sheriff's office and the Town of Melbourne Beach Police Department following the process set forth in § 775.21, 48 hours prior to arrival at a vacation rental, regardless of the length of stay.

A Vacation Rental Owner and/or Responsible Party shall comply with Florida Law, Chapter 775.215, as amended from time to time, pertaining to the distance separation of homes with a sexual offender/predator residing within the Vacation Rental and any business, school, child care facility, park, playground, or other places where children regularly congregate.

Failure to comply with this section shall constitute a violation of this Chapter and shall result in the revocation of the Business Tax Receipt. if applicable, and Vacation Rental Registration for the Vacation Rental and other enforcement provisions outlined § 74-4, Town of Melbourne Beach Code of Ordinances.

(d) The Vacation Rental Owner or Responsible Party shall inquire at check-in if any guest of at the Vacation Rental is a sexual offender/predator as defined in

§775.21, §943.0435, §944.607, or §985.4815. If any guest of a Vacation Rental is a sexual offender/predator as defined in §775.21, §943.0435, §944.607, or §985.4815, the operator shall immediately notify the Melbourne Beach Police Department.

- (e) The Owner or Responsible Party shall provide the Town, and post in a conspicuous place in the living area of the Vacation Rental, the name, address, and day/evening telephone numbers of the Responsible Party who shall be available 24 hours per day, seven days a week for the purpose of promptly responding to complaints regarding conduct or behavior of Vacation Rental occupants or alleged violations of these regulations. Any change in the Responsible Party shall require written notification to the Town on forms provided by the Town and in a manner promulgated by the Town upon payment of the applicable fees.
- (f) Complaints made to the Responsible Party concerning violations of this Chapter by occupants of Vacation Rental shall be responded to within a reasonable time but in no instance greater than three (3) hours. A record of the complaint and of the Responsible Party's response shall be maintained in the file for the registration of the Vacation Rental and shall be available for inspection of the public during business hours of the Town in accordance with Florida's public record law.
- (g) It shall be the sole responsibility of the Vacation Rental Owner to appoint a reliable Responsible Party and to inform the Responsible Party of his or her correct contact information. Failure to do so shall not be a defense to the Town's claim of delivery of notice of a violation of this Chapter to the Responsible Party. No Vacation Rental Owner shall designate as a Responsible Party any person who does not expressly comply with the provisions of this section. The Vacation Rental Owner or the Responsible Party shall be deemed to be the "violation" of this Chapter as the term is used in F.S. § 162.06. Service of notice on the Responsible Party shall be deemed service of notice on the Vacation Rental Owner, occupant, or violator.

§ 74-26 - § 74-34. Reserved.

ARTICLE III. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

§ 74-35. Generally.

The standards and requirements set forth in this Article shall apply to the rental, use, and occupancy of Vacation Rentals in the Town of Melbourne Beach.

§ 74-36. Minimum Life/Safety and Operational Requirements.

Vacation Rentals in the Town of Melbourne Beach shall meet all applicable standards under the Florida Statutes, the Florida Building Code, the Florida Administrative Code, the Florida Swimming Pool Safety Act, and the Florida Fire Code and Life Safety Code. Each Vacation Rental shall also have the following:

- (1) At least one landline telephone on the main level and in a common living area with the ability to call 911. The landline telephone number shall be registered at all times with Brevard County Emergency Management for the purpose of receiving emergency alerts for items including, but not limited to, mandatory evacuations for hurricanes and requests to limit utility usage. Additionally, the landline telephone number shall be registered at all times with the City of Melbourne, the water provider within the Town of Melbourne Beach, for the purposes of receiving boil water alerts and rescinding alerts.
- (2) A swimming pool, spa, or hot tub shall comply with the current standards of Florida Statutes, Chapter 515, Residential Swimming Pool Safety Act.
- (3) Smoke and carbon monoxide (CO) detection and notification system. There shall be a smoke and carbon monoxide detection system, installed and maintained in compliance with the requirements of Florida Building Code Residential, Sections R314 Smoke Alarms R315 Carbon Monoxide Alarms. **Smoke and carbon monoxide detection systems shall have both audio and visual warning function capabilities.**
- (4) Fire extinguisher. On each floor there shall be available a portable, multi-purpose dry chemical 2A: 1 0B:C fire extinguisher, which shall be installed and maintained in compliance with NFPA 10.
- (5) Battery powered emergency lighting. Battery powered emergency lighting, which illuminates automatically for at least one (1) hour when electricity is interrupted, is required at each building exit.

§ 74-37. Maximum Occupancy Based on Site Capacity/Limitations/Grandfathering.

- (a) The maximum occupancy of a Vacation Rental shall be stated in the Vacation Rental registration form and shall be limited to two (2) occupants per bedroom plus two (2) occupants in one (1) common living area, with a maximum capacity of twelve (12) persons in any Vacation Rental.
- (b) The maximum occupancy restriction as set forth above shall not apply when the property serves as the primary residence of, and is occupied by, the Vacation Rental Owner.

- (c) Notwithstanding the above, residential dwelling unit that is being used as a Vacation Rental on or the effective date of this Ordinance, may apply for grandfathered status, which, if granted, allows operation of the grandfathered Vacation Rental at a capped occupancy rate higher than twelve (12) occupants for a period not to exceed ten (10) years. Vacation Rentals that have an occupancy of twelve (12) occupants or less do not require grandfathering to maintain that occupancy.
- (1) A grandfathered Vacation Rental shall have its maximum occupancy based upon two (2) persons per bedroom and two (2) additional persons per one (1) common living area being utilized for the occupants of the Vacation Rental at the time of application for grandfathered status. A change in the number of bedrooms at the Vacation Rental shall cause such Vacation Rental to lose its grandfathered status.
 - (2) The Vacation Rental Owner, Agent, or Responsible Party, as applicable, ("Grandfathering Applicant"), shall complete a Grandfathering Application as prescribed by the Town, which shall be submitted under oath and upon penalty of perjury and shall provide verifiable written proof of the number of bedrooms and living areas as herein defined in the Vacation Rental.
 - (3) The Grandfathering Application and supporting proof shall be submitted to the Town for review by Town staff which shall make a written determination as to the maximum occupancy of the grandfathered Vacation Rental.
 - (4) If the Town staff denies the requested occupancy level, the Town of Melbourne Beach shall notify the Grandfathering Applicant of the denial and shall provide the maximum approved occupancy level for the Vacation Rental in writing. Within twenty (20) days after the service of the written notice, the Grandfathering Applicant may appeal the denial of the Grandfathering Application to the Town Commission by filing a written appeal with the Town Clerk. At the hearing on said appeal, the Grandfathering Applicant may present evidence supporting the requested occupancy. A final determination of occupancy by the Town Commission after the hearing of said appeal shall be final. Such final determination may be reviewed as permitted under Florida law. If no written appeal is filed within the twenty (20) day period stated herein, the occupancy determined by the Town staff shall be final.
 - (5) An application for grandfathered status shall be submitted, no later than the time of initial registration of the Vacation Rental, along with fees established by the Town Commission by resolution. If the Town extends the date that registration is required, the deadline for the submission of Grandfathering Applications shall also be extended to the same extended date. If a Vacation Rental has been registered, but a final determination as to the occupancy level based upon grandfathering has not yet been made, such Vacation

Rental may allow occupancy up to the occupancy requested in the Grandfathering Application until such time as a final determination as to occupancy has been made.

- (6) If it is reasonably determined by the Town staff that any information supplied to the Town of Melbourne Beach in support of a Grandfathering Application was intentionally false or fraudulent, such action shall be deemed to be a violation of this Chapter and may be enforced in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.
- (7) If a Vacation Rental registration remains expired period in excess of thirteen (13) months, any grandfathering determination shall be deemed abandoned and shall no longer be applicable to the previously registered Vacation Rental.

§ 74-38. Parking, Solid Waste Disposal, Legal Compliance, Evacuations, Miscellaneous Provisions.

- (1) All vehicles associated with the Vacation Rental, including visitors not residing at the Vacation Rental, must be parked in compliance with the Article III of Chapter 30 of the Town of Melbourne Beach Code of Ordinances. All vehicles utilized by the occupants of the Vacation Rental must be parked within a driveway located on the subject property. There shall be no sidewalk, on street, right-of-way, or grass parking.
- (2) Parking of trailers, boats, and recreational vehicles at Vacation Rentals shall be in accordance with § 7A-67, Appendix "A," Land Development Code.
- (3) Solid waste disposal (household garbage, recycling, and yard trash) at Vacation Rentals shall be in compliance with the Solid Waste Franchise Agreement adopted by the Town.
- (4) Vacation Rental occupants are required to comply with all local, state, and federal laws at all times, including those related to illegal activities, local nuisance ordinances, and emergency management.
- (5) Vacation Rental occupants are required to participate in all mandatory evacuations due to hurricanes, tropical storms, or other threats to resident safety, as required by state and local laws.
- (6) A Vacation Rental shall not be eligible for a special event permit under Chapter 52, Town of Melbourne Beach Code of Ordinances.
- (7) No temporary storage containers may be stored on the vacation rental premises. The term "temporary storage container" shall mean any container, structure, box, cylinder, or crate made of any material not

permanently affixed to real property, that is enclosed or capable of being enclosed on all sides, top and bottom, that is stored, placed, located or put on any real property within the Town for the purpose of storing personal property, construction material, trash, refuse, garbage, debris, or other material or matter. Provided, however, with prior authorization from the Building Department a temporary storage container may be authorized during valid construction permit activity for this location.

- (8) Except for dwelling and living unit structures that constitute non-conforming structures pursuant to § 7A-83, Appendix A, Land Development Code, no accessory structure, vehicle, recreational vehicle, trailer, camper, or similar apparatus shall be utilized, rented, or registered as a Vacation Rental.

§ 74-39. Required Posting of Local Information in a Vacation Rental and in Agreement.

- (a) In each Vacation Rental, there shall be posted, in a prominent location on the inside of the Vacation Rental, the following written information:
- (1) The official street address and landline telephone phone number of the Vacation Rental.
 - (2) The name, address, and phone number of the Vacation Rental Owner or Responsible Party as applicable.
 - (3) The maximum occupancy of the Vacation Rental.
 - (4) A copy of a document to be supplied by the Town which includes excerpts from Town of Melbourne Beach Code of Ordinances of general application relevant to Vacation Rentals, including, but not limited to, solid waste and recycling pick-up regulations and days/times, regulations related to sea turtles and sea turtle lighting, parking, and noise regulations. Said document shall also be included as an addendum to each Vacation Rental Agreement. The Town will make available to Vacation Rental Owners and agents a copy of such document in digital format upon request and the Town will post such document on its website.
 - (5) The maximum number of vehicles that will be allowed to park at the Vacation Rental, along with a sketch of the location of the paved off-street parking and a notice that visitors to the Vacation Rental, must comply with Article III, Section 30, Town of Melbourne Beach Code of Ordinances.
 - (6) Phone number and address of Holmes Regional Medical Center Melbourne and Health First Viera Hospital and directions from the Vacation Rental to the hospital.

- (7) Emergency and nonemergency phone numbers for Melbourne Beach Police and Fire Departments.
- (8) Emergency evacuation instructions.
- (9) Rip Currents are prevalent in the Atlantic Ocean here in Brevard County. Information from the National Weather Service, available via from <http://weather.gov/mlb> shall be provided to occupants on the dangers of Rip Currents that occur in the Atlantic Ocean shall be prominently displayed.
- (10) Notice of the need for respect for the peace and quiet of neighborhood residents in compliance with Chapter 48, Town of Melbourne Beach Code of Ordinances. A statement shall specifically provide that occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times.
- (11) In addition, there shall be posted, next to the interior door of each bedroom, and the exterior doors exiting the Vacation Rental a legible copy of a building evacuation map - Minimum 8-1/2" by 11".

§ 74-40 - § 74-49. Reserved.

ARTICLE IV. EXEMPTIONS

§ 74-50. Exemption for Pre-Existing Rental Agreements.

- (a) Notwithstanding any other provision of this Chapter, rental agreements with prospective occupants for Vacations Rentals that were pre-existing as of the effective date of this Ordinance (hereinafter "Pre-existing Agreements") are exempt from the provisions of this Chapter.
- (b) If a Vacation Rental Owner is cited for a violation of non-compliance with this Chapter, when the Vacation Rental is occupied under the terms of a Pre-existing Agreement, the Vacation Rental Owner may defend such violation based on the fact that the Vacation Rental was exempt from this Chapter due to it being occupied pursuant to a Pre-existing Agreement. Such defense shall be determined based upon the following information, and upon any additional information supplied by the Vacation Rental Owner:
 - 1. Copy of deposit or payment information evidencing a Pre-existing Agreement;
 - 2. Copy of e-mail or other communication evidencing a binding Pre-existing Agreement;

3. Information from the occupant confirming that there was a binding Pre-existing Agreement; or
 4. Written Vacation Rental Agreement dated prior to April 15, 2020.
- (c) Any person who supplies false or fraudulent information supporting a Pre-existing Agreement shall be in violation of this Chapter and shall be subject to enforcement in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.
- (d) Determination of exemption of a Pre-existing Agreement for a Vacation Rental from the requirements of this Chapter under this Section shall not exempt the occupants of the Vacation Rental from compliance with all other Town of Melbourne Beach Code of Ordinances requirements, including those related to noise, parking, nuisances.

§ 74-51. Exemption for Owner-Occupied Vacation Rentals.

The provisions of this Chapter shall not apply to owner occupied Vacation Rentals or property which qualifies as homestead under the Florida Constitution and Florida law. Any person desiring to qualify for the exemption herein shall file an affidavit in substantially the following form:

"Affidavit of Exemption"

State of _____
County _____

Before me the undersigned authority personally appeared (hereinafter the "Owner") who upon oath deposes and states:

1. I am over the age of 18 and competent to make this Affidavit.
2. I own the following real property in the Town of Melbourne Beach, Brevard County, State of Florida:

(Legal description and Street Address)

3. Check one or both as applicable:

() I currently occupy the property described in Paragraph 2 above and have resided on this property continuously and uninterruptedly from (date) to the date of this Affidavit.

Or

() I have applied for and received the homestead tax exemption as to the above-described property, that is the tax identification parcel number of this property.

and that the undersigned has resided on this property continuously and uninterruptedly from (date) to the date of this Affidavit.

4. The purpose of this Affidavit is to qualify for exemption from the Chapter 74 of the Town of Melbourne Beach Code of Ordinances regulating Vacation Rentals.

Sworn to (or affirmed) and subscribed before me by means of _____ physical presence
or _____ online notarization, this _____ day of _____ (year) by _____

"Notary"

SECTION 2. Severability/Interpretation.

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

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

(1) Words underlined are additions to existing text.

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

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

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

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

SECTION 5. Effective Date. Except as otherwise provided, the provisions within this Ordinance shall take effect June 1, 2020.

SECTION 6. Adoption Schedule.

Passed by the Town Commission of the Town of Melbourne Beach on first reading on the 18th day of March, 2020 and adopted by the Town Commission of the Town of Melbourne Beach, Florida on final reading on the 22nd day of April, 2020.

TOWN OF MELBOURNE BEACH,
FLORIDA

By: _____
JAMES D. SIMMONS, Mayor

ATTEST: _____
Town Clerk

(TOWN SEAL)

Attachments:	Minutes From Planning and Zoning Meeting on 3/3/2020 with Recommendations to the Commission (New information since the 1/16/2020 RTCM)
Date Prepared:	March 12, 2020
Prepared By:	Elizabeth Mascaro
Meeting Date:	March 18, 2020

Agenda Category:

	Proclamations & Awards		Public Hearings
	Presentations	x	Old Business
	Boards & Committees		New Business
	Consent		Other:

Subject:	Consideration of Revising Ordinance 7A-67
Recommended Action:	<p>*Review recommended changes to the Ordinance from the Planning and Zoning Board:</p> <ul style="list-style-type: none"> • & (c) (1) Maximum length of boats with trailers and RV's or combination thereof not to exceed 45 feet. No height restrictions. No change to current height restrictions on garages. • (2) RV's connected to electric for purposes of maintenance only. • (c) (1) Time allowed for loading and unloading boats and RV's is 48 hours. • New: a 3 foot setback from the lot line for parking. • (a) (3) Corner lots-fence or vegetative cover, substantially covered from view but not totally shielded. <p>A motion to separate RV's and Boats in the code was made and seconded but did not pass. 2-3 Campbell, Evans and Gonzales dissenting. Board Member Hilmes asked the Town Manager to ask the Commission to consider separating the two.</p>
Background Information:	A resident has come forward asking the Commission to review the Town's policy on shed placement on a corner lot.

Town of Melbourne Beach

DRAFT MINUTES

PLANNING & ZONING BOARD MEETING TUESDAY MARCH 3, 2020 @ 7:00pm COMMUNITY CENTER – 509 OCEAN AVENUE

Board Members:

Chair David Campbell
Member Kurt Belsten
Member April Evans
Member Douglas Hilmes
Member Daniel Gonzalez

Staff Members:

Town Manager Elizabeth Mascaro
Building Assistant Beth Crowell
Town Attorney Clifford Repperger
Town Planner Corey O’Gorman

I. CALL TO ORDER

Chairman Campbell called the meeting to order at 7:02 p.m.

II. ROLL CALL

Building Assistant Crowell led roll call:

Present:

Chairman Campbell
Member Belsten
Member Gonzalez
Member Evans
Member Hilmes

Staff Present:

Town Manager Mascaro
Town Attorney Repperger
Building Assistant Beth Crowell

III. APPROVAL OF MINUTES

A. February 4, 2020

Member Belsten made a motion to approve the minutes from the February 4, 2020 meeting; Member Evans seconded. Motion carried 5-0.

V. NEW BUSINESS

A. Site Plan Review for 1904 Rosewood

This project is an addition to a single family home. Lot area, lot coverage, maximum height and setback requirements were met.

Member Belsten made a motion to approve the site plan for 1904 Rosewood; Member Evans seconded. Motion carried 5-0.

VII. OLD BUSINESS

A. Discussion regarding section 74-67 of the Melbourne Beach Land Development Code

Chairman Campbell said he reviewed state of Florida restrictions of motor homes which limits them to 45-feet and trailers to 40-feet. Melbourne Beach Town Code currently limits trailers, boats and trailers to 26-feet. The Chairman feels this is outdated and asked the board to share their opinions.

Member Hilmes expressed concern with lumping boats and RVs into same category because of the difference in height. He believes the board should consider regulating them separately or institute a height limit. He pointed to the fact that a boat has very little protruding above a fence line but an RV has a sizeable amount above the fence line. He feels RVs are much more obtrusive to neighborhoods and property.

Member Hilmes has seen many RVs throughout town with some that are twice his own height and very imposing. Others are pushed up against the rear fence of the house pushing against the neighbor's property. He has no issue with increasing boat length because they are not as objectionable as RVs.

Member Hilmes said he reviewed the ordinance in Palm Beach and their maximum height is 12-feet. The ordinance there also contained a lot of verbiage about screening. He said he does not want to restrict people from having an RV or a boat but it should not intrude on a neighbor.

Member Belsten pointed out he doesn't think length is the issue so much as where the RV is parked – behind the house or on the side of the yard.

Member Hilmes referred to a situation in town where a 45-foot RV is parked the front/side of a house, about 3-4 feet off property line - and when the homeowner extends out the RV sliders, the sliders are less than 10-inches from the fence line – and the issue of whether you are allowed to put sliders out when you are supposedly storing an RV needs to be addressed. We could require they are stored in a collapsed state which also prevents people from living in there.

Member Evans said that perhaps adding a discussion about height should be part of a future meeting agenda.

Member Belsten said separating the rules overseeing boats and RVs may be something to consider because he believes boats are less intrusive.

Member Hilmes said specific vegetative screening should also be required of RV owners.

Chairman Campbell asked Member Belsten to clarify if he wanted to require RV owners to have a vegetative screen to cover the structure.

Member Belsten said yes and other ordinances he's looked at recommended certain plants and require the vegetative screen has to grow in 2-3 years, with required setbacks to keep it from encroaching on neighbors

The Chairman then asked the board what they thought, saying that personally he did not see a need to separate them. He then asked for opinions on what the length limit should be.

Members Evans said she had no problem with the state limits of 45-feet.

Chairman Campbell turned the conversation to corner lot and said that right now the way it's being interpreted by town; you can't put an RV or a boat on the street-side corner of a corner lot without completely screening it.

Member Evans said she would have interpreted “screening” as the 6-foot fence she already has - or vegetation – but in her mind - the requirement was never meant to be interpreted as having to totally obscure the boat or RV, but she does think the Town should retain some type of screening requirement on those corner lots.

Member Hilmes suggested using a triangle method to preserve side lines so you don’t block too much of the view of someone turning.

The Chairman read the current ordinance and in his opinion it does not require screening to completely shelter the RV or boat.

Member Evans said it appears to be a matter of interpretation and suggested they modify the wording to clarify.

Member Hilmes said in regard to screening he thinks some good suggestions and ideas on how to screen have been made and his main concern is not to impede on neighbor’s property. He suggested the board move on and specifics on the topic can be raised at a future date.

Moving on, Chairman Campbell asked for input on the issue of RVs connected to utilities.

Member Evans said she thinks it should be electric only for running A/C, heat.

Chairman Campbell said currently it now says - except for the purpose of charging batteries. He said we could change that to - except for the purpose of vehicle maintenance.

