



TOWN OF MELBOURNE BEACH

REGULAR TOWN COMMISSION MEETING

MAY 15, 2024

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Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING May 15, 2024 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

PUBLIC NOTICE AGENDA

**The Town Commission will conduct a Regular Town Commission Meeting
on Wednesday, May 15, 2024, in the Community Center
to address the items below**

Commission Members:

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Town Clerk Amber Brown

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

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

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

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

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Moment of Silence**
4. **Meeting Agenda – Additions/Deletions/Changes**
5. **Consent Agenda**
 - A. Approval of the Regular Town Commission Meeting action minutes April 17, 2024
 - B. Appointment of Edilene Johansson as an Alternate to the Parks Board
6. **Proclamations/Presentations/Awards**
 - A. Presentation of a proclamation recognizing May 18th through May 24th, 2024 as National Safe Boating Week
 - B. Presentation by Town Attorney Ryan Knight
7. **Finance/Budget Report**
8. **Department and Board/Committee Reports**
 - A. Public Works Department
 - B. Building Department
 - C. Code Enforcement
 - D. Fire Department
 - E. Police Department
 - F. Town Clerk
9. **Public Comment (Non-Agenda Items)**

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.
10. **Public Hearings/Special Orders**
 - A. Ordinance 2024-02 Repealing Ordinance 2023-02 Second Kitchens – Second reading
AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, REPEALING ORDINANCE 2023-02 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
11. **Unfinished Business**
 - A. Consideration of replacing all of the curbing on Riverside Dr as part of the repaving project
- Town Manager Elizabeth Mascaro

12. New Business

- A. Consideration of changes to 7A-50 Off-Street Parking – Town Manager Elizabeth Mascaro
- B. Ordinance 2024-01 Sheds – First reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- C. Ordinance 2024-03 Camping Prohibited – First reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73-20, “CAMPING PROHIBITED,” IN THE CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- D. Ordinance 2024-04 Prohibit Smoking – First reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73, ARTICLE VI, “PARKS AND BEACHES” IN THE CODE OF ORDINANCES TO PROHIBIT SMOKING IN TOWN PARKS AND PUBLIC BEACHES; PROVIDING FOR DEFINITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- E. Consideration of transcription services for the Town Clerk – Town Manager Elizabeth Mascaro
- F. Consideration of purchasing a truck for the Building Department

13. Administrative Reports

- A. Town Attorney
- B. Town Manager

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING April 17, 2024 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

ACTION MINUTES

Commission Members:

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Town Clerk Amber Brown

1. Call to Order

Mayor Alison Dennington called the meeting to order at 6:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Adam Meyer

Commission Members Absent

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Meeting Agenda – Additions/Deletions/Changes – 1:46

Finance Manager Jennifer Kerr spoke about page 21 – Parking Revenue Fiscal Year Comparison had a typo. She provided the amended page with the corrected total for fiscal year 2023.

Commissioner Corey Runte made a motion to move items under New Business Items C and D up to Proclamations/Presentations/Awards as Items B and C; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

5. Consent Agenda – 5:43

A. Approval of the Regular Town Commission Meeting action minutes March 20, 2024

Commissioner Adam Meyer made a motion to approve the Consent Agenda; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

6. Proclamations/Presentations/Awards – 7:35

A. Presentation by Town Attorney Ryan Knight – 7:41

B. Consideration of a Bicentennial Park water feature – Vice Mayor Sherri Quarrie – 18:58

Joyce Barton on behalf of the Beach Gardeners Club spoke about the club donated \$1,500 last year to the Town with the request of it going towards a water feature in Bicentennial Park. She presented ideas and options for a water feature in Bicentennial Park.

Frank Thomas – 606 Atlantic St – Spoke about Florida native plants.

C. Consideration to prepare an ordinance for tobacco free Brevard – Mayor Alison Dennington – 46:41

Elizabeth Bublitz on behalf of CiviCom spoke about their tobacco free parks and beaches initiative.

7. Finance/Budget Report – 55:58

Commissioner Corey Runte made a motion to approve the finance report as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

8. Department and Board/Committee Reports – 56:51

- A. Public Works Department
- B. Building Department
- C. Code Enforcement
- D. Fire Department
- E. Police Department
- F. Town Clerk

9. Public Comment (Non-Agenda Items) – 1:32:08

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.

Steve Walters – 416 Sixth Ave – Spoke about solid waste should have gone out for bid.
Mark McBride – 310 Second Ave – Spoke about issues with Airbnbs.
Frank Lagrassa – 412 First Ave – Spoke about solid waste should have gone out for bid.

10. Public Hearings/Special Orders

11. Unfinished Business

- A. Consideration on ordinance language changes related to sheds – Building Official Robert Bitgood – 2:00:05

Dan Harper on behalf of the Planning and Zoning Board spoke about the pictures provided in the agenda packet and the Planning and Zoning Board’s stance.

The Commission discussed approving the Planning and Zoning recommendations with some modifications. Change the size from 140 to 160 square feet. Change the language about the height from foundations should be no higher than 8 inches above ground level to 11.6 feet total above grade inclusive of the base. Where it says front line change to front building line.

Commissioner Adam Meyer made a motion to approve the Planning and Zoning recommendations for sheds as modified; Commissioner Corey Runte seconded;

Tim Reed – 302 Fourth Ave – Spoke about supporting what the Planning and Zoning Board recommended.
Annemarie McBride - 310 Second Ave – Asked if golf carts would be allowed in a shed.

Motion carried 3-0 with Mayor Alison Dennington abstaining.

Mayor Alison Dennington was advised to submit a Form 8B.

- B. Discussion on installing a children’s gaga ball pit – Commissioner Corey Runte – 2:27:35

Commissioner Corey Runte made a motion to approve the gaga ball pit as presented subject to the following conditions: one we will try at least 2 locations with the first being at the previous bocce ball court location general area for a reasonable period of time, allow for public input, finalize the decision based on the majority of public input, and the third condition is it can be removed or moved for special events; Vice Mayor Sherri Quarrie seconded;

Bryan Cassaza – 2009 Oak – Spoke about safety concerns and injuries and education.
Sue Martin – 2002 Rosewood – Spoke against the gaga ball pit due to liability.
Frank Lagrassa – 412 First Ave – Spoke against the gaga ball pit.
Tim Reed – 302 Fourth – Spoke about the Commission not listening to the Parks Board.
Ken Lebrato – 213 Cherry Dr – Spoke against the gaga ball pit due to liability.

Commissioner Corey Runte withdrew his motion.

Commissioner Corey Runte made a motion to approve the gaga ball pit per estimate number 26885 with model number 00830-GRN with a diameter of 20 feet as specified on the website without mulch plus the conditions of trying 2 different locations starting with the general area green space of the previous bocce ball courts with a second location coming back with public input to select the final location, and the third condition is that it can be moved around or removed for special events; Vice Mayor Sherri Quarrie seconded; Motion carried 3-1 with Commissioner Adam Meyer dissenting.

Recess at 9:09-9:19

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Town Clerk Amber Brown

Commission Members Absent

Commissioner Marivi Walker

- C. Discussion on prohibiting sleeping/camping in all zoned public places, vehicles, or any properties within Town limits – Vice Mayor Sherri Quarrie – 3:08:23

The Commission requested the Town Attorney prepare an ordinance prohibiting camping everywhere in the Town.

12. New Business

- A. Ordinance 2024-02 Repealing Ordinance 2023-02 Second Kitchens – First reading – 3:21:56
**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH,
BREVARD COUNTY, FLORIDA, REPEALING ORDINANCE
2023-02 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Adam Meyer made a motion to approve the straight repeal of the Second Kitchen Ordinance; Vice Mayor Sherri Quarrie seconded;

Gabor Kishegyi – 202 Surf Rd – Asked if this would remove the definition.

Motion carried 4-0.

- B. Consideration of a request from Planning and Zoning to review the maximum allowable size of accessory structures – Building Official Robert Bitgood – 3:26:39

Tim Reed - 302 Fourth – This should go to a joint workshop with Planning and Zoning.

C. Consideration of a Bicentennial Park water feature – Vice Mayor Sherri Quarrie – 3:39:33

Commissioner Corey Runte made a motion to approve the use of the \$1,500.00 donation from the Garden Club for the use of a landscape water feature at Bicentennial Park as presented subject to further due diligence; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

D. Consideration to prepare an ordinance for tobacco free Brevard – Mayor Allison Dennington – 3:42:57

The Town Commission directed the Town Attorney to prepare an ordinance to ban all smoking in all public places in the Town.

13. Administrative Reports – 3:48:10

- A. Town Attorney
- B. Town Manager

14. Commission Reports

15. Task List – 3:48:39

Updated:

Lifeguard Coverage: Will come back next month as an agenda item.

16. Public Comment – 4:02:10

Frank Lagrassa – 412 First Ave – Spoke about people need to be more self-reliant.

Tim Reed – 302 Fourth Ave – Spoke about sticking to not paying for anything even if we no longer have a lifeguard.

17. Adjournment

Commissioner Corey Runte moved to adjourn; Vice Mayor Sherri Quarrie seconded, Motion carried 4-0.

Meeting adjourned at 10:14 p.m.



TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: Edilene Johansson Home Phone: 321-378-9090
2. Home Address: 103 Riverside Dr
3. Mobile Phone: 321-378 9090 E-mail address: etticeo@gmail.com
4. Business Name: _____ Business Phone: _____
5. Resume or Education & Experience: please see attached
(Use additional sheets if necessary or submit resume)
6. Date of birth: 02/28 (to verify voter registration)
(optional)
7. Are you a qualified elector of the town? YES NO
8. Are you a resident of the town? YES NO
9. Do you reside in the town for at least ten (10) months of each calendar year? YES NO
10. Do you hold a public office? YES NO
11. Do you currently serve on a Town board? YES NO
If yes, which board? _____

12. Please check the board(s) you are interested in serving on:

- | | |
|--|--|
| <input type="checkbox"/> Audit Committee | <input type="checkbox"/> History Center Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> History Preservation and Awareness |
| <input type="checkbox"/> Civil Service Board | <input checked="" type="checkbox"/> Parks Board <i>1st option</i> |
| <input checked="" type="checkbox"/> Code Enforcement Board | <input checked="" type="checkbox"/> Planning and Zoning Board |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? I live here, I love here I am successful Business owner, mother and wife.
14. Would you consider serving on another board other than the one(s) you have selected above?
 YES NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: *Edilene Johansson*

Date: _____



Contact

+321-378-9090

EttiCEO@gmail.com

www.BVBusinessConsulting.com
www.PFishco.com
www.AmerLending.com

Melbourne, FL
Atlanta, GA
Buford, GA
Smyrna, GA

Education

- Bachelor of Science
University of Sao Paulo
Brazil
- IRS Enrolled Agent
- FDA Oral Cultural
Project Manager

Skills

- Business Consulting
- Full Service Accounting & Tax Preparation
- Small Business Lending
- Insurance Solutions

EDILENE JOHANSSON

Edilene Johansson is a dynamic business consultant, financial expert and an enrolled IRS Agent with a wealth of experience in providing top-tier accounting and financial services, primarily to small businesses. She's a bilingual professional who embodies innovation, leveraging the latest technological advancements to keep businesses thriving in an ever-changing economic landscape.

EXECUTIVE SUMMARY

Princeton Fishman Accounting Chief Executive Officer

- Provides excellent fiduciary services to clients across 14 states.
- Extensive expertise in both personal and corporate finance.
- Skilled in fostering team growth and building community
- Offers full-service bookkeeping, including audits, dispute assistance.
- Maintains strategic partnerships to enhance client support and coverage
- Cultivated a culture of accountability and excellence, ensuring client satisfaction

Buena Vista Business Consulting Chief Executive Officer

- Oversees CEO-For-Hire program, supporting small businesses all over the US.
- Specializes in tailored strategic advice and solutions for diverse industries.
- Offers comprehensive services including market analysis and change management.
- Empowers companies to achieve sustainable results in a dynamic business environment.

America's Lending Owner/Principal

- Crafts advantageous loans and leases for businesses.
- Provides options including SBA Financing and Small Business Loans, Equipment Financing and Lines of Credit.
- Offers valuable consultations to support clients in every step of the process, until the loan is closed.



Contact

+321-378-9090

EttiCEO@gmail.com

BVBusinessConsulting.com
PFishco.com
AmerLending.com

Melbourne, FL
Atlanta, GA
Buford, GA
Smyrna, GA

Education

- Bachelor of Science
University of Sao Paulo
Brazil
- IRS Enrolled Agent

Attributes

- Local Entrepreneur & Property Owner
- Financial & Tax Expert
- Small Business Consultant
- Civic-minded with a focus on the Space Coast

EDILENE JOHANSSON

I am an accomplished personal and business finance expert with a strong commitment to community engagement. My leadership has effectively spearheaded a team promoting local development and improving community welfare. I bring extensive expertise in comprehensive financial services, specializing in tax audits and financial dispute resolution, always prioritizing the needs of our diverse clientele.

As a fervent advocate for integrity and excellence, I have garnered the trust and satisfaction of businesses and community members across English, Spanish, and Brazilian sectors. With my financial acumen and commitment to public service, I am well-prepared to assist in effective decision-making that serves the collective interests and upholds the values of our community.

Languages

Spanish

English

Portuguese/Brazilian

References

Andrew Easler
Attorney

Easler Law
321-206-3603

Max Valavanis
Financial Advisor

Valavanis Financial
321-747-6197

Randy Cuti Jr.
Owner

Patriot Security Solutions
321-243-1703

Official Proclamation

TOWN OF MELBOURNE BEACH, FLORIDA

NATIONAL SAFE BOATING WEEK May 2024

IT IS HEREBY PROCLAIMED BY THE MAYOR OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, that:

WHEREAS, more Americans are heading to waterways for recreation and relaxation as opportunities for water activities expand each year, and

WHEREAS, it is essential that both novice and experienced boaters practice safe boating habits, which include participating in a safe boating course, ensuring that the vessel has proper equipment, and that all passengers wear a life jacket, and avoid the use of alcohol, and

WHEREAS, every year hundreds of lives are lost in boating accidents. The number of fatalities can be reduced and boating made more pleasurable if boaters would exercise knowledge, care, and courtesy necessary for safe boating, and

WHEREAS, the United States Coast Guard Auxiliary focuses on boating safety with emphasis on safe boating education classes and vessel safety examinations, and

WHEREAS, the South Brevard Flotilla 17-02, United States Coast Guard Auxiliary annually provides vessel safety examinations upon request.

NOW, THEREFORE, I, Alison Dennington, Mayor of the Town of Melbourne Beach, by virtue of the authority of said office, do hereby proclaim May 18th through May 24th, 2024 as:

NATIONAL SAFE BOATING WEEK

in the Town of Melbourne Beach and encourages all citizens who use our waterways to acquire the skills and knowledge essential to practice safe boating.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Melbourne Beach to be affixed this Fifteenth day of May, Two Thousand Twenty Four.

_____ day of _____, 20_____

Mayor

Attest: _____
Town Clerk

Section III

Formal Quasi-Judicial Hearings & Proceedings

CONDUCTING QUASI-JUDICIAL HEARINGS ON LAND USE MATTERS



Ryan G. Knight

Town Attorney

Town of Melbourne Beach

Outline

- Planning Board as LPA
- The Difference Between Legislative and Quasi-Judicial Hearings and Decisions
- Relationship Between Comp Plan and LUDC
- Characteristics of Quasi-Judicial Decisions
- *Ex Parte* Communications and Quasi-Judicial Bias
- Findings of Fact
- Best Practices

Planning Board as LPA

- LPA – Local Planning Agency
- Fla. Stat. § 163.3174
- Responsible to conduct comprehensive planning program, including:
 - ✓ *preparing plan or plan amendment after hearings to be held after public notice*
 - ✓ *making recommendations to the Town Commission regarding adoption or amendment of the plan*
 - ✓ *monitoring/overseeing effectiveness of plan (EAR process)*
 - ✓ *reviewing LUDCs for consistency*
 - ✓ *other tasks as assigned by Town Commission*

Setting Policy = Legislative

- Adopting or amending the Comprehensive Plan
- Includes large and small-scale plan amendments
- Adopting or amending Land Use Development Code (LUDC)
- All legislative (also known as quasi-legislative) decisions in land-use practice involve setting policy

Legislative Hearing Process

- Broad notice (*i.e.* posted agenda, newspaper publication)
- Wide-ranging public hearing, including consideration of pure preferences and opinions, conjecture and assumptions
- Presentation of evidence: anything relevant
- Substantial discretion: Board as policy-makers
- Can take a public or private position ahead of the hearing - ***Izaak Walton League of America v. Monroe County***, 448 So.2d 1170 (Fla. 3rd DCA 1984).

Fairly Debatable Standard of Review

- There must be a reasonable basis to support the action.
- Very deferential standard.
- Akin to a bar debate.
- **The Court:**
 - may not second guess the wisdom of the local government's action; and
 - must affirm if there is any reasonable basis for the decision and that there are no constitutional violations.

Applying Code and Comp Plan = Quasi-Judicial

- Application of the Code and/or the Comp Plan to specific properties
- Cannot create new policies to govern the decision (legislative process)
- Site-specific application of Land Development Regulations (Examples: rezonings, site plans, conditional uses, variances, administrative adjustments, plats, special exceptions, licenses, permits)
- Key elements:
 - finding of facts regarding the specific proposal
 - exercise of judgment and discretion in applying adopted policies to the specific situation

Quasi-Judicial Hearing Process

- Notice to owner and affected persons
- Sworn testimony – swear or affirm (all at once, or one at a time)
- Parties (City, applicant, affected persons) have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on any relevant matter, and rebut evidence
- Applicant and affected parties entitled to more than the 3-minute rule because their rights are uniquely affected
- Board acting as judges

Hearing Process Continued...

