



Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING

WEDNESDAY, JULY 18, 2018

6:30 p.m.

COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Mayor Jim Simmons
Vice Mayor Tom Davis
Commissioner Wyatt Hoover
Commissioner Sherri Quarrie
Commissioner Steve Walters

Town Manager Robert Daniels
Town Clerk Nancy Wilson
Town Attorney Clifford Repperger, Jr.

PUBLIC NOTICE

**The Town Commission conducted a Regular Town Commission Meeting
at 6:30 p.m. on Wednesday, July 18, 2018 at the Community Center
to address the items below.**

I. Call to Order – Led by Mayor Simmons

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

II. Roll Call

Town Clerk Wilson led roll call.

Commissioners Present:

Mayor Jim Simmons

Vice Mayor Tom Davis

Commissioner Steve Walters

Commissioner Sherri Quarrie

Staff Present:

Town Manager Bob Daniels

Town Clerk Nancy Wilson

Town Attorney Cliff Repperger

Finance Manager Elizabeth Mascaro

Commissioner Absent:

Commissioner Wyatt Hoover

III. Pledge of Allegiance and Moment of Silence

Led by Mayor Simmons

IV. Special Presentations

Mayor Simmons announced the promotion of Melanie Griswold to Police Chief and introduced her. Chief Griswold expressed her gratitude and she then introduced our new School Resource Officer, Alex Vila.

There was a break to enjoy refreshments. The meeting reconvened at 6:45 pm

V. Boards and Committees

No Board or committee reports

VI. Public Comments

Betsy Baird

1111 River Road

Ms. Baird expressed her dismay at how the palm trees were cut saying that they were given a 'hurricane cut' - this is bad for the trees and the animals. In response, the Town Manager said the landscaping company used a third party to cut trees and that we are trying to mitigate it the best we can. Mayor Simmons said it won't happen again.

VII. Approval of the Agenda

Commissioner Walters made a motion to approve the agenda with the exception of the item under Old Business being moved so that it is

addressed immediately following agenda approval; Commissioner Quarrie seconded. Motion carried 4-0.

VIII. Old Business (00:25:12)

- A. Consideration of Resolution 2018-01 supporting an initiative to recognize Melbourne Beach businesses that reduce waste and improve environmental practices – Mayor Simmons

Mayor Simmons said that at the last meeting, this draft resolution was presented to the Commission and it was agreed that we would move forward with presenting it at this meeting.

Commissioner Walters made a motion to adopt Resolution 2018-01 recognizing businesses participating in efforts to reduce waste; Vice Mayor Davis seconded. Motion carried 4-0.

Mayor Simmons asked representatives from Keep Brevard Beautiful, Litter Quitters, Surfriders, the Sea Turtle Conservancy and our Environmental Advisory Board to the podium and then he read the resolution.

IX. Consent Agenda (00:31:17)

- A. June 20, 2018 Regular Town Commission draft minutes
- B. June 25, 2018 Town Commission Workshop draft minutes
- C. June 27, 2018 Town Commission Workshop draft minutes
- D. Appointment of Carolyn Feltus-Atkinson to the Melbourne Beach Library Advisory Board
- E. Appointment of Robert Baldwin to the Code Enforcement Board
- F. Appointment of Hans Wittelsberger to the Code Enforcement Board
- G. Site Plan Review for 404 Atlantic, Melbourne Beach, FL
- H. Site Plan Review for 506 Riverside, Melbourne Beach, FL

Commissioner Walters made a motion to approve the Consent Agenda as presented; Vice Mayor Davis seconded. Motion carried 5-0.

IX. Public Hearings (00:32:00)

First Reading of the Marijuana Dispensary, Ordinance 2018-03 – Town Attorney Repperger

Town Attorney Repperger read Ordinance 2018-03 by title.

Vice Mayor Davis made a motion to approve the first reading of Ordinance 2018-03; Commissioner Quarrie seconded. Motion carried 4-0.

~~X. Old Business~~

- ~~A. Consideration of Resolution 2018-01 supporting an initiative to recognize Melbourne Beach businesses that reduce waste and improve environmental practices—Mayor Simmons Moved to follow *Approval of the Agenda*.~~

XI. New Business (00:33:47)

- A. Consideration of bid from Automated Logic for A/C Controls in the amount of \$40,931 – Town Manager Daniels

Town Manager Daniels said that there had been an issue with getting another vendor to work with *Endless Summer*, the company that installed the Town Hall Complex a/c system, to retrofit controls for that system. Endless Summer is now going to partner with *Automated Logic* to install those controls. It's been determined that if we are to control the A/C, the whole building needs to be done at the same time. Computer Experts said this will solve our problem with humidity and mold and will save us money in the long run. Mayor Simmons asked if there is anything not being addressed by this to which Town Manager Daniels answered that our Engineer, Scott Glaubitz, reviewed the proposal and said it looks good and should solve our current a/c problems. This would be budgeted out of the contingency fund. When asked what else is coming out of that fund, Finance Manager Mascaro said that \$30,000 is coming out for pier repairs so we would deplete our contingency fund but we wouldn't be tapping our reserve account. Commissioner Quarrie asked who would program the system and the Town Manager said the proposal includes a 2 year service agreement though he would verify that. Commissioner Quarrie also asked if the system would include a battery backup system and she was answered in the affirmative. Commissioner Quarrie then asked if there is battery backup; the Town Manager answered that all programming would be saved. There is a 1 year warranty for parts and the service agreement is for 2 years.

Commissioner Quarrie made a motion to accept the bid from Automated Logic for a/c controls for the Town Hall Complex in the amount of \$40,931 subject to a 2 year service agreement being included at no additional charge; Commissioner Walters seconded. Motion carried 4-0.

- B. Consideration of request to landscape Riverside Circle Park to mitigate stormwater runoff – Commission Quarrie (00:44:31)

Commissioner Quarrie feels that Riverside Circle Park is overlooked and needs improving. She said the Town Manager pointed out that there are 3 drains that are tied into Andrews that are suffering from a deluge of stormwater and the outfall is collapsing. She thought a rain garden would work well in that location, wouldn't be too expensive and would also beautify the park. She said that on Sunset, there are too many plants and she questioned if some could be transplanted to Riverside Circle and suggested using more grasses rather than flowers. She also thought that input from the Environmental Advisory Board would be a good idea. Commissioner Walters asked how the water from Andrews would get to Riverside Circle. Commissioner Quarrie said that on the corner of Riverside Drive and Riverside Circle, there is a stormwater drain and the water is currently being propelled to that drain. She indicated on the map included in the agenda packet, from where the water would flow. Commissioner Walters said they put a rain garden in on Sunset and he wonders how the residents on Riverside Circle would feel if it became a weed garden like it did there. She answered that there could be an indentation that would be planted with just grass in the sloped areas. Mayor Simmons said the Sunset median should have been more densely planted to cover the ground so the grasses would be starved of sunlight and couldn't grow; the choice of plants for that median was horrible. He likes Commissioner Quarrie's idea but he doesn't think we should be pulling plants from Sunset. She suggested that the Commission should decide if we want to do the project then send it to the Environmental Advisory Board for their input. Mayor Simmons said he'd feel more comfortable getting elevation shots to ensure that the water is actually running the way we think it is and that there is nothing that's preventing the water from flowing to that area. Commissioner Walters wants to know the cost and would like input from the Riverside Circle residents. Mayor Simmons then suggested that the Town Manager talk to BSE to determine how water flows to that area or what we'd have to do to get it there. Commissioner Quarrie said that Public Works could scrape