Member Evens asked if running a dehumidifier was considered maintenance – and Chairman Campbell said he believes it is.

The Town Attorney agreed and said his understanding was that it limited use to electric only.

Member Hilmes said that’s reasonable because with anything else you run the risk of people living in the RV.

Member Belsten said some of the towns have ordinances that vehicles must be registered and maintained in good order – and he felt that they should at least require a valid registration.

The board agreed to consider this.

The Chairman then opened the topic of time allowed for active loading and unloading of recreation vehicles for discussion.

The board agreed that 48 hours is reasonable and sufficient.

Member Hilmes asked about putting a limitation of how many times they can do this in a 30 day period and the board agreed not to add this in as it appeared to be micromanaging.

Member Hilmes went back to the topic of screening and felt verbiage for RV screening should include being concealed from the property line. Member Belsten and Chairman Campbell expressed concern over what material the screening would be made from.

Hilmes said doesn't want to take away someone's right to own an RV but wants to protect the rights of neighboring properties.

Member Evans understands Member Hilmes sentiment but feels it would be hard to regulate.

Member Hilmes suggested a three-foot setback in order it to give code enforcement more teeth to deal with issues.

Member Hilmes asked Town Manager Mascaro why code enforcement was not more aggressive towards a property he feels is in violation with someone living in their RV.

Town Manager Mascaro responded that code enforcement has been to the property in question many times - as have the police department - on evenings, weekends – but there is no offense present anytime they have been out.

VIII. PUBLIC COMMENT

Sherrie Quarrie
701 Pine Street

Ms. Quarrie presented photos to the board and said she does not know how we would enforce an owner completely obscuring an RV or boat – no matter what size it is – they will not be obscured by a 6-foot fence. If you don't want to look at something your neighbor has then create your own landscaping. Making landscaping tied to RVs or boats is not a fair method. The person upset should be the person to fix it. Ms. Quarrie also says any registration process for RVs doesn't take into account guests and visitors and in relation to screening on a corner lots – it's not fair to make their standards higher. She felt that perhaps the idea of making fences higher should be considered.

Chris Schultz
Hibiscus Trail

Mr. Schultz said his biggest concern is maintaining the residential character of the town and changing the RV/boat length limit from 26-feet to 45-feet can adversely affect the property value of his home. He said he did think some revisions on corner lots should be made.

Joe Marchese
310 1st Ave.

Mr. Marchese said don't write anything you can't enforce.

Member Hilmes addressed the comment about making sure you can enforce the rules you write – he said we have to have rules or we have a free for all but we do have to make sure they are easy to enforce. He also addressed the idea of collapsing RVs when not in use so people are not living in them – and state that they can be opened for maintenance but not overnight.

The board agreed collapsing RVs is a good idea.

The Town Attorney asked for the board's recommendations for each item brought to them by the commission for consideration.

The board did not address the issue of sheds and recommended the following changes to Ordinance 7A-67

- RVs parked on a corner lot must be shielded with fence or vegetative cover but the words "shelter from view" should be stricken.
- The board agreed to a maximum length for boats with trailers or RVs – or a combination of both - should be 45-feet.

Member Hilmes made a motion to separate boats and RVs in the code, Member Belsten seconded the motion. The vote was 3 nays and 2 ayes. It did not pass.

In regard to the ordinance: the board also recommended

- RVs should be connected to electric for purposes of maintenance only.
- Time allowed for loading and unloading boats and RVs is 48 hours.
- A new three-foot setback from the lot line for parking.
- Corner lots fence or vegetative cover must substantially shield from view – but not required to totally shelter from view.

Member Hilmes asked the Town Manager to ask the commission to consider separating boats and RVs.

- IX. **REPORTS: TOWN MANAGER AND TOWN ATTORNEY** – No reports
- X. **ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS** - None
- XI. **ADJOURNMENT**

Member Hilmes made a motion to adjourn; Member Belsten seconded. Motion carried 5-0.

The meeting adjourned at 8:38 pm

ATTEST:

David Campbell, Chairman

Jennifer Torres, Interim Town Clerk

Attachments:	February 19, 2020 RTCM draft minutes
Date Prepared:	February 25, 2020
Prepared By:	Town Clerk Nancy Wilson
Meeting Date:	March 18, 2020

Agenda Category:

<input type="checkbox"/>	Proclamations & Awards	<input type="checkbox"/>	Public Hearings
<input type="checkbox"/>	Presentations	<input type="checkbox"/>	Old Business
<input type="checkbox"/>	Boards & Committees	<input checked="" type="checkbox"/>	New Business
<input type="checkbox"/>	Consent	<input type="checkbox"/>	Other:

Subject:	February 19, 2020 Regular Town Commission Meeting minutes
Recommended Action:	Consider approving the draft minutes from the February 19, 2020 Town Commission Meeting as amended.
Background Information:	Mayor Simmons requested a few edits/changes in the minutes.

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING WEDNESDAY FEBRUARY 19, 2020 at 6:30 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

DRAFT MINUTES

PUBLIC NOTICE

**The Town Commission conducted a Regular Town Commission Meeting
on Wednesday February 19, 2020 in the Community Center
to address the items below.**

Commission Members:

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

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Nancy Wilson
Town Attorney Clifford Repperger

I. Call to Order – Led by Mayor Simmons

Mayor Simmons called the meeting to order at 6:30 p.m.

II. Roll Call

Town Clerk Wilson conducted the roll call.

Commissioners Present:

Mayor Jim Simmons

Vice Mayor Wyatt Hoover

Commissioner Steve Walters

Commissioner Corey Runte

Commissioners Absent:

Commissioner Sherrie Quarrie

Staff Present:

Town Manager Elizabeth Mascaro

Town Clerk Nancy Wilson

Public Works Supervisor Tom Davis

Town Attorney Clifford Repperger

III. Pledge of Allegiance and Moment of Silence

Led by Mayor Simmons

IV. Presentations

V. Boards and Committees

VI. Public Comments

Frank Thomas
606 Atlantic

Mr. Thomas talked about the 100th anniversary of the Community Center building. He then read an excerpt from the 10/14/1969 minutes 50 years ago we got the state lease for Ocean Park from the Sullivan family. The state paid \$35,000 and Melbourne Beach paid \$10,000 for a 99 year lease.

Melissa Goldman
Space Coast Association of Realtors

Ms. Goldman represents the Space Coast Association of Realtors and was in attendance because of the short term rental ordinance. She wants to make sure it's fair and that it doesn't violate private property rights.

VII. Approval of the Agenda

Vice Mayor Hoover made a motion to approve the agenda as presented; Commissioner Runte seconded. Motion carried 4-0.

VIII. Consent Agenda

- A. Appointment of Leslie Maloney as member of the Environmental Advisory Board for a two year term
- B. Appointment of Alison Dennington as an alternate member of the Environmental Advisory Board for a two year term

Commissioner Runte made a motion to approve the appointment of Leslie Maloney as a regular member of EAB and the appointment of Alison Dennington as an alternate member of EAB; Vice Mayor Hoover seconded. Motion carried 4-0.

IX. Public Hearings

Second reading of Ordinance 2020-01 regarding fund transfer and budget amendment approvals – Town Attorney Repperger

Town Attorney Repperger read Ordinance 2020-01 by title:

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 15-6 TOWN CODE OF MELBOURNE BEACH, BUDGET AMENDMENTS AUTHORIZED, CLARIFYING FUND TRANSFERS AND BUDGET AMENDMENTS REQUIRING TOWN COMMISSION APPROVAL VIA RESOLUTION; DELETING SECTION 15-7 TOWN CODE OF MELBOURNE BEACH, TRANSFERS OF APPROPRIATIONS; PROVIDING A SERVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

Vice Mayor Hoover made a motion to adopt Ordinance 2020-01 on the second and final reading, Commissioner Runte seconded. Motion carried 3-1 with Commissioner Walters dissenting.

X. Old Business

Discussion regarding terms and status of regulation of vacation rentals– Town Attorney Repperger

Town Attorney Repperger said the draft ordinance will be available next week and will be part of the agenda for the March 4th Workshop. The draft ordinance is modeled after Indian Harbour Beach's and Cape Canaveral's ordinances related to the registration requirements: maximum occupancy, building codes, Town codes and standards related to having a responsible party available for complaints. He said if there is a particular item of concern that anybody wants to make sure is addressed in the draft, to let him know. Mayor Simmons said there are other items that they've talked about such as exit signs, land lines for calling 911, carbon monoxide/smoke detectors, fire extinguishers, maximum number of cars, etc. Addressing the realtors from the Space Coast Board of Realtors, the Mayor added that more and more houses are being turned into hotels whose overnight residents and owners have no concern for neighbors. He then gave a couple examples of large parties of people renting VRBO's^[J1] short-term rentals and how disruptive they can be. The Town can't regulate duration but they can regulate safety items. The state is attempting to take that away by adding (only) six inspectors to the payroll to monitor all vacation rentals in the entire state. The process is: once the draft ordinance is approved at the upcoming Workshop, it will be formally presented as an ordinance at the March 18th meeting^[J2] that will be read and if approved, will go before the Commission for a second reading on April 15th. Thus, there will be three opportunities for those concerned to be heard.

Melissa Goldman

Space Coast Association of Realtors

Ms. Goldman said that they are not against ordinances but they want to make sure that an ordinance is fair and equitable and that the Town isn't trying to shut up-out the little guy. She said several members of the Board of Realtors just returned from Tallahassee to listen to the whole bill. The bill has gone through most of the committees already; they heard the pluses and minuses and it is still being tweaked. They have some of the answers but not all of them; their goal is to be fair to the property owners and to not have this to a zoning ordinance problem.

The Mayor said that most VRBO's short-term rentals have an owner on site who is responsible for the property. However, there is a minority of people who cause problems so laws have to be written for the worst actors. Ms. Goldman asked about registration to which the Town Attorney said the registration is filed by an owner or

manager. Commissioner Runte asked about economic impact of having or not having vacation rentals.

Pat Weeks

Space Coast Association of Realtors

Ms. Weeks said that Florida Realtors commissioned UCF to perform a study of the economic impact of short term rentals. 80% of the short term rentals covering 20 counties (including Brevard) have a \$29.4 billion impact; in Brevard County, the impact is \$116 million. If short term rentals are going to be regulated, everybody needs to be treated equally.

Kimberly Cowles

214 Surf

Ms. Cowles asked to whom a complaint should be made if a Melbourne Beach resident has a problem with occupants of a short term rental. The answer was the Police Department. The Town Attorney said that if the property is registered there's somebody who is supposed to be immediately available to respond. The Mayor said if there is a problem with maintenance, a resident should call Town Hall or put a comment on the site where they have the property listed for rent. Ms. Cowles recounted a story about somebody who was staying at a short term rental on her street who took her son's skateboard.

Attorney Repperger said there is traction that's been seen from both the House and Senate bills. The Senate bill is in the Rules Committee and looks like it's going to the full floor.

Draft verbiage for the ordinance will be discussed at the March 4th Workshop.

XI. New Business

- A. Consideration of the January 15, 2020 Regular Town Commission Meeting draft minutes – Town Clerk Wilson
- B. Consideration of the February 5, 2020 Town Commission Workshop draft minutes – Town Clerk Wilson

Vice Mayor Hoover made a motion to approve the January 15, 2020 Regular Town Commission draft minutes as presented and the February 5, 2020 Workshop draft minutes as presented; Commissioner Runte seconded. Motion carried 3-1, Commissioner Walters dissented.

C. Discussion regarding overlapping the roles of the Parks and EAB Boards – Commissioner Quarrie

Town Manager Mascaro said that Commissioner Quarrie thought, after talking to Chairman Byrd of EAB, that it would be a good idea for the EAB and Parks Boards to collaborate, especially when special events are taking place.

She said that members of the Parks Board may want to attend an EAB meeting to see what EAB is doing and how they could work together.

Mayor Simmons asked how this would be institutionalized. The Town Manager said EAB could be added to all special event permit requests for them to approve. Vice Mayor Hoover said it wouldn't be appropriate to require them to attend each other's meetings but the Town can facilitate the sharing of information if there is a master calendar for each Board that could be public and easily shared. Also, it would be useful if the Chairman of each Board is given a Town email address, i.e., EAB@melbournebeachfl.org and Parks@melbournebeachfl.org. Commissioner Runte said he likes having EAB weigh in on the special permit application.

*Christina Keshishian – member EAB
313 Hibiscus*

Ms. Keshishian said EAB was seeing event plans that they thought should be in line with the sustainability plan so having EAB act in an advisory capacity and having Board email addresses is a great idea.

The Commission consented to having a master calendar on which the Boards can share information, Town email addresses for the Chairman of each Board and adding EAB to the special event permit approval process. 4-0.

D. Discussion regarding EAB pamphlet “Welcome Wagon” – Town Manager Mascaro (00:38:22)

Town Manager Mascaro was contacted by Taylor Green who is the intern for EAB. She presented Ms. Mascaro with the “Welcome Wagon” pamphlet that EAB approved and that now needs to be approved by the Commission. It will be a component of what the Town is going to hand out as a welcome packet.

Mayor Simmons asked how the welcome packet is going to be distributed to new residents. Is the intent to give it to the Welcome Wagon organization for distribution? Vice Mayor Hoover said he thought the original intent was for the Town to create its own welcome package that the EAB pamphlet would be part of and that the Town would distribute. The Town Manager added that it could

also be given to realtors to distribute. The Mayor made a couple comments; on the first page where it reads, “DID YOU KNOW – Our coast is the #1 nesting site for Loggerhead Turtles...” After “nesting site”, “in the western hemisphere” should be added. Also, he suggested adding contact information under the “Around Town” heading. He’d add contact info to “around Town”. On that same page, in the middle column under “Mind Your Waste!” there should be a link to Waste Pro since they are very specific about what can and can’t be collected. In conclusion, the Mayor brought up sprinkler use and how they should only be used when necessary and not set to automatic; a moisture detector can be used to determine when watering is necessary.

Christina Keshishian
313 Hibiscus

Ms. Keshishian suggested distributing welcome packages to renters also. Mayor Simmons said they can work with Town Hall to accomplish that.

Commissioner Runte made a motion to approve the EAB “Welcome Wagon” pamphlet as presented by EAB incorporating the minor adjustments made by Mayor Simmons; Vice Mayor Hoover seconded. Motion carried 4-0.

XII. Staff Reports

A. Town Attorney Repperger

Commissioner Walters asked the Town Attorney about charges on his bill for 315 Atlantic Street. The Town Attorney responded that this was for a variance application submitted by Serene Blue which has since been withdrawn by the owner. They needed to meet setbacks or contract the pool since it straddled the property line; they applied for the variance in order to move the property line but ultimately decided to contract the pool.

B. Town Manager Mascaro

The Town Manager reported that the Sack property was sold and his attorney was sent the outstanding lien amount which is \$77,500. They will bring us a counter offer at which time it will be brought to the Commission. Beach parking surveys are being wrapped up and they will be presented at the March RTCM. There was a meeting with the Southern Squall organizers and it seems to be moving forward. She met with Mike Casey from Indialantic and he said they want to increase the fire dispatch agreement amount for FY21 by a little less than 3%. One last thing, Ms. Mascaro has been looking at grant opportunities for solar, mangroves, sustainability projects and the Ocean Park project.

Mayor Simmons said on the Town Manager’s report it said that the Parks Board objected to the Town charging Rotary an application fee for Founder’s Day.

The Commission consented to waiving the \$550 application fee for Rotary. 4-0.

The Mayor also wanted to highlight item 13 on the Town Manager's report regarding the need to hire a Special Magistrate for the Code Enforcement Board. After getting input from the last meeting, the Mayor feels we need to expedite the process of changing the Code to allow for a Special Magistrate. Town Attorney Repperger said the ordinance will be ready for the first reading at the March 18th RTCM.

C. Town Clerk Wilson

Town Clerk Wilson said the Granicus software has not been fully installed and staff has not received training yet. Once in place, the software will allow for more information to be posted along with the agenda but it will not solve the ongoing ADA issues.

D. Departmental Reports:

1. Building Department – Commissioner Runte said that when a pool is emptied, it takes several days to drain and during that time-, the water goes into the river and stains the gutters. He asked if there's a way on the permit to charge a restoration fee? Commissioner Walters said the owner can purchase a 50 foot vinyl pipe, hook it up to a pump and drain the water on his own lot. Percolation is good in this area so it drains fine.

The Commission consented to adding an action item for this issue.

2. Public Works Department – Public Works Supervisor Davis wants the Commission to see the paint job on the picnic benches at Ocean Park. The Mayor said he liked it. Mr. Davis said they are doing work at the intersection of Ocean and Oak by the Exxon Station and the bank. He met with Crystal and they are going to put a rain garden on the south side by the bank. On the north side of Ocean, they are going clean out the area and maybe relocate some of the Coontie Palms. They are also working to deal with the invasive Vitex shrub. Also, he talked to Scott Parker and they are going to experiment with laying compost in a 30x30 foot area in Ryckman Park. They'll see how it does before doing the rest of the park. There was some discussion about the proper sand to use for volleyball courts and Commissioner Runte asked that the dinghy be removed that's sitting alongside the pier. Commissioner Walters asked that FDOT be notified because they need to address the streetlight at Ocean Avenue, it's in serious need of attention; it probably needs to be sandblasted and repainted. He had a few other comments:

- the oak trees that were planted on Oak recently need to be staked – they are leaning
- the tailgate on the older truck is missing and it could be hazardous if anything flies out of it
- the fan wobbles in the Community Center

Vice Mayor Hoover asked the Public Works Supervisor to let him know when the compost is being spread in Ryckman Park.

3. Code Enforcement – no questions or comments
4. Police Department – no questions or comments
5. Fire Department – no questions or comments
6. Finance Department

Vice Mayor Hoover made a motion to approve the finance report; Commission Runte seconded. Motion carried 3-1, Commissioner Walters dissented.

XIII. Town Commission Comments (01:08:37)

A. General Comments

Commissioner Walters said that the Town Manager's report said: *There was a very large turnout at the Planning & Zoning meeting where Ordinance 7A-67 was discussed regarding trailers, boats and RV's. Many of the residents in attendance voiced their support for a change in the ordinance by increasing boat and RV length with only one person speaking out against it. There was additional conversation about allowing corner lots to have the same guidelines as interior lots. The Board has asked me to research what other Towns are allowing and bring the item back to their March meeting for discussion.* A resident contacted Commissioner Walters complaining that on January 15th, the Town Commission had a meeting where the Town Manager said she came up with changing the Code on her own. Then on January 17th, the Code Enforcement Officer was instructed to cite everybody who had an oversized RV or boat. On January 23rd, those same people were given a notice to attend the Planning & Zoning meeting on February 4th without surrounding neighbors getting any notice of the meeting whatsoever. Mr. Schultz didn't think it was fair to only invite people to the meeting who received the notice; all the neighbors should also have received notice of the meeting; the meeting was stacked. Mayor Simmons said at the January RTCM, the Commission directed the Code Enforcement Officer to cite those people with large RV's and boats then added that the Planning & Zoning Board is just an advisory board.

Mayor Simmons received a request from Mark Shantzis who is a resident of the South Beaches. He told the Mayor that there are no regulations on properties under one acre that restrict clear cutting of Oaks and other heritage and specimen trees. At Brevard County's March 5th meeting, Commissioners will be voting on "Legislative Intent" to amend the specimen tree ordinance. Mr. Shantzis is asking for municipalities to write a letter of support to Brevard County to restrict clear cutting.

There was Commission consensus to have Town Manager Mascaro write a letter of support. 4-0.

B. Review of Commission Action List

The Commission closed the following action item:
Sediment Control

The Commission opened the following action items:

- Pool water discharge – how best to handle it so curbs don't become discolored and water doesn't run into the IRL
- FDOT traffic light stanchion maintenance – entire traffic light structure on Ocean Avenue needs to be "revitalized" by DOT

XIV. Adjournment

Vice Mayor Hoover made a motion to adjourn; Commissioner Runte seconded. Motion carried 4-0.

The meeting adjourned at 8:08 p.m.

ATTEST:

James D. Simmons, Mayor

~~Nancy Wilson~~, Town Clerk

Attachments:	March 4, 2020 Town Commission Workshop draft minutes
Date Prepared:	March 12, 2020
Prepared By:	Interim Town Clerk Jennifer Torres
Meeting Date:	March 18, 2020

Agenda Category:

<input type="checkbox"/>	Proclamations & Awards	<input type="checkbox"/>	Public Hearings
<input type="checkbox"/>	Presentations	<input type="checkbox"/>	Old Business
<input type="checkbox"/>	Boards & Committees	<input checked="" type="checkbox"/>	New Business
<input type="checkbox"/>	Consent	<input type="checkbox"/>	Other:

Subject:	March 4, 2020 Town Commission Workshop draft minutes
Recommended Action:	Consider approving the draft minutes from the March 4, 2020 Town Commission Meeting as amended
Background Information:	Mayor Simmons requested a few changes in the minutes.

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP WEDNESDAY MARCH 4, 2020 at 6:00 p.m. MASNY ROOM – 507 OCEAN AVENUE

DRAFT MINUTES

**The Town Commission conducted a Town Commission Workshop
on Wednesday March 4, 2020 in the Masny Room
to address the items below.**

Commission Members:

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

Staff Members:

Town Manager Elizabeth Mascaro
Building Assistant Beth Crowell
Town Attorney Cliff Repperger
Minutes compiled by Interim Town Clerk Jennifer Torres

I. Call to Order – Led by Mayor Simmons

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

II. Roll Call

Building Assistant Crowell conducted the roll call.