- Where evidence conflicts, the Board has the responsibility of deciding how much weight to accord each piece of evidence.
- Continued hearings: must be present for all or must review the complete record of portions missed.
- Record-keeping is important – keeping all things exhibits and things handed up to the Clerk or shown to the Board.
- Review is on the record. No ability to create additional evidence after decision is made.
- Board should give due consideration to the professional judgement of your zoning and planning staff, considering their training and experience. But the question of what the Code means is a question of law for which the Board must make its own decision, as the creator of the law.

Affected Parties?

Objectors With Standing to Sue

- A person who has a **legally recognizable interest** which is or will be affected by the action of the zoning authority in question has standing.
- **May be shared in common with other members of the community** (an entire neighborhood), but not every resident and property owner of a municipality can, as a general rule, claim such an interest.
- **Must be a definite interest exceeding the general interest** in community good shared in common with all citizens.
- **Relevant factors:**
 - **proximity** of property to the property to be zoned or rezoned,
 - **character of the neighborhood**, including the existence of common restrictive covenants and set-back requirements
 - **type of change** proposed
 - **entitlement to receive notice** under the zoning ordinance is a factor, but is **not controlling**.

Burden of Proof for Quasi-Judicial Matters

- The **burden is on the applicant** for a rezoning, special exception, conditional use permit, variance, site plan approval, etc. to demonstrate the application **complies with the requirements** of the applicable ordinance and that the use sought is **consistent with the applicable comprehensive plan**.
- The **burden then shifts to the government** to present **competent substantial evidence** that the application does not meet applicable criteria under the code and that maintaining the status quo on the property **accomplishes a legitimate public purpose, and is not arbitrary, discriminatory, or unreasonable**.
- Quasi-judicial decisions generally are based on their facts and do not set precedents.

Variations – Applicability

- A variance may be granted by the board of adjustment to deviate from the terms of the Land Development Code.
- A variance shall not be granted to permit or expand a use not permitted generally or by special exception in the applicable zoning classification.
- A variance may be granted only if the applicant meets all of the criteria listed in subsection 44-177.
- No nonconforming use of neighboring land, structures, or buildings in the same zoning classification and no permitted use of lands, structures or buildings in other zoning classifications shall be considered grounds for the authorization of a variance.
- Inconveniences or financial burdens that can be resolved by means other than a variance shall not constitute evidence of unnecessary and undue hardship and shall not alone be considered grounds to justify granting a variance.
- State and/or federal laws or requirements may not be varied by the town.

Variance Applicant Must Prove:

- That the variance is in fact, a variance as set forth within this article and within the province of the board of adjustment upon the opinion of the town attorney.
- That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.
- That the special conditions and circumstances do not result from the actions of the applicant.
- That granting the variance requested will not confer on the applicant any special privilege that is denied by this article to other lands, buildings, or structures in the same zoning district.

Variance Standards – cont'd.

- That literal interpretation of the provisions of this article would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this article and would work unnecessary and undue hardship on the applicant.
- That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- That the granting of the variance will be in harmony with the general intent and purpose of the chapter, and that such variance will not be detrimental to the public welfare.

Competent Substantial Evidence

- ✓ Evidence a reasonable mind would accept as adequate to support a conclusion
- ✓ Substantial Competent Evidence from lay witnesses/residents must be “fact based”
- ✓ Subjective preferences (“love it”/“hate it”) are not fact based and do not constitute Substantial Competent Evidence
- ✓ Conjecture or assumptions are irrelevant to the issues

Competent Substantial Evidence

- Example: Harm to Property Values

- Is there testimony from an appraiser about the impacts of a similar project?
- Is the similar project truly similar?
- Does the evidence in the record reflect reduced values, or are you just relying on personal knowledge?
- Don't just tell, **SHOW**. What may be obvious to local citizens will not be known by a reviewing court unless its in the record.
- Property owners testifying from personal knowledge of appraisals, sales prices or cancelled contracts resulting from similar development or from the pending application should be supported with the documents themselves.

Findings of Fact

- The Fla. Supreme Court ruled that local government “will NOT be required to make findings of fact” to support its decision on an application for rezoning.
- However, written findings of fact are a good idea in case of appeal to support the local government’s quasi-judicial decisions because they:
 - Are essential to effective strict judicial scrutiny of quasi-judicial decisions.
 - Greatly reduce the possibility of arbitrary or politically-motivated rezoning decisions, thereby providing protection for property rights.
 - Ensure mindfulness of consistency with Comp Plan requirement; if local government makes written findings of fact to support their consistency determinations, local government officials will focus more closely on the relationship between proposed rezoning and goals, objectives and policies of the Comp Plan.

Ex-Parte Communications

- An ex parte communication occurs when a party to a case, or someone involved with a party, talks or writes to or otherwise communicates directly with a Board member about the issues in the case **without the other parties' knowledge**.
- Example: A Board member meets with the applicant or an opponent without the public present.
- **Attributes of ex-parte communications on local quasi-judicial matters:**
 - ✓ Occurs outside the official hearing
 - ✓ Usually one-sided (opposition or support)
 - ✓ Does not allow the other side an opportunity to respond
 - ✓ Can be in any form – written, verbal, electronic, etc.

Ex-Parte Communications

- Under F.S. § 286.0115, ex-parte communications are **not presumed prejudicial if disclosure is made** at the beginning of the public meeting pursuant to a locally adopted ordinance or resolution.
- Must disclose the following information for the record:
 - The subject matter of the communication and the identity of the person, group or entity with whom the communication took place
 - Written communications should be submitted into the record
 - Disclose the existence and nature of any investigations, site visits and expert opinions received



Memo

To: Mayor, Vice Mayor and Commissioners
From: Jennifer Kerr, Finance Manager
Date: May 8, 2024
Re: April Fiscal Year 2024

We are in the Seventh month of our fiscal year 2024. The target expenditure rate for April is 58.33%. All departments are in the process of purchasing all budget approved capital items. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 57.19%. The Departmental expenditure rate breakdown is as follows:

Legislative:	40.73%
Executive:	54.52%
Finance:	59.45%
Legal:	55.05%
Comp & Plan:	14.85%
General Services:	46.90%
Law Enforcement:	56.28%
Fire:	61.53%
Code:	41.83%
Public Works:	50.09%
Grounds Keeping:	42.47%
Parks:	29.65%

Discussion Items:

The Town received Parking Revenue for April FY2024 in the amount of \$20,367.23. Parking revenue for April FY2023 was \$19,110.16.

- A Fiscal Year (FY) parking comparison is attached.

The Town received \$4,992 from the Florida Municipal Insurance Trust (FMIT) matching Safety Grant. The amount of the grant award has been increased from \$5,000 to \$6,000. We will be applying for the \$1,008 remaining grant award.

Parking Revenue FY Comparison

FY23	Oct-23	Nov-23	Dec-23	Jan-23	Feb-23	Mar-23	Apr-23	TOTAL
Ocean	4,921.04	3,785.42	3,456.88	4,996.04	8,137.70	13,056.24	9,875.00	48,228.32
Ryckman	6,354.35	5,050.00	6,359.91	6,415.41	8,745.55	10,817.72	9,235.16	52,978.10
Total	11,275.39	8,835.42	9,816.79	11,411.45	16,883.25	23,873.96	19,110.16	101,206.42

FY24	Oct-23	Nov-23	Dec-24	Jan-24	Feb-24	Mar-24	Apr-24	TOTAL
Ocean	4,323.54	3,669.99	2,544.37	2,412.50	3,359.78	10,650.19	10,584.79	37,545.16
Ryckman	5,616.47	4,085.40	5,833.19	5,111.66	6,927.64	10,600.74	9,782.44	47,957.54
Total	9,940.01	7,755.39	8,377.56	7,524.16	10,287.42	21,250.93	20,367.23	85,502.70

REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH

Balance As Of 04/30/2024

Fund: 001 GENERAL FUND

Account Category: Revenues	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-00-311.00.00	AD VALOREM TAXES	2,685,662.00	2,685,662.00	0.00	124,713.07	95.36
001-00-312.41.00	LOCAL OPTION COUNTY GAS TAX	125,000.00	125,000.00	0.00	73,741.80	41.01
001-00-314.10.00	UTILITY SERVICES TAX FPL	276,000.00	276,000.00	0.00	114,976.33	58.34
001-00-314.30.00	UTILITY SERVICES TAX WATER	54,000.00	54,000.00	0.00	24,346.14	54.91
001-00-314.40.00	UTILITY SERVICES TAX GAS	0.00	0.00	0.00	(96.26)	100.00
001-00-314.40.10	UTILTIY GAS TAX AMERIGAS	8,500.00	8,500.00	0.00	4,043.49	52.43
001-00-314.40.20	UTILITY GAS TAX SUBURBAN	1,300.00	1,300.00	0.00	555.52	57.27
001-00-314.40.30	UTILTIY GAS TAX FERRELL	2,500.00	2,500.00	0.00	333.52	86.66
001-00-314.40.40	UTILITY GAS TAX SAM'S GAS	100.00	100.00	0.00	(304.05)	404.05
001-00-314.40.50	UTILITY SERVICE GAS TAX THOMPS	0.00	0.00	0.00	(321.96)	100.00
001-00-315.00.00	COMMUNICATIONS SERVICE TAX	145,000.00	145,000.00	0.00	78,357.33	45.96
001-00-316.00.00	OCCP. LIC	15,000.00	15,000.00	0.00	3,082.10	79.45
001-00-323.10.00	FRANCHISE FEES FPL	215,000.00	215,000.00	0.00	123,396.33	42.61
001-00-323.70.00	FRANCHISE FEES SOLID WASTE	44,000.00	44,000.00	0.00	19,156.89	56.46
001-00-323.70.10	SOLID WASTE COMMERCIAL	15,000.00	15,000.00	0.00	6,826.82	54.49
001-00-329.20.00	BONFIRE PERMIT	350.00	350.00	0.00	(550.00)	257.14
001-00-329.50.00	LOW SPEED VEHICLE REGISTRATION	500.00	500.00	0.00	(600.00)	220.00
001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	600.00	600.00	0.00	(250.00)	141.67
001-00-331.12.00	FEMA	0.00	0.00	0.00	(41,906.43)	100.00
001-00-334.10.00	FEMA STATE GRANT	0.00	0.00	0.00	(1,786.46)	100.00
001-00-334.40.00	FMIT SAFETY GRANT	7,000.00	7,000.00	0.00	7,000.00	0.00
001-00-335.12.00	STATE REVENUE SHARING PROCEED	112,000.00	112,000.00	0.00	50,113.32	55.26
001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	4,300.00	4,300.00	0.00	326.79	92.40
001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	225,000.00	225,000.00	0.00	129,517.59	42.44
001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	1,200.00	1,200.00	0.00	150.00	87.50
001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	1,600.00	1,600.00	0.00	100.00	93.75
001-00-345.10.00	VAC RENTAL APP FEE-INITIAL	4,000.00	4,000.00	0.00	500.00	87.50
001-00-345.10.10	VAC RENEWAL FEE - RENTALS	4,725.00	4,725.00	0.00	1,225.00	74.07
001-00-361.10.00	INTEREST ON INVESTMENTS	12,000.00	12,000.00	0.00	(2,256.90)	118.81
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	2,500.00	0.00	(7,458.27)	398.33

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-00-369.00.49	INSURANCE RECOVERY	100.00	100.00	0.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	194,000.00	194,000.00	0.00	174,000.00	10.31
						78.81
Department: 21 LAW ENFORCEMEN						
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	45,500.00	0.00	45,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	68,500.00	68,500.00	0.00	17,125.00	75.00
001-21-337.90.01	OTHER GRANTS	6,000.00	6,000.00	0.00	6,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	5,000.00	0.00	2,012.58	59.75
001-21-351.13.00	PARKING TICKETS	500.00	500.00	0.00	500.00	0.00
001-21-351.13.10	ACCIDENT REPORT	200.00	200.00	0.00	50.00	75.00
001-21-364.10.00	DISPOSAL OF ASSETS - VEHICLES	200.00	200.00	0.00	200.00	0.00
001-21-369.00.00	MISCELLANEOUS REVENUE	100.00	100.00	0.00	100.00	0.00
						43.26
Department: 22 FIRE CONTROL						
001-22-322.30.00	FIRE PROTECTIVE SERVICES	2,000.00	2,000.00	0.00	(1,420.00)	171.00
001-22-364.20.00	DISPOSAL OF ASSETS - OTHER	100.00	100.00	0.00	100.00	0.00
001-22-369.55.10	SHARED TRAINING	500.00	500.00	0.00	500.00	0.00
						131.54
Department: 29 CODE ENFORCEMEI						
001-29-359.00.00	OTHER FINES AND FORFEITURES	1,000.00	1,000.00	0.00	1,000.00	0.00
						0.00
Department: 41 PUBLIC WORKS						
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	500.00	500.00	0.00	500.00	0.00
						0.00
Department: 72 PARKS & RECREATI						
001-72-347.41.00	FOUNDER'S DAY	7,000.00	7,000.00	0.00	(332.50)	104.75
001-72-347.50.00	FACILITY RENTALS	6,000.00	6,000.00	0.00	3,855.00	35.75
001-72-366.19.00	TH DONATIONS - KIDS BUSINESS FA	5,000.00	5,000.00	0.00	(1,640.00)	132.80
						89.54
Overall Revenue Rate:						77.81

Account Category: Expenditures	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Department: 00						
001-00-581.00.00	TRANSFER OUT	441,761.00	441,761.00	0.00	0.00	100.00
						100.00
Department: 11 LEGISLATIVE						
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	16,200.00	0.00	8,650.09	46.60
001-11-500.12.00	REGULAR SALARIES	60,113.00	60,113.00	0.00	25,827.21	57.04
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	5,838.00	5,838.00	0.00	2,724.75	53.33
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	8,157.00	8,157.00	0.00	3,504.43	57.04
001-11-500.23.01	HEALTH INSURANCE	6,534.00	6,534.00	0.00	2,500.00	61.74
001-11-500.23.02	LIFE INSURANCE	71.00	71.00	0.00	25.96	63.44
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	244.00	244.00	0.00	199.11	18.40
001-11-510.31.00	PROFESSIONAL SERVICES	250.00	250.00	0.00	250.00	0.00
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	4,465.00	0.00	4,005.38	10.29
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,100.00	2,100.00	0.00	1,060.87	49.48
001-11-510.47.00	PRINTING	12,593.00	12,593.00	0.00	7,741.90	38.52
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	800.00	0.00	650.24	18.72
001-11-510.48.40	LEGAL NOTICES	10,000.00	10,000.00	0.00	9,723.70	2.76
001-11-510.49.50	ELECTION EXPENSE	11,000.00	11,000.00	0.00	948.16	91.38
001-11-510.54.00	DUES & SUBSCRIPTIONS	720.00	720.00	0.00	(110.00)	115.28
001-11-510.54.10	TRAINING & SCHOOLS	3,560.00	3,560.00	0.00	2,696.00	24.27
001-11-510.64.01	CAPITAL OUTLAY	85,700.00	85,700.00	4,740.00	63,924.65	25.41
001-11-543.00.00	LICENSES & FEES	34,267.00	34,267.00	0.00	16,586.48	51.60
						40.73
Department: 12 EXECUTIVE						
001-12-500.12.00	REGULAR SALARIES	147,720.00	147,720.00	0.00	65,214.74	55.85
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	11,301.00	11,301.00	0.00	4,226.73	62.60
001-12-500.22.01	RETIREMENT - ICMA	15,247.00	15,247.00	0.00	6,791.03	55.46
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,937.00	4,937.00	0.00	2,197.07	55.50
001-12-500.23.01	HEALTH INSURANCE	28,117.00	28,117.00	0.00	13,546.63	51.82
001-12-500.23.02	LIFE INSURANCE	828.00	828.00	0.00	323.33	60.95
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	212.00	212.00	0.00	101.79	51.99
001-12-510.40.00	TRAVEL & MEETINGS	1,820.00	1,820.00	0.00	1,680.52	7.66
001-12-510.49.99	MISCELLANEOUS	300.00	300.00	0.00	300.00	0.00

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-12-510.52.50	GAS & OIL	2,400.00	2,400.00	0.00	1,000.00	58.33
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,511.00	3,511.00	0.00	2,124.73	39.48
001-12-510.54.10	TRAINING & SCHOOLS	1,680.00	1,680.00	0.00	1,680.00	0.00
						54.52
Department: 13 FINANCE						
001-13-500.12.00	REGULAR SALARIES	112,950.00	112,950.00	0.00	48,969.37	56.65
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,641.00	8,641.00	0.00	3,762.63	56.46
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	15,327.00	15,327.00	0.00	6,644.76	56.65
001-13-500.23.01	HEALTH INSURANCE	39,000.00	39,000.00	0.00	23,550.88	39.61
001-13-500.23.02	LIFE INSURANCE	297.00	297.00	0.00	206.92	30.33
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	158.00	158.00	0.00	74.11	53.09
001-13-510.32.00	AUDITING SERVICES	32,600.00	32,600.00	0.00	1,750.00	94.63
001-13-510.32.90	BANKING FEES	12,916.00	12,916.00	0.00	6,816.43	47.22
001-13-510.40.00	TRAVEL & MEETINGS	1,221.00	1,221.00	0.00	1,191.25	2.44
001-13-510.47.00	PRINTING	216.00	216.00	0.00	216.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	60.00	0.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	1,000.00	1,000.00	0.00	893.05	10.70
001-13-543.00.00	LICENSES & FEES	7,785.00	7,785.00	0.00	0.00	100.00
						59.45
Department: 14 LEGAL COUNSEL						
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	97,000.00	0.00	48,016.24	50.50
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	10,000.00	0.00	77.50	99.23
						55.05
Department: 15 COMPREHENSIVE P						
001-15-510.31.00	PROFESSIONAL SERVICES	26,000.00	26,000.00	0.00	22,138.70	14.85
						14.85
Department: 16 FEMA - HURRICANE						
001-16-520.52.05	PROTECTIVE GEAR	0.00	0.00	0.00	67.76	100.00
						100.00
Department: 19 GENERAL SERVICES						
001-19-500.24.00	WORKERS COMPENSATION	3,687.00	3,687.00	0.00	3,687.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,620.00	4,620.00	0.00	2,070.00	55.19