Commissioners Present:

Mayor Jim Simmons

Vice Mayor Wyatt Hoover

Commissioner Steve Walters

Commissioner Sherri Quarrie

Commissioner Corey Runte

Staff Present:

Town Manager Elizabeth Mascaro

Building Assistant Beth Crowell

Town Attorney Clifford Repperger

III. Pledge of Allegiance and Moment of Silence

Led by Mayor Simmons

IV. Presentation

No presentations

V. Public Comment

No public comments

VI. Old Business

- A. Discussion regarding proposed verbiage for short-term rental draft ordinance
- Town Attorney Repperger

The Town Attorney gave an overview:

- This ordinance does not prohibit vacation rentals; instead it operates similarly to what was done in Flagler County, Indian Harbour Beach and Cocoa Beach and relates to the regulation of vacation rentals. While the town cannot regulate short term rentals based on duration, it can regulate/legislate with regard to their operational components.

- The framework of the ordinance is based on data used for similar regulatory ordinances and takes into consideration U.S. Census information and the Short Term Rental Housing Restrictions White Paper prepared for the National Association of Realtors. The Town Attorney noted Melbourne Beach census data may be a little different but the general concept is the same. These vacation rentals are located in residential areas and the purpose of the registration requirement and various life/safety requirements ensure they have limited impact and are utilized and operated consistent with the residential uses and character of the neighborhoods in which they are located.
- The definition section is based on the interpretation of Florida Statutes and what is allowable currently, notwithstanding current legislative bills working their way through, and is also based on findings of the court in the Flagler case that provides the regulatory structure allows for this type of regulation.
- Instead of listing vacation rental homes as a separate and allowable use under the land development code as Flagler County has done - this draft ordinance recognizes a vacation rental home as a residential use. They are residences and some homeowners are utilizing their residences for this purpose. Indian Harbour Beach and Cocoa Beach also do it this way.

Mayor Simmons noted that it's similar as operating any other business out of the home.

The Town Attorney then addressed the ordinance sections that detail registration requirements: maximum occupancy, building codes, Town codes and standards related to having a responsible party available for complaints, enforcement, and methods of appeal.

- Registration is tentatively required by June 1, 2020 and based on the anticipated adoption schedule with a first reading at the next RTCM and a second reading in April 15. Registration paperwork could be made available May 1, 2020.
- The crux of the registration process is: 1.) Provide the name of owner or a responsible party if the owner not available. 2) Provide a sketch of interior and exterior of the building. 3) Require landline telephone requirement for the purpose of calling 911.

Mayor Simmons explained the reasoning behind requiring a landline comes from the concern that cellphones provide unreliable 911 services, including location information. A visitor may not know exactly where they are in an emotional moment and with a landline, location is recorded.

Commissioner Runte said the landline requirement feels outdated.

Commissioner Quarrie said location is easier to ascertain on a landline making rescue easier and faster.

Mayor Simmons added that cellphones don't work in half the homes here.

Mayor Simmons then asked if a PO Box on the registration form suffices or should a physical address be provided. The Town Attorney responded that a physical address is better because it provides the ability to directly serve the owner with any notice. Mayor Simmons then requested requiring a physical address on the registration. The Town Manager asked if the owner is not a Florida resident, are they required to have a local responsible party. Mayor Simmons responded that either the owner or the designated responsible party must be able to get here within three hours.

In regard to the sketch requirement, Mayor Simmons said he thought it should be drawn to scale with dimensions. Commissioner Runte added that the sketch should also identify where the smoke detectors, fire extinguisher, and other safety equipment is located.

The Town Attorney reviewed the registration process.

- An inspection will be scheduled when the application for registration is received and once issued the registration certificate must be renewed annually.
- The owner will affirm compliance with the parking requirement and disclose the number of rooms in the residence - which will then be used to determine occupancy.
- If property ownership is transferred, a new registration must be obtained.

Commissioner Quarrie asked if the owners are not from Florida would we be prepared to provide them with a copy of local codes for reference to which the Town Attorney replied he didn't know if we could provide copies but we could advise them of what they need to do to be in compliance. He also advised that in addition to being in compliance with the vacation rental ordinance, owners must also be compliance with all other town code requirements and it is the duty of the owner or responsible party to be available and responsive to any complaints that are raised.

Mayor Simmons asked about the three hour owner/responsible party response time after seeing a few other communities cap the time to two hours – the Town Attorney said he felt three hours was an appropriate time.

Mayor Simmons brought up the fact that Flagler County requires the vacation rental lease agreement to list complete names and ages of all occupants and the license plate number of all vehicles on the premises and this information is retained by the owner/responsible party for one year following the rental period of rental period.

The Town Attorney said he would add similar verbiage to the draft ordinance

Discussion followed regarding the owner/responsible party.

- The Town Attorney said the name and contact information of the owner/responsible party must be posted in unit so the guest knows who to call if necessary.
- Commissioner Quarrie asked if there is a way for the “responsible party” to confirm they are the responsible party. The Town Attorney responded that it is the responsibility of the property owner to ensure they have a valid responsible party. Mayor Simmons asked how we ascertain that the responsible party is aware of the designation. The Town Attorney stated that if the owner designates someone who doesn’t respond to calls, the owner will be fined – so it is in their best interest to designate someone responsible and therefore should not be an issue.

Addressing Article III: Standards and Requirements for Vacation Rentals, Commissioner Quarrie asked if the safety standard is similar to a hotel/motel where sprinklers are required and the Town Attorney said no.

Mayor Simmons said one issue being brought up is that some see it as unfair to have higher standards for hotels/motels. As an example, he cited regulations governing pools are much more stringent and expensive in a hotel/motel which serves many occupants and that a home filtration systems is less expensive (and stringent) because a standard filtration system is designed for a family.

Commissioner Runte said the vacation rental home code limits rentals to 12 people or less.

Mayor Simmons then addressed section (3) smoke and carbon monoxide detection and notification system and said there should be both visual and audible warnings with a flashing beacon. He also asked about ADA requirements or other safety measures that could be required like shower

handrails, wheelchair accessible countertops, and hot water temperature sensors.

The Town Attorney said they didn't include ADA because there is a bit of a grey area as to whether they apply to vacation rentals and ultimately at the end of the day, the Town in the best position to regulate compliance and something like a handrail requirement could be written in.

Mayor Simmons clarified that it was a safety issue – not an ADA issue.

Commissioner Quarrie asked about requiring hardwired safety detectors, not just the battery operated variety. The Town Attorney said Town code requires battery backup. Commissioner Quarrie suggested they table shower handrails and require flashing lights on safety detectors.

The Town Attorney discussed maximum occupancy, which is two occupants per bedroom and two people per common living area, with the maximum occupancy capped at 12. There is a grandfathering in of existing vacation rentals allowed greater occupancy for a period not to exceed ten years. [11]

Commissioner Runte asked if we can make guests participate in the composting program and Commissioner Quarrie suggested posting a notice inside the building with instructions on recycling and solid waste disposal. The Town Attorney said he would add that language.

Mayor Simmons asked if we should allow the vehicles used by occupants and their visitors to park on the street – or limit them to the driveway only.

Commissioner Runte said he didn't want people parking in others yards, which is against the code and could create a problem.

Mayor Simmons said if you force all cars to be on the driveway that limits it. The Town Attorney said we can regulate occupant parking but any other parking – including street parking is governed by Town code.

Mayor Simmons expressed concern over guests that throw large week-long parties and the effect their vehicles may have on the streets.

Commissioner Wyatt responded saying, we are not an HOA, we have public streets and he'd be happy to limit the number of vehicles to the space available in the driveway – but then the owner may just expand their driveway.

Commissioner Quarrie asked if they can prohibit grass or sidewalk parking.

The Town Attorney told the commission that they are getting into areas difficult to enforce. The goal is to limit the impact of the use. If the occupants or their guests have vehicles parking they must be in compliance with what the Town code requires.

~~Commissioner Vice Mayor Wyatt Hoover~~ said his neighbors have a vacation rental and live on the property. In terms of the rental they only allow four renters who are not allowed to have guests. The Town can also suggest rental terms.

Mayor Simmons said he understands both sides of the issue because he and his wife often stay in these rentals when traveling, but they are not college kids with ten people in one unit.

The Town Attorney explained that the intent of this ordinance is to preserve the integrity of the neighborhood. From time to time in a residential neighborhood you will have a neighbor who has a party. In a rental unit that impact will come and go as guests come and go, so the goal is to limit effects. If Town code allows parking on the streets and that is something the commission wants to change, they can adjust the Town code, otherwise there isn't a lot that can be done to limit parking.

Moving on, the Town Attorney addressed the section pertaining to the posting within the building of the unit's landline number, address, responsible party contact information, maximum occupancy, phone numbers for Holmes Regional and Health First Viera Hospitals, and solid waste information where details about the trash protocol/composting could also be added.

Other suggestions from the commission included; rip-current information, Melbourne Beach Police and Fire contacts, and evacuation instructions.

Commissioner Runte asked if a backyard mother-in-law suite can be used as a vacation rental unit.

Building Assistant Crowell said per the current land development code, an accessory structure can't be used for living quarters.

Commissioner Quarrie asked if an owner can turn a garage into a living space that could be used as a vacation rental.

Building Assistant Crowell said residences are required to maintain a two car garage.

Commissioner Runte asked what defines an accessory structure.

Commissioner Quarrie asked if we need to have a description of what a rental structure can be.

The Town Attorney said that a vacation rental is currently defined as a transient public lodging establishment but it can be modified with clarifying language making it only applicable to a residential unit that is a proper residential unit under building regulations.

Commissioner Quarrie thought that was a good idea.

Commissioner Runte expressed concern about affordability for older residents. I am for vacation rentals for people who predominantly live here—who may have guest house or travel and may need financial assistance to live here. I don't want to make it difficult for people to do that – I want our residents, people who live here to be able to make money. If someone has a pool house they should be permitted to use it as a vacation rental.

Building Assistant Crowell said the land development code would need to be changed in order to allow that.

Commissioner Quarrie worried that an elderly couple may reside in the pool house in order to rent their residence and expressed concern about using a hot plate in a small room in order to rent a room.

Commissioner Runte asked if there are currently places in town where accessory structures are allowed to be used as rentals.

Mayor Simmons said accessory structures are not living structures; they are sheds, pool houses, campers – not living spaces. Commissioner Runte asked if this restricts anyone grandfathered in from using one as a vacation rental. Because if they don't address the terminology of what an accessory structure is - they may be used as vacation rentals.

The Town Attorney asked if the commission would allow for existing grandfathered-in accessory structures (those built prior to 1972 and not covered by the land development code) to be used as vacation rentals as non-conforming livable accessory structures.

Mayor Simmons said he was hesitant to allow someone to turn a non-conforming house into a specific use because that gives them the ability to rebuild if destroyed.

The Town Attorney said we would just be exempting it from a restriction as vacation rental.

Commissioner Runte felt that if properties are using accessory structures as vacation rentals then we need to decide if we want them to continue to be grandfathered in - or if we completely restrict them.

Mayor Simmons said he didn't think they could be restricted because if they have been renting already, we have to continue to allow this – because we have allowed it in the past.

~~Commissioner Vice Mayor Wyatt Hoover~~ suggested they allow those grandfathered in to continue that use as long as it's made iron-clad clear the owner can't rebuild and retain that use.

The Town Attorney agreed to look at the wording and adjust the language if necessary.

Melissa Goldman
Space Coast Association of Realtors

Ms. Goldman said she was in attendance to make sure no private property rights were violated. She asked if the ordinance applied only to rentals that are for a period of 30-31 days or less.

Mayor Simmons confirmed those offered less than one month must comply and those over do not.

Ms. Goldman said she's looking out for small guy because not everyone is a corporation. She stated that if her aunt leaves her home in Melbourne Beach to her and she's a single mom, she wants to be able to rent that house out in a reasonable manner without jumping through hoops. She went on to say that Palm Bay just allowed accessory structures into their codes.

Ms. Goldman expressed concern over the language in 74-2 (13) which states: "Vacation rental use and longer-term residential use and ownership are generally incompatible due to rapid turnover associated with short term vacation residential use and its disruptive effect on the peaceful use and enjoyment of residential areas."

She said it was scary to have that language in there.

Commissioner Quarrie asked her why she felt it was scary and Ms. Goldman asked how the Town can make a definitive statement that short-term rentals create disruption and are unharmonious to other residents.

Mayor Simmons replied that it's been fairly well documented, to which Ms. Goldman asked him if he stayed in rentals, did he create disruptions?

He responded – no, but many do and that is what they are trying to solve.

Commissioner Runte said he understood where Ms. Goldman was coming from in that it is a pretty bold statement.

The Town Attorney explained that the purpose of the language is not to say that every one of them is disruptive – but generally the use of bringing in a turnover of occupants– is generally incompatible with standard residential use in neighborhoods.

Mayor Simmons told Ms. Goldman she was not here representing individuals, rather she is here representing the ~~co~~operation's who want to come in, buy homes and turn them into rentals. He believes her agenda is to show that short-term rentals are good for the economy – as referenced in Palm Bay - but he disagrees and believes they are not good for this community as a residential community.

Commissioner Quarrie ~~Sherrie~~ said we are a small town not a large acreage community like Palm Bay and we service our community as a bedroom community – comparing what works in Palm Bay to what works in Melbourne Beach is like comparing grapefruit to ~~euk~~omquat – larger communities can absorb better – while we struggle to pave roads and control storm water.

Commissioner Runte said the phrasing could be tweaked a bit to change the tone, perhaps by changing the word “incompatible”.

Mayor Simmons said he genuinely believes vacation rentals are incompatible with the Town charter because they don't promote community and many are not small homeowners. He does believe they can be compatible in some areas but not in the suburbs where people live and work.

Ms. Goldman asked if the commission could just review the language, She then asked if registration fees would be reasonable.

Commissioner Quarrie said the fees would be closely tied to what the actual costs of inspections are – and the Town Attorney said the intent is not to make them prohibitive.

Ms. Goldman asked if – when a vacation rental home inspection is being conducted – and other code violations are noted – how that comes into play.

Mayor Simmons said the owner will be cited.

Ms. Goldman asked if the Town has the time to do inspections and can they accommodate out-of-town homeowners who come in on a timeline.

Mayor Simmons said they will work with building inspectors in a reasonable fashion.

Vice Mayor Hoover asked if inspection fees will be a revenue source and if so, for what use.

The Town Attorney said he envisions it falling under building and fire and treated as those inspection fees are.

Mayor Simmons added that it's not a money maker and Town Manager Mascaro said they will likely just break even.

Vice Mayor Hoover suggested that if the department becomes overwhelmed we should use any additional funds to add staff.

Ms. Goldman then asked about the one-hour initial response time of the owner/responsible party saying this would not allow someone to ever go to a movie or any activity lasting more than one hour.

Commissioner Runte asked what defined "responding" and Mayor Simmons by clarified the initial response is by phone.

Ms. Goldman wanted to know the process for changing an owner's designated responsible party and if it is required in writing. She also wanted to know if there was a new registration fee to do so. She noted that the section wording indicates there is a fee assessed every time this change is requested.

Commissioner Quarrie said any change would require written notification. Ms. Goldman wanted to know how to do this on a weekend when Town Hall is closed.

Mayor Simmons and the Town Attorney both stated it is the owner's responsibility to adhere to the rules and responsibilities.

Ms. Goldman then referred to the section pertaining to the duties of the owner/responsible party that includes ensuring guests who are sexual offenders/predators register as required with the BCSO 48 hours in advance of their stay. She said she has never seen this type of language in any other cities.

Commissioner Runte said he would not vote to delete that verbiage because this is a family community and if you want to rent a room, the owner needs to make sure the person or people they rent to are safe.

Frances Nealon
419 Ocean Ave #501

Ms. Nealon suggested requiring that an emergency button is preprogrammed into the landline phone because 911 is not a universal number.

Kimberly Adkinson-Cowles
214 Surf Rd.

Ms. Adkinson-Cowles suggested requiring two responsible parties instead of one.

The Town Attorney said it's an enforcement issue and if the Town attempts to reach one party – and can't - the Town knows who to hold responsible.

Mark Emerson
512 Ocean Ave.

Mr. Emerson said he is uncomfortable with asking guests if they are sexual offenders and asked if anyone has ever walked into a hotel or motel and been asked this question.

He said sexual predators are already required on their own to register and inform the police of their visit in advance. He feels that is the responsibility of the offender and not his.

Commissioner Runte –said he did not want a sexual predator living next to him – even temporarily. He feels if they are going to commit that crime to become a sexual predator they have to live with the consequences and being asked directly is a catch all. He went on to add that this is not a hotel – this is a neighborhood.

Commissioner Quarrie said they will have they will comply with Florida law and noted that our community is nothing but playgrounds, schools, and churches. She thought it would be prudent for the owner to show the distance of these places from the location of the rental.

Mayor Simmons asked if we wanted to put the burden on the owner of the property.

Commissioner Runte said we should.

Vice Mayor Hoover said the owner is not asking the guest personally, it is just part of the rental agreement they sign.

Mr. Emerson said his understanding is that it is his responsibility to make this inquiry and if he fails to do so, he could be charged with committing a felony. He said that other than his own personal website, he has no control how the guest finds him.

Commissioner Runte asked if he finds that troublesome because it is his property and establishments like Airbnb won't approve stays without 4-5 stars and would he want a sexual predator staying in his home – asking - if that person rapes someone, what happens? Continuing, he said we should leave it in if it keeps the community safer.

Commissioner Quarrie asked if the Town should state that there is not enough distance from the places a sexual predator/offender is prohibited from – and no one registered for these crimes can stay in town given the radius of these establishments. She suggested the Police Chief look into this to see if it's the case.

Commissioner Runte said he didn't understand what was so hard about asking the question because he thinks there should be a second check and balance.

Vice Mayor Hoover said, with the way the community is structured, you don't have to put that burden on the homeowner – you add the language – and if you are a sexual predator, you are not able to rent here.

Mayor Simmons noted that the Town was carefully surveyed – with parks strategically placed throughout the community and only one very small area that may not meet the regulation requirement.

Commissioner Runte said the requirement placed upon the owner is not a burden, while Mayor Simmons thought it was.

Moving on to the inspection process, Mr. Emerson stated that he is currently inspected by state and by the Town fire inspector and now he will have to pay a Town official to inspect the vacation rental amounting to three separate fees.

Commissioner Quarrie asked if there is a way to have just one inspection presented to the Town because ongoing inspections seem like a waste of time.

Building Assistant Crowell said the Town fire inspection is a required annual inspection but the Town does not require a separate annual building inspection if the annual state inspection doesn't reveal any issues.

Mayor Simmons explained ~~he~~ Mr. Emerson is the owner of Pineapple Manor on Ocean Ave. which was once a single family residence that was remodeled into a four-unit apartment building.

Mr. Emerson said that he and his wife live in one unit and he is the responsible party. He has three units he rents out on either a weekly or monthly basis and created his own set of restrictions that he feels are even more rigid than the Town code because he doesn't want any issues – technically classified as transient hotel?

Mayor Simmons questioned whether Mr. Emerson was even covered by this ordinance as someone running a long and short term rooming house.

The Town Attorney said he would look into it further.

Mayor Simmons suggested that Mr. Emerson fill out an exemption form.

Mr. Emerson told the commission that in relation to the discussion over requiring flashing strobe lights on safety detectors in each unit – the hotel requirement is that there is just one available that can be affixed in any unit when requested by a hearing impaired guest.

Mayor Simmons asked if he was suggesting they eliminate this requirement. Mr. Emerson said that requiring one hardwired in each room is a lot – but one should always be available if requested.

Lynn & Rob Whelplay
Space Coast Association of Realtors

In addition to using the vacation rental service, *HomeAway*, Mrs. Whelplay said she and her husband also own a beachside home used as a vacation rental. She said they are never asked how much money they make or if they committed any felonies. It's a simple and enjoyable process. They follow the rules, park in the driveway, obey the requirements – and she said she is 100-percent sure that 99.9 percent most people who stay in vacation rental homes are the same way. She is sorry the town has such a problem with it they felt the needs to create a complex ordinance to deal with a few bad apples – who are the expectation, not the rule. And while she understands some of the requirements - she feels many are redundant.

Mayor Simmons said the Town is doing this because the state is trying to take away control over our community. He has heard many horror stories about corporations buying building up 14-bedroom homes and renting the rooms out as vacation rentals. They pay premium prices, so no residents can afford

to buy ~~and turn them into these houses or lots because they are~~ and making them party homes, and – he continued – that is not what Melbourne Beach is.

Patricia Weeks
Space Coast Association of Realtors

Ms. Weeks wanted to know what defines excessive or boisterous noise.

Mayor Simmons responded that the neighbors do – and if there is a continuous problem, the responsible person is called.

Ms. Weeks asked if there are kids out in the pool making noise and neighbors complain is that a violation?

The Town Attorney said it depends on the time of day and the duration of the noise.

Ms. Weeks told the commission she has a neighbor who owns their home and they party all the time. She would rather have a short term rental because they eventually leave.

Rob Whelplay
Space Coast Association of Realtors

Mr. Whelplay asked the commission if they are aware of how many shadow vacation rentals exist and said there are a lot.

Commissioner Simmons said the property appraiser is looking into those carefully and identifying them.

The commission asked the Town Attorney to make requested changes and he was excused.

B. Discussion regarding salary ranges for Town employees – Town Manager Mascaro

Town Manager Mascaro gave an overview of salary information collected from various communities based on certain variables including proximately and taking into account how far someone may be willing to drive for a good salary. Therefore, Cape Canaveral and Fellsmere - communities not normally included - are included - because she felt it was best to look at as many communities as possible.

The report findings showed almost all municipalities have minimums and maximums and in order to set upper-end limits for each position, the report

looked at percentage of increase over minimum to find a mid-range for the Town .

Commissioner Quarrie said our numbers are good.

Mayor Simmons said he was surprised we are higher than Indian Harbour Beach and Satellite Beach. He thought we would be lower than some communities.

Vice Mayor Hoover said it was a very thorough report. Town Manager Mascaro said it was just a first step.

Mayor Simmons suggested removing a few municipalities including; Melbourne Village, Satellite Beach, Cocoa Beach, Fellsmere and West Melbourne, in order to have more comparable data.

Commissioner Quarrie thought West Melbourne should remain part of the data.

Town Manager Mascaro said for a good job opportunity most would be willing to drive over to West Melbourne. She then asked for input about how to handle longtime staff members who reach their maximum.

Vice Mayor Hoover felt that if you are in a position, doing the same thing for years and maxed out – salary increases should only be given for taking on more responsibilities, in addition, when comparing cities – a position in one city may be very different from another with more specific

~~responsibilities~~.responsibilities?

Mayor Simmons questioned why we give across the board raises and felt if a staff member is on the low end of the salary scale and a top performer – they should get a good raise - however, if they are top performer and at the top of the salary range – their increase would be much smaller.

Town Manager Mascaro agreed to make edits to the report

C. Discussion regarding sheds on corner lots

Tabled until next meeting

VI. New Business

No new business

VI. Adjournment

Commissioner Quarrie made a motion to adjourn; Vice Mayor Hoover seconded. Motion carried 5-0. The meeting adjourned at 8:53 p.m.

ATTEST

Jim D. Simmons, Mayor

Jennifer Torres, Interim Town Clerk

Attachments:	Statement from Commissioner Walters
Date Prepared:	March 13, 2020
Prepared By:	Interim Town Clerk Jennifer Torres
Meeting Date:	March 18, 2020

Agenda Category:

<input type="checkbox"/>	Proclamations & Awards	<input type="checkbox"/>	Public Hearings
<input type="checkbox"/>	Presentations	<input type="checkbox"/>	Old Business
<input type="checkbox"/>	Boards & Committees	<input checked="" type="checkbox"/>	New Business
<input type="checkbox"/>	Consent	<input type="checkbox"/>	Other:

Subject:	Request that statement be attached to the January 15, 2020 minutes
Recommended Action:	To be determined by Town Commission
Background Information:	Commissioner Walters has asked for this statement to be attached to the RTCM minutes of January 15, 2020.

Melbourne Beach Town Clerk

From: Steve Walters
Sent: Monday, March 9, 2020 11:13 AM
To: Melbourne Beach Town Clerk
Cc: Melbourne Beach Town Manager
Subject: CORRECTION : THIS IS MY FINAL STATEMENT (CHANGE OF DATE ETC.)

To:

Cc:

Good morning

Pursuant to Town rules I am submitting the following as the reason I voted NO and did not agree with the January 2020 Town minutes; Please attach to the January Town minutes.

At the January 15, 2020 regular Town Commission meeting Mayor Simmons violated Town Commission rules of order by failing to let me speak first on my submitted statement as to why I voted no on the October 16, 2019 minutes. He used his position as presiding officer to take control of the statement of corruption failing to allow discussion of my statement without interruption. He failed as presiding officer to explain how the statement violated the rules which would allow it to be removed as an attachment to the minutes. He called for a motion before discussion in violation of the rules of order to suppress further comments. In fact, there was no violation that would have prevented my statement from being attached to the minutes. He/they just didn't like the true statement so Simmons used his position as Mayor to silence minority view.

His asinine petty attempts to suppress my comments are childish and yet another display of his lack of ability to preside fairly and honestly over a simple Town Commission meeting. This is yet another violation of his oath of office and his duties as Mayor. I am now forced to assure every resident in Town reads my statement, which should have been attached to the minutes, thereby ending the matter.

Please be sure this is included on the March 18, 2020 agenda
Thanks

Steve

Attachments:	Resolution 2020-03- Partnering With The US Census Bureau To Raise Awareness and Increase Participation
Date Prepared:	March 13, 2020
Prepared By:	Elizabeth Mascaro
Meeting Date:	March 18, 2020

Agenda Category:

<input type="checkbox"/>	Proclamations & Awards	<input type="checkbox"/>	Public Hearings
<input type="checkbox"/>	Presentations	<input type="checkbox"/>	Old Business
<input type="checkbox"/>	Boards & Committees	<input checked="" type="checkbox"/>	New Business
<input type="checkbox"/>	Consent	<input type="checkbox"/>	Other:

Subject:	Increasing US Census Bureau Awareness and Participation.
Recommended Action:	Review and Approve Resolution 2020-03
Background Information:	<p>The Town Manager was contacted on behalf of Mike Haridopolos, former president of the Florida State Senate, and Steve Crisafulli, former Speaker of the Florida House of Representatives, Brevard County's chairmen for the Complete Count Committee for the 2020 Census. They are asking for assistance in spreading the word on how truly important participation in the US Census is by passing a Census Resolution at the commission meeting.</p> <p>“As the leader of your community you undoubtedly understand how critical it is that we engage all of our citizens to complete the census and inform them how crucial each and every person's participation is so the more than \$675 billion federal dollars at play can be appropriately allocated to our county and improve our healthcare, education, transportation, infrastructure, etc.”</p>

RESOLUTION 2020-03

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population, and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

WHEREAS The Town of Melbourne Beach is committed to ensuring every resident is counted; and

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

WHEREAS census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils, and voting districts; and

WHEREAS information and data from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS the information collected by the Census is confidential and protected by law; and

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our citizens.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN OF MELBOURNE BEACH COMMISSION does hereby commit to partnering with the United States Census Bureau, and will:

1. Support the goals and ideals for the 2020 Census and will disseminate 2020 Census information.
2. Encourage all County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.
3. Support census takers as they help our County complete an accurate count.
4. Strive to achieve a complete and accurate count of all persons within our borders.

DONE, ORDERED AND ADOPTED in regular session this 18TH day of MARCH A.D. 2020.

ATTEST:

Jennifer Torres, Interim Town Clerk

James D. Simmons, Mayor



Town Manager Report for February 2020

1. Police PBA meeting scheduled for March 24, 2020 at 10:00AM.
 2. P&Z meeting discussed their recommendations to the Commission for Ordinance 7A-67 for Trailers, Boats and RV's. Doug Hilmes wanted the Commission to consider separating the Ordinance into 2 parts- one section dealing with only boats the other only RV's.
 3. The Parks Board objected to the Town moving the announcement of Citizen of the Year to 12:30PM (when the event has the largest crowd) from the 5:00PM time. The announcement would be made by Brian Miesenbergl.
 4. According to Rotary's after event report for Southern Squall, Rotary made @ \$44,000. The MBVFD, Inc. is anticipating a check for @\$11,000.
 5. During a Town Hall employee meeting, renaming the Masney Room came up. It's been nearly 20 years since Cynthia Masney worked in Town Hall. The only Masney in the area lives in Titusville. Frank Thomas' name was mentioned, as well as Anne Downing and Mary Remark. Renaming Circle Park to Veterans Park was also mentioned. The Town doesn't have a Veterans Park. The Town could most likely get a veterans group to provide some sort of stone remembrance.
 6. The PD would like to participate in a beachside police contest, sponsored by Puzzle Box Academy, to wrap an old police vehicle in a beach themed wrap that will promote autism. The wrap will be provided free of charge. April is autism awareness month. A gala is being held on April 3rd at the Hilton Rialto, and is sponsored by the Parker Foundation. During the event the best wrapped police car will be chosen for bragging rights. The winner will be disclosed during Police Week in May.
 7. On March 10th, the Town held a Green Infrastructure Public Workshop to discuss the case study research completed by the Central Florida Regional Planning Council. This was a follow up event from the December 2019 Town Walkabout. The event was not well attended; however several good suggestions were made by CFRPC. I have included their information behind my report.
 8. Last but certainly not least, I have hired Jennifer Torres as the Interim Town Clerk of Melbourne Beach. Jennifer has hit the ground running and has already become an integral member of our team.
- Katie Cox was hired in the Deputy Town Clerk/Administrative Assistance position. Katie has also showcased her impressive talents taking over the Town's website and social media along with several boards' minutes. Katie also backs up the building desk and will provide support to the finance department.

A very warm welcome to our newest partners!



321-345-0861:Phone 321-765-6434:Fax info@PuzzleBoxAcademy.com: email

February 24, 2020

To Brevard Beachside Law Enforcement:

Puzzle Box Academy, Spring Forward for Autism and The Parker Foundation are excited to announce in preparation of April as Autism Awareness month, a community awareness campaign supporting our local law enforcement. We will be sponsoring a car wrap competition with all Beachside Brevard County Police departments. Puzzle Box Academy will pay to have one of your vehicles wrapped in honor of Autism Awareness month.

As local advocates for community autism awareness we are proud of our local law enforcement and want to share with the world what an amazing job our officers provide to our special need community.

We challenge you to create your own autism awareness wrap for one of your police cars. Puzzle Box Academy will cover the wrapping cost, while supporting local business by utilizing Florida Vehicle Wraps. The only requirements are the theme must be autism awareness and the image must be 100-dpi with side-by-side images. Once all vehicles are wrapped, we will then set up a local social media competition for the public to vote on the best design. We are in the planning of a community winner reveal and will follow up with an additional letter regarding the details for the May 2, 2020 event.

Please contact Jon Delmater at JonD@puzzleboxacademy.com if you have any questions. We hope to have the submissions back to us by Monday, March 9th so we can schedule the vehicles to be wrapped by the beginning of April.

Thank you for all that you do for our community!

Pamela N. Furr-Holz
Chief Executive Officer/Co-Founder
Puzzle Box Academy and Kaleidoscope Interventions



theparkerfoundation

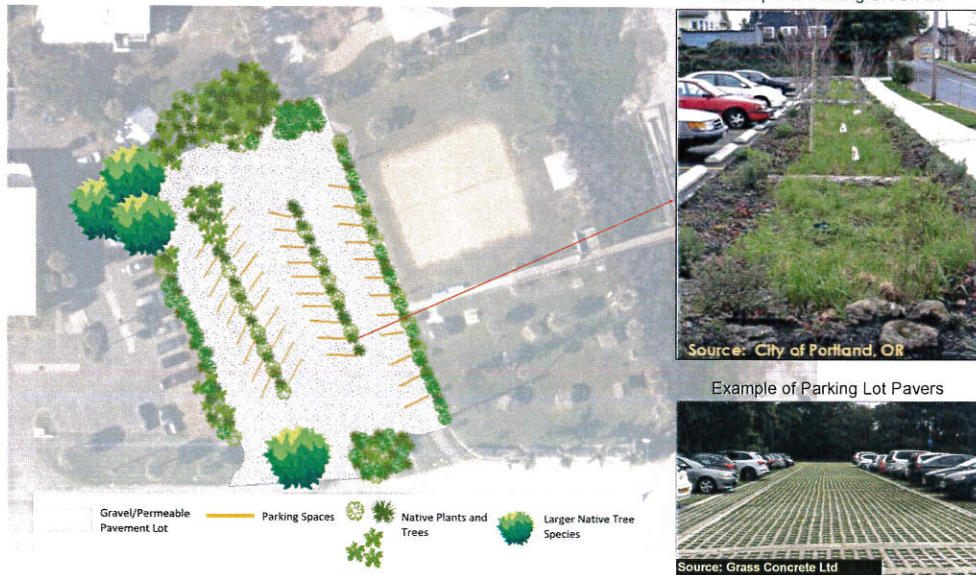
Beach Parking Lot - A1A/Ocean Ave

Current Design



- Current Characteristics
- . Asphalt Parking Lot
 - . Standing Water
 - . Grassy Areas
 - . Curbs
 - . Minimal to no shade cover

Proposed Redesign



Shown above is an aerial view of the parking lot. The lot would be resurfaced using gravel, sand, interlocking pavers, or permeable pavement and any curbs not roadside could be removed. The inside lot swales would be lower in elevation allowing water to flow into these areas. The outer edges of the lot would also be landscaped with native plants in order to catch any additional runoff. To maximize space, another option would be to not use the inner swales, but islands of native plants and pavers or permeable pavement options. With help from the recommendations in the final report and assistance from County engineers, this lot could be redesigned to allow for efficient drainage without compromising parking space.

- Redesign Characteristics
- . Bioswales
 - . Turn grass area into swale
 - . Opportunity for stormwater vaults and landscaping
 - . Convert to gravel, sand, or permeable pavement
 - . Underground water storage



Ocean Ave Streetscape

Current Design



Current Characteristics

- Ryckman Park
- Town Properties
- Little to no curbs left after Town removal
- Right-of-way varying along street
- Native Trees and Open Space
- Lagoon Approach with landscaping
- Historic Areas and Buildings



Ocean Ave Right-of-Way

Proposed Redesign



The proposed redesign is for the western portion of Ocean Avenue where more of the Town owned properties are located. Currently, this segment of Ocean Avenue contains several amenities and design elements that have already been addressed. Ryckman Park is a large open space and contains many historic elements from the Town's past. The Town has already removed some curbs, added small swales, and switched parking spaces from asphalt to gravel to help better address stormwater. Some additions that Town can make over time to this facility may entail the addition of more native plants and trees in the park, the conversion of swales into bio-retention dry ponds or rain gardens, the addition of a pocket park or demonstration area to test permeable pavements and other low impact development solutions. Since there are current drainage issues near the Ocean Avenue and Pine Street intersection, a slightly lowered bio-retention area or pocket park on the corner could help stormwater percolate into the ground. These techniques can be combined with passive recreational walkways, signage information and overall beautification for the Town residents. There is also an opportunity to work with community partners at the Community Chapel Church to potentially redesign the parking lot highlighted above to include green infrastructure techniques.

Redesign Characteristics

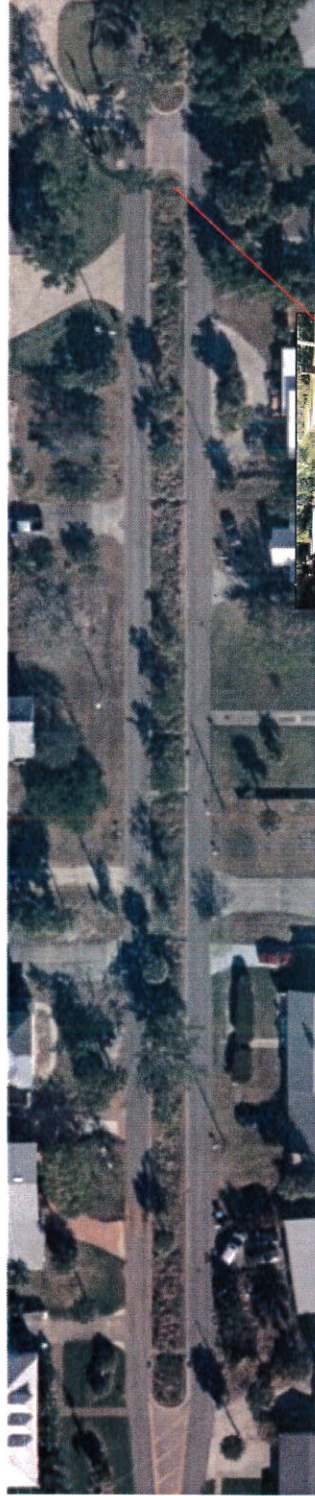
- Bioswales or rain gardens in street right-of-way
- Keep native trees
- Continue to plant more native trees and plants along right-of-way and in open space areas
- Beautify Town properties with art, native landscaping, benches etc.
- Demonstration projects to inform residents



Example of a Rain Garden as a Right-of-Way Swale

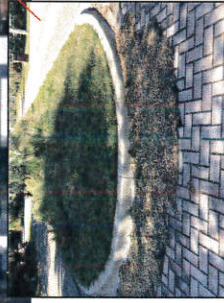
Sunset Blvd Streetscape

Current Design



Current Characteristics

- Median with different plants, trees, grass, and elevations
- Some areas with standing water after rainfall events
- Curbs and curb cuts along median



Sunset Blvd Median Portion with Curb Cut and Pile of Lawn Clippings



Sunset Blvd Swale with Curb Cuts and Curb Cuts

Proposed Redesign



Redesign Characteristics

- Bioswales in median and street right-of-way
- Revamp some swale plants with native plants that infiltrate stormwater more efficiently
- Remove non-native plant species
- Reengineer elevation of road with underground culverts for more efficient stormwater drainage
- Keep native trees



Example of Swale Design

This proposed redesign is for Sunset Blvd and this aerial view displays the western portion of the boulevard as an example. The current median contains some trees and plants with curb cuts at various elevations, and most of the vegetation is native. Non-native plants should be removed and replaced with native landscaping that will aid in water infiltration. Drainage can be enhanced by removing curb cuts and redesigning drainage grates in certain locations as needed, and connecting swales from the outside edge of the road to the center median with culverts. The result would allow for stormwater infiltration, minimize standing water and lessen runoff water into the lagoon.



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ♦ ESTABLISHED 1883

Building Department Report FEBRUARY 2020

- 61 permits issued
- 151 inspections completed
- 69 plans reviewed
- 1 Site Plan reviews for P&Z
- 3 BTR reviews
- 0 new homes

Permit	PermitDescription	Issue	Company	Value	Fee	Address
MB19_703	SHUTTERS, INSTALL	2/24/2020	East Coast Shutter, Inc	\$2,672.00	\$71.00	2050 ATLANTIC ST 321
MB19_736	REROOF W/FLAT	2/19/2020	Florida Native Roofing Inc	\$47,800.00	\$580.98	600 SHANNON AVE
MB20_002	SHUTTERS	2/24/2020	East Coast Shutter, Inc	\$3,025.00	\$75.73	2101 ATLANTIC ST 532
MB20_003	SHUTTERS	2/24/2020	East Coast Shutter, Inc	\$6,210.00	\$138.25	1607 ATLANTIC ST
MB20_027	HOOD, INSTALL	2/13/2020	R&R SHEET METAL WORKS, INC	\$11,200.00	\$235.61	300 OCEAN AVE
MB20_034	HVAC, REPLACE (2)	2/11/2020	Kabran Air Conditioning & Heating In	\$9,419.00	\$142.00	2005 ATLANTIC ST 425
MB20_035	POOL, RESURFACE	2/12/2020	PINEAPPLE POOLS OF FLORIDA, I	\$6,200.00	\$71.00	417 RIVER VIEW LN
MB20_038	ADDITION	2/12/2020	Jparker Contracting LLC	\$100,000.00	\$1,090.24	306 THIRD AVE
MB20_039	DOOR, INSTALL 2	2/4/2020	BLUE HORIZON RENOVATIONS, L	\$2,275.00	\$71.00	921 OAK ST
MB20_041	GARAGE DOOR, REPLACE 2	2/6/2020	W. Anthes Inc.	\$2,400.00	\$142.00	209 FIFTH AVE
MB20_043	NEW, INGROUND POOL	2/13/2020	Aqua Blue Pools of Central Florida	\$45,350.00	\$557.07	321 FIRST AVE
MB20_046	RE ROOF	2/10/2020	Patrick Roofing Inc	\$20,070.00	\$310.44	409 HIBISCUS TRL
MB20_047	RE ROOF W/FLAT	2/24/2020	Pro-Tech Roofing of Brevard	\$13,145.00	\$242.88	411 SECOND AVE
MB20_048	INTERIOR DEMO					

	2/4/2020	\$500.00	\$71.00 310 SURF RD
MB20_049 WINDOWS			
	2/5/2020 A Better View	\$13,750.00	\$248.78 506 AVENUE B
MB20_050 WINDOWS, REPLACE 5			
	2/5/2020 Lowe's Home Centers	\$5,169.00	\$117.36 200 OAK ST
MB20_052 KITCHEN RENOVATION			
	2/5/2020 Tropical Dreams Renovations	\$4,900.00	\$112.15 1401 ATLANTIC ST
MB20_053 POOL RESURFACE			
	2/12/2020 PINEAPPLE POOLS OF FLORIDA, I	\$12,460.00	\$71.00 416 RIVER VIEW LN
MB20_054 HVAC, INSTALL			
	2/18/2020 COAST AIR & HEAT	\$6,820.00	\$71.00 306 FIFTH AVE
MB20_055 SHUTTERS, INSTALL			
	2/24/2020 East Coast Shutter, Inc	\$9,758.00	\$207.47 501 AVENUE A
MB20_056 RE ROOF			
	2/10/2020 WINDANSEA INC	\$20,000.00	\$309.76 398 RIVER VIEW LN
MB20_057 HVAC, REPLACE NO DUCT			
	2/10/2020 Gale Winds Air and Heat, Inc	\$4,590.00	\$71.00 309 SIXTH AVE
MB20_058 WINDOWS(6) AND DOORS(2), REPLACE			
	2/11/2020 THE HOME DEPOT AT HOME SER	\$19,717.00	\$307.00 1950 ATLANTIC ST 225
MB20_059 POOL DEMO			
	2/7/2020 Hawk Builders Inc.	\$2,300.00	\$71.00 2204 ROSEWOOD DR
MB20_060 RE ROOF			
	2/7/2020 HIGHLAND HOMES ROOFING	\$26,215.00	\$370.39 801 OAK ST
MB20_061 METER MAIN, CHANGE OUT			
	2/7/2020 Extreme Air & Electric Inc.	\$1,000.00	\$71.00 607 CITRUS CT
MB20_062 POOL RESURFACE			
	2/12/2020 PARADISE POOLS AND SPA	\$12,928.00	\$71.00 610 CITRUS CT
MB20_064 REROOF, FLAT			
	2/21/2020 TOTAL HOME ROOFING AND CON	\$18,400.00	\$294.15 101 SHANNON AVE