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-19-510.31.11	SECURITY	1,000.00	1,000.00	0.00	700.00	30.00
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	17,000.00	0.00	8,187.00	51.84
001-19-510.35.00	PRE-EMPLOYMENT EXP	400.00	400.00	0.00	400.00	0.00
001-19-510.41.00	TELEPHONE	25,080.00	25,080.00	0.00	11,526.87	54.04
001-19-510.41.10	COMMUNICATION SERVICES	45,372.00	45,372.00	0.00	15,181.67	66.54
001-19-510.43.00	STREET LIGHTS	50,400.00	50,400.00	0.00	24,871.11	50.65
001-19-510.43.10	ELECTRICITY	33,600.00	33,600.00	0.00	19,399.64	42.26
001-19-510.43.20	WATER & SEWER	3,650.00	3,650.00	0.00	1,838.12	49.64
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	2,500.00	0.00	70.45	97.18
001-19-510.45.00	GENERAL LIABILITY INSURANCE	94,000.00	94,000.00	0.00	30,536.50	67.51
001-19-510.45.01	FLOOD INSURANCE	5,690.00	5,690.00	0.00	5,690.00	0.00
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	128,000.00	0.00	54,910.59	57.10
001-19-510.45.03	AUTO INSURANCE	9,000.00	9,000.00	0.00	1,734.00	80.73
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,832.00	4,832.00	0.00	2,140.05	55.71
001-19-510.46.15	EQUIPMENT MAINTENANCE	31,500.00	31,500.00	0.00	30,197.68	4.13
001-19-510.46.36	PEST CONTROL	3,120.00	3,120.00	0.00	950.00	69.55
001-19-510.47.00	PRINTING	900.00	900.00	0.00	799.88	11.12
001-19-510.49.90	ADOPT AN AREA	1,000.00	1,000.00	0.00	939.27	6.07
001-19-510.49.98	CONTINGENCY	25,000.00	25,000.00	0.00	25,000.00	0.00
001-19-510.49.99	MISCELLANEOUS	300.00	300.00	0.00	147.13	50.96
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	11,000.00	0.00	6,832.99	37.88
001-19-510.51.10	POSTAGE	1,500.00	1,500.00	0.00	786.51	47.57
001-19-510.52.10	JANITORIAL SUPPLIES	5,400.00	5,400.00	0.00	2,245.81	58.41
001-19-510.54.00	DUES & SUBSCRIPTIONS	435.00	435.00	0.00	39.97	90.81
001-19-510.64.01	CAPITAL OUTLAY	148,000.00	148,000.00	0.00	141,478.99	4.41
001-19-543.00.00	LICENSES & FEES	20,585.00	20,585.00	0.00	8,310.13	59.63
001-19-581.00.00	TRANSFER OUT	77,000.00	77,000.00	0.00	0.00	100.00
						46.90
Department: 21 LAW ENFORCEMEN						
001-21-500.12.00	REGULAR SALARIES	721,855.00	721,855.00	0.00	308,562.07	57.25
001-21-500.12.50	HOLIDAY PAY	23,000.00	23,000.00	0.00	3,930.77	82.91
001-21-500.14.00	SALARIES OVERTIME	15,000.00	15,000.00	0.00	6,770.88	54.86
001-21-500.14.16	HURRICANE PAY	18,000.00	18,000.00	0.00	18,000.00	0.00

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,634.00	7,634.00	0.00	3,592.93	52.94
001-21-500.15.01	FIRST RESPONDER	6,000.00	6,000.00	0.00	2,633.93	56.10
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	54,888.00	54,888.00	0.00	21,083.93	61.59
001-21-500.22.02	POLICE PENSION	142,500.00	142,500.00	0.00	75,446.57	47.06
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	5,217.00	0.00	3,331.86	36.13
001-21-500.23.01	HEALTH INSURANCE	105,440.00	105,440.00	0.00	51,833.08	50.84
001-21-500.23.02	LIFE INSURANCE	2,900.00	2,900.00	0.00	1,476.81	49.08
001-21-500.23.10	STATUTORY AD&D	1,000.00	1,000.00	0.00	(162.50)	116.25
001-21-500.24.00	WORKERS COMPENSATION	8,848.00	8,848.00	0.00	436.00	95.07
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,296.00	2,296.00	0.00	1,710.56	25.50
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	725.00	0.00	425.00	41.38
001-21-520.34.40	DISPATCHING SERVICES	18,319.00	18,319.00	0.00	(549.11)	103.00
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,000.00	1,000.00	0.00	31.00	96.90
001-21-520.40.00	TRAVEL & MEETINGS	3,184.00	3,184.00	0.00	2,507.36	21.25
001-21-520.41.10	COMMUNICATION SERVICES	6,000.00	6,000.00	0.00	1,009.37	83.18
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	7,000.00	7,000.00	0.00	5,650.25	19.28
001-21-520.46.15	EQUIPMENT MAINTENANCE	2,500.00	2,500.00	0.00	(710.15)	128.41
001-21-520.46.16	RADAR CALIBRATION	250.00	250.00	0.00	(111.00)	144.40
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	17,000.00	0.00	4,870.89	71.35
001-21-520.48.00	PROMOTIONAL ACTIVITIES	1,500.00	1,500.00	0.00	1,431.18	4.59
001-21-520.48.50	CRIME PREVENTION	1,500.00	1,500.00	0.00	1,458.27	2.78
001-21-520.49.99	MISCELLANEOUS	100.00	100.00	0.00	12.43	87.57
001-21-520.51.10	POSTAGE	125.00	125.00	0.00	125.00	0.00
001-21-520.52.00	UNIFORMS	8,500.00	8,500.00	0.00	6,842.45	19.50
001-21-520.52.05	PROTECTIVE GEAR	3,500.00	3,500.00	0.00	2,607.66	25.50
001-21-520.52.50	GAS & OIL	25,000.00	25,000.00	0.00	14,739.71	41.04
001-21-520.52.70	MEDICAL	800.00	800.00	0.00	800.00	0.00
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	3,000.00	0.00	799.46	73.35
001-21-520.54.00	DUES & SUBSCRIPTIONS	1,175.00	1,175.00	0.00	470.00	60.00
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	6,400.00	0.00	6,400.00	0.00
001-21-520.64.01	Capital Outlay	8,400.00	8,400.00	0.00	(3,600.43)	142.86
001-21-543.00.00	LICENSES & FEES	14,646.00	14,646.00	0.00	7,158.90	51.12

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-21-581.00.00	TRANSFER OUT	15,000.00	15,000.00	0.00	0.00	100.00
						56.28
Department: 22 FIRE CONTROL						
001-22-500.12.00	REGULAR SALARIES	96,226.00	96,226.00	0.00	39,985.66	58.45
001-22-500.14.16	HURRICANE PAY	1,890.00	1,890.00	0.00	1,890.00	0.00
001-22-500.14.50	STIPEND PAYROLL	44,000.00	44,000.00	0.00	27,479.00	37.55
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,727.00	10,727.00	0.00	5,095.95	52.49
001-22-500.22.01	RETIREMENT - ICMA	9,248.00	9,248.00	0.00	3,640.73	60.63
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	3,591.00	3,591.00	0.00	1,566.46	56.38
001-22-500.23.01	HEALTH INSURANCE	28,200.00	28,200.00	0.00	10,616.08	62.35
001-22-500.23.02	LIFE INSURANCE	148.00	148.00	0.00	57.92	60.86
001-22-500.23.10	STATUTORY AD&D	207.00	207.00	0.00	(162.50)	178.50
001-22-500.24.00	WORKERS COMPENSATION	16,222.00	16,222.00	0.00	0.00	100.00
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	241.00	241.00	0.00	167.54	30.48
001-22-520.31.11	SECURITY	0.00	0.00	0.00	(300.00)	100.00
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	5,400.00	0.00	2,600.00	51.85
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	2,060.00	0.00	1,644.00	20.19
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	4,375.00	0.00	3,475.00	20.57
001-22-520.40.00	TRAVEL & MEETINGS	750.00	750.00	0.00	275.53	63.26
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	1,944.00	0.00	648.00	66.67
001-22-520.46.15	EQUIPMENT MAINTENANCE	10,000.00	10,000.00	0.00	3,042.51	69.57
001-22-520.46.20	VEHICLE MAINTENANCE	32,000.00	32,000.00	0.00	30,422.02	4.93
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	1,000.00	0.00	915.20	8.48
001-22-520.51.00	OFFICE SUPPLIES	800.00	800.00	0.00	703.70	12.04
001-22-520.52.00	UNIFORMS	12,650.00	12,650.00	0.00	10,459.13	17.32
001-22-520.52.02	S.C.B.A.	2,550.00	2,550.00	0.00	(617.56)	124.22
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	2,925.00	0.00	1,549.40	47.03
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	1,000.00	0.00	620.55	37.95
001-22-520.52.20	TOOLS & HARDWARE	10,500.00	10,500.00	0.00	10,230.48	2.57
001-22-520.52.50	GAS & OIL	5,000.00	5,000.00	0.00	3,626.47	27.47
001-22-520.52.70	MEDICAL	1,400.00	1,400.00	0.00	543.20	61.20
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	610.00	0.00	60.00	90.16
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	5,525.00	0.00	1,622.00	70.64

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-22-520.54.12	TRAINING MATERIALS	3,200.00	3,200.00	0.00	2,813.37	12.08
001-22-520.64.01	Capital Outlay	82,369.00	82,369.00	195.00	2,714.98	96.70
001-22-543.00.00	LICENSES & FEES	13,473.00	13,473.00	0.00	4,258.50	68.39
001-22-581.00.00	TRANSFER OUT	36,500.00	36,500.00	0.00	0.00	100.00
						61.53

Department: 29 CODE ENFORCEMENT

001-29-500.12.00	REGULAR SALARIES	15,792.00	15,792.00	0.00	8,911.48	43.57
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,208.00	1,208.00	0.00	570.73	52.75
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	2,143.00	2,143.00	0.00	1,012.55	52.75
001-29-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	0.00	100.00
001-29-500.24.00	WORKERS COMPENSATION	738.00	738.00	0.00	738.00	0.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	51.00	51.00	0.00	39.92	21.73
001-29-520.40.00	TRAVEL & MEETINGS	50.00	50.00	0.00	50.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	100.00	100.00	0.00	100.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	150.00	0.00	150.00	0.00
001-29-520.48.55	FIRE PREVENTION	4,600.00	4,600.00	0.00	1,857.14	59.63
001-29-520.51.00	OFFICE SUPPLIES	125.00	125.00	0.00	97.37	22.10
001-29-520.51.10	POSTAGE	350.00	350.00	0.00	298.16	14.81
001-29-520.51.20	RECORDING COSTS	120.00	120.00	0.00	120.00	0.00
001-29-520.52.00	UNIFORMS	300.00	300.00	0.00	300.00	0.00
001-29-520.54.00	DUES & SUBSCRIPTIONS	150.00	150.00	0.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	600.00	600.00	0.00	600.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	1,000.00	0.00	1,000.00	0.00
						41.83

Department: 41 PUBLIC WORKS

001-41-500.12.00	REGULAR SALARIES	253,947.00	253,947.00	0.00	129,382.60	49.05
001-41-500.14.00	SALARIES OVERTIME	4,000.00	4,000.00	0.00	3,422.56	14.44
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	19,427.00	19,427.00	0.00	9,711.53	50.01
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	34,461.00	34,461.00	0.00	17,446.79	49.37
001-41-500.23.01	HEALTH INSURANCE	46,000.00	46,000.00	0.00	21,963.41	52.25
001-41-500.23.02	LIFE INSURANCE	294.00	294.00	0.00	(20.05)	106.82
001-41-500.23.10	STATUTORY AD&D	83.00	83.00	0.00	0.00	100.00
001-41-500.24.00	WORKERS COMPENSATION	4,424.00	4,424.00	0.00	3,822.00	13.61

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	813.00	813.00	0.00	645.00	20.66
001-41-530.40.00	TRAVEL & MEETINGS	150.00	150.00	0.00	150.00	0.00
001-41-530.43.15	ELECTRICAL WORK	5,000.00	5,000.00	0.00	(1,096.66)	121.93
001-41-530.43.50	DUMP SERVICE	2,000.00	2,000.00	0.00	1,918.84	4.06
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	6,500.00	0.00	5,917.43	8.96
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	5,000.00	0.00	4,781.73	4.37
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	9,500.00	0.00	989.39	89.59
001-41-530.46.30	BUILDING MAINTENANCE	9,000.00	9,000.00	0.00	4,656.56	48.26
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	600.00	0.00	600.00	0.00
001-41-530.46.32	RYCKMAN HOUSE	1,000.00	1,000.00	0.00	(700.00)	170.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	2,000.00	2,000.00	0.00	1,869.69	6.52
001-41-530.46.35	PIER MAINTENANCE	1,000.00	1,000.00	0.00	952.45	4.76
001-41-530.46.40	GROUNDS MAINTENANCE	10,000.00	10,000.00	0.00	5,307.81	46.92
001-41-530.52.00	UNIFORMS	3,750.00	3,750.00	0.00	2,147.75	42.73
001-41-530.52.05	PROTECTIVE GEAR	2,500.00	2,500.00	0.00	1,749.34	30.03
001-41-530.52.20	TOOLS & HARDWARE	5,000.00	5,000.00	0.00	1,685.69	66.29
001-41-530.52.25	TOOL RENTALS	1,500.00	1,500.00	0.00	645.85	56.94
001-41-530.52.50	GAS & OIL	7,000.00	7,000.00	0.00	3,363.76	51.95
001-41-530.53.10	STREET REPAIR	7,500.00	7,500.00	0.00	4,305.34	42.60
001-41-530.53.20	STREET SIGNS	8,000.00	8,000.00	0.00	4,748.00	40.65
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	1,500.00	0.00	984.05	34.40
001-41-530.57.25	WELDING	200.00	200.00	0.00	200.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	4,000.00	0.00	1,105.59	72.36
001-41-581.00.00	TRANSFER OUT	10,000.00	10,000.00	0.00	0.00	100.00

50.09

Department: 42 GROUNDS KEEPING

001-42-530.34.91	LANDSCAPING	22,300.00	22,300.00	0.00	12,783.92	42.67
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	2,500.00	0.00	663.15	73.47
001-42-530.46.40	GROUNDS MAINTENANCE	26,000.00	26,000.00	0.00	22,170.56	14.73
001-42-530.46.43	TREE EXPENSE	3,000.00	3,000.00	0.00	3,000.00	0.00
001-42-530.52.00	UNIFORMS	3,125.00	3,125.00	0.00	2,980.25	4.63
001-42-530.52.05	PROTECTIVE GEAR	575.00	575.00	0.00	485.31	15.60
001-42-530.52.20	TOOLS & HARDWARE	500.00	500.00	0.00	424.02	15.20

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-42-530.52.50	GAS & OIL	1,000.00	1,000.00	0.00	858.17	14.18
001-42-530.54.10	TRAINING & SCHOOLS	375.00	375.00	0.00	375.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	0.00	0.00	0.00	(7,134.60)	100.00
001-42-581.00.00	TRANSFER OUT	4,250.00	4,250.00	0.00	0.00	100.00
						42.47

Department: 72 PARKS & RECREATION

001-72-570.48.10	FOUNDER'S DAY	8,000.00	8,000.00	0.00	5,645.00	29.44
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	1,800.00	0.00	813.03	54.83
001-72-570.48.52	FOURTH OF JULY	1,000.00	1,000.00	0.00	1,000.00	0.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	4,000.00	4,000.00	0.00	(592.55)	114.81
001-72-570.48.60	EASTER EGG HUNT	400.00	400.00	0.00	(25.12)	106.28
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	5,000.00	0.00	3,810.39	23.79
001-72-570.48.91	CHILDREN'S BUSINESS FAIR	5,000.00	5,000.00	0.00	(935.87)	118.72
001-72-570.63.01	TENNIS COURT EXPEDITURES	700.00	700.00	0.00	700.00	0.00
001-72-570.63.02	BBALL & VBALL COURTS	700.00	700.00	0.00	0.00	100.00
001-72-570.63.06	PLAYGROUND	0.00	0.00	0.00	(422.11)	100.00
001-72-570.64.01	CAPITAL OUTLAY	30,000.00	30,000.00	0.00	29,824.20	0.59
						29.65

Overall Expenditure Rate:

57.19

Fund: 104 ENVIRONMENTAL ADVIS

Account Category: Revenues

Department: 00

104-00-271.00.99	CARRY FORWARD	9,977.14	9,977.14	0.00	9,977.14	0.00
104-00-337.90.01	OTHER GRANTS	0.00	0.00	0.00	(568.00)	100.00
104-00-381.00.00	TRANSFERS IN	5,500.00	5,500.00	0.00	0.00	100.00
						39.21

Account Category: Expenditures

Department: 72 PARKS & RECREATION

104-72-570.31.00	PROFESSIONAL SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
104-72-570.34.91	LANDSCAPING	500.00	500.00	0.00	500.00	0.00
104-72-570.46.40	GROUNDS MAINTENANCE	1,200.00	1,200.00	0.00	920.29	23.31