MB20_065	LP TANK INSTALL	2/12/2020	FERRELLGAS	\$4,681.00	\$71.00	607 CITRUS CT
MB20_067	INTERIOR REMODEL	2/20/2020	Jparker Contracting LLC	\$75,000.00	\$846.34	209 ASH AVE
MB20_068	GARAGE DOOR, REPLACE	2/20/2020	Garage Door Man Inc.	\$1,400.00	\$71.00	1411 ATLANTIC ST
MB20_069	ELECTRICAL, REPLACE	2/14/2020	Brevard Electrical Services Inc	\$1,725.00	\$71.00	506 BANYAN WAY
MB20_071	POOL, RESURFACE	2/18/2020	CUSTOM POOL RENOVATIONS IN	\$5,625.00	\$142.00	318 HIBISCUS TRL
MB20_072	INTERIOR REMODEL	2/24/2020	Vann Construction LLC	\$75,320.00	\$849.70	1207 ATLANTIC ST
MB20_073	REROOF	2/20/2020	COUCH'S ROOFING & WATERPRC	\$41,563.00	\$520.13	607 RIVERSIDE DR
MB20_075	WINDOWS AND DOORS, REPLACE	2/28/2020	Lowe's Home Centers	\$25,763.00	\$365.95	509 HARLAND AVE
MB20_076	RE ROOF NO FLAT	2/19/2020	Mike Willis Roofing & Construction L	\$8,800.00	\$188.72	515 MAGNOLIA AVE
MB20_078	ELECTRIC, Overhead to Underground	2/19/2020	Diversified Cooling and Heating, Inc.	\$2,400.00	\$71.00	408 FIFTH AVE
MB20_079	RE ROOF NO FLAT	2/19/2020	Florida Native Roofing Inc	\$14,025.00	\$251.47	400 SURF RD
MB20_080	INTERIOR RENOVATION	2/27/2020	Home Wreckers	\$91,190.00	\$1,004.30	1202 PINE ST
MB20_081	PAVERS	2/19/2020	Surfside Pavers Inc.	\$8,028.00	\$71.00	610 CITRUS CT
MB20_082	WINDOWS (4) AND DOORS (2), REPLACE					

	2/20/2020 Window World of Central Florida Inc	\$14,613.00	\$257.20 1405 ATLANTIC ST
MB20_083 DRIVEWAY, REPLACE			
	2/18/2020	\$10,000.00	\$71.00 211 FIR AVE
MB20_084 REROOF			
	2/18/2020	\$5,800.00	\$129.61 430 RIVER VIEW LN
MB20_085 DUCTWORK, REPLACE			
	2/27/2020 Doyle Air & Heat Inc	\$2,400.00	\$71.00 303 BEAU JEAN AVE
MB20_086 WINDOWS(5), REPLACE			
	2/27/2020 Property Renovations and Constructi	\$5,795.00	\$129.50 1708 ATLANTIC ST 4A
MB20_087 MECHANICAL HVAC, REPLACE			
	2/21/2020 T AND T AIR CONDICTIONING ANI	\$7,014.00	\$71.00 405 SIXTH AVE
MB20_088 ELECTRICAL REPAIR			
	2/25/2020 COMMERCIAL ELECTRIC & MAINT	\$2,410.00	\$71.00 401 OCEAN AVE
MB20_089 HVAC, REPLACE			
	2/20/2020 Durham & Sons Inc	\$9,338.00	\$71.00 208 BIRCH AVE
MB20_090 ELECTRIC SERVICE, RELOCATE			
	2/21/2020 EAU GALLIE ELECTRIC, INC.	\$450.00	\$71.00 405 AVENUE A
MB20_091 FENCE AND GATE, INSTALL			
	2/28/2020 A&B Fence Co LLC	\$2,100.00	\$71.00 506 AVENUE B
MB20_093 PROPANE, INSTALL			
	2/20/2020 COMO OIL & PROPANE	\$4,898.00	\$71.00 304 HIBISCUS TRL
MB20_094 MECHANICAL HVAC, REPLACE			
	2/20/2020 Cool Breeze of Brevard Inc.	\$4,700.00	\$71.00 1903 ATLANTIC ST 222
MB20_095 REROOF			
	2/21/2020 TOTAL HOME ROOFING AND CON	\$43,975.00	\$543.66 450 SANDY KEY
MB20_097 FENCE AND GATE, INSTALL			
	2/25/2020 Carrie's Fence of Palm Bay	\$0.00	\$71.00 403 Poinsettia

MB20_098 ELECTRICAL, REPLACE

2/25/2020 Grand Electric DBA Bob's Electric \$1,972.00 \$71.00 219 ASH AVE

MB20_100 MECHANICAL HVAC, REPLACE

2/27/2020 Service Star Air Conditioning & Heat \$6,750.00 \$71.00 1401 ATLANTIC ST

MB20_104 WINDOW, REPLACE (4)

2/27/2020 Window World of Central Florida Inc \$5,336.00 \$120.60 409 DRIFTWOOD AVE

MB20_107 RE ROOF

2/27/2020 WEATHERTITE ROOFING INC \$20,824.00 \$317.80 308 HIBISCUS TRL

MB20_108 WINDOWS, REPLACE 9

2/28/2020 Lowe's Home Centers \$9,491.00 \$202.27 1401 PINE ST

MB20_112 PLUMBING, INSTALL

2/27/2020 DOUG HERRELL PLUMBING INC \$4,575.00 \$71.00 306 FIFTH AVE

\$946,234.00	\$13,339.51
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Public Works Activities

February 2020

Rebuild stormwater inlet corner of Sunset and Riverside

Remove and replace section sidewalk at Dogwood and Rosewood

Ocean Park removed and replaced old roof coverings on roofs over picnic tables

Ocean Park painted all of the picnic pavilions

Ocean Park trimmed sea grapes

Relocated speed trailer for PD

Removed and replaced the fencing surrounding irrigation pump Ryckman Park

Ocean Park edged and roto tilled sand in volleyball court

New bulletin board installed Ryckman Park pavilions

Cleaned and rewired walkway lights Ryckman Park – all operating

Met with Crystal Caine ref. small rain garden Ocean and Oak – ordered locates to proceed

Removed abandoned dingy boat north side of pier

Reported to FDOT poor condition of traffic control device arms Ocean and Oak

Relocated the turtle signs in Ocean Park

Rebuilt shower walls around Ocean park bathrooms

Posted two Southern Squall signs

Removed and replaced rotted fascia board west side of Community Center

Met with TM and Engineer ref. paving surveyed streets

Repaired power to irrigation pump in Ryckman Park

Repaired an area at 6th Ave. boat ramp

Welder built tailgate for older pickup truck

Painted the deck at Old Town Hall

Public Works Activities Summary

February 2020

I will open by letting everyone know that the “dingy” reported by some of your colleagues did exist near the pier. We successfully removed it from the water and disposed of it.

We devoted a considerable amount of time to Ocean Park this month. The roofs on all of the picnic table pavilions were replaced with PVC material. Each of the pavilions were painted and reinforced. Signage in the park was replaced.

The three large turtle display signs were removed from a rather concealed area. They were placed along the sidewalk leading up to the boardwalk.

A wooden wall that was at the restroom shower area in the Park was removed and replaced. The new wall is of PVC material and extends up 8 feet. The height increase was done to help protect the resident who resides in that area from being exposed to partially clothed persons showering.

The fence that surrounded the large well and pump area in Ryckman Park had fallen into a state of disrepair. That fence was removed and a new one installed.

We were able to clean all of the wire connections on the walkway lights in Ryckman Park and make them operate. All of the lights now operate and light the park walkway.

It was discovered that high northwest winds had battered the boat ramp area of 6th Avenue causing a piece of seawall to loosen. When this occurred water entered behind the sea wall causing an area of the soil to wash away. Corrective action was taken and the area filled with soil and cement.

Two stormwater inlet drains had been damaged by unknown trucks. Both were repaired.

A new paint job on the deck at the Old Town Hall was completed.

As reflected in the attached activities report we did accomplish many projects during this month.

CODE ENFORCEMENT MONTHLY REPORT: JANUARY 2020 & PARTIAL FEBRUARY

NEW CASES FOR THE MONTH OF JANUARY

<u>CASE NUMBER</u>	<u>DATE</u>	<u>ADDRESS</u>	<u>CODE VIOLATION</u>	<u>DATE CLOSED</u>	<u>ACTIVE</u>
2020-CE-001	1/4/2020	409 FIFTH AVE	LIVING IN TRAILER		X
2020-CE-002	1/2/2020	609 MANGO DR	Overgrowth	1/14/2020	
2020-CE-003	1/7/2020	1505 ORANGE ST	OVERGROWTH	1/30/2020	
2020-CE-004	1/7/2020	2005 REDWOOD	R.V.	1/16/2020	
2020-CE-005	1/9/2020	507 OCEAN AVE	TENNIS COURT USE	1/9/2020	
2020-CE-006	1/14/2020	411 DIRFTWOOD	R.V. IN DRIVEWAY	1/30/2020	
2020-CE-007	1/14/2020	214 FIFTH AVE	WORK W/O PERMIT	1/16/2020	
2020-CE-008	1/14/2020	418 MAGNOLIA	WORK W/O PERMIT	1/16/2020	
2020-CE-009	1/23/2020	510 SECOND AVE	R.V.26+ FT		X
2020-CE-010	1/23/2020	222 CHERRY	R.V.26+ FT		X
2020-CE-011	1/23/2020	203 FIR AVE	R.V.26+ FT		X
2020-CE-012	1/23/2020	210 BIRCH ST	R.V.26+ FT		X
2020-CE-013	1/23/2020	1506 ORANGE ST	R.V.26+ FT		X
2020-CE-014	1/23/2020	400 SIXTH AVE	R.V.26+ FT		X
2020-CE-015	1/23/2020	320 SIXTH AVE	R.V.26+ FT		X
2020-CE-016	1/23/2020	322 SECOND AVE	R.V.26+ FT	2/13/2020	
2020-CE-017	1/23/2020	503 SECOND AVE	R.V.26+ FT	2/11/2020	
2020-CE-018	1/23/2020	1202 OAK ST	R.V.26+ FT		X
2020-CE-019	1/23/2020	320 AVE B	R.V.26+ FT		X
2020-CE-020	1/23/2020	577 SUNSET DR	R.V.26+ FT		X
2020-CE-021	1/23/2020	524 SUNSET DR	R.V.26+ FT		X
2020-CE-022	1/23/2020	415 HIBISCUS TRL	R.V.26+ FT		X
2020-CE-023	1/23/2020	404 BANYAN WY	R.V.26+ FT		X
2020-CE-024	1/23/2020	507 MAGNOLIA	R.V.26+ FT		X
2020-CE-025	1/23/2020	610 MANGO AVE	R.V.26+ FT		X
2020-CE-026	1/26/2020	409 PELICAN KEY	YARD WASTE	1/30/2020	
2020-CE-027	1/30/2020	701 PINE ST	BOAT IN DRIVEWAY	2/6/2020	

OPEN/ACTIVE CASES FROM PRIOR MONTHS

<u>CASE NUMBER</u>	<u>DATE</u>	<u>ADDRESS</u>	<u>VIOLATION</u>	<u>ACTION</u>
2019-CE-050	4/10/2019	200 THIRD AVE #4	RENTAL LESS THAN 30 DAY	PENDING

2019-CE-051	4/10/2019	200 THIRD AVE #5	RENTAL LESS THAN 30 DAY	PENDING
2019-CE-054	5/8/2019	419 OCEAN AV 203	FENCE W/O PERMIT	FINES IN PROGRESS
2019-CE-082	7/16/2019	206 FIR AVE	FENCE W/O PERMIT	HEARING 2/6/2020 X

PRIOR CASES CLOSED IN JANUARY

2019-CE-124	11/27/2019	512 SUNSET BLVD	OVERGROWTH	-	1/16/2020
2019-CE-126	12/2/2019	200 THIRD AVE	OVERGROWTH R.O.W.		1/16/2020
2019-CE-127	12/2/2019	416 AVE A	WORK W/O PERMIT		1/16/2020
2019-CE-129	12/10/2019	312 AVE A	FENCE W/O PERMIT		1/9/2020
2019-CE-117	10/8/2019	401 FOURTH AVE	P.O.D. IN DRIVE		1/9/2020

NUMBER OF CASES OPEN THIS MONTH	27
NUMBER OF CASES CLOSED THIS MONTH	15
NUMBER OF CASES OPEN AND CLOSED SAME MONTH	10
TOTAL NUMBER OF CASES STILL OPEN	17
NUMBER OF CASES THAT WENT TO BOARD	1

PREPARED BY JIM O'BYRNE, CODE ENFORCEMENT OFFICER,



Melbourne Beach Police Department

Monthly Report

February 2020



In February, we had a total of 4 arrests that ranged from Driving Under the Influence, Domestic Violence, and Criminal Traffic.

House checks/residential and business checks are continued daily. The officers and I continue to be proactive as they conducted several "directed traffic enforcement details" throughout the town. Our speed trailer is also placed in various locations throughout the town to assist in traffic calming, and it raises the driver's awareness.

Animal Complaints:

- Loose dogs
- Dog bite
- Squirrel bite
- Barking dog

Training:

1. All officers completed their American Heart CPR/AED recertification. I would like to thank Fire Chief Brown and Engineer Amber Garrity for the hands-on practical training we received.
2. SRO Vila attended a 40 hour Field Training school at Eastern Florida State College.

Updates:

We have purchased five printers that have been installed in the patrol vehicles and TraCS software program on our laptops.

TraCS Florida software is a program funded by a grant from the Florida Department of Transportation (FDOT) to provide Florida law enforcement agencies (LEAs) with a cost-effective (FREE) way to submit crash data electronically to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and citation data to local county clerks of court.

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

Attached you will see a brief overview of the Sergeants monthly report that highlights some of our calls for service.

Stay Safe, Chief Melanie Griswold



MELBOURNE BEACH POLICE DEPARTMENT
Matthew Smith
Sergeant

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



Monthly Report February 2020

- 02/03- Capias request filed on both a husband and wife for battery, domestic violence. Husband and wife go into an altercation in the 100 block of Riverside Drive and the male left the county. After an investigation, officers sent a capias request to the State Attorney's Office for both individuals for possible charges.
- 02/05- Arrested a male for battery, domestic violence, in the 400 block of Fourth Avenue. The male boyfriend punched the female in the face numerous times due to her wanting to break off their relationship.
- 02/06- Traffic arrest of a male for driving a vehicle with no driver's license ever issued. The male was stopped for an equipment violation at Ocean Avenue and Atlantic Street.
- 02/06- Missing adult male in the 500 block of Ocean Avenue. Daughter reported her elderly father with a medical condition was missing. The male was located safe, south of town, an hour or so after he went missing.
- 02/11- Vehicle crash between two vehicles at Oak Street and Sunset Boulevard. Both vehicles had disabling damage and one person claimed minor injury.
- 02/13- Baker Act of an adult male in the 400 block of Fourth Avenue.
- 02/20- Drug seizure of less than 20 grams of marijuana at Avenue B beach. Adult teen male who was out of school during Senior Skip day was found to have a small amount of marijuana. The drugs were confiscated and the male was given a warning.
- 02/27- Vehicle crash between two vehicles at Oak Street and Acacia Boulevard. Both vehicles had minor damage and one person claimed minor injury.
- 02/28- Drug seizure of a small amount of liquid Fentanyl. During a consent search of a vehicle stopped for a traffic violation, a small bag was located with the Fentanyl residue. Possession of the Fentanyl was unable to be determined, so the drug was seized and brought in for destruction.



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



MEMORANDUM

TO: Chief Griswold

FROM: Sgt. Kino

RE: February Monthly Call Report

DATE: 02/01/2020

02/01-Deceased person in the 2100 block of Rosewood Dr. No signs of foul play, ME advised they would sign and the body was turned over to the funeral home.

02/02-Trespass warning issued in the 300 block of Third Ave. A visitor at the residence got into a verbal altercation with the residents. Trespass issued without incident.

02/03-DUI in the area of Oak St and Atlantic St. WM was placed under arrest for DUI.

02/07- Criminal mischief in the 300 block of Fourth Ave. Unknown person put an explosive item in a mailbox.

02/08- Traffic crash without injuries in the 1700 block of Atlantic St. Driver of V1 was issued a criminal citation for never having a driver's license issued. He was given a court date.

02/09- Domestic disturbance verbal only in the 500 block of Ocean Ave. The child involved was transported to COC for evaluation and the parties were separated.

02/16- DUI traffic crash in the 100 block of Ocean Ave. The driver was traveling north on Atlantic St and failed to make the left curve. The driver struck a few items before stopping in Ocean Park. He was placed under arrest for DUI with property damage.

02/17-Traffic crash in the area of Oak St and Avenue B. Three cars involved, nobody was transported by BCFR. Two of the vehicles were towed from the amount of damage.

02/18-Retail theft on the 900 block of Oak St. The suspect removed the price tag from a pair of sunglasses and attempted to leave the store. A decline to prosecute was completed and a trespass was issued to the two involved.

02/25-Traffic arrest in the area of Banyan Way and Magnolia Ave. A w/f was given a court date for DWLS W/KNOW and her license plate was seized.



Melbourne Beach Police Department



	FEB	JAN										YTD
Total Calls for Service	1081	1162										2243
Total Felonies	1	14										15
Total Misdemeanors	8	19										27
Total Capias Requests	2	1										3
Total Traffic Arrests	3	3										6
Total Other Arrests	3	8										11
911 Investigation	20	11										31
Alarm Business	1	2										3
Alarm Residence	2	6										8
Animal Complaint	5	12										17
AOA LEO	22	21										43
AOA Other Agency	0	1										1
Assist Citizen	5	5										10
Assist DCF	2	1										3
Assist Motorist	1	1										2
Attempt to Contact	4	6										10
Baker Act	2	1										3
Burglary Residence	0	4										4
Burglary Vehicle	0	1										1
Citizen Contact	4	4										8
Civil Matter	2	5										7
Crash	5	4										9
Criminal Mischief	1	3										4
Death Investigation	1	1										2
Disturbance Domestic	2	2										4
Disturbance Domestic Battery	2	1										3
Disturbance Noise	2	3										5
Disturbance Verbal	0	1										1
Escort	0	1										
Fire	5	3										8
Grand Theft	0	3										3
House Checks	59	62										121
Illegal Parking	13	11										24
Information	12	12										24
Injured/Ill Person	29	21										50



Melbourne Beach Police Department



	FEB	JAN										YTD
Intoxicated Driver	2	1										3
Investigation	3	5										8
Loitering & Prowling	0	1										1
Missing Person	1	0										
Narcotics	2	5										7
Open Door	2	12										14
Parking Citations	10	3										13
Patrol Area Beach	31	32										63
Patrol Area Business	196	202										398
Patrol Area Foot	12	34										46
Patrol Area Park	42	29										71
Patrol Area Residential	247	330										577
Patrol Area School	10	12										22
Phone Call - Obscene/Threat	0	2										2
Prisoner Transport	0	1										1
Property Confiscated	0	1										1
Property Found	5	9										14
Property Lost	1	1										2
Reckless Driving	4	3										7
School Zone	38	17										55
Soliciting	0	2										2
Special Detail	3	1										4
Standby-Keep the Peace	3	0										3
Suspicious Incident	7	8										15
Suspicious Person	11	10										21
Suspicious Vehicle	17	13										30
Theft	1	5										6
Traffic Complaint	1	1										2
Traffic Enforcement	129	139										268
Traffic Obstruction	1	2										3
Traffic Stop	166	137										303
Trespassing	2	1										3
Vehicle Inspection	1	2										3
Vehicle Stolen & Recovered	0	1										1
Wanted Person	2	0										2



Melbourne Beach Police Department



Vehicle Mileage	FEB	JAN										YTD
Car 359	256	162										418
Car 360	949	931										1880
Car 361	1155	1022										2177
Car 363	620	1505										2125
Car 364	1108	1850										2958
Car 366	477	728										1205



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

FIRE DEPARTMENT MONTHLY REPORT

February 2020

Incident Response

For the month of February 2020, 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 of February was 12.

Breakdown:

- 7 Fire/Rescue Calls (paged out)
- 3 EMS Assists **
- 1 Fire Drill Standby at Gemini Elementary
- 1 Public Assists
- 2 Standby Coverage Details for special events

** The EMS Assist calls provide initial patient assessment & care prior to the arrival of BCFR's Ambulance. Patients are turned over to BCFR upon their arrival for further evaluation, treatment, and possible transport.

New Stipend Program Update

The new stipend program appears to be having the desired effect and participation seems to be increasing across the board. We will have a better idea of the actual increase in call response and training efforts of the individual volunteers after the end of Q2.

Fire Department Garage Floor Update

The MBVFD remains investigating alternative floor coating and finishing options. We are in the process of scheduling vendors to visit the Station to provide estimates and recommendations. We continue to hope to have a decision made by the end of March and to have the project complete before Founders Day in May to showcase our new floors to the community.

Notable Events

The MBVFD continues to work on submitting 3 additional grants; a FEMA AFG grant to assist in the purchase of new radios, a FEMA AFG regional grant to assist in the purchase of an extractor bunker gear washing machine and dryer, and a Fire House Subs grant for the purchase of new waterproof extrication tools (Hurst Jaws of Life). The 2 FEMA grants are required to be completed and submitted by a deadline of March 13th and we are currently on track to meet the aforementioned deadline.

Fire Chief Brown attended the Space Coast Fire Chiefs Operations Committee meeting to discuss emergency response procedures in an effort to increase interoperability between local fire agencies.

The MBVFD participated in the Funeral Procession and Service for Indialantic Dispatcher Donald Emory who passed away near the end of January. Donald had served the public for over 32 years as both a police and fire dispatcher and retired Fire Chief. He was an invaluable asset to the Indialantic dispatching team and he will be greatly missed.

Fire Chief Brown attended multiple pre-event planning meetings on the Southern Squall event. The Fire Department appreciates their strong partnership with the Melbourne Beach Rotary Club and being named as a beneficiary of the event proceeds. The donated funds will go towards the purchase of new pagers for the MBVFD volunteer emergency responders; alerting them when there is an emergency incident taking place. The Fire Department will be on site for the Southern Squall event to provide basic 1st aid and safety services. In addition, the MBVFA has agreed to grill hamburgers and hot dogs for the student volunteers and the residents of Promise in Brevard.

Fire Inspector Faletra and Fire Chief Brown attended a training session in Indialantic regarding the new radio signal strength requirements for new commercial construction.

The MBVFD hosted 3 CPR certification courses during the month of February, certifying all of the MBPD staff and an additional 6 volunteer firefighters. By providing this training in-house we were able to save the MBPD the additional funding it previously cost them to hire an outside instructor.

Safety Chief Micka attended the monthly fire drill at Gemini Elementary School. The MBVFD continues to attend these monthly drills as a public service and to assist the Gemini staff & SRO with recommendations on ways to improve the effectiveness of their emergency plans and scenarios.

The MBVFD participated in the annual South Beach Little League Parade that begins at Advent Lutheran Church and ends at Flutie Field. The parade detail was well received and was completed without incident.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 3/12/2020 12:43:52 PM



Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 02/01/2020 | End Date: 02/29/2020

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2020-16	02/02/2020		206 4th AVE , Melbourne Beach, FL, 32951	Outside equipment fire	02/02/2020 01:19	02/02/2020 01:36
2020-17	02/06/2020		509 Ocean Ave AVE , Melbourne Beach, FL, 329513295	EMS call, excluding vehicle accident with injury	02/06/2020 09:16	02/06/2020 09:29
2020-18	02/06/2020		508 Ocean AVE , Melbourne Beach, FL, 32951	Medical assist, assist EMS crew	02/06/2020 10:20	02/06/2020 10:30
2020-19	02/07/2020		401 2nd AVE , Melbourne Beach, FL, 32951	Public service assistance, other	02/07/2020 16:16	02/07/2020 16:26
2020-20	02/11/2020		1005 Atlantic ST , Melbourne Beach, FL, 32951	Dispatched & cancelled en route	02/11/2020 20:41	02/11/2020 20:42
2020-21	02/15/2020		507 Ocean AVE , Melbourne Beach, FL, 32951	Cover assignment, standby, moveup	02/15/2020 10:00	02/15/2020 14:00
2020-22	02/15/2020		507 Ocean AVE , Melbourne Beach, FL, 32951	EMS call, excluding vehicle accident with injury	02/15/2020 12:30	02/15/2020 12:45
2020-23	02/16/2020	Intersection	Ocean AVE / Atlantic St, Melbourne Beach, FL, 32951	Vehicle accident, general cleanup	02/16/2020 20:02	02/16/2020 21:08
2020-24	02/17/2020		100 Ocean AVE , Melbourne Beach, FL, 32951	Surf rescue	02/17/2020 15:19	02/17/2020 15:42
2020-25	02/19/2020		2100 Oak , Melbourne Beach, FL, 329513295	Special type of incident, other	02/19/2020 13:05	02/19/2020 14:05
2020-26	02/19/2020	Intersection	Oak ST / Cherry St, Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	02/19/2020 18:50	02/19/2020 19:36
2020-27	02/20/2020		507 Ocean AVE , Melbourne Beach, FL, 32951	Motor vehicle/pedestrian accident (MV Ped)	02/20/2020 09:13	02/20/2020 09:35
2020-28	02/27/2020	Intersection	Oak ST / Acacia, Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	02/27/2020 16:19	02/27/2020 16:25
2020-29	02/29/2020		Oak ST , Melbourne Beach, FL, 32951	Cover assignment, standby, moveup	02/29/2020 15:49	02/29/2020 16:30

Location Type is only filled in when it is marked Intersection, Directions, or National Grid on Basic Info 3.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 3/12/2020 12:45:06 PM



Personnel Count per Incident for Date Range

Start Date: 02/01/2020 | End Date: 02/29/2020

INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2020-16	2/2/2020 01:19:00	162 - Outside equipment fire	19112	4	1	5
** 2020-17	2/6/2020 09:16:00	321 - EMS call, excluding vehicle accident with injury	19112	1	4	5
2020-18	2/6/2020 10:20:00	311 - Medical assist, assist EMS crew	19112	2	0	2
2020-19	2/7/2020 16:16:00	550 - Public service assistance, other	19112	2	0	2
** 2020-20	2/11/2020 20:41:00	611 - Dispatched & cancelled en route	19112	5	16	21
2020-21	2/15/2020 10:00:00	571 - Cover assignment, standby, moveup	19112	6	5	11
2020-22	2/15/2020 12:30:00	321 - EMS call, excluding vehicle accident with injury	19112	2	1	3
** 2020-23	2/16/2020 20:02:00	463 - Vehicle accident, general cleanup	19112	6	12	18
** 2020-24	2/17/2020 15:19:00	364 - Surf rescue	19112	4	7	11
2020-25	2/19/2020 13:05:00	900 - Special type of incident, other	19112	1	0	1
** 2020-26	2/19/2020 18:50:00	445 - Arcing, shorted electrical equipment	19112	9	3	12
2020-27	2/20/2020 09:13:00	323 - Motor vehicle/pedestrian accident (MV Ped)	19112	2	0	2
** 2020-28	2/27/2020 16:19:00	324 - Motor vehicle accident with no injuries.	19112	2	11	13
2020-29	2/29/2020 15:49:00	571 - Cover assignment, standby, moveup	19112	8	1	9

AVERAGES:

3.9

4.4

8.2

** Without EMS Assist or Service Calls:
(Paged out calls only)

4.4

7.7

12.1

Only REVIEWED incidents included



Memo

To: Mayor, Vice Mayor and Commissioners
From: Jennifer Kerr, Finance Manager
Date: March 11, 2020
Re: February 2020

We are in the fifth reporting month of our fiscal year 2020. The target expenditure rate for February 2020 is 41.67%. All departments are managing their expenditures even though several budget lines are over the targeted expenditure rate. All budget items highlighted in green are over the target rate but within the anticipated spending of that budget line. 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. All budget items highlighted in yellow are being monitored. The total General Fund expenditure rate, year to date is 35.1%. The Departmental expenditure rate breakdown is as follows:

Legislative:	36.6%
Executive:	50.3%
Finance:	39.9%
Legal:	57.5%
Comp & Plan:	09.1%
General Services:	27.4%
Law Enforcement:	38.1%
Fire:	18.4%
Code:	29.8%
Public Works:	48.2%
Parks:	43.3%
Building:	30.8%

Discussion Items:

- Police Vehicles #360 and #366 have been paid off.
- The Public Works Silverado Pickup Truck has been paid off.
- The Fire Department has one payment remaining on Squad #58 and two payments on Engine #258.
- The FEMA grant for \$25,000 for Hurricane Dorian has been submitted and is going through the required process.
- We applied for and received the 1st Quarter Safety Grant from Florida Municipal Insurance Trust (FMIT) for \$1,242.00.
- We are applying for two more Safety Grants awarded in the 2nd Quarter through FMIT. One for \$2,500.00 and one for \$1,259.00.

Target Expenditure Rate:**Dept: 11 Legislative**

500.11.00	Executive Salaries	16,200.00	6,458.33	9,741.67	39.9
500.12.00	Regular Salaries	78,480.00	24,338.45	54,141.55	31.0
500.21.00	FICA Taxes - Employer Portion	7,243.00	2,366.36	4,876.64	32.7
500.22.20	Retirement Town Employees	6,647.00	2,061.43	4,585.57	31.0
500.23.01	Health Insurance	21,657.00	4,821.83	16,835.17	22.3
500.23.02	Life Insurance	136.00	56.30	79.70	41.4
500.25.00	Unemployment Compensation	251.00	24.35	226.65	9.7
510.31.00	Professional Services	160.00	0.00	160.00	0.0
510.40.00	Travel & Meetings	2,660.00	348.19	2,311.81	13.1
510.40.10	Travel & Meetings - Staff	300.00	24.00	276.00	8.0
510.47.00	Printing	5,735.00	2,091.99	3,643.01	36.5
510.48.00	Promotional Activities	533.00	127.99	405.01	24.0
510.48.40	Legal Notices	14,000.00	8,618.23	5,381.77	61.6
510.49.50	Election Expense	6,000.00	5,796.68	203.32	96.6
510.54.00	Dues & Subscriptions	785.00	590.00	195.00	75.2
510.54.10	Training & Schools	1,580.00	75.00	1,505.00	4.7
510.64.01	Capital Outlay	2,000.00	0.00	2,000.00	0.0
543.00.00	Licenses & Fees	7,257.00	5,002.98	2,254.02	68.9

36.6**Dept: 12 Executive**

500.12.00	Regular Salaries	90,000.00	48,379.83	41,620.17	53.8
500.12.05	SEVERANCE PAYMENT	0.00	-7,984.46	7,984.46	0.0
500.21.00	FICA Taxes - Employer Portion	6,885.00	4,030.20	2,854.80	58.5
500.22.01	Retirement - ICMA	7,623.00	3,309.79	4,313.21	43.4
500.22.20	Retirement Town Employees	0.00	1,695.41	-1,695.41	0.0
500.23.01	Health Insurance	10,734.00	9,088.81	1,645.19	84.7
500.23.02	Life Insurance	1,200.00	283.75	916.25	23.6
500.25.00	Unemployment Compensation	288.00	48.51	239.49	16.8
510.40.00	Travel & Meetings	2,400.00	0.00	2,400.00	0.0
510.52.50	Gas & Oil	0.00	1,000.00	-1,000.00	0.0
510.54.00	Dues & Subscriptions	858.00	495.00	363.00	57.7

50.3**Dept: 13 Finance**

500.12.00	Regular Salaries	58,000.00	24,538.47	33,461.53	42.3
500.21.00	FICA Taxes - Employer Portion	4,437.00	1,865.16	2,571.84	42.0
500.22.20	Retirement Town Employees	4,913.00	2,078.45	2,834.55	42.3
500.23.01	Health Insurance	7,716.00	3,373.50	4,342.50	43.7
500.23.02	Life Insurance	68.00	33.78	34.22	49.7
500.25.00	Unemployment Compensation	186.00	24.53	161.47	13.2
510.31.00	Professional Services	4,900.00	5,144.53	-244.53	105.0
510.32.00	Auditing Services	21,900.00	4,000.00	17,900.00	18.3
510.32.90	Banking Fees	3,300.00	1,649.76	1,650.24	50.0
510.40.00	Travel & Meetings	1,000.00	0.00	1,000.00	0.0
510.47.00	Printing	180.00	0.00	180.00	0.0
510.54.00	Dues & Subscriptions	60.00	0.00	60.00	0.0
510.54.10	Training & Schools	350.00	0.00	350.00	0.0

39.9**Dept: 14 Legal Counsel**

510.31.00	Professional Services	80,000.00	45,962.00	34,038.00	57.5
510.31.01	Code Enforcement Attorney	1,500.00	931.25	568.75	62.1

57.5**Dept: 15 Comprehensive Planning**

510.31.00	Professional Services	67,500.00	6,119.89	61,380.11	9.1
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9.1**Dept: 19 General Services**

500.24.00	Workers Compensation	2,177.00	0.00	2,177.00	0.0
510.31.00	Professional Services	4,000.00	1,550.00	2,450.00	38.8
510.31.02	Lifeguard Contract	19,600.00	0.00	19,600.00	0.0
510.31.11	Security	1,998.00	374.95	1,623.05	18.8

510.34.10	Janitorial Services	14,108.00	4,844.99	9,263.01	34.3	
510.35.00	Pre-Employment Exp	135.00	84.00	51.00	62.2	Monitorii
510.41.00	Telephone	10,728.00	2,581.72	8,146.28	24.1	
510.41.10	Communication Services	41,004.00	16,499.82	24,504.18	40.2	
510.43.00	STREET LIGHTS	45,000.00	14,552.17	30,447.83	32.3	
510.43.10	Electricity	32,500.00	9,642.99	22,857.01	29.7	
510.43.20	Water & Sewer	6,600.00	1,748.47	4,851.53	26.5	
510.43.50	WASTE SERVICE TAX	2,964.00	2,964.34	-0.34	100.0	Fully ext
510.45.00	General Liability Insurance	53,700.00	26,801.00	26,899.00	49.9	
510.45.01	Flood Insurance	3,400.00	0.00	3,400.00	0.0	
510.45.02	Property Insurance	41,500.00	20,748.50	20,751.50	50.0	
510.45.03	Auto Insurance	7,500.00	3,711.50	3,788.50	49.5	
510.46.10	Office Equipment Maintenance	4,904.00	1,210.90	3,693.10	24.7	
510.46.15	Equipment Maintenance	13,800.00	0.00	13,800.00	0.0	
510.46.36	Pest Control	3,000.00	706.74	2,293.26	23.6	
510.46.41	Moving Contract	29,820.00	12,425.00	17,395.00	41.7	
510.46.60	SIGNAL MAINTENANCE	2,500.00	0.00	2,500.00	0.0	
510.47.00	Printing	200.00	-0.01	200.01	0.0	
510.49.48	Env. Boards Expense	960.00	271.23	688.77	28.3	
510.49.98	Contingency	30,000.00	598.67	29,401.33	2.0	
510.49.99	Miscellaneous	300.00	35.00	265.00	11.7	
510.51.00	Office Supplies	9,100.00	4,611.78	4,488.22	50.7	
510.51.10	Postage	1,800.00	1,481.54	318.46	82.3	Monitorii
510.52.10	Janitorial Supplies	5,000.00	1,585.86	3,414.14	31.7	
510.54.00	Dues & Subscriptions	252.00	0.00	252.00	0.0	
510.64.01	Capital Outlay	149,749.00	16,800.00	132,949.00	11.2	
543.00.00	Licenses & Fees	11,117.00	4,441.39	6,675.61	40.0	
					27.4	

Dept: 21 Law Enforcement

500.12.00	Regular Salaries	542,401.00	237,932.05	304,468.95	43.9	
500.12.50	Holiday Pay	19,000.00	0.00	19,000.00	0.0	
500.14.00	Salaries Overtime	30,300.00	15,883.38	14,416.62	52.4	
500.15.00	Education Incentive Pay	6,600.00	2,675.00	3,925.00	40.5	
500.15.01	First Responder	7,920.00	2,450.00	5,470.00	30.9	
500.21.00	FICA Taxes - Employer Portion	46,376.00	19,375.36	27,000.64	41.8	
500.22.02	Police Pension	292,640.00	73,592.82	219,047.18	25.1	
500.22.20	Retirement Town Employees	2,828.00	1,194.01	1,633.99	42.2	
500.23.01	Health Insurance	55,227.00	28,421.00	26,806.00	51.5	
500.23.02	Life Insurance	2,255.00	982.30	1,272.70	43.6	
500.23.10	Statutory AD&D	1,000.00	594.00	406.00	59.4	
500.24.00	Workers Compensation	12,500.00	10,553.50	1,946.50	84.4	
500.25.00	Unemployment Compensation	600.00	259.67	340.33	43.3	
520.31.00	Professional Services	680.00	250.00	430.00	36.8	
520.34.40	Dispatching Services	17,756.00	0.00	17,756.00	0.0	
520.40.00	Travel & Meetings	540.00	977.52	-437.52	181.0	
520.41.10	Communication Services	1,020.00	170.00	850.00	16.7	
520.46.10	Office Equipment Maintenance	3,000.00	1,672.95	1,327.05	55.8	\$1000 F
520.46.15	Equipment Maintenance	2,000.00	684.90	1,315.10	34.2	
520.46.16	Radar Calibration	1,000.00	80.00	920.00	8.0	
520.46.20	Vehicle Maintenance	13,000.00	1,044.93	11,955.07	8.0	
520.48.00	PROMOTIONAL ACTIVITIES	1,800.00	437.68	1,362.32	24.3	
520.48.50	Crime Prevention	1,100.00	124.91	975.09	11.4	
520.49.99	Miscellaneous	100.00	0.00	100.00	0.0	
520.52.00	Uniforms	7,350.00	705.21	6,644.79	9.6	
520.52.05	Protective Gear	8,100.00	966.98	7,133.02	11.9	
520.52.50	Gas & Oil	13,000.00	4,383.77	8,616.23	33.7	
520.52.70	Medical	500.00	339.87	160.13	68.0	
520.52.90	Operating Supplies	3,420.00	990.07	2,429.93	28.9	
520.54.00	Dues & Subscriptions	450.00	240.00	210.00	53.3	
520.54.10	Training & Schools	3,500.00	1,297.35	2,202.65	37.1	
520.64.01	Capital Outlay	45,700.00	13,109.85	32,590.15	28.7	
520.71.00	Principal Retired	22,543.00	22,543.00	0.00	100.0	
520.72.00	Interest Expense	1,719.00	1,716.93	2.17	99.9	

543.00.00	Licenses & Fees	12,762.00	4,155.72	8,606.28	32.6
					38.1

Dept: 22 Fire Control

500.12.00	Regular Salaries	38,422.00	16,226.62	22,195.38	42.2
500.14.00	Salaries Overtime	0.00	110.83	-110.83	0.0
500.21.00	FICA Taxes - Employer Portion	2,939.00	1,377.71	1,561.29	46.9
500.22.20	Retirement Town Employees	3,254.00	1,383.80	1,870.20	42.5
500.23.01	Health Insurance	4,489.00	1,902.13	2,586.87	42.4
500.23.02	Life Insurance	162.00	28.15	133.85	17.4
500.23.10	Statutory AD&D	165.00	165.00	0.00	100.0
500.24.00	Workers Compensation	6,000.00	0.00	6,000.00	0.0
500.25.00	Unemployment Compensation	123.00	18.39	104.61	15.0
520.31.00	Professional Services	104,000.00	1,419.60	102,580.40	1.4
520.34.40	Dispatching Services	5,000.00	1,250.00	3,750.00	25.0
520.35.00	PRE-EMPLOYMENT EXPENSE	3,380.00	894.00	2,486.00	26.4
520.40.00	Travel & Meetings	500.00	22.65	477.35	4.5
520.41.10	Communication Services	1,200.00	500.00	700.00	41.7
520.46.15	Equipment Maintenance	4,077.00	414.74	3,662.26	10.2
520.46.20	Vehicle Maintenance	23,050.00	1,723.65	21,326.35	7.5
520.48.55	Fire Prevention	2,820.00	1,201.00	1,619.00	42.6
520.51.00	Office Supplies	300.00	531.86	-231.86	177.3
520.52.00	Uniforms	5,150.00	573.82	4,576.18	11.1
520.52.02	S.C.B.A.	1,750.00	0.00	1,750.00	0.0
520.52.05	Protective Gear	3,780.00	303.70	3,476.30	8.0
520.52.10	Janitorial Supplies	750.00	34.78	715.22	4.6
520.52.20	Tools & Hardware	1,500.00	0.00	1,500.00	0.0
520.52.50	Gas & Oil	2,100.00	576.90	1,523.10	27.5
520.52.70	Medical	700.00	77.16	622.84	11.0
520.54.00	Dues & Subscriptions	360.00	72.00	288.00	20.0
520.54.10	Training & Schools	6,750.00	1,372.81	5,377.19	20.3
520.54.12	Training Materials	800.00	515.70	284.30	64.5
520.64.01	Capital Outlay	86,500.00	0.00	86,500.00	0.0
520.71.00	Principal Retired	42,152.00	28,223.74	13,928.26	67.0
520.72.00	Interest Expense	6,311.00	4,776.58	1,534.42	75.7
543.00.00	Licenses & Fees	12,366.00	2,610.00	9,756.00	21.1
					18.4