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
104-72-570.51.00	OFFICE SUPPLIES	0.00	0.00	0.00	(345.35)	100.00
104-72-570.52.00	UNIFORMS	400.00	400.00	0.00	400.00	0.00
104-72-570.64.01	CAPITAL OUTLAY	6,000.00	6,000.00	0.00	6,000.00	0.00
104-72-570.83.01	SUNSHINE JIM	1,500.00	1,500.00	0.00	107.61	92.83
						17.39

Fund: 125 BUILDING DEPT
Account Category: Revenues

Department: 24 PROTECTIVE INSPE

125-24-322.00.00	BUILDING PERMITS	240,000.00	240,000.00	0.00	131,976.06	45.01
125-24-322.10.00	ZONING PLAN REVIEW	2,500.00	2,500.00	0.00	2,045.91	18.16
125-24-322.10.10	SITE PLAN REVIEW P&Z	6,000.00	6,000.00	0.00	5,948.75	0.85
125-24-322.20.00	BUILDING PLAN REVIEW	5,500.00	5,500.00	0.00	5,375.00	2.27
125-24-322.31.00	BOA ADVERTISING COSTS	100.00	100.00	0.00	(175.06)	275.06
125-24-322.31.20	P&Z ADVERTISING	200.00	200.00	0.00	200.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	13,000.00	13,000.00	0.00	5,291.00	59.30
125-24-329.00.10	BOA VARIANCE FEES	1,000.00	1,000.00	0.00	(3,297.00)	429.70
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	6,000.00	0.00	1,572.14	73.80
						45.70

Account Category: Expenditures

125-24-500.12.00	REGULAR SALARIES	154,096.00	154,096.00	0.00	68,546.41	55.52
125-24-500.14.00	SALARIES OVERTIME	1,000.00	1,000.00	0.00	1,000.00	0.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	11,788.34	11,788.34	0.00	5,410.73	54.10
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	20,910.83	20,910.83	0.00	9,301.65	55.52
125-24-500.23.01	HEALTH INSURANCE	17,000.00	17,000.00	0.00	8,013.60	52.86
125-24-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	61.68	54.65
125-24-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	0.00	100.00
125-24-500.24.00	WORKERS COMPENSATION	1,475.00	1,475.00	0.00	1,475.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	493.11	493.11	0.00	380.72	22.79
125-24-520.40.00	TRAVEL & MEETINGS	700.00	700.00	0.00	(915.89)	230.84
125-24-520.41.10	COMMUNICATION SERVICES	0.00	0.00	0.00	(65.00)	100.00
125-24-520.46.20	VEHICLE MAINTENANCE	800.00	800.00	0.00	385.07	51.87
125-24-520.51.00	OFFICE SUPPLIES	430.00	430.00	0.00	430.00	0.00

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
125-24-520.51.10	POSTAGE	75.00	75.00	0.00	75.00	0.00
125-24-520.52.00	UNIFORMS	560.00	560.00	0.00	560.00	0.00
125-24-520.52.20	TOOLS & HARDWARE	100.00	100.00	0.00	100.00	0.00
125-24-520.52.50	GAS & OIL	700.00	700.00	0.00	459.24	34.39
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	1,500.00	0.00	1,475.00	1.67
125-24-520.54.10	TRAINING & SCHOOLS	400.00	400.00	0.00	50.00	87.50
125-24-543.00.00	LICENSES & FEES	3,490.00	3,490.00	0.00	(234.00)	106.70
125-24-581.00.00	TRANSFER OUT	20,000.00	20,000.00	0.00	0.00	100.00
						59.05

Fund: 145 AMERICAN RESCUE PLAN
Account Category: Revenues

Department: 00

145-00-271.00.99	CARRY FORWARD	759,385.36	759,385.36	0.00	759,385.36	0.00
						0.00

Account Category: Expenditures

Department: 41 PUBLIC WORKS

145-41-530.31.21	ENGINEERING SERVICES	0.00	0.00	0.00	(7,330.00)	100.00
145-41-530.64.01	CAPITAL OUTLAY	758,533.87	758,533.87	0.00	751,133.19	0.98
						1.94

Fund: 172 OCEAN PARK PARKING F
Account Category: Revenues

Department: 00

172-00-271.00.99	CARRY FORWARD	51,144.00	51,144.00	0.00	51,144.00	0.00
						0.00

Department: 75 TOWN PARKS

172-75-342.10.00	PARKING TICKET REVENUE	12,000.00	12,000.00	0.00	8,300.00	30.83
172-75-344.50.00	PARKING METER REVENUE	95,000.00	95,000.00	0.00	57,454.84	39.52
						38.55

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Account Category: Expenditures						
172-75-575.31.02	LIFEGUARD CONTRACT	73,000.00	73,000.00	0.00	64,059.82	12.25
172-75-575.32.90	BANKING FEES	5,500.00	5,500.00	0.00	3,633.34	33.94
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	1,800.00	0.00	750.00	58.33
172-75-575.34.91	LANDSCAPING	1,500.00	1,500.00	0.00	1,278.27	14.78
172-75-575.41.10	IPS COMMUNICATIONS FEE	5,000.00	5,000.00	0.00	3,100.34	37.99
172-75-575.43.10	ELECTRICITY	3,000.00	3,000.00	0.00	1,643.88	45.20
172-75-575.43.20	WATER & SEWER	1,200.00	1,200.00	0.00	615.41	48.72
172-75-575.43.50	DUMP SERVICE	250.00	250.00	0.00	250.00	0.00
172-75-575.46.12	MAINTENANCE SUPPLIES	3,000.00	3,000.00	0.00	644.20	78.53
172-75-575.46.31	BUILDING MAINT RESTROOMS	400.00	400.00	0.00	(321.81)	180.45
172-75-575.46.40	GROUNDS MAINTENANCE	1,200.00	1,200.00	0.00	759.46	36.71
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	350.00	0.00	290.77	16.92
172-75-575.52.25	TOOL RENTAL	3,000.00	3,000.00	0.00	3,000.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	1,500.00	0.00	1,500.00	0.00
172-75-575.53.20	SIGNS	800.00	800.00	0.00	800.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	2,000.00	0.00	1,506.04	24.70
172-75-575.63.05	BOCCE BALL COURT	0.00	0.00	0.00	(7,151.35)	100.00
172-75-575.64.01	CAPITAL OUTLAY	6,000.00	6,000.00	0.00	5,750.15	4.16
172-75-581.00.00	TRANSFER OUT	1,400.00	1,400.00	0.00	0.00	100.00
						25.96

Fund: 175 RYCKMAN CROSSOVER P**Account Category: Revenues**

Department: 00

175-00-271.00.99	CARRY FORWARD	120,556.74	120,556.74	0.00	120,556.74	0.00
						0.00

Department: 75 TOWN PARKS

175-75-342.10.00	PARKING TICKET REVENUE	3,500.00	3,500.00	0.00	(850.00)	124.29
175-75-344.50.00	PARKING METER REVENUE	89,000.00	89,000.00	0.00	41,042.46	53.88
175-75-344.50.10	PARK PASS REVENUE	2,500.00	2,500.00	0.00	0.00	100.00
						57.69

	Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
Account Category: Expenditures						
175-75-575.31.00	PROFESSIONAL SERVICES	0.00	0.00	0.00	(3,000.00)	100.00
175-75-575.32.90	BANKING FEES	3,400.00	3,400.00	0.00	2,155.55	36.60
175-75-575.41.15	IPS COMMUNICATION FEE	2,800.00	2,800.00	0.00	1,594.92	43.04
175-75-575.47.00	PRINTING	0.00	0.00	0.00	(1,876.50)	100.00
175-75-575.48.52	FALL FESTIVAL	4,000.00	4,000.00	0.00	325.06	91.87
175-75-575.48.53	WINTER FESTIVAL	4,000.00	4,000.00	0.00	4,000.00	0.00
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	10,500.00	0.00	4,900.00	53.33
175-75-575.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	0.00	50,000.00	0.00
175-75-575.73.00	CULTURAL SERVICES	3,500.00	3,500.00	0.00	2,699.08	22.88
175-75-581.00.00	TRANSFER OUT	91,500.00	91,500.00	0.00	0.00	100.00

64.17

Fund: 351 LAND & ROAD IMPROVE**Account Category: Revenues**

Department: 00

351-00-271.00.99	CARRY FORWARD	27,397.17	27,397.17	0.00	27,397.17	0.00
351-00-381.00.00	TRANSFERS IN	90,000.00	90,000.00	0.00	0.00	100.00

76.66

Account Category: Expenditures

Department: 41 PUBLIC WORKS

351-41-570.31.00	PROFESSIONAL SERVICES	5,000.00	5,000.00	0.00	3,777.50	24.45
351-41-570.31.21	ENGINEERING SERVICES	20,000.00	20,000.00	0.00	20,000.00	0.00
351-41-570.34.91	LANDSCAPING	10,000.00	10,000.00	0.00	8,896.00	11.04
351-41-570.46.40	GROUNDS MAINTENANCE	0.00	0.00	0.00	(1,183.10)	100.00
351-41-570.46.43	TREE EXPENSE	9,000.00	9,000.00	0.00	8,650.00	3.89
351-41-570.52.25	TOOL RENTALS	3,000.00	3,000.00	0.00	3,000.00	0.00
351-41-570.53.20	STREET SIGNS	20,000.00	20,000.00	0.00	8,157.87	59.21
351-41-570.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	0.00	50,000.00	0.00

13.42

PUBLIC WORKS ACTIVITIES

APRIL 2024

Removed rust repaired and painted bad areas Ryckman Park playgrounds

Electrical repairs to outlet box pavilions Ryckman Park

Trimmed 137 palm trees Ryckman Park and nearby areas

Installed banners for MOON RUN and Founders Day

New mulch in landscape areas front of Community Center

Replaced damaged irrigation pipes on east Ocean Ave.

Assembled and installed small storage shed at bocce courts for rakes etc.

Worked the Sea Turtle Society and PD arranged for emergency parking

Installed pole on Atlantic (A1A) for new solar speed sign

Recovered re-installed lids from 2 trash receptacles that were thrown in river

Removed and reset with adhesive block wall along sidewalk Ryckman area

Removed a damaged/aged picnic table Ryckman Park

Posted no trespassing signs around storage yard

Added more nails to fence around storage yard to re-enforce it

Pressure washed all sidewalks in Ryckman Park and Town Hall areas

Moved speed trailer for PD multiple times

Treated the wood swings at Ocean Park with water sealer

Replaced broken door latch mens restroom Town Hall

Removed severely worn bulletin board Logger Head Park

All beach and river crossovers trimmed mowed

Annual replacement of stormwater baffle box filters completed

Repaired few of the piers lights – not vandalism but wear

Cut up and removed a large section of sea grape that had fallen on First ave.

Painted the trash receptacles in Ryckman Park

Cleaned and repainted light pole bases in Ryckman Park

Cleaned and installed no slip materials on boardwalk by Ryckman restrooms

Installed slippery when wet signs by boardwalk Ryckman restrooms

Spread top soil on sod installed west of Ryckman House, frt. Comm.Ctr.

Quarterly inspection/maintenance of facility generator by Eau Gallie Elec.



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Building Department Report

APRIL 2024

- permits issued 55
- Construction value of the \$904,236.19 permits totaled \$18,693.62
- Total permit fees \$18,693.62
- Inspections completed 118
- Plans reviewed 55
- Site plan review for P&Z
- Vacation rental inspections 4
- New home 0
- Stop work order 1

Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PF24-0010	Fence	322 4TH AVE	MIKE WAGERS CONSTRUCTION	04/29/202	10/26/202	\$307.50
PTR24-0008	Tree	322 4TH AVE	Sturgeons Lawn Tree and Bobcat Services	04/11/202	10/08/202	\$0.00
PF24-0006	Fence	504 4TH AVE	DAVE'S FENCE	04/03/202	10/09/202	\$160.34
PWS24-0042	Window, Door, and Shutter Permit	212 5TH AVE	SUNSET VIEW CONSTRUCTION	04/23/202	10/20/202	\$392.33
PPL24-0008	Pool	302 SIXTH AVE	TAYLOR, BRIAN	04/01/202	09/28/202	\$835.38
PPL24-0007	Pool	415 SIXTH AVE	INTERCOASTAL POOL AND SPA	04/02/202	10/22/202	\$621.93
PPR24-0005	Pool Resurface	416 ANCHOR KY	HARBOUR POOLS & SPAS	04/12/202	10/23/202	\$325.95
PWS24-0037	Window, Door, and Shutter Permit	217 ASH AVE	IKON WINDOWS AND DOORS LLC	04/02/202	10/23/202	\$90.13
PF24-0012	Fence	325 ATLANTIC ST	US CURB APPEAL INC DBA FLORIDA FENCE COMPANY	04/25/202	10/22/202	\$170.20
PCB24-0004	Com Building	1419 ATLANTIC ST	TC CONTRACTORS	04/30/202	10/27/202	\$801.04
PM24-0027	Mechanical	1423 ATLANTIC ST	ZACEK, DENNIS	04/10/202	10/12/202	\$221.40
PWS24-0040	Window, Door, and Shutter Permit	1700 ATLANTIC ST 14	CN ROMACK, INC	04/03/202	09/30/202	\$102.22
PWS24-0043	Window, Door, and Shutter Permit	1702 ATLANTIC ST 1B	Window World of the Space Coast	04/22/202	10/19/202	\$325.63
PM24-0032	Mechanical	1712 ATLANTIC ST 6C	Goodwin, Sol	04/25/202	10/23/202	\$303.89
PE24-0021	Electrical	1805 ATLANTIC ST 132	Kenwin A Logan	04/23/202	10/20/202	\$79.00
PP24-0010	Plumbing	1805 ATLANTIC ST 132	Lay, Bryan	04/29/202	10/26/202	\$79.00
PM24-0026	Mechanical	2150 ATLANTIC ST 426	Gregory L Vermett	04/04/202	10/13/202	\$267.04
PE24-0020	Electrical	1404 ATLANTIC ST E	William J Rich	04/19/202	10/16/202	\$79.00
PRR24-0023	Reroof	406 AVENUE A	Florida Retrofits Inc	04/22/202	10/19/202	\$471.87
PWS24-0026	Window, Door, and Shutter Permit	510 AVENUE A	ELEGANT HOMES & DESIGNS INC HOWARD FINK	04/03/202	10/13/202	\$110.41
PPL24-0009	Pool	306 AVENUE B	Watershapes by Greg Ginstrom	04/01/202	09/28/202	\$820.00
PM24-0025	Mechanical	526 AVENUE B	Gregory L Vermett	04/02/202	09/30/202	\$265.31
PE24-0018	Electrical	304 BEAU JEAN AVE	HECK, JAMES & TIA	04/08/202	10/09/202	\$79.00
PRR24-0022	Reroof	221 BIRCH AVE	ICM ROOFING	04/16/202	10/20/202	\$413.44
PRR24-0019	Reroof	400 CORAL AVE	JT ROOFING & MAINTENANCE INC	04/10/202	10/15/202	\$647.20
PM24-0035	Mechanical	413 DRIFTWOOD AVE	WHITLOCK, GARY	04/26/202	10/23/202	\$159.43
PE24-0019	Electrical	208 ELM AVE	Hughes, Chris	04/02/202	10/08/202	\$88.66
PRR24-0025	Reroof	509 HARLAND AVE	BARFIELD CONTRACTING & ASSOCIATES	04/26/202	10/23/202	\$79.00
PWS24-0035	Window, Door, and Shutter Permit	516 HIBISCUS TRL	EDRYAN BUILDING CONTRACTOR	04/22/202	10/20/202	\$466.77
PCD24-0007	Paver, Concrete, & Deck	605 HIBISCUS TRAIL	Big 5 General Construction Company Inc	04/03/202	10/09/202	\$79.00
PTR24-0005	Tree	400 MAGNOLIA AVE	Sturgeons Lawn Tree and Bobcat Services	04/02/202	09/29/202	\$0.00

Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PWS24-0038	Window, Door, and Shutter Permit	418 MAGNOLIA AVE	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	04/01/202	10/08/202	\$318.30
PD22-0009	Demolition	513 MAGNOLIA AVE	Sun Quality Builders LLC	04/17/202		\$0.00
PCD24-0008	Paver, Concrete, & Deck	411 MAGNOLIA AVE	GI GENESIS PAVER, LLC	04/19/202	10/16/202	\$512.50
PPL24-0010	Pool	1902 NEPTUNE DR	Martin Pools and Spas Inc.	04/30/202	10/27/202	\$1125.86
PM24-0034	Mechanical	2010 OAK ST	WHITLOCK, GARY	04/26/202	10/23/202	\$311.90
PCB24-0003	Com Building	201 OCEAN AVE	ERIC THE GAS MAN	04/15/202	10/19/202	\$79.00
PP24-0008	Plumbing	1101 PINE ST	DEPENTA, ROBERT	04/26/202	10/28/202	\$124.00
PM24-0029	Mechanical	1105 PINE ST	cormier, wayne	04/16/202	10/19/202	\$311.55
PRB24-0010	Res Building	1203 PINE ST	BARRETT, SCOTT	04/01/202	10/09/202	\$2336.63
PG24-0003	Generator	1507 PINE ST	All Suncoast Electric, Inc.	04/02/202	10/23/202	\$161.86
PPR24-0002	Pool Resurface	1101 RIVER RD	POOL RENO CREW LLC	04/23/202	10/20/202	\$410.00
PRB24-0015	Res Building	396 RIVER VW	GROUNDLED BUILDS BREVARD, LLC	04/25/202	10/22/202	\$1200.00
PWS24-0044	Window, Door, and Shutter Permit	449 RIVER VW	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	04/23/202	10/20/202	\$96.39
PWS24-0041	Window, Door, and Shutter Permit	397 RIVER VIEW LN	FHIA LLC	04/23/202	10/20/202	\$433.52
PM24-0028	Mechanical	448 RIVER VIEW LN	John T Arrigo	04/09/202	10/06/202	\$360.17
PM24-0033	Mechanical	206 RIVERSIDE DR	Kristin N Kelly	04/26/202	10/23/202	\$176.48
PRR24-0024	Reroof	1902 ROSEWOOD DR	ICM ROOFING	04/25/202	10/29/202	\$383.23
PRB24-0011	Res Building	449 SANDY KY	George Construction	04/03/202	10/01/202	\$79.00
PM24-0031	Mechanical	607 SHANNON AVE	MARTIN, JONATHAN	04/25/202	10/22/202	\$279.83
PRB24-0008	Res Building	413 SUNSET BLVD	CORNERSTONE CONSTRUCTION AND DEVELOPMENT	04/03/202	10/13/202	\$871.25
PF24-0011	Fence	413 SUNSET BLVD	AMERICAN FENCE	04/15/202	10/22/202	\$151.08
PRB24-0013	Res Building	417 SUNSET BLVD	SAMS LP GAS COMPANY INC	04/19/202	10/22/202	\$129.00
PTR24-0007	Tree	524 SUNSET BLVD	GROUNDLED BUILDS BREVARD, LLC	04/08/202	10/05/202	\$0.00
PTR24-0006	Tree	526 SUNSET BLVD.	GROUNDLED BUILDS BREVARD, LLC	04/08/202	10/05/202	\$0.00

Total Permits: 55
Total Paid: \$18693.62

Monthly Permit List

05/01/2024

1/6

Com Building

Permit #	Applicant	Address	Fee Total	Const. Value
PCB24-0004	TC CONTRACTORS	1419 ATLANTIC ST	\$801.04	\$58150.00
	Work Description: Replace approx. 30 LF of damaged wall. Install 2 8" precast lintels according to plans			
PCB24-0003	ERIC THE GAS MAN	201 OCEAN AVE	\$79.00	\$1825.00
	Work Description: Install 65' 1/2" galvanized gas line to kitchen with 4 stubs			

Total Permits For Type: 2
Total Fees For Type: \$880.04
Total Const. Value For Type: \$59975.00

Demolition

Permit #	Applicant	Address	Fee Total	Const. Value
PD22-0009	Sun Quality Builders LLC	513 MAGNOLIA AVE	\$0.00	\$4500.00
	Work Description: DEMO			

Total Permits For Type: 1
Total Fees For Type: \$0.00
Total Const. Value For Type: \$4500.00

Electrical

Permit #	Applicant	Address	Fee Total	Const. Value
PE24-0021	Kenwin A Logan	1805 ATLANTIC ST 132	\$79.00	\$2500.00
	Work Description: Relocate electrical switched., receptables, lights			
PE24-0020	William J Rich	1404 ATLANTIC ST E	\$79.00	\$2100.00
	Work Description: remove and replace 200 amp service			
PE24-0018	HECK, JAMES & TIA	304 BEAU JEAN AVE	\$79.00	\$2300.00
	Work Description: Replace 200A OH Service			
PE24-0019	Hughes, Chris	208 ELM AVE	\$88.66	\$2822.00
	Work Description: Replace 200A, 200A MCB, Install new ground rods with ground bridge and add plug in surge protector.			

Total Permits For Type: 4
Total Fees For Type: \$325.66
Total Const. Value For Type: \$9722.00

Fence

Permit #	Applicant	Address	Fee Total	Const. Value
PF24-0010	MIKE WAGERS CONSTRUCTION	322 4TH AVE	\$307.50	\$10000.00
	Work Description: Install new 6 ft wooded privacy fence			

PF24-0006	DAVE'S FENCE	504 4TH AVE	\$160.34	\$5200.00
Work Description: 125' 6' H Black chainlink fence 25' 4' Black Chainlink fence				
PF24-0012	US CURB APPEAL INC DBA FLORIDA FENCE COMPANY	325 ATLANTIC ST	\$170.20	\$5523.75
Work Description: Install 133 LF 4' tall aluminum fence with 2 gates				
PF24-0011	AMERICAN FENCE	413 SUNSET BLVD	\$151.08	\$4896.00
Work Description: Supply and install 77' of 54" tall black Long Island style aluminum fence. One 5' walk gate. One 10' double drive gate. Pool code hardware needed. Concrete every post.				

Total Permits For Type: 4
Total Fees For Type: \$789.12
Total Const. Value For Type: \$25619.75

Generator

Permit #	Applicant	Address	Fee Total	Const. Value
PG24-0003	All Suncoast Electric, Inc.	1507 PINE ST	\$161.86	\$5250.00
Work Description: INSTALL 22KW GENERATOR				

Total Permits For Type: 1
Total Fees For Type: \$161.86
Total Const. Value For Type: \$5250.00

Mechanical

Permit #	Applicant	Address	Fee Total	Const. Value
PM24-0027	ZACEK, DENNIS	1423 ATLANTIC ST	\$221.40	\$7200.00
Work Description: Exact AC change out no duct work				
PM24-0032	Goodwin, Sol	1712 ATLANTIC ST 6C	\$303.89	\$9882.70
Work Description: Replace existing A/C system. No ductwork				
PM24-0026	Gregory L Vermett	2150 ATLANTIC ST 426	\$267.04	\$8684.00
Work Description: replace a/c system				
PM24-0025	Gregory L Vermett	526 AVENUE B	\$265.31	\$8628.00
Work Description:				
PM24-0035	WHITLOCK, GARY	413 DRIFTWOOD AVE	\$159.43	\$5170.00
Work Description: change out ac with carrier ductless heat pump system				
PM24-0034	WHITLOCK, GARY	2010 OAK ST	\$311.90	\$10430.00
Work Description: change out ac with 4 ton 15.00 seer2 carrier system				
PM24-0029	cormier, wayne	1105 PINE ST	\$311.55	\$10395.00
Work Description: replace existing 3 ton split system with new ICP 3 ton 16 seer split system with electric heat AHRI #210990752				
PM24-0028	John T Arrigo	448 RIVER VIEW LN	\$360.17	\$15139.00
Work Description: Replace HVAC System and install new mini split				
PM24-0033	Kristin N Kelly	206 RIVERSIDE DR	\$176.48	\$5730.00
Work Description: Replace HVAC system exact size change out no duct work				

Work Description: HVAC replacement system install

Total Permits For Type: 10
Total Fees For Type: \$2657.00
Total Const. Value For Type: \$90358.70

Paver, Concrete, & Deck

Permit #	Applicant	Address	Fee Total	Const. Value
PCD24-0007	Big 5 General Construction Company Inc	605 HIBISCUS TRAIL	\$79.00	\$2200.00
Work Description: Pour a small pad & 12"x12" footing for a screen enclosure with 2 #5 rebar Pad 8'x11'				
PCD24-0008	GI GENESIS PAVER, LLC	411 MAGNOLIA AVE	\$512.50	\$30000.00
Work Description: paver installation in the existing driveway concrete will be removed the grass to do double entrance driveway				

Total Permits For Type: 2
Total Fees For Type: \$591.50
Total Const. Value For Type: \$32200.00

Plumbing

Permit #	Applicant	Address	Fee Total	Const. Value
PP24-0010	Lay, Bryan	1805 ATLANTIC ST 132	\$79.00	\$2000.00
Work Description: Relocate water heater install lavatory faucets and shower valve				
PP24-0008	DEPENTA, ROBERT	1101 PINE ST	\$124.00	\$4000.00
Work Description: whole home repipe from cast iron to pvc, master bath and guest remodel				

Total Permits For Type: 2
Total Fees For Type: \$203.00
Total Const. Value For Type: \$6000.00

Pool

Permit #	Applicant	Address	Fee Total	Const. Value
PPL24-0008	TAYLOR, BRIAN	302 SIXTH AVE	\$835.38	\$61500.00
Work Description: Pool build, paver decking, covered patio				
PPL24-0007	INTERCOASTAL POOL AND SPA	415 SIXTH AVE	\$621.93	\$40676.00
Work Description: install inground swimming pool				
PPL24-0009	Watershapes by Greg Ginstrom	306 AVENUE B	\$820.00	\$60000.00
Work Description: inground pool				
PPL24-0010	Martin Pools and Spas Inc.	1902 NEPTUNE DR	\$1125.86	\$89840.00
Work Description: New inground swimming pool				

Total Permits For Type: 4
Total Fees For Type: \$3403.17
Total Const. Value For Type: \$252016.00

Pool Resurface

Permit #	Applicant	Address	Fee Total	Const. Value
PPR24-0005	HARBOUR POOLS & SPAS	416 ANCHOR KY	\$325.95	\$11800.00
	Work Description: resurface pool with coping			
PPR24-0002	POOL RENO CREW LLC	1101 RIVER RD	\$410.00	\$20000.00
	Work Description: resurface pool			

Total Permits For Type: 2
Total Fees For Type: \$735.95
Total Const. Value For Type: \$31800.00

Reroof

Permit #	Applicant	Address	Fee Total	Const. Value
PPR24-0023	Florida Retrofits Inc	406 AVENUE A	\$471.87	\$26036.45
	Work Description: shingle reroof			
PPR24-0022	ICM ROOFING	221 BIRCH AVE	\$413.44	\$20336.19
	Work Description: remove and replace roofing system			
PPR24-0019	JT ROOFING & MAINTENANCE INC	400 CORAL AVE	\$647.20	\$31190.00
	Work Description: Re-roof with Owens Corning Duration shingles and peel stick under layment			
PPR24-0025	BARFIELD CONTRACTING & ASSOCIATES	509 HARLAND AVE	\$79.00	\$2500.00
	Work Description: FLAT REROOF 2 SQ 1/12 PITCH CHIMNEY REMOVAL AND SHINGLE REPAIR			
PPR24-0024	ICM ROOFING	1902 ROSEWOOD DR	\$383.23	\$17388.21
	Work Description: Remvoe and replace roofing system			

Total Permits For Type: 5
Total Fees For Type: \$1994.74
Total Const. Value For Type: \$97450.85

Res Building

Permit #	Applicant	Address	Fee Total	Const. Value
PRB24-0010	BARRETT, SCOTT	1203 PINE ST	\$2336.63	\$26500.00
	Work Description: REDO BATH ROOMS, REMOVE WALLS IN LIVING ROOM			
PRB24-0015	GROUNDLED BUILDS BREVARD, LLC	396 RIVER VW	\$1200.00	\$98000.00
	Work Description: renovation of existing dilapidated residence			
PRB24-0011	George Construction	449 SANDY KY	\$79.00	\$2000.00
	Work Description: new gas line and on demand water heater			
PRB24-0008	CORNERSTONE CONSTRUCTION AND	413 SUNSET BLVD	\$871.25	\$65000.00

DEVELOPMENT

Work Description: Repipe of supply and waste, reso two bathrooms , replace flooring as needed

PRB24-0013 SAMS LP GAS COMPANY INC 417 SUNSET BLVD \$129.00 \$1020.00
Work Description: Gas piping to generator

Total Permits For Type: 5
Total Fees For Type: \$4615.88
Total Const. Value For Type: \$192520.00

Tree

Permit #	Applicant	Address	Fee Total	Const. Value
PTR24-0008	Sturgeons Lawn Tree and Bobcat Services	322 4TH AVE	\$0.00	\$0.01
	Work Description: removal of 14 palms and 4 scrub oaks			
PTR24-0005	Sturgeons Lawn Tree and Bobcat Services	400 MAGNOLIA AVE	\$0.00	\$0.01
	Work Description: REMOVE 2UNHEALTHY DATE PALMS 1 IN FRONT EAST SIDE, ONE IN BACK EAST SIDE			
PTR24-0007	GROUND ED BUILDS BREVARD, LLC	524 SUNSET BLVD	\$0.00	\$0.01
	Work Description: remove 2 large trees (Oak) on the west side of the property, neighbor (Brandon Smith) will replace with 2 palms for each Oak tree removed			
PTR24-0006	GROUND ED BUILDS BREVARD, LLC	526 SUNSET BLVD.	\$0.00	\$0.01
	Work Description: remove 2 large oak trees on the east side of the property and replace with 8 palm trees			

Total Permits For Type: 4
Total Fees For Type: \$0.00
Total Const. Value For Type: \$0.04

Window, Door, and Shutter Permit

Permit #	Applicant	Address	Fee Total	Const. Value
PWS24-0042	SUNSET VIEW CONSTRUCTION	212 5TH AVE	\$392.33	\$18276.18
	Work Description: Installating windows			
PWS24-0037	IKON WINDOWS AND DOORS LLC	217 ASH AVE	\$90.13	\$2870.90
	Work Description: replace doors			
PWS24-0040	CN ROMACK, INC	1700 ATLANTIC ST 14	\$102.22	\$3274.00
	Work Description: replace existing exterior rear door size for size			
PWS24-0043	window world of the Space Coast	1702 ATLANTIC ST 1B	\$325.63	\$11768.00
	Work Description: Replace 4 windows and 1 sliding glass door, size for size			
PWS24-0026	ELEGANT HOMES & DESIGNS INC HOWARD FINK	510 AVENUE A	\$110.41	\$3547.00
	Work Description: 4 slider window replacements; size for size & non-imp (existing shutters)			

PWS24-0035	EDRYAN BUILDING CONTRACTOR	516 HIBISCUS TRL	\$466.77	\$20660.00
	Work Description: window and door replacement			
PWS24-0038	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	418 MAGNOLIA AVE	\$318.30	\$11053.02
	Work Description: Installation of Doors			
PWS24-0044	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	449 RIVER VW	\$96.39	\$3079.75
	Work Description: installation of door			
PWS24-0041	FHIA LLC	397 RIVER VIEW LN	\$433.52	\$22295.00
	Work Description: REPLAE 10 WINDOWS WITH IMPACT SIZE FOR SIZE			

Total Permits For Type:	9
Total Fees For Type:	\$2335.70
Total Const. Value For Type:	\$96823.85

Grand Total Fees:	\$18,693.62
Grand Total Permits:	55.00
Grand Total Const. Value:	\$904236.19

Inspection Totals

Column & Tie Beam	1
Deck	1
Dry Final	1
Dry In	1
Dry-In	6
Dry-In Roof	2
Drywall	1
Electric Pre-Power	1
Electrical	6
Final	4
Final Building	2
Final Electrical	1
Final Fence	4
Final Mechanical	6
Final Plumbing	1
Final Pool Enclosure	2
Final Pool Resurface	2
Final Roof	2
Final Solar	1
Final Tree	1

Inspection Totals

Final window, Door, & Shutter	17
Fire Inspection	3
Footer	4
Foundation	1
Framing	2
Framing	1
In Progress	1
In Progress - Window	2
In-Progress	8
Insulation	1
Pre Pour	3
Pressure test - Gas line	2
Rebar at rim of house and the trenches, rebar on t	1
Rough Electrical	3
Rough Plumbing	7
Screw	1
Sewer Connection Tie In	1
Steel & Ground	7
Truss, Bracing & Strapping	1
Underground Plumbing	3

Inspection Totals

Up-Lift	1
Window & Door In-Progress	1
Wire Lath for STucco	1

Total # of Inspections: 118

Enforcement List**Ongoing Open Enforcement Cases**

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE23-0179	204 CHERRY DR	Short Term Rental Violations	Open - Court Magistrate	Staff	07/31/23	
ECE23-0201	302 ORANGE ST	Building Permit Violation	Open - Court Magistrate	Staff	11/14/23	

Total # of Enforcements: 2

ECE23-0179: Unregistered Vacation Rental to be scheduled for hearing with the Special Magistrate

ECE23-0201: Magistrate ruled, building permit violation, collecting daily fines.

Enforcement List

April 2024 Closed Code Enforcement List

05/09/2024

1/1

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE24-0216	204 S PALM AVE	Fences and walls	Closed - No Violations Found	Public - Phone	04/16/24	04/18/24

Total # of Enforcements: 1

ECE24-0216: Neighbor complained of fence in disrepair, fence actually on complainant's property.

Enforcement List

April Filed Code Enforcement List

05/09/2024

1/1

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE24-0214	387 RIVER VIEW LN	Short Term Rental Violations	Open - First Letter Sent		04/01/24	
ECE24-0216	204 S PALM AVE	Fences and walls	Closed - No Violations Found	Public - Phone	04/16/24	04/18/24
ECE24-0217	600 JASMINE DR	Noise Complaints	Open - First Letter Sent	Public - Phone	04/29/24	

Total # of Enforcements: 3

ECE24-0214: Property listed as Short-Term Rental without registration, property owners in process of registering.

ECE24-0216: Neighbor complaint of fence in disrepair.

ECE24-0217: Neighbors complaining of noise from vehicles congregating in front of house in the mornings of a lawn care home business.