Desk/Ch

Training

Dept: 29 Code Enforcement

500.12.00	Regular Salaries	13,312.00	4,112.00	9,200.00	30.9
500.21.00	FICA Taxes - Employer Portion	1,018.00	314.56	703.44	30.9
500.22.20	Retirement Town Employees	1,128.00	348.29	779.71	30.9
500.23.10	Statutory AD&D	53.00	0.00	53.00	0.0
500.24.00	Workers Compensation	166.00	0.00	166.00	0.0
500.25.00	Unemployment Compensation	43.00	4.10	38.90	9.5
520.40.00	Travel & Meetings	35.00	0.00	35.00	0.0
520.45.03	Auto Insurance	124.00	0.00	124.00	0.0
520.46.20	Vehicle Maintenance	250.00	0.00	250.00	0.0
520.51.00	Office Supplies	100.00	0.00	100.00	0.0
520.51.10	Postage	350.00	81.41	268.59	23.3
520.51.20	RECORDING COSTS	120.00	45.50	74.50	37.9
520.52.00	Uniforms	75.00	69.00	6.00	92.0
520.52.50	Gas & Oil	150.00	99.09	50.91	66.1
520.54.10	Training & Schools	100.00	0.00	100.00	0.0
					29.8

Dept: 41 Public Works

500.12.00	Regular Salaries	155,000.00	62,127.12	92,872.88	40.1
500.14.00	Salaries Overtime	2,000.00	520.31	1,479.69	26.0
500.21.00	FICA Taxes - Employer Portion	11,858.00	5,011.33	6,846.67	42.3
500.22.20	Retirement Town Employees	13,129.00	5,306.38	7,822.62	40.4
500.23.01	Health Insurance	16,115.00	6,782.43	9,332.57	42.1
500.23.02	Life Insurance	180.00	126.65	53.35	70.4
500.23.10	Statutory AD&D	159.00	159.00	0.00	100.0
500.24.00	Workers Compensation	2,000.00	0.00	2,000.00	0.0
500.25.00	Unemployment Compensation	496.00	65.64	430.36	13.2

530.34.91	Landscaping	5,000.00	1,609.77	3,390.23	32.2	
530.40.00	Travel & Meetings	200.00	0.00	200.00	0.0	
530.43.50	Dump Service	2,000.00	500.00	1,500.00	25.0	
530.46.12	Maintenance Supplies	7,000.00	342.89	6,657.11	4.9	
530.46.15	Equipment Maintenance	4,000.00	1,904.73	2,095.27	47.6	
530.46.20	Vehicle Maintenance	3,438.00	794.61	2,643.39	23.1	
530.46.30	Building Maintenance	5,000.00	923.86	4,076.14	18.5	
530.46.31	Maintenance Old Town Hall	1,000.00	44.50	955.50	4.5	
530.46.32	Ryckman House	2,000.00	221.00	1,779.00	11.1	
530.46.34	Maintenance Ryckman Park	0.00	234.36	-234.36	0.0	
530.46.35	Pier Maintenance	2,000.00	0.00	2,000.00	0.0	
530.46.36	Pest Control	0.00	235.58	-235.58	0.0	
530.46.37	Maintenance Ocean Park	0.00	979.81	-979.81	0.0	
530.46.40	Grounds Maintenance	15,000.00	6,112.18	8,887.82	40.7	
530.52.00	Uniforms	1,300.00	521.63	778.37	40.1	
530.52.05	Protective Gear	600.00	407.57	192.43	67.9	Monitori
530.52.20	Tools & Hardware	2,600.00	1,253.25	1,346.75	48.2	
530.52.25	TOOL RENTALS	3,000.00	219.99	2,780.01	7.3	
530.52.50	Gas & Oil	2,900.00	1,309.55	1,590.45	45.2	
530.53.10	Street Repair	3,000.00	1,280.40	1,719.60	42.7	
530.53.20	Street Signs	3,000.00	2,842.75	157.25	94.8	
530.54.10	Training & Schools	1,500.00	199.85	1,300.15	13.3	
530.64.01	Capital Outlay	44,500.00	40,952.26	3,547.74	92.0	
530.71.00	PRINCIPAL RETIRED	11,592.00	11,592.00	0.00	100.0	Fully ext
530.72.00	Interest Expense	864.00	862.77	1.23	99.9	Fully ext
					48.2	
Dept: 72 Parks & Recreation						
570.46.42	Park Beautification	1,600.00	1,667.30	-67.30	104.2	Fully ext
570.46.43	Tree Expense	0.00	400.00	-400.00	0.0	
570.48.10	Founder's Day	5,000.00	782.14	4,217.86	15.6	
570.48.50	Movies In The Park	1,400.00	435.00	965.00	31.1	
570.48.52	Fourth of July	500.00	0.00	500.00	0.0	
570.48.53	Christmas Decorations Park	250.00	1,368.10	-1,118.10	547.2	
570.48.60	Easter Egg Hunt	50.00	0.00	50.00	0.0	
570.63.01	Tennis Court Expenditures	500.00	0.00	500.00	0.0	
570.63.02	BBall & VBall Courts	2,000.00	461.18	1,538.82	23.1	
570.63.05	Bocce Court Expenditures	500.00	0.00	500.00	0.0	
					43.3	
Total Expenditure General Fund:					35.1	

Fund: 125 - Building Dept**Dept: 24 Protective Inspections**

500.12.00	Regular Salaries	73,284.00	28,056.70	45,227.30	38.3
500.14.00	Salaries Overtime	0.00	14.42	-14.42	0.0
500.21.00	FICA Taxes - Employer Portion	5,606.00	2,050.18	3,555.82	36.6
500.22.20	Retirement Town Employees	6,207.00	2,377.66	3,829.34	38.3
500.23.01	Health Insurance	16,301.00	7,953.47	8,347.53	48.8
500.23.02	Life Insurance	136.00	28.15	107.85	20.7
500.25.00	Unemployment Compensation	235.00	28.08	206.92	11.9
520.31.00	Professional Services	107,679.00	31,450.00	76,229.00	29.2
520.40.00	Travel & Meetings	0.00	78.88	-78.88	0.0
520.51.00	Office Supplies	400.00	20.99	379.01	5.2
520.51.10	Postage	30.00	0.00	30.00	0.0
520.52.00	Uniforms	50.00	33.00	17.00	66.0
520.52.20	Tools & Hardware	60.00	0.00	60.00	0.0
520.54.00	Dues & Subscriptions	125.00	0.00	125.00	0.0
520.64.01	Capital Outlay	6,000.00	0.00	6,000.00	0.0
581.00.00	TRANSFER OUT	18,000.00	0.00	18,000.00	0.0
Protective Inspections					30.8

Action Items

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO	DIRECTION/NOTES
Sediment Control	1/15/2020	2/19/2020	2/19/2020	Commission	Building Department	1/15/2020: The Commission directed the Town Manager to determine if current controls were in effect and, if so, why they were not being implemented by the Building Official consistently.
						1/21/2020: The Building Official and Building Clerk spoke to all of the builders (regarding erosion control and the dirt in the street from vehicles) who are currently in progress with a new home. They are all going to inspect the street and if needed they will clean and put in measures to prevent (gravel, hay or sod). In the process of talking to the contractors it was emphasized that if measures weren't addressed in a timely manner (like the same day or the following day) that the projects would be shut down until corrections or clean-up was handled. They have all been very cooperative and willing to address any issues.
						1/22/2020: 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 Codes (3307.1). Lifestyle Properties has cleaned the road as requested in front of the construction at 403 Poinsettia and has laid sod in the apron of the property as a barrier. They are inspecting and providing the same at their other site (225 Fourth).
						2/19/2020: Sediment control is spelled out in our Code and Marc does check for compliance on these issues. He has to check frequently at times but the the builders always comply and he hasn't had any issues. Staff needs to stay on top of this issue but there was consensus to close. 4-0.
Vacation Rental Ordinance	8/2/2017	3/4/2020		Commission	Town Attorney	8/2/2017: At the Town Commission Workshop on 8/2/2017, the Commission agreed by consensus to direct the Town Attorney to draft an ordinance modeled after Flagler County Ordinance 2016-01 and to identify which items may require further study and/or justification.
						11/16/2017: Town Attorney to present proposed ordinance at February RTCM.
						2/21/2017: Town Attorney to present proposed ordinance at the April RTCM depending on State legislation under consideration.
						8/15/2018: Town Attorney to present a draft ordinance at the September RTCM. He will be providing a lot of information about Flagler County's vacation rental issues that should be reviewed carefully before the meeting.

					9/19/2018: TA Repperger stated that he would provide a proposal at the October RTCM. He also stated that Indian Harbour Beach had developed an ordinance that would provide a better template for our ordinance. (He will contact the IHB TA to discuss this.)
					10/17/2018: Town Attorney to model our ordinance after Indian Harbour Beach. Will conduct more research and present findings at the November 14th meeting.
					11/14/2018: Town Attorney will present ordinance at December RTCM.
					12/19/2019: The Town Attorney will present wording for the ordinance at the January RTCM
					1/16/2019: Town Attorney was bogged down dealing with FRS issue and will present wording for ordinance at the February RTCM.
					3/6/2019: The Town Attorney has been busy handling other more pressing Town matters so the ordinance will be ready for 1st read at May's regular meeting
					4/17/2019: TA to present ordinance at June RTCM for first reading.
					6/26/2019: The Town Attorney will present a draft copy of the ordinance to the Commission in July. The first reading of the Ordinance will be on August 21st.
					7/17/2019: The TA will have a draft copy of the ordinance at the August RTCM for the Commission to review. First reading will be in September.
					8/21/2019: Town Attorney Repperger will have a draft of the ordinance for the Commission to review at the September RTCM and it will be presented for the first reading at the October RTCM.
					9/18/2019: TA will present ordinance at the October RTCM.
					10/16/2019: TA needed to push this out another month.
					11/20/2019: Town Attorney is looking into ADA compliance and safety issues as they apply to short term rental. Requested pushing out another month.
					12/18/2019: At the December RTCM the Town Attorney said he's going to have a draft copy of the ordinance to present at the January RTCM. The first reading will occur at the February RTCM and the second reading will occur at the March RTCM.
					1/15/2020: The Town Attorney said he will have a draft ordinance for vacation rentals available for review at the February workshop. Once he receives feedback, he'll have complete the ordinance and present it for first reading at the February RTCM.
					2/19/2020: The Town Attorney asked that this be pushed out to the March Workshop to discuss verbiage for the draft ordinance that will be presented at the March RTCM.
					3/4/2020: The Town Attorney presented the Ordinance at the workshop for comment. Document is being updated with comments and will be presented at RTCM on 3/18/2020 as a first reading. The Ordinance was advertised.

Research availability and compensation for Building Officials	1/15/2020	3/18/2020		Commission	Town Manager	1/15/2020: The Commission approved the Safebuilt contract for one more year (5-0). Because Marc Meyers is retiring soon and their rates will be raised next renewal period, the Commission tasked the Town Manager with doing a salary survey for Building Officials and to determine availability.
						2/19/2020: The Town Manager talked to somebody who was interested in the job but in a matter of days, accepted a job in Rockledge. Compensation is less than they all thought. A former employee, Rob Perry, is now working for Safebuilt and will be working for us on Wednesdays until Ken (the building inspector) returns.
						3/4/2020: Town Manager presented salary survey (all positions) at workshop. Suggestions made to eliminate some towns used for comparison purposes. The data for Building Officials will be used to present to the Commission at the RTCM on 3/18/2020.
Establish salary ranges	7/17/2019	3/4/2020		Commission	Town Manager	7/17/2019: Town Manager to conduct research and provide a salary range for each job in the Town.
						1/15/2020: The Town Manager asked that this be moved out another month.
						2/19/2020: The Town Manager gave the Commission a copy of salary ranges from neighboring communities to be used as guidelines. Salary ranges still need to be created for MB employees and will be discussed further at the March Workshop.
						3/4/2020: Town Manager presented salary survey (all positions) at workshop. Suggestions made to eliminate some towns used for comparison purposes. The updated data for will be used to present to the Commission at the RTCM on 3/18/2020.
Sheds on corner lots	11/20/2019	3/4/2020		Commission	Town Attorney	11/20/2019: A resident asked about the Code restriction related to the placement of sheds on corner lots. After Commission discussion, the issue was placed on the Action List to discuss and perhaps address at a later date.
						12/18/2019: The Town Planner and staff have some options to address this issue that will be presented to the Planning & Zoning Board in January at which point the matter will be brought back to the Commission.
						2/19/2020: The Town Manager is contacting the Town Planner about this matter in order to address it further at the Planning & Zoning meeting on February 3rd, prior to the Workshop.
						3/4/2020: Presented at workshop. Commission moved 4/1/2020 workshop.
Pool water discharge	2/19/2020	3/18/2020		Commissioner Runte	Town Manager	2/19/2020: The TM will have the Building Official investigate solutions for outfall to IRL, staining on curbs and keeping draining pool water on the property. Commissioner Runte will ask other Building Departments how they handle the discharge of pool water.

						3/13/2020: An updated Pool Construction and Resurfacing Affidavit with the language "The drainage MUST be contained in the yard to prevent all flow of the neighboring property, street or storm drains. In situations where the possible debris from the yard will create an increase in illicit discharge; the location of the barrel may be altered, with approval from the Building Official.
Street paving and repaving plan	6/20/2018	3/18/2020		Commission	Town Manager	6/20/2018: RFP bids to be presented at 7/18/2018 meeting
						7/18/2018: Decide on one mile of paving or two miles of paving in FY 19/20
						10/11/2018: Research is starting on replacement and preservation of our roadways.
						10/17/2018: TM suggested working with our other approved engineering firm, Bowman Consulting, since they have expertise on this topic.
						1/11/2019: BSE is scheduled to meet with the TM the week of 1/14/2019.
						1/16/2019: Town Manager is working with BSE to determine the order in which the roads should be paved based on condition.
						2/13/2019: Request delay until April 2019.
						4/10/2019: BSE to review past paving plan. They will see if we can piggyback onto Brevard County's contract with VA Paving.
						4/18/2019: TM said cost for one mile of paving will be approximately \$66,000 but it will depend on depth and if millings will be needed.
						5/15/2019: Interim Town Manager and the PW Supervisor are breaking the roads into contiguous zones and putting those zones in order of condition. Looking to pave 3-5 miles of roads during FY 19/20.
						6/26/2019: The PW Supervisor developed a map for the north, central and south sections of Town and is working on giving the roads grades determined by their condition. The budget has enough for 3 miles of paving and the areas paved should be contiguous. PW Supervisor to report back in July.
						7/17/2019: PW Supervisor showed on a map where the next block of paving will take place. It's on the north end of Town and spans 2.84 miles, is contiguous and is in an area where there are no upcoming stormwater projects. More preventive maintenance should be performed such as sealing cracks to stop water intrusion and sealing the roads. Mayor Simmons suggested working with Indialantic when repaving contiguous areas.
						1/15/2020: The PW Supervisor and Town Manager are meeting with B.S.E. in February; they don't want to spend money on paving until the road are evaluated.
						2/19/2020: The Town Manager said she talked to Scott Glaubitz about the roads but hasn't heard back from him. Item being moved out to March RTCM.

						02/26/2020: The Town Manager and Public Works Supervisor toured the streets that were slated for repavement. Scott Glaubitz advised that several of the streets did not need to be paved just patched. Mr. Glaubitz was not concerned about the road depression on Cherry and Rosewood. The TM was advised to save the money set aside for paving this year and patch. The larger much more expensive project will be the major curb replacement and repaving of Orange.
Code Enforcement Magistrate	8/21/2019	3/18/2020		Mayor Simmons	Town Manager Mascaro & Town Attorney	8/21/2019: Town Attorney Repperger and Town Manager Mascaro weighed in on the efficiency of having a Special Magistrate instead of a Code Board; a Magistrate would streamline the process. The cost could be assessed to the resident and the Code would have to be changed. The cost runs between \$125 and \$150 per hour. The Town Manager was tasked with presenting options to the Commission about the handling of code hearings.
						9/18/2019: TA Repperger said a code change will be required to change from Code Board to Special Magistrate enforcement. The Commission consented to having the TA move forward with writing an ordinance. The Mayor asked the TM to get in touch with the Code Board members, as a courtesy, to let them know the Commission is thinking about a Special Magistrate.
						11/20/2019: This item relates to the ordinance change and not the Special Magistrate agreement that will be revisited by the Commission at the December RTCM. The Town Attorney asked that this be moved out to January 2020.
						1/15/2020: The Town Attorney asked that this be moved out another month.
						2/19/2020: The Town Attorney said he will have a draft Ordinance at the March RTCM.
Beach access parking	8/7/2019	3/18/2020		Mayor Simmons	Town Manager	8/7/2019: After considerable discussion, the Commission tasked the Town Manager with contacting the State of Florida to determine if we can charge for parking at Ocean Park, research parking kiosks, ask Indian River how their meters affect businesses, develop a plan to designate resident only parking at beach accesses. Parking passes for street parking (one side only) will be revisited at the 8/21/2019 meeting.

					8/21/2019: The Town Manager reported what she had found out about parking kiosks. She talked to 3 vendors and 1 of them gave her a price of between \$6,800 - \$7,000 per kiosk. Payment can be made using several methods, upgrades are easy, fee amounts can be changed and there are a couple methods of enforcement. Bottom line, the kiosk can be tailored to our needs. Mayor Simmons said the project would have to be done concurrently with the resident only, end of street/street parking plan. The funds generated from kiosk parking must go back into improvements and maintenance of Ocean Park. The Town Manager will gather more information and this topic will be readdressed at the September 4th Workshop.
					9/18/2019: This was discussed at the 9/4 Workshop. Mayor Simmons provided a compilation of the comments he received regarding this matter and they were varied. We need to spell out to the residents why we are considering paid parking in different sections of Town. A survey should be developed that outlines the 3 options under consideration and why each one is being considered. Resident, end of street and Ocean Park parking should be presented as separate issues and presented to the residents in some fashion starting with identifying potential challenges. It's important for residents to know that the funds raised from the kiosks can only be used for OP maintenance. Public input is essential.
					10/16/2019: The Commission consented to having the Town Manager present a draft of the proposed survey at the November Workshop
					11/6/2019: At the November Workshop, the Commission discussed further what the survey should accomplish and how it should be structured (similar in format to the Beachcomber). The Commission agreed that on-street parking should be addressed first followed by a breakdown of expenses and potential income. An updated draft survey will be presented at the November 20th RTCM.
					11/20/2019: An update to the Beach parking survey was presented and discussed at this meeting. The matter was tabled until the December 18th meeting so input from the absent Commissioners could be heard.
					12/18/2019: The Commission voted 4-1 (Comm Walters dissenting) to send the survey to residents in mid-January giving them 30 days to respond.
					2/19/2020: The deadline for accepting surveys was February 18th. The data has been compiled and graphs are being designed for presentation at the March RTCM.
					3/13/2020: Original presentation at the March RTCM being rescheduled due to scheduling issue with Adam Meyers, who completed the data compilation. Date TBD

Investigate grant opportunities for water retention along Oak and county roads	3/6/2019	3/18/2020		Vice Mayor Hoover	Town Manager	3/6/2019: The Vice Mayor wants the Town to explore grant opportunities and funding/workshare/siting coordination with Brevard County to develop retention areas. These areas would help lessen the amount water flowing into the Harbor East canals.
						3/20/2019: VM Hoover said that the 2 best resources for possible grants are SJRWMD and SOIRL. Comm. Runte will resend grant opportunity information.
						4/18/2019: Further research required to determine what structural issue is creating the excess runoff. TM to meet with a representative from the Department of Natural Resources to discuss further.
						5/15/2019: Town Manager is meeting with rep from Department of Natural Resources
						6/26/2019: Neither the Interim Town Manager nor the Public Works Supervisor has been able to get in touch with Bach McClure, Stormwater Program Administrator - Brevard County. They will continue their efforts.
						7/17/2019: The Mayor said what the Town desired is for the County create a retention area along Oak to prevent water from draining to Harbor East. The PW Supervisor said the trenches at Ocean Park and on 2nd/Pine have been very successful in redirecting water and he thinks the same process could work along Oak. Vice Mayor Hoover said he'd like to know what the County would be willing to do to prevent runoff to MB. Commissioner Walters said that the County has control of Oak Street. Bottom line: What can Brevard County do to dissipate water before it reaches MB. TM to contact Sara Krum.
						8/21/2019: No progress on this item. Move discussion to September RTCM.
						9/18/2019: TM did not bring notes on this subject to the meeting. Move discussion to October RTCM.
						10/16/2019: TM said there is a grant opportunity for which we can make a submission that is due November 5th. It is with the Indian River Lagoon for stormwater and planted shoreline. There's also a portion of funding used for the removal of septic systems, we still have some in Town.
						11/20/2019: TM to contact Sarah Krum about grant opportunities. If there are still no leads or information, the Commission may consider closing this item.
						12/18/2019: Town Manager Mascaro is confident she will get feedback regarding potential grants.
						2/19/2020: The TM hasn't doesn't have anything to report on this matter. Vice Mayor Hoover suggested she contact Amy Johnson at SJRWMD. The Town Manager will update the Commission at the March RTCM.
HR policy for social media retention.	7/17/2019	3/18/2020		Commission	Town Manager & Staff	7/17/2019: Town Manager to develop policy for social media retention

						1/15/2020: Town Manager has not made any progress on this issue. Asked for it to be moved out a couple months.
Charging stations	11/20/2019	3/18/2020		Mayor Simmons	Environmental Advisory Board	11/20/2019: Because of the holidays, the EAB won't be meeting until the end of January at which time they will be notified of the request for them to look into charging stations. They will hopefully have some input for the March 2020 RTCM.
						3/13/2020: Town Manager should receive recommendations from EAB on the charging stations after their Intern present to the board at the 3/25/2020 meeting.
Comprehensive, long-term plan for safe pedestrian and bike routes	9/27/2017	3/18/2020		Commissioner Hoover	Town Manager	9/27/2017: In lieu of moving forward with the <i>Safe Routes to School</i> grant program, Commissioner Hoover recommended that the Town focus their energy on a more comprehensive plan with emphasis placed on stormwater management. The Commission agreed by consensus to his suggestion and to add this item to the Action List.
						12/20/2017: Town Manager Daniels will meet with DOT after the holiday.
						1/17/2018: Town Manager Daniels is meeting with FDOT during the week of January 21.
						2/21/2018: Commissioner Hoover and TM Daniels have been told a meeting with FDOT will be scheduled towards the end of this week.
						3/30/2018: Bicycle safety was addressed as it relates to safe routes to school and A-1-A at a meeting with FDOT and SCTPO. Unfortunately without funding from DOT, the money necessary for sidewalks puts this project in the future. Hearing that FDOT does not expect any grant opportunities in the future, one option is to include sidewalks/bicycle paths in any stormwater sewer project.
						5/7/2018: Currently there are no grant programs for this project. Some possibilities are to install sidewalks in conjunction with some stormwater replacement in some areas like Andrews Drive.
						6/20/2018: Commissioner Hoover asked the Town Manager to join in a conference call on June 22nd with SCTPO where they will discuss the concept of a bike route that will connect MB and Indialantic and potentially over the bridge to downtown. They might be willing to do a pilot project with us regarding stormwater/pedestrian solutions. The Town Manager is also exploring grant opportunities.
						7/13/2018: TM Daniels is attending a meeting on Bike trails on July 18, 2018.
						8/9/2018: This will be a long-term project as funding and development of a trailway must be completed. Request review in January, 2019.
						1/11/2019: There is a planning grant on the January RTCM agenda.