Certificate List

Current Active Vacation Rental Certificate List 5/9/2024

05/09/2024

1/2

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
CVR22-0044	224 FIFTH AVE	Vacation Rental	POVICH, ROBYN S	Issued	07/07/2023	07/07/2024	\$0.00
CVR23-0002	501 POINSETTIA RD	Vacation Rental	GENNA, PETE	Issued	07/06/2023	07/06/2024	\$0.00
CVR23-0003	304 FOURTH AVE	Vacation Rental	SAMMELMAN, MARK T	Issued	01/11/2024	01/11/2025	\$0.00
CVR23-0004	608 MANGO DR	Vacation Rental	COMPO, DEVIN	Issued	06/05/2023	06/05/2024	\$0.00
CVR23-0007	510 BANYAN WAY	Vacation Rental	MCGRATH, JEFFREY	Issued	08/02/2023	08/02/2024	\$0.00
CVR23-0008	406 HIBISCUS TRL	Vacation Rental	PETERS, ERIC RYAN	Issued	06/09/2023	06/09/2024	\$0.00
CVR23-0009	415 HIBISCUS TRL	Vacation Rental	GOSSELIN, JAKE	Issued	06/12/2023	06/12/2024	\$0.00
CVR23-0010	311 AVENUE A	Vacation Rental	K5 INVESTMENT GROUP LLC	Issued	06/09/2023	06/09/2024	\$0.00
CVR23-0011	400 AVENUE B	Vacation Rental	KERR, JOHN	Issued	08/31/2023	08/31/2024	\$0.00
CVR23-0015	527 AVENUE B	Vacation Rental	SEIDEL, BRIAN R	Issued	11/08/2023	11/08/2024	\$0.00
CVR23-0016	217 FOURTH AVE	Vacation Rental	FOURTH AVENUE LLC	Issued	10/17/2023	10/17/2024	\$0.00
CVR23-0017	211 CHERRY DR	Vacation Rental	LA GALA, DEAN	Issued	10/27/2023	10/27/2024	\$0.00
CVR23-0019	228 6TH AVE	Vacation Rental	WELLENS, DOUGLAS M	Issued	10/26/2023	10/26/2024	\$0.00
CVR23-0020	212 DOGWOOD AVE	Vacation Rental	DEAN LAGALA	Issued	10/27/2023	10/27/2024	\$0.00
CVR23-0021	317 FIRST AVE	Vacation Rental	LESINSKI, ZACH	Issued	10/24/2023	10/24/2024	\$0.00
CVR23-0022	1905 REDWOOD AVE	Vacation Rental	ATLANTIC SURFSIDE, LLC	Issued	10/30/2023	10/30/2024	\$0.00
CVR23-0023	411 OAK ST	Vacation Rental	MOLINA OAK LLC	Issued	11/14/2023	11/14/2024	\$0.00
CVR23-0024	315 AVENUE B	Vacation Rental	KOGOK, RONALD C, JR	Issued	11/06/2023	11/06/2024	\$0.00
CVR23-0025	2201 REDWOOD AVE	Vacation Rental	NEWTON, SHEILA D	Issued	11/21/2023	11/21/2024	\$0.00
CVR24-0001	308 SECOND AVE	Owner Occupied Exempt	NOBLE, LINDA S	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0002	311 FIRST AVE	Owner Occupied Exempt	JEPPSON, RICHARD C	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0003	322 3RD AVE	Owner Occupied Exempt	BARTON, JOYCE	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0004	205 SURF RD	Vacation Rental	BLESSED IN THE SON LLC	Issued	03/12/2024	03/12/2025	\$0.00
CVR24-0005	312 SECOND AVE	Vacation Rental	HENSEL, KURT	Issued	03/01/2024	03/01/2025	\$0.00
CVR24-0006	209 FIRST AVE	Vacation Rental	KERR, HOWARD, DIANE	Issued	03/04/2024	03/04/2025	\$0.00
CVR24-0007	320 2ND AVE	Vacation Rental	WAGNER, CHRISTOPHER WAGNER, KIM	Issued	02/27/2024	02/27/2025	\$0.00
CVR24-0008	301 OAK ST	Vacation Rental	BOCA COVE HIGHLAND BEACH LLC	Issued	04/23/2024	04/23/2025	\$0.00
CVR24-0009	300 THIRD AVE	Vacation Rental	GNK PROPERTIES	Issued	04/18/2024	06/05/2025	\$0.00
CVR24-0010	405 FIFTH AVE	Vacation Rental	GNK PROPERTIES LLC	Issued	04/18/2024	06/05/2025	\$0.00

Total # of Certificates:
29

Certificate List

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
Total Amount Due:			\$0.00				



Town of Melbourne Beach



Fire Department

MONTHLY REPORT – April 2024

Incident Response

For the month of April 2024, the Melbourne Beach Volunteer Fire Department responded to 11 calls for service. The average number of responding volunteer personnel per paged out call for the month was 13.

Breakdown:

- 10 Fire/Rescue 911 Calls (Paged out)
- 1 EMS Other (Assist injured party off of beach)

Department Membership

- 1 Fire Chief (*Full-Time*)
- 1 Maintenance Technician (*Part-Time*)
- 18 Certified Volunteer Firefighters
- 5 Support Services Volunteers
- 5 Probationary Members
- 3 Administrative Volunteers
- 1 Volunteer Fire Chaplain

Notable Incidents

- 4/20/2024 – Commercial Structure Fire. E-258, S-58, D-58, MB-Fire1 along with units from MBPD, BCFR, & IFD responded. Fire started in clothes dryer in laundry room. Sprinkler system was able to keep fire in incipient stage until fire department arrival. Fire extinguished by fire service personnel. Utilities secured, building ventilated, and sprinkler system shut down to prevent further water damage. MBVFD & IFD crews assisted business with salvage and water removal. No injuries and minimal structural damage.
- 4/26/2024 – Residential Structure Fire. E-58, E-258, D-58, MB-Fire1 along with units from MBPD, BCFR, & IFD responded. Fire started in kitchen (stovetop) and extended up wall to nearby cabinets. Fire extinguished by fire service personnel. Utilities secured, building ventilated, and MBVFD & IFD crews assisted homeowner with salvage and water removal. No injuries and minimal structural damage.

Notable Events

Fire Department leadership, in partnership with the Melbourne Beach Volunteer Firefighters Association, decided on a new vessel for the Department's Marine Rescue Division. The vessel is a lightly used 22ft pathfinder that will be purchased from the Indian River Sheriffs Office Special Operations Unit. The vessel will be purchased by the Melbourne Beach Volunteer Firefighters Association, and then donated to the Department for use by its Marine Rescue Division. We expect to take possession of the vessel sometime in May 2024. We plan to have a presentation ceremony at the June RTCM.

The Fire Department in partnership with the Melbourne Beach Volunteer Firefighters Association honored our local emergency dispatchers at Indialantic, Brevard County Sheriff's Office, and Brevard County Fire Rescue for Dispatch Appreciation Week.

The Department's Training Division taught 5 CPR training events for law enforcement officers from Melbourne Beach and Indialantic. In total, 19 officers were certified/re-certified in BLS CPR.

Chief Brown attended multiple meetings including a planning meeting for the upcoming Founders Day event, a Space Coast Fire Chiefs Association meeting, and Marine Rescue Task Force meeting.

Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 5/9/2024 6:13:18 PM



Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 04/01/2024 | End Date: 04/30/2024

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2024-34	04/01/2024	Intersection	Atlantic ST / Oak Street at A1A, Melbourne Beach, FL, 32951	Motor vehicle/pedestrian accident (MV Ped)	04/01/2024 15:32	04/01/2024 15:41
2024-35	04/02/2024		3535 Highway A1A HWY , Melbourne Beach, FL, 32951	Search for person in water	04/02/2024 09:00	04/02/2024 09:28
2024-36	04/07/2024		303 5th AVE , Melbourne Beach, FL, 32951	No incident found on arrival at dispatch address	04/07/2024 12:56	04/07/2024 13:20
2024-37	04/11/2024	Intersection	Riverside DR / Avenue B, Melbourne Beach, FL, 32951	Electrical wiring/equipment problem, other	04/11/2024 16:34	04/11/2024 16:49
2024-38	04/12/2024		801 Riverside DR , Melbourne Beach, FL, 32951	Alarm system sounded due to malfunction	04/12/2024 15:11	04/12/2024 15:39
2024-39	04/18/2024		50 Eleventh AVE , Indialantic, FL, 32903	Alarm system activation, no fire - unintentional	04/18/2024 05:22	04/18/2024 05:34
2024-40	04/19/2024		190 Ocean AVE , Melbourne Beach, FL, 32951	Emergency medical service, other	04/19/2024 13:43	04/19/2024 14:11
2024-41	04/20/2024		201 Ocean AVE , Melbourne Beach, FL, 32951	Building fire	04/20/2024 17:36	04/20/2024 19:16
2024-42	04/25/2024		50 Eleventh AVE , Indialantic, FL, 32903	Alarm system activation, no fire - unintentional	04/25/2024 11:06	04/25/2024 11:14
2024-43	04/26/2024		409 5th AVE , Melbourne Beach, FL, 32951	Building fire	04/26/2024 13:25	04/26/2024 14:52
2024-44	04/30/2024		S Miramar AVE / Ormond Dr., Indialantic, FL, 32903	Emergency medical service, other	04/30/2024 19:40	04/30/2024 19:59

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



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Melbourne Beach VFD

Melbourne Beach, FL

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Personnel Count per Incident for Date Range

Start Date: 04/01/2024 | End Date: 04/30/2024

INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2024-34	4/1/2024 15:32:07	323 - Motor vehicle/pedestrian accident (MV Ped)	19112	2	9	11
** 2024-35	4/2/2024 09:00:13	342 - Search for person in water	19112	7	2	9
** 2024-36	4/7/2024 12:56:36	622 - No incident found on arrival at dispatch address	19112	6	1	7
** 2024-37	4/11/2024 16:34:36	440 - Electrical wiring/equipment problem, other	19112	6	3	9
** 2024-38	4/12/2024 15:11:22	735 - Alarm system sounded due to malfunction	19112	10	2	12
** 2024-39	4/18/2024 05:22:46	745 - Alarm system activation, no fire - unintentional	19112	7	8	15
2024-40	4/19/2024 13:43:25	320 - Emergency medical service, other	19112	2	0	2
** 2024-41	4/20/2024 17:36:16	111 - Building fire	19112	8	9	17
** 2024-42	4/25/2024 11:06:10	745 - Alarm system activation, no fire - unintentional	19112	5	8	13
** 2024-43	4/26/2024 13:25:04	111 - Building fire	19112	14	0	14
** 2024-44	4/30/2024 19:40:37	320 - Emergency medical service, other	19112	3	20	23

TOTAL # OF INCIDENTS: 11

AVERAGES:

6.4

5.6

12.0

Total # of incidents
paged out for
volunteer response: 10

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

6.8

6.2

13.0

Only REVIEWED incidents included



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Doc Id: 358

Page # 1 of 1



Melbourne Beach Police Department

Chief's Monthly Report

April 2024



Operations:

In April 2024, the department responded to 1,648 calls for service and 180 house checks.

Activity:

- 104 Citations / 28 Written Warnings (March 2024 - 39 Citations/ 12 Written Warnings)
- 279 Traffic Stops (March 2024- 158 Traffic Stops)
- 180 Traffic Enforcement
- 5 Traffic Complaint
- 21 Parking Citations

Our radar trailer continues to be placed in various locations throughout the Town. Last month it was on Riverside Dr. During the month nearly 73,000 cars used Riverside Dr. The average speed was 26.4 MPH. 87% of the vehicles were at or under the speed limit.

PD News

- We were out in the public all month at many different events. These events included, National Honor Society Guest Speaker at Hoover Middle School, attended the kindergarden play at Gemini Elementary School, attended St. Stephen's Way breakfast fundraiser and many other events
- Officer Meehan was selected as our 2023 Officer of the Year. We attended the Brevard County Chief of Police Association Officer of the Year banquet where Officer Meehan was celebrated and was given a plaque.
- Conducted a complete audit/inspection of our Property and Evidence section.
- Held informational meeting on a Volunteer program which we will be looking to start soon.
- Hired our new Administrative Assistant Christine Mathews.
- Gave conditional offer to Jim Obyrne to return as an officer. Currently in Background process. Anticipated start date May 25. Will be fully staffed at that point.

Please see the attachments:

- April 2024 Calls for service breakdown
- April 2024 Report's breakdown

April 2024

Case #	Call Type	Disposition	Charges	Charges
4463	Fraud	No Report - no crime in Melbourne Beach		
4464	Fraud	Sent for further investigation	felony x2	
4813	Traffic Arrest	Arrested - driving while license suspended	felony x1	
4859	Fraud	Sent for further investigation	misdemeanor x1	
5039	AOA - Fire	Transformer sparking		
5090	Fraud	Sent for further investigation	misdemeanor x1	
5156	Traffic Arrest	Arrested - driving while license suspended	misdemeanor x1	
5586	AOA - Fire	Structure fire - laundry		
5746	Injured/Ill Person	Death investigation being conducted by Brevard County		
5861	AOA - Fire	Structure fire - kitchen		
5863	Fraud	Sent for further investigation	felony x1	

Felony - 4	Felony Arrests - 0
Misdemeanor - 3	Misdemeanor Arrests - 0
Capias - 0	Traffic Arrest - 2

Town of Melbourne Beach

Town Clerk Report

Records Management Project/ Scanning Project – Imported the second sample and MCCi is now making adjustments to the software. After the adjustments are complete the project will go into processing and should be complete within a few months.

New Town Website Project – Completed the rationalization process and the sitemap. Granicus is now making changes to the new website template. Then they will begin building the new website.

Audio-Visual Equipment Project – All of the equipment has been installed and the sound equipment is being adjusted after its first use.

Meetings – Continue to meet bi-weekly with Granicus about the new town website. Meeting as needed with MCCi to work through each step of the records management project and to work out any glitches in the new records management software. Attended the April Space Coast League of Cities meeting for the guest speaker Brevard County Supervisor of Elections Tim Bobanic. Met with Indialantic to plan the May Space Coast league of Cities meeting.

Town Meetings – Prepared agendas and minutes and attended the Planning and Zoning Board Meeting and the Regular Town Commission Meeting. Prepared for the Environmental Advisory Board, Parks Board, Ryckman House Historical Preservation and Awareness Board, and the History Center Board Meetings.

Elections – The Town of Melbourne Beach will conduct a Municipal Election in conjunction with the November 5th General Election for the purpose of electing two at-large Commissioners for a three-year term.

Business Tax Receipts – Business Tax Receipts are processed through a software called BS&A. The Town is in the process of having a public portal for business owners to renew their business tax receipts and pay online.

Town Commission Meeting

Section: Public Hearings/Special Orders
Meeting Date: May 15, 2024
From: Town Attorney, Ryan Knight
Re: Ordinance 2024-02 Repealing Ordinance 2023-02 Second Kitchens –
Second Reading

Background Information:

During the Town Commission meeting of February 21, 2024 a decision to repeal Town of Melbourne Beach Ordinance 2023-02, Second Kitchens, was approved by the Town Commission. The Town Commission requested a new Ordinance repealing the original 2023-02 Ordinance.

Recommendation:

Consider approving the language in Ordinance 2024-02.

Attachments:

Ordinance 2024-02

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, REPEALING ORDINANCE 2023-02 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 15, 2023, the Town Commission of the Town of Melbourne Beach enacted Ordinance No. 2023-02 amending the Land Development Code of the Town of Melbourne Beach regarding second kitchens in residential zoning districts in the Town of Melbourne Beach; and

WHEREAS, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that the repeal of Ordinance No. 2023-02 in its entirety is in the best interests of the citizens of the Town of Melbourne Beach, and promotes the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on April 2, 2024, the Planning and Zoning Board at a duly noticed public hearing, reviewed and considered the repeal of Ordinance No. 2023-02 in its entirety and took public comment regarding the same; and

WHEREAS, the Planning and Zoning Board has determined that the repeal of Ordinance No. 2023-02 in its entirety is in the best interest of the Town of Melbourne Beach and has recommended that the Town Commission approve of the same; and

WHEREAS, the Town Commission of the Town of Melbourne Beach and the Planning and Zoning Board have determined that the repeal of Ordinance No. 2023-02 in its entirety is in the best interest of the Town of Melbourne Beach.

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

NOTE: Underlined words constitute additions to the Town of Melbourne Beach Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. The definition of “Kitchen or Kitchen Facility” in Article I, Chapter IA, Section 1A-3, of Appendix “A,” of the Town of Melbourne Beach Code of Ordinances is hereby repealed as follows:

§1A-3. DEFINITIONS.

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

Section 2. Section 7A-31(g) of Appendix “A,” of the Town of Melbourne Beach Code of Ordinances is hereby repealed as follows:

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

~~(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-72, and Chapter 9A.~~

Section 3. Section 7A-32(g) of Appendix “A,” of the Town of Melbourne Beach Code of Ordinances is hereby repealed as follows:

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

~~(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-72, and Chapter 9A.~~

Section 4. Section 7A-33(g) of Appendix “A,” of the Town of Melbourne Beach Code of Ordinances is hereby repealed as follows:

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

~~(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-72, and Chapter 9A.~~

Section 5. Article IV, Chapter 7A, Section 7A-72, of Appendix “A,” of the Town of Melbourne Beach Code of Ordinances is hereby repealed as follows:

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

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

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

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

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

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

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

Section 6. If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Agenda Item

Section: Unfinished Business

Meeting Date: 5/15/2024

Subject: Riverside Drive Curbing

Submitted By: Elizabeth Mascaro, Town Manager

Background Information:

The Town Commission was considering the amount of curbing that should be replaced (50% 80%, 100%) as part of the paving project for Riverside Drive.

For Don Bo, Inc. to replace all (100%) Miami curbs is:	\$221,288.00
Goodson Paving, Inc. will mil and paving Riverside Drive is	<u>\$262,733.20</u>
Total cost to mil, pave and replace all curbing:	\$484,021.20

Recommendation:

Consider approving the replacement of all Miami curbs

Attachments:

Don Bo, Inc. contract

Goodson Paving, Inc. contract



Proposal

Submitted To: Town of Melbourne Beach

Dated: 02/08/2024

Attn: Tom Davis
Phone: 321-403-6626
Fax:
Email:
pwsupperviger@melbournebeachfl.org

Project / Job Name: Riverside Dr Improvements.

Description of work to be performed: Remove and replace vally curb

- 1 mobilization fee. Price. **\$4,500.00**

(Note) all Miami curbs remove and replace \$50.00 per LF.

Measured 1909 LF on East side of Riverside Dr in 20 Locations.
Measured 2327 LF on West side of Riverside Dr. in 21 locations.

(Note) any concrete apron or sidewalk replacement will be priced at \$13.85 per sq ft.

(Note) There is 1 section of 4' valley gutter that is 58 LF in length, Unit cost is \$86.00 per LF.

\$ _____

Owner to supply:	Grade +/- 1/10 th	Access for concrete trucks
	Survey Bldg. Corner's with Elevation	Soil Treatment
	All Testing Required	Locate and relocate all sprinkler systems to
	Permitting	accommodate concrete work

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from the above specifications involving extra cost will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strike, accidents, or delays beyond our control. Owner to carry necessary insurance. Our employees are fully covered by Worker's Compensation insurance.

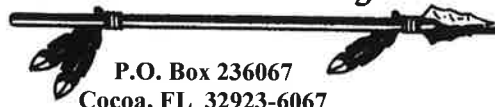
Authorized Signature: Lewis Morin Date: _____

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to perform the work as specified. **Note: This proposal may be withdrawn by Don Bo, Inc. if not accepted within**

Licensed • Insured
Commercial • Residential

Goodson Paving, Inc.



P.O. Box 236067
Cocoa, FL 32923-6067

Telephone: (321) 631-5523 / FAX (321) 639-0497

May 10, 2024

TO: Town of Melbourne Beach

ATTN: Elizabeth Mascaro

FROM: Chris Brunais

RE: Riverside – Melbourne Beach (#7305) - Revised

PROPOSAL - REVISED

Scope of Work:

Milling and paving Riverside Drive located in the Town of Melbourne Beach, Florida. Estimate is based on quantities provided by Town of Melbourne Beach. Payment is to be made based on actual construction quantities determined upon completion of work.

Mobilization	1 LS @ \$2,500.00	= \$ 2,500.00
MOT	1 LS @ \$9,500.00	= \$ 9,500.00
Temp & Thermo Striping, RPMs	1 LS @ \$35,328.70	= \$ 35,328.70
Manhole Cover Adjustments (risers)	4 EA @ \$225.00	= \$ 900.00
Milling	15,000 SY @ \$2.45	= \$ 36,750.00
Paving w/ 1.5" SP-9.5	1,463 TN @ \$121.50	= \$177,754.50
	TOTAL:	= \$262,733.20

Notes:

1. Due to the escalating cost of fuel and raw materials, pricing will only be valid if the work quoted is completed within 60 days from the date of this proposal. Goodson Paving reserves the right to renegotiate prices on any work that is completed after the 60 days.
2. Payment is to be made within 30 days after completion of work. Town of Melbourne Beach agrees to pay all costs associated with collection including costs and attorney fees (including those incurred in appellate and bankruptcy proceedings). Past due invoices shall bear interest at 1.5% per month or the highest rate allowable by law, whichever is less.
3. This proposal is subject to material availability.

Planning and Zoning Meeting

Section: New Business
Meeting Date: May 7, 2024
From: Town Manager, Elizabeth Mascaro
Re: Changes to 7A-50 Off-street Parking

Background Information:

The Town of Melbourne Beach has very limited parking in our business district, other than the privately owned shopping center. The Town does not have the capacity to add more parking. In order to allow our business owners the ability to “do more business” consider reducing the number of parking spaces required for a business to maintain, regardless of the building/office square footage.

Recommendation:

1. Minimum required parking spaces per business is five regardless of the square footage, with up to two spaces designated for golf carts.
2. Bike racks shall be provided for every non-residential or multi-family property with the capacity to park at least four bicycles.
3. One bedroom units=open space required; two bedroom units=1.5 spaces required and 3 or more bedroom units=two spaces required.
4. Reduce the minimum dimension from 10' to 9.5 feet.
5. Minimum dimension for golf cart parking shall be 6' wide by 11' long.

Attachments:

Proposed changes to 7A-50

* * * * *

ARTICLE IV. SUPPLEMENTARY DISTRICT REGULATIONS

§ 7A-50. OFF-STREET PARKING.

(a) Minimum requirements. In the interest of the health, safety and welfare of the general public and in the promotion and preservation of traffic and pedestrian safety, all buildings, structures and uses shall be provided with a minimum number of adequate off-street parking and off-street loading facilities in accordance with the parking and loading requirements of this section. Off-street parking and off-street loading areas shall be maintained to be structurally sound and neat and orderly in appearance and continued as part of the primary use of the site. Alternative transportation options, such as the use of golf carts, bicycles, scooters, ride sharing services, and pedestrian transportation, is encouraged. These minimum parking standards represent the city's desire to encourage such alternatives.

~~If the gross floor area of the principal structure on the site is expanded or enlarged, or if the use on the site is changed to one which would require a larger number of parking spaces than the previous use, then off-street parking serving the site shall be increased by the number of additional parking spaces required by the new use. Deficiencies in the number of required parking spaces shall not be increased. If an existing deficiency is maintained or reduced then the change of use may be approved.~~

In the 6-B, 7-C, 8-B, and 9-I zoning districts, the following standards shall apply:

- (1) For non-residential or mixed-use developments, a minimum of five parking spaces shall be provided on the property, regardless of the building square footage. Of these five parking spaces, up to two may meet the minimum size standards for golf carts.
- (2) For residential developments, parking spaces shall be provided as desired by the property owner.
- (3) Additional parking spaces for vehicles, including golf carts, may be provided as needed.
- (4) Bicycle racks shall be provided on every non-residential or multi-family property with the capacity to park at least four bicycles.

~~Parking space computation shall be based on the gross floor area unless otherwise stipulated in the Land Development Code.~~

For all other residential zoning districts—The minimum off-street parking spaces shall be provided in accordance with the following:

- ~~(1) Business, Office, Professional Office, Financial, Medical, Dental, Clinic, or retail uses. One space per 200 square feet of gross floor area or fraction thereof.~~

~~—(2) Barbershops and beauty parlors. One space per 100 square feet of gross floor area or fraction thereof.~~

~~—(3) Churches, temples or places of worship. One space for each three seats or seating places, or one space for each 150 square feet of gross floor area, or fraction thereof, of the main assembly hall, whichever is greater, based on maximum occupancy as determined by the fire marshal.~~

~~—(4) Libraries, museums. One space for each 300 square feet of gross floor area, or fraction thereof, that is open to the public.~~

~~(51) Multi-family dwelling units. Two parking spaces per unit must be provided. At least one of these spaces must be fully enclosed. For one-bedroom units, one space is required, for two-bedroom units, 1.5 spaces are required, and for three or more bedroom units, two spaces are required.~~

~~(6) Restaurants, lounges, and other eating or drinking establishments. One space per 75 feet of gross floor area devoted to customer service.~~

~~(72) Single-family and duplex dwelling units. Enclosed parking space must be provided for at least two one vehicle, and a minimum of two parking spaces total is required.~~

~~—(8) Vocational, trade, and academic schools above ninth grade level: One space for every two students (computed on total student capacity as determined by the fire marshal and/or the State of Florida).~~

~~—(9) Schools ninth grade level and below: one and 1/2 spaces for each classroom.~~

~~—(10) Daycare/nurseries: one and one half spaces for each employee based on the number of employees determined by State licensing agency to be present when operating at full capacity.~~

~~—(11) Bed and breakfast inns. One on-site parking space per guestroom and an additional two on-site parking spaces for the resident manager/innkeeper.~~

~~—(12) Drug stores and pharmacies. One space for each 200 square feet of gross floor area or fraction thereof.~~

~~—(13) Parking requirements for uses not specifically listed shall be determined by the Building Official based on the most similar use listed which is most similar in the number of automobile trips generated as computed using the most recent edition of the I.T.E. Trip Generation Manual.~~

(b) Location and design of off-street parking spaces for other than single-family residential dwellings and duplex residential structures.

~~(1) Parking spaces shall be located on the same property with the principal structure and use to be served, unless otherwise authorized by the Town Commission. Off-site parking may be authorized in the following instances:~~

~~— a. Insufficient parking is available on the property containing the principal structure.~~

- ~~b. The off-site parking area is located a maximum of 300 feet to the property line as measured along a straight line from the closest point of each property to one another.~~
- ~~c. Compliance with all other applicable parking regulations are complied with.~~
- ~~d. No public right-of-way or other public property shall be used to meet the parking requirements.~~

(21) Sufficient on site space shall be provided to ensure for ingress and egress to parking spaces and internal traffic circulation.

a. Minimum design standards. Minimum dimensions of standard vehicle parking spaces shall be ~~ten~~

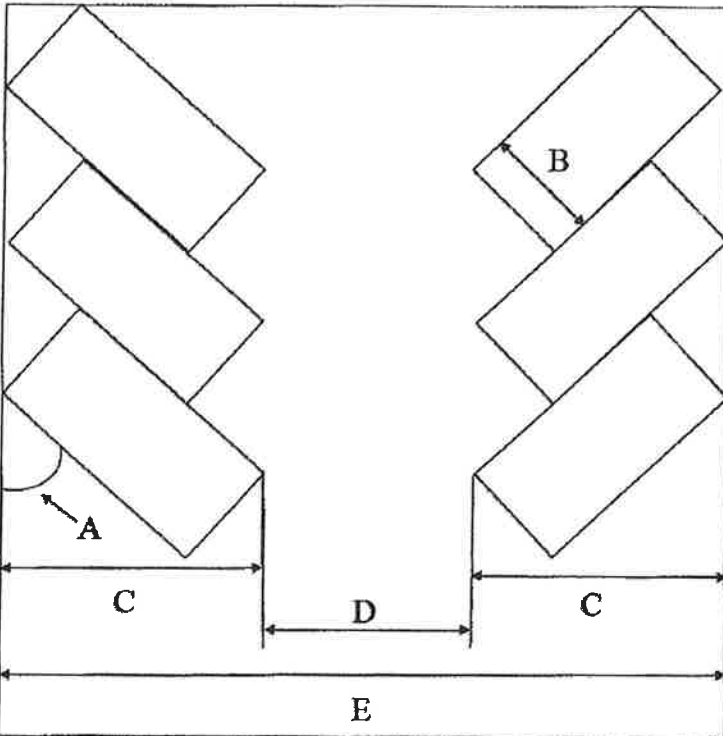
~~feet (10') 9.5'~~ by twenty feet (20'). When a curb stop or curbing is used as a wheel stop for head-in parking, the twenty foot (20') dimension may be eighteen feet (18') of paving from the curb stop plus a two foot (2') overhang area. The overhang area shall not be counted as buffering or landscaping area to meet minimum landscape requirements.

b. Minimum dimensions of reserved golf cart parking spaces shall be 6' wide by 11' long.

b. Minimum ingress/egress. Parking areas shall have parking spaces meeting the standards set forth in subparagraph (2)a. above, and shall meet the following standards with regard to driveways or aisles through a parking lot.

<u>Parking Angle (degrees)</u>	<u>Minimum Stall Width</u>	<u>Minimum Stall Depth (without overhang/with overhang)</u>	<u>Minimum Aisle Width One-way</u>	<u>Minimum Aisle Width Two-way</u>
<u>0 (parallel)</u>	<u>9.5'</u>	<u>23'/23'</u>	<u>16'</u>	<u>22'</u>
<u>45</u>	<u>9.5'</u>	<u>20'/18'</u>	<u>16'</u>	<u>Prohibited</u>
<u>60</u>	<u>9.5'</u>	<u>20'/18'</u>	<u>18'</u>	<u>Prohibited</u>
<u>90</u>	<u>9.5'</u>	<u>20'/18'</u>	<u>20'</u>	<u>22'</u>

PARKING SPACE MEASUREMENTS



A Parking Angle	B Stall Width	C Stall Depth	D Aisle Width (one way)	D Aisle Width (two way)	E Overall (one way)	E Overall (two way)
0°	10	23'	16'	22'	36'	42'
45	10	19'10"	16'	prohibited	55'8"	NA
60	10	21'	18'	prohibited	60'	NA
90	10	28'	20'	22'	60'	62'

*Overall number reflects a double loaded parking row

**For 0 degree parking angle overall includes column B rather than column C.

(3) Required off-street parking areas for three or more automobiles shall have individual spaces marked and shall be so designed, maintained, and regulated in such a manner that no parking or maneuvering incidental to parking shall be on any public right-of-way, public street, walk, or alley, and so that any automobile may access and exit from the parking space without moving another automobile.

(c) Additional regulations.

(1) No truck over ¾-ton, trailer, major recreational equipment, travel van, boat or similar object may be parked in front of the front building line of a residence unless it is not visible from the street.

(2) Handicapped parking space requirements. Handicapped parking spaces shall be ~~regulated by Florida Building Code posted as per the Federal Highway Administration Uniform Traffic Code. The required number of handicapped parking spaces and design shall be as required by Florida Statutes.~~

~~(d) Off-street loading requirements. Loading space dimensions: length, 45 feet; width, 14 feet; and height, 14 feet. Sufficient maneuvering area shall be provided where it is anticipated that trucks or trailers exceeding 45 feet in length will be utilized in loading or unloading. Loading spaces shall be within the confines of the property.~~

~~(1) Every single-occupancy retail or office establishment permitted use having a floor area of 3,000 square feet or more, requiring the receipt or distribution by vehicles of materials and merchandise shall have at least one permanently maintained off-street loading space for each 3,000 square feet of gross floor area.~~

~~(2) Single-occupancy retail operations with a gross floor area of less than 3,000 square feet shall provide sufficient receiving space on the property so as not to hinder the fast movement of vehicles and pedestrians over a sidewalk, street or alley as determined by the Town Planner.~~

(3) All refuse and garbage shall be held in suitable containers at the rear of the front line of the structure for subsequent pickup, or as approved by the Building Official when no alternate option is available.

(e) No off-street parking of vehicles is allowed except on hard surfaced areas. Hard surface shall include asphalt, concrete or other similar stabilizing material. Pervious surfacing material considered by the Planning and Zoning Board may be approved by the Town Commission as part of the site plan review and approval process where circumstances of use are conducive to this type of pavement. Marl is specifically prohibited for use in parking areas and driveways. Golf cart parking must be identified as such, but is not required to utilize a hard surface area.

(f) Where artificial lighting of parking areas is provided, it shall be designed and arranged so as to shield public streets and adjacent properties from direct glare.

Town Commission Meeting

Section: New Business
Meeting Date: May 15, 2024
From: Ryan Knight Town Attorney
Re: Ordinance 2024-01 Sheds – First Reading

Background Information:

During the April 17, 2024, Regular Town Commission Meeting the Town Commission requested an Ordinance be prepared based on the Planning and Zoning recommendations with a few modifications.

The new Utility Shed Ordinance was presented to the Town Commission on March 20, 2024, along with, the recommendations from Planning and Zoning Board. The Town Commission voted to table the item and requested the Building Official and Planning and Zoning Board provide options and visual diagrams.

The Utility Shed Ordinance came back to Planning and Zoning on March 5, 2024, with the recommendations from the Town Commission. The Planning and Zoning Board amended their language to reflect the following changes:

140 square feet
 Utility sheds behind the rear of the front building line and behind the building
 Line of the side of any structure abutting any street with a 2-foot setback.

The new Utility Shed Ordinance was presented to the Town Commission on February 21, 2024, along with, the recommendations from Planning and Zoning. The Town Commission voted to approved the language as presented-see below

160 square feet
 11.6 feet total above grade inclusive of the base.
 Substantially screened by a vegetative barrier or fence.
 Utility Sheds behind the front building line.
 Roofline must be 5 feet off the property line,
 There shall be not be any water hooked up to the utility shed.

A new Utility Shed Ordinance was presented to Planning and Zoning on February 6, 2024, at which time, P&Z made changes to the language provided by the Building Official.

Recommendation:

Consider approving the language in Ordinance 2024-01 and send to P&Z for review.

Attachments:

Ordinance 2024-01 Sheds

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SERVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Melbourne Beach desires to amend the Land Development Code of the Town of Melbourne Beach regarding accessory structures and, specifically, utility sheds; and

WHEREAS, the Town Commission, after duly noticed public hearings, has determined that the amendments to Section 7A-57 of the Land Development Code proposed in this Ordinance will provide for the improved regulation of utility sheds in the Town of Melbourne Beach; and

WHEREAS, the Town Commission, after duly noticed public hearings, has determined that the amendments to Section 7A-57 of the Land Development Code proposed in this Ordinance are consistent with the Comprehensive Plan, are in the best interest of its citizens, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, on June ___, 2024, the Planning and Zoning Board/Local Planning Agency (collectively the “LPA”) at a duly noticed public hearing, reviewed and considered the proposed amendments to Section 7A-57 of the Land Development Code and took public comment regarding the same; and

WHEREAS, the LPA has determined that the proposed amendments to Section 7A-57 of the Land Development Code are consistent with the Town’s Comprehensive Plan and are in the best interest of the Town of Melbourne Beach and recommended that the Town Commission approve of the same.

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

NOTE: Underlined words constitute additions to the Town of Melbourne Beach Code of Ordinances, ~~strikethrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Commission pertaining to this Ordinance.

Section 2. Section 7A-57 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

§ 7A-57. Accessory Structures.

(a) (1) No accessory structure shall be erected in any front yard. Unless specifically defined in this chapter, no accessory structure shall be erected in any side yard. Except as otherwise provided by this chapter, no accessory structure shall exceed the height of the main structure. Unless specifically allowed in this chapter, no accessory structure other than a utility shed shall be constructed within 15 feet of any lot line.

(2) Accessory structures may be constructed simultaneously with, or following the construction of the main building and shall not be used until after the principal structure has been fully erected. Erection of tents as accessory structures is prohibited. No home occupation or business may be conducted in any accessory structure. No accessory structure which contains living quarters shall be constructed on any lot.

(b) Accessory buildings erected on lots fronting on two streets shall conform to main structure setbacks for the rear yard.