						2/12/2019: Town applied for a Florida DEP resiliency planning grant on January 31, 2019 in partnership with the Eastern Central Florida Planning Council and are awaiting word as to our acceptance.
						3/20/2019: TM will research to determine if previous TM submitted paperwork for this grant.
						4/11/2019: Paperwork was submitted for this grant on 1/31/2019. If granted, funds (\$39,500) will be used to develop a plan as to how MB could improve stormwater management, improve water quality and provide recreational/aesthetic amenities in light of future climate conditions such as sea level rise. Work would begin on July 1, 2019 if we are awarded the grant.
						4/18/2019: Waiting for grant award notification
						7/1/2019: The <i>Opportunity for Green Infrastructure Adaptation Planning</i> grant was awarded in the amount of \$39,500
						7/17/2019: The awarded grant funds a study that will be completed by June 2020. To be revisited at the March RTCM.
Stormwater issue at 2nd & Pine	10/3/2018	3/18/2020		Vice Mayor Hoover	Town Manager	10/3/2018: Commissioner Hoover suggested some possibilities for water flow issues on 2nd/Pine: <div> 1) check if the pipes in front of the property are clogged 2) check if expanding the drain will help 3) check to see if some type of resurfacing of that intersection would improve drainage 4) discuss other possibilities </div>
						10/9/2018: Sent questions 2,3,4, to BSE and verifying question 1 response.
						11/9/2018: There are no blockages in the pipe or structures. The engineer has recommended previously to enlarge the drainage structure and survey the location for elevations. Can be addressed with BSE at December 5, 2018 workshop.
						12/10/2018: BSE made the presentation at the December Workshop and developed 2 options, both involve using First Avenue to remove some of the water off of Pine Street. B.S.E. to provide recommendations (financial, technical)
						12/19/2018: Awaiting input from B.S.E.
						1/11/2019: BSE had some issues in their analysis and the TM will report at the RTCM in January.
						1/23/2019: Scott Glaubitz will attend the workshop on February 6th to update the Commission on his findings.
						2/12/2019: BSE advised the initial plans to divert water to First Avenue was eliminated as a possibility since a cost effective design would not work. The proposal now is to increase the pipe size on Second Ave. and have a secondary pipe to handle the overflow to the river outfall. This issue will be on the agenda for the RTCM in February. No funding source exists at this time.

						2/20/2019: The Town does not have the funds to pay \$180,000 to fix the problem at 2nd/Pine. The issue will be readdressed once any FEMA money comes in or if other sources of funding dollars become available.
						3/6/2019: To be discussed during budget meetings.
						4/10/2019: At a meeting with BSE, they said digging a swale on the north side of 1st Avenue will reduce some of the water flow to 2nd Avenue. Public Works to price out equipment to do the digging.
						6/26/2019: The Public Works Supervisor explained the swale and french drain they installed at the NW corner of Pine/2nd to help mitigate the flow of water onto 2nd Avenue. It has helped but will not be enough help in a heavy downpour. To be discussed further at the August RTCM.
						8/21/2019: The Town Manager reported that after the swale was installed by Public Works, there has not been any water in the Wilborn's driveway after heavy rains. The standing water in the Wilborn's backyard is coming from a neighboring property. PW will continue to monitor and will improve the swale that's already installed.
						9/18/2019: No problems reported in this area during Dorian. No standing water or flooding seen. Public Works to continue monitoring. PW Supervisor to keep a log of observations at that location.
						10/16/2019: Public Works Supervisor Davis said he is still monitoring the area and it has remained dry. He said he'll continue to monitor though we are going into the dry season. The Mayor suggested after hurricane season that the issue be revisited every several months instead of monthly. The Town Manager met with Kate Wilborn who had gone to the open house at the corner of 1st and Pine; it is a total teardown due to water damage and mold. She thinks the value is about \$150,000 (she previously thought the Town should purchase the property for a retention area). Moving forward on a grant would be a good idea in case the property is still available if/when awarded. Revisit at November RTCM.
						11/20/2019: PW Supervisor ordered locates around 2nd & Pine prior to making a 10-12" retention half moon area on the corner.
						12/18/2019: The PW Supervisor completed the 10"-12' retention half moon area near the corner of 2nd and Pine. He was pleased about it's effectiveness after heavy rains. Will continue to monitor situation.
Infrastructure/Capital Items Spreadsheet	8/14/2019	4/1/2020		Mayor Simmons	Town Manager	8/14/2019: Each budget year, the capital items list is developed from scratch. The TM was instructed to develop a spreadsheet with long term maintenance/capital/infrastructure items to ensure consistency and visibility each budget term.
						1/15/2020: The Town Manager asked that this be moved out another month.

						2/19/2020: The Town Manager gave the Commission members a spreadsheet showing the 10 year capital investment plan. This will be discussed further, before budget discussions, at the April Workshop.
FDOT traffic light stanchion maintenance	2/19/2020	4/15/2020		Commissioner Walters	PW Supervisor	2/19/2020: Commissioner Walters said the traffic light stanchions on Ocean Avenue are in need of serious maintenance. The PW Supervisor is going to contact DOT and will have an update at the March RTCM. The project is likely to take a long time to complete.
ADA Compliance	3/20/2019	4/15/2020		Commission	Town Clerk	3/20/2019: The TC reported that many counties and municipalities have been sued because their sites aren't ADA compliant. She disabled a lot of the files on our website and is researching what will be needed for us to be 100% compliant as we add content and as we republish older content.
						4/18/2019: Town Clerk is working with other municipalities to determine the best way to deal with compliance. There isn't a clear understanding of a protocol to follow and many entities that thought they are compliant are not. If the information is available to non-disabled people on a website but not available to disabled people, a lawsuit can be filed. If the information is not posted at all, we stand a better chance of not being targeted.
						6/26/2019: Estimates received for closed captioning would cost about \$16,000/year. Town Commission meeting audio is available online at Soundcloud.com. The problem still lies with the uncertainty involved in being 100% compliant; nobody quite knows how to determine compliance. Town Clerk is staying abreast of available information and possible solutions.
						12/18/2019: The Town Clerk reported that nothing has really changed regarding solutions to the ADA issue. Having a notice on the website saying we are updating our site to be compliant is now sufficient to fend off lawsuits. After our new agenda software is up and running, the TC will see how feasible it is to upload agenda packets (or partial packets). Currently, agendas and minutes are on the website and she'll be working on modifying the last 2 to 3 years of resolutions and ordinances for placement on the Town's website.
						2/19/2020: Software installation/training isn't happening until April so with luck, our April RTCM packet will be generated utilizing the new Granicus Peak software. This isn't going to solve our ADA issues but it will allow for the cover page and compliant memo's, etc., to be available online.
EAB projects for 2020	2/5/2020	4/15/2020		Commission	Environmental Advisory Board	2/5/2020: The Commission asked for EAB to provide them with a list of their projects for 2020 for budgeting purposes.

Bicentennial Park swale	2/5/2020	4/15/2020		Commission	Public Works	2/5/2020: The Commission asked for Public Works to develop a plan of action and to work with the Garden Club. That park would be a good candidate for a bioswale.
						3/13/2020: Public Works Supervisor Davis is working with Crystal Cain on Bicentennial Park. Davis and Cain are also working on a bioswale at the corner of Oak and Ocean on the north side of the street. Additional sites being considered-right of way on Oak and Driftwood.
Stormwater management master plan & implementation	9/27/2017	4/15/2020		Commissioner Hoover	Staff	9/27/2017: In tandem with Commissioner Hoover's comprehensive plan for safe pedestrian and bike routes, a stormwater plan needs to be implemented. The Commission agreed by consensus to place this on the Action List.
						10/18/2017: The Commission agreed by consensus to discuss stormwater management at the November 1, 2017 Workshop.
						11/15/2017: At the December 6th Workshop, our engineering consultant, B.S.E., will be present to discuss the Town's stormwater issues.
						12/20/2017: B.S.E. is modifying the quote presented at the 12/6/17 meeting based on new material received from the Town that needs to be reviewed. Will present new findings at 1/10/18 Workshop.
						1/10/2018: B.S.E. reviewed boxes of new material and requested material from our last engineering firm. It was to be voted on at the 1/17/18 meeting how many hours we would grant B.S.E. to work on the three hotspots in Town
						1/17/2018: A vote (3-0) at this meeting granted B.S.E. up to 10 hours to evaluate the three hot spots located at Rosewood/Dogwood, Oak/Cherry and Andrews in order for them to develop a remediation plan.
						1/24/2018: BSE Inspected the three priority sites, two additional priority sites that developed (508 Riverside, Ave A & Riverside) both outfall lines, and two second tier sites (2nd & Pine, Poinsettia). BSE report was received on January 29, 2018.
						2/21/2018: Commission approved \$28,800 for engineering services to BSE for the 5 priority locations. The Commission also authorized up to 18 hours of engineering fees to BSE to review new material and documents from the former engineer.
						2/22/2018 communication to BSE relaying the approval and requesting a time-line.
						4/12/2018: Received communication on Andrews Drive project that the surface drainage solution would not work due to the amount of water that needed draining. The existing pipe will be video taped and forwarded to BSE. The remaining Tier one projects are progressing and we should have some answers week of 4/16. The baffle boxes are scheduled for cleaning on April 25 and 26. Public Works will be repairing a surface outflow on Third Avenue at the River.

					4/25/2018: Video equipment could not be utilized due to severe blockage in pipe on Andrews Drive. The Vacuum truck worked for six hours and was not able to remove all of the blockage. BSE will meet with the Town during week of May 14th to discuss options.
					5/9/2018: RFP was advertised for two projects, Oak south of Cherry and Rosewood at Dogwood with scheduled bid opening for May 24th.
					5/10/2018: Public Works crew completed surface trench work on Third Ave at the River for the storm water sewer.
					6/14/2018 - Two project bids are on the agenda for the June RTCM as well as the approval for Andrews.
					7/13/2018: The project started this week on Rosewood at Dogwood and the project on Oak south of Cherry will start on July 19, 2018.
					7/18/2018: Town Manager was tasked with getting a Master Stormwater Plan from B.S.E. with associated cost.
					8/9/2018: The original project at Rosewood and Dogwood is complete. Three underground drains are being installed because of the high water table at the location.
					9/12/2018: A new roadway collapse happened at Rosewood and Elm which will start repairs on Monday 9/17/2018.
					10/11/2018: BSE will start on the updates to the master plan once the current projects are completed and Cherry at Rosewood is analyzed.
					10/17/2018: BSE to discuss at November 7th Workshop
					11/9/2018: Meeting moved to December 5, 2018
					12/10/2018: The master plan will be worked on at a later date after current projects have been completed.
					12/19/2018: Commission decided to move this out until April 2019
					2/12/2019: The engineer, Finance, and the TM have recommended not to move forward for financial reasons until FEMA reimbursements have been received. Request review in June, 2019.
					6/26/2019: The FEMA money has not been received. Commission consent to revisit at August RTCM.
					8/21/2019: Town Manager Mascaro said we haven't received enough of the FEMA reimbursement funds to give B.S.E. the go ahead to work on a master plan. Vice Mayor Hoover said he'd like to wait until we receive the study results from ECFRPC (funded by a grant we received from DEP) and then have them collaborate with B.S.E.
					9/18/2019: TM is hoping to receive more FEMA reimbursment money in the next 90 days. The study that Vice Mayor would like to wait for before readdressing this subject won't be completed until June 2020. To be "touched" in January 2020 to ensure forward movement of ECFRPC study.

						1/15/2020: TM has started the process to move forward with a stormwater plan. This will be touched at the April RTCM but we're waiting for the study results from ECFRPC that are expected in June 2020.
Comp Plan Upgrade	2/21/2018	5/20/2020		Commission Consensus	Town Manager	2/21/2018: Commission approved having the Town Manager submit grant application
						3/30/2018: We were notified that we were sixth in their funding schedule and they had hoped they would fund 7 projects. An inquiry was made on 4/17/2018 but no response was given as yet.
						5/10/2018: Update this date that NOAA is still evaluating applications.
						6/14/2018: Still awaiting word on our acceptance.
						7/18/2018: Still awaiting word on our acceptance.
						7/18/2018: Grant approved - \$37,000
						9/13/2018: The agreement has been executed and the Town Planner is working with the Eastern Florida Regional Planning Council on the Comp Plan Ammendments.
						10/11/2018: A meeting is scheduled with the East Florida Planning Council and the additional funding needed for the remaining Comp Plan Updates is on the Commission agenda for 10/17/2018.
						11/9/2018: The first public meeting to obtain citizen input will be held on 11/13/2018 at 6 p.m. in the Community Center.
						11/14/2018: Town Manager to provide state "due dates"
						12/19/2019: The Town Manager will work with ECFRPC, Corey O'Gorman and Jim Fleischmann to nail down dates.
						1/11/2019: The updates are progressing and the deliverables for the grant start on February 15, 2019 and extend through May 2019.
						2/13/2019: The deliverables for this month are scheduled for 2/15/2019. The next set of deliverables are scheduled in May with a Public Information Workshop on April 24, 2019. Request an update for May, 2019.
						3/6/2019: A quarterly report was sent on March 6th.
						3/20/2019: A workshop will be held on 4/24 hosted by East Central Florida Regional Planning Council Contact: Fred Milch - fmilch@ecfrpc.org Completion date of Comp Plan updates is in 2020.
						5/15/2019: Interim Town Manager said that we are on schedule for all deliverables. According to our Town Planner, this project will run into next year so we'll be able to spread out costs into 2021.

						7/2/2019: Interim Town Manager submitting reimbursement request to the East Central Florida Regional Planning Council grant.
						8/21/2019: Town Manager Mascaro said the edits for step 1 are completed which is the evaluation and appraisal portion of the current plan. The Commission will review the plan at a Workshop and make recommendations after which the plan will be amended with information gathered during evaluation, appraisal and Commission input. The final step is to forward the Plan to the State for final approval.
						9/18/2019: TM reported that Corey O'Gorman will present a review of the comp plan updates on September 30th in the Community Center.
						10/16/2019: TM will distribute the first phase of the report to the Commission electronically after which the will discuss at the November RTCM.
						11/20/2019: The TM distributed the first phase of the report to the Commission members but only heard back from one Commissioner. Mayor requested that the item be moved out another month to give everyone time to review the document.
						12/18/2019: The Town Manager will provide the report from our Town Planner to the Commission. The report will be discussed at the February Workshop.
						2/5/2020 - The Commission suggested that the EAB review the Evaluation and Appraisal Report and provide comments at the May RTCM.
Fire Tax briefings	6/26/2019	2/3/2021		Commission	Town Manager	6/26/2019: Town Manager to get information regarding fire taxes in order for the Town Commission to make an educated decision on how best to fund the Fire Department. Commission to decide whether to develop separate fund and how to gather citizen input (referendum or public meetings or commission action only)
						8/21/2019: Fire department to present options to the Commission at the September Workshop. Commission to also discuss fire tax/dedicated department fund.
						10/21/2019: A survey regarding fire services and a possible referendum on the 2020 ballot to be discussed at the December workshop. Decide on new date to discuss.
						12/18/2019: The Commission decided this should be discussed at the February 2020 Workshop.
						2/5/2020: The Town Commission decided to push out this action item until they can determine how effective the stipend plan was.

Fire Department stipends	10/16/2019	12/4/2019		Mayor Simmons	Town Manager	(previously under Fire Tax briefings action item) 9/18/2019: After the 9/4 Workshop, the Commission tasked the Town Manager with talking to the appropriate person in Monroe County (upon which the MBVFD plan was based) to find out how they structured their stipend program to avoid the added expense of having to treat the volunteers as employees. Also, find out how the program worked at inception and how it works now - 15 years later. An in person meeting with HR attorney Hament was requested by the Commission. Contact in Monroe: Nina Stuart, 305-289-6322.
						10/16/2019: The issue of FD stipends was made a new action item at the October RTCM - it was separated from the Fire Tax briefings item. Town Manager Mascaro has not received a call back from Nina Stuart in Monroe County. Fire Chief Micka got a copy of Monroe County's program upon it's inception and we already have a copy of the original plan. Andy Hament will be contacted to find out if he can attend the December 4th Workshop to discuss the Fire Department stipend program. Updated information will be provided to him prior to the meeting.
						12/04/2019: There was discussion among the Commission, Fire Department, Labor Attorney Hament and the Town Manager about how/if stipends will be paid to volunteer firefighters. Since W2's must be issued to the volunteers receiving stipends, which necessitates other expenses be paid, the Town Manager was tasked with working with the Labor Attorney, Fire Department and neighboring communities to come up with a few options to present to the Commission. These options need to consider the 20% threshold allowed by the Department of Labor, costs associated with W2 employees, providing benefits in lieu of a stipend and other considerations that arise during their investigation. The budget for this activity is \$75,000 (\$100,000 - \$15,000 for weekend employees - \$10,000 for training). One of the options could therefore be to simply have the FD work within that budget to pay stipends or provide benefit(s) of some sort.

Building Official

Annualized Pay Grades

Minimums and Maximums

Building Official

Melbourne Beach	
Current	Maximum
	\$0.00

Indianlantic	
Minimum	Maximum
\$54,166.00	\$81,250.00

Indian Harbour Beach	
Minimum	Maximum
\$59,266.51	\$94,880.20

Satellite Beach	
Minimum	Maximum
\$60,245.00	\$93,982.00

City of Cape Canaveral	
Minimum	Maximum
\$55,120.00	\$87,360.00

City of Cocoa Beach	
Minimum	Maximum
\$57,136.15	\$100,467.08

City of Melbourne	
Minimum	Maximum
\$58,097.00	\$97,022.00

City of West Melbourne	
Minimum	Maximum
\$71,875.00	\$114,999.00

Average Annual Salary Maximum \$95,708.00

Mel Beach Annual Payment Safebuilt FY20 \$99,008.00 24 hours per week

Building Administrative Assistant-MelBch	\$40,004.00	\$60,006.00
Indianlantic	\$31,401.00	\$47,102.00
Satellite	\$44,956.00	\$70,131.00
Cape Canaveral	\$42,244.80	\$63,356.80
	\$158,605.80	\$240,595.80
Average Minimum and Maximum	\$39,651.45	\$60,148.95

Building Clerk-MelBch	\$33,280.00	\$49,920.00
Satellite Beach	\$38,834.00	\$60,581.00
Cape Canaveral	\$27,040.00	\$40,830.40
West Melbourne	\$31,922.00	\$47,882.00
	\$131,076.00	\$199,213.40
Average Minimum and Maximum	32,769.00	49,803.35



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

POOL CONSTRUCTION AND RESURFACING AFFADAVIT

I, _____, licensed as a(n)

____ Contractor ____ Engineer ____ Building Inspector ____ Owner Builder

License # (if applicable) _____ am aware that in keeping with Industry Standards and to further protect storm drain inlets, Melbourne Beach construction standards for drainage of pools during resurfacing and reconstruction of pools is as follows:

All drainage will be contained in the yard and not transferred to the storm drains, lagoon or ocean. Barrels will be utilized during the drainage, reconstruction or construction of a pool at all stages. The drainage **MUST** be contained in the yard to prevent all flow to the neighboring property, street or storm drains. In situations where the possible debris from the yard will create an increase in illicit discharge; the location of the barrel may be altered, with *approval from the Building Official*.

Pursuant to Town of Melbourne Beach Code of Ordinances 27-28, Illicit/illegal discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the municipal separate storm sewer systems any pollutants or waters containing any pollutants, other than stormwater, whether such discharges occur through piping connections, runoff, exfiltration, infiltration, seepage or leaks.

Signature

Date

Rev-3/13/2020