(c) Trailers may be used for the storage of equipment during construction provided such trailers are used only during the construction period. A temporary trailer permit shall be required for all structures, and shall be renewable every six months.

(d) All utility sheds require a building permit. Utility sheds may not be larger than ~~420~~ 160 square feet in floor area and ~~10 ½~~ 11.6 feet in height. ~~Utility shed foundations should be no higher than 8 inches above ground level.~~ Utility sheds shall be substantially screened by a vegetative barrier or fence from the front and side streets. ~~Screening shall be accomplished through landscaping, fencing or a combination of the two.~~ Utility sheds must be behind the rear of the front line of the principal structure. On any corner lot, the shed must be both behind the rear of the front line of the principal structure and behind the building line of the side of any structure abutting any street with a 2 feet setback. Utility sheds are limited to one shed per ~~10,000 square feet of lot area~~ address. Utility sheds may be placed on the side or rear property line. The roof line has to be within the lot line of the property line. No water hook to the utility shed is permitted.

* * *

Section 3. Codification. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the Town of Melbourne Beach, as additions or amendments thereto.

Section 4. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 5. Conflicting Ordinances. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Meeting

Section: New Business
Meeting Date: May 15, 2024
From: Ryan Knight Town Attorney
Re: Ordinance 2024-03 “Camping Prohibited” – First Reading

Background Information:

During the April 17, 2024 Regular Town Commission Meeting the Town Commission requested the ordinance prohibit camping on all properties in the Town.

During the March 20, 2024 Regular Town Commission Meeting the Town Commission asked me to prepare an Ordinance the prohibits individuals camping for extended periods of time on residentially-zoned properties in neighboring municipalities. Our Ordinance would prohibit camping on all property in the Town used for residential purposes for more than 72 consecutive hours in a 30-day period.

Recommendation:

Consider approving the language in Ordinance 2024-03 and send to P&Z for review.

Attachments:

Ordinance 2024-03

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73-20, "CAMPING PROHIBITED," IN THE CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Melbourne Beach has the authority under Article VIII, Section 2(b), of the Florida Constitution and Chapter 166, *Florida Statutes*, to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, the Town Commission is aware of issues regarding individuals camping for extended periods of time on residentially-zoned and commercially-zoned properties in neighboring municipalities; and

WHEREAS, the Town Commission desires to protect the health, safety, and welfare of the residents of the Town of Melbourne Beach; and

WHEREAS, the Town Commission finds the adoption of this Ordinance to be in the best interest of the health, safety, and welfare of the public.

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

NOTE: Underlined words constitute additions to the Town of Melbourne Beach Code of Ordinances, ~~striketrough~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Commission pertaining to this Ordinance.

Section 2. Chapter 73-20, "Camping Prohibited," is hereby created and reads as follows:

§ 73-20. CAMPING PROHIBITED

(a) For purposes of this section, "camping" is defined as:

- (1) Sleeping or otherwise being in a temporary shelter out-of-doors, including but not limited to tents, sleeping bags, bedroll, or blankets; or
- (2) Sleeping out-of-doors or sleeping in non-permitted structures; or

(3) Cooking over an open flame or fire out-of-doors except small, self-contained, commercially available heating devices not requiring any special facilities to be safely operated.

(b) Camping is prohibited on all property within the Town limits for more than 72 consecutive hours in a 30-day period.

(c) In the event of an emergency, the City Manager may waive subsection (c).

Section 3. Codification. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the Town of Melbourne Beach, as additions or amendments thereto.

Section 4. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 5. Conflicting Ordinances. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Meeting

Section: New Business
Meeting Date: May 15, 2024
From: Ryan Knight Town Attorney
Re: Ordinance 2024-04 Prohibit Smoking – First Reading

Background Information:

During the April 17, 2024 Regular Town Commission Meeting the Town Commission requested an Ordinance be prepared to prohibit smoking, create penalties, and add definitions.

Recommendation:

Consider approving the language in Ordinance 2024-04.

Attachments:

Ordinance 2024-04

ORDINANCE NO. 2024-04**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73, ARTICLE VI, "PARKS AND BEACHES" IN THE CODE OF ORDINANCES TO PROHIBIT SMOKING IN TOWN PARKS AND PUBLIC BEACHES; PROVIDING FOR DEFINITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Melbourne Beach has the authority under Article VIII, Section 2(b), of the Florida Constitution and Chapter 166, *Florida Statutes*, to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, Section 386.209, *Florida Statutes*, provides that the Town may further restrict smoking within the boundaries of any public beaches and public parks that they own, except that they may not further restrict the smoking of unfiltered cigars; and

WHEREAS, Section 386.209, *Florida Statutes*, provides that the Town may further restrict smoking within the boundaries of public beaches and public parks that are within its jurisdiction but are owned by the county, unless such restriction conflicts with a county ordinance, except that they may not further restrict the smoking of unfiltered cigars; and

WHEREAS, the youth and citizens of the Town utilize the Town parks and beaches and are exposed to secondhand smoke by smokers; and

WHEREAS, exposure to secondhand smoke can cause numerous health problems and has been linked to cancer and other fatal diseases; and

WHEREAS, according to the U.S. Department of Health and Human Services, tobacco smoke contains over 7,000 chemicals, including hundreds that are toxic and up to 69 that are known to cause cancer; and

WHEREAS, according to research from Ocean Conservancy, cigarette butts are a top item left behind on beaches; and

WHEREAS, small and notoriously difficult to clean up, cigarette butts contain toxic chemicals and microplastics that adversely impact the environment; and

WHEREAS, the Town Commission has determined that it is in the public interest to restrict smoking on the beach and public parks as permitted by the Florida Clean Air Act; and

WHEREAS, the Town Commission has determined that prohibiting the use of certain tobacco products causing secondhand smoke on public beaches and in public parks promotes the health and safety of the citizens of the Town; and

WHEREAS, the Town Commission has determined that the reduction of tobacco products and cigarette butts on public beaches and in public parks promotes the aesthetics of the Town and is beneficial for the environment; and

WHEREAS, the Town Commission finds the adoption of this Ordinance to be in the best interest of the health, safety, and welfare of the public.

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

NOTE: Underlined words constitute additions to the Town of Melbourne Beach Code of Ordinances, ~~strike through~~ constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

Section 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Commission pertaining to this Ordinance.

Section 2. Article VI, Chapter 73-60, “Parks and Beaches,” is hereby created and reads as follows:

Article VI. Parks and Beaches

§ 73-60. DEFINITIONS

Beach or Beaches means those areas of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

Public Park means a publicly owned or operated area used or available for the public’s use as a recreational facility and designated by the town as a “park” in the town’s comprehensive plan.

Smoke or Smoking means inhaling, exhaling, burning, carrying, or possessing any lighted tobacco product, including cigarettes, filtered cigars, pipe tobacco, and any other lighted tobacco product whether natural or synthetic.

§ 73-61. SMOKING PROHIBITED

- (a) It shall be unlawful for any person to smoke within the boundaries of any public park or any public beach within the jurisdictional limits of the Town. Pursuant to section 386.209, Florida Statutes, this provision shall not apply to the smoking of unfiltered cigars.

(b) The town manager, or town manager’s designee, shall conspicuously post, or cause to be posed, signs stating that smoking of tobacco products, with the exception of unfiltered cigars, is prohibited on the public beach or public park.

§ 73-62. PENALTIES

The following penalties shall be imposed for violations of section 73-61:

- (a) First offense shall be punishable by a \$100.00 civil fine.
- (b) Second or subsequent offense shall be punishable by a \$200.00 civil fine.

A violation of this article may be enforced by citation by any law enforcement officer or by any code enforcement officer.

Section 3. Codification. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the Town of Melbourne Beach, as additions or amendments thereto.

Section 4. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 5. Conflicting Ordinances. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Meeting

Section: New Business
Meeting Date: May 15, 2024
From: Town Manager, Elizabeth Mascaro
Re: Transcription Services for Town Clerk

Background Information:

The Town Clerk has investigated the cost of transcription services. Utilizing a transcription service for the Town Commission minutes would allow the Town Clerk the opportunity to focus on other tasks. The Town Clerk would issue action minutes shortly after the meeting and the transcription service would issue fully detailed minutes.

The service charges \$20.00 per hour. The cost of transcription is generally three times (3x) the length of the meeting time. If the meeting were 3 hours, transcription would take approximately 12 hours or \$ 240.00.

The Mayor has donated her monthly salary of \$316.67 to the Town. We are offsetting the cost of transcription by the Mayor's monthly salary.

Recommendation:

Consider approving the transcription services for the remainder of this fiscal year.

Attachments:

None

Town Commission Meeting

Section: New Business
Meeting Date: May 17, 2024
From: Town Manager, Elizabeth Mascaro
Re: Building Department Truck

Background Information:

The Building Department currently drives a 2012 Toyota Camry for permit inspections. Robert Bitgood is purchasing a new personal truck and selling his old truck.

The Town would like to purchase the old truck, a 2013 Ford F150 SuperCrew cab XLT. The Kelly Blue Book price range is \$9,013-\$12,452 with a typical listing price of \$11,484 and a fair purchase price of \$10,733. The Town would purchase the truck for \$10,733 and sell the Toyota Camry on the Gov. Deals Auction site. The trade range for the Toyota is \$5,109-\$6,822. We have listed the minimum bid at \$6,000.

Driving a truck allows the Building Official to carry a ladder, tools and other equipment used during inspections. An additional truck in our fleet provides support to public works, fire and police.

Recommendation:

Approve the purchase of the 2013 Ford F150 SuperCrew cab XLT for \$10,733 and the sale of the 2012 Toyota Camry for the best price bid on Gov. Deal auction site.

Attachments:

Blue Book values for 2013 Ford F150 and 2012 Toyota Camry

Pictures of Ford F150 and Toyota Camry



2013 Ford F150 SuperCrew Cab Pricing Report

Style: XLT Pickup 4D 5 1/2 ft

Mileage: 217000

KBB.com Expert Rating: 4.1

KBB.com Consumer Rating: 4.5

Vehicle Highlights

Fuel Economy: City 14/Hwy 19/Comb 16 MPG

Max Seating: 6

Doors: 4

Engine: V8, Flex Fuel, 5.0 Liter

DriveTrain: 4WD

Transmission: Automatic, 6-Spd

EPA Class: Standard Pickup Trucks

Body Style: Pickup

Country of Origin: United States

From a Dealer



Valid for ZIP code 32951 through 5/6/2024









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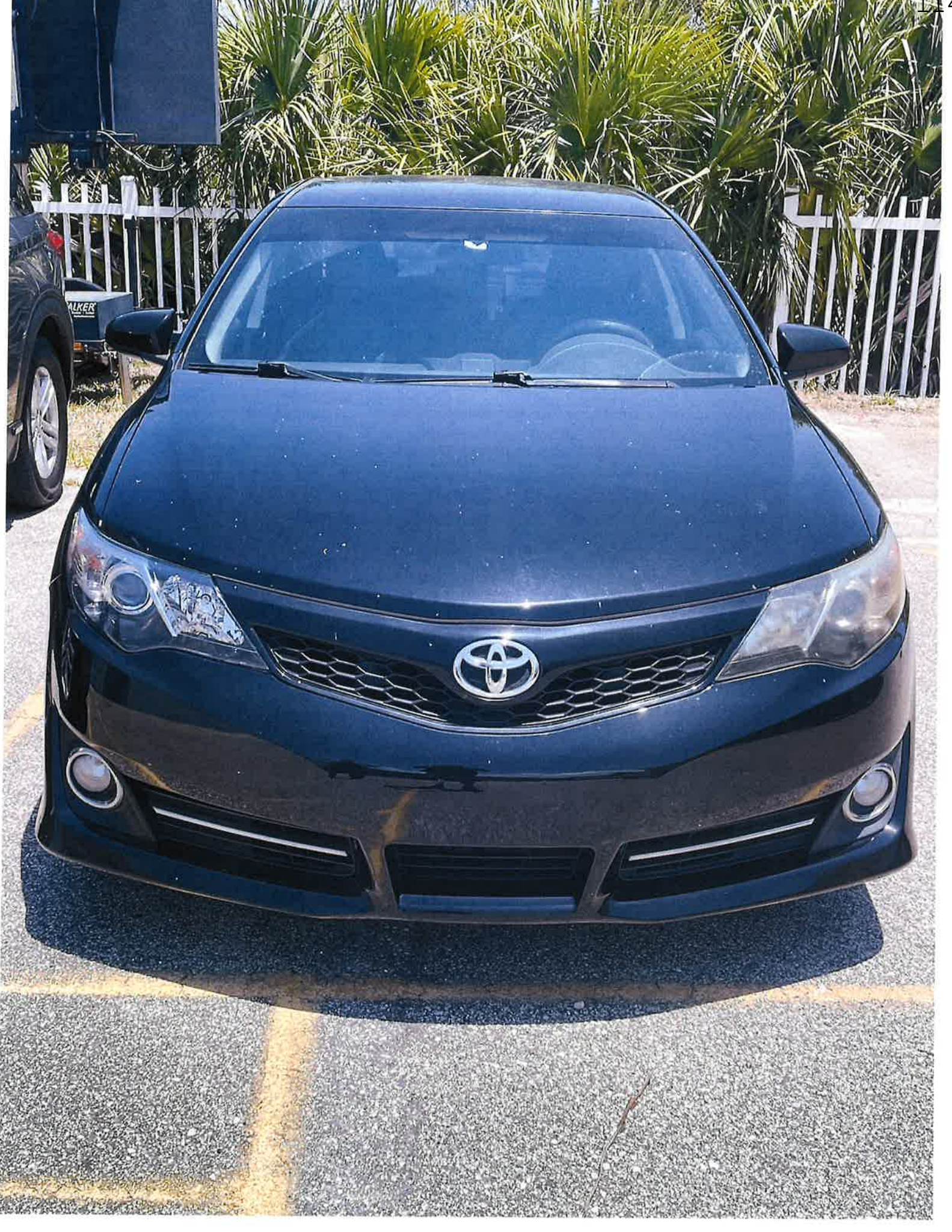
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Trade-in Range \$5,109 - \$6,822
Trade-in Value \$5,966







Town Manager Report for May 2024

1. Founders Day was a big success again this year. Much credit goes to our Police Officers, Fire Dept. Volunteers, Public Works (Sean Hasner, Sean Foster and Tom Davis) Jim Turner (Code Enforcement & Fire) and Town Hall employees; Kim Kotsifas, Vicki Van Dyke, Jennifer Kerr and Amber Brown. Special thanks goes to Cyd Cardwell who coordinated all of the festivities including vendors, food trucks and social media.
2. Met with Rotary to discuss Founders Day and Pineapple Man.
3. Met with a resident on Riverside to discuss traffic issues.
4. Building Official and I met with Veritas to discuss the possibility of a backup for the BO when he is out of an extended period (vacation, illness etc.)
5. Brevard County Manager's lunch. Discussion on lifeguards, shortage of police officers and building officials.
6. Held a stakeholders meeting for the residents of Poinsettia, Magnolia, South Palm, Banyan and Flamingo to discuss stormwater issues. The Mayor brought this concept to me, because of her weekly meetings with the residents. Scott Glaubitz and Anna Saunders from BSE ran the meeting fielding questions from the residents. In total 11 residents signed in, however, there were many more residents in attendance. The residents were very pleased with the event.
7. The Mayor's Breakfast in on May 17th. I will be there to support our Mayor along with the Police Chief, Finance Manager and Building Official.
8. The Town Clerk will be attending her summer educational conference. The conference provides educational credits for the Clerk's certification.
9. I will be attending the annual Florida City County Manager's conference in Orlando at the end of May.
10. The Finance Manager will be attending the annual Florida Government Finance conference. The conference provides educational credits.
11. The Space Coast League of Cities dinner is being hosted by Indialantic and the Town of Melbourne Beach.
12. New informational signs were posted on the boardwalk in Ocean Park. The educational information discusses Right Whales and the Wrack Line.

APRIL 2024 TASK LIST

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Lifeguard coverage	3/15/2023	5/15/2024		Wyatt Hoover	
DATE	DIRECTION/NOTES				
4/17/2024	Town Manager – On hold for now. Bring it back next month as an agenda item.				
9/21/2023	Fire Chief – Presented the different options and costs. Continue with BCOR for the next fiscal year then reassess.				
7/12/2023	Create a staffing plan, budget, equipment list, and all other details to bring a lifeguard program in-house. What would Ocean Park parking fees need to increase to in order to cover the cost.				
6/28/2023	Town Manager – Met with County Manager, waiting on the County Commission. Corey Runte – Asked to look into the cost of having our own lifeguard program.				
5/17/2023	Town Manager – Fire Chief Gavin Brown is the liaison for this. Right now the Brevard County Commission is looking into it				
3/15/2023	Added to Action Items – Fact finding related to funding from other municipalities, open a dialogue with Indialantic, reach out to US Lifesaving Association and Florida Beach Patrol to see what other heavy-traffic beaches are doing, make sure flag signs are up to date, options and costs to get a lifeguard at our beach year round.				
ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Sixth Ave boat ramp improvements	8/17/2022	6/19/2024		Commissioner Runte	Town Manager/ PW Director
DATE	DIRECTION/NOTES				
3/20/2024	Corey Runte- Pushed for 3 months				
8/16/2023	At the workshop next week.				
7/19/2023	Mayor – Neighboring property put in a taller dock that is getting destroyed, so if the Town put in a small dock it would not last long				

APRIL 2024 TASK LIST

6/28/2023	Look into grant opportunities
3/15/2023	Put on the Town Commission Workshop
2/15/2023	Tom Davis- met with Bowman Engineering at Sixth Ave boat ramp to get them to draw something up
1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking
11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall
9/21/2022	Discussed under new business agenda item D.
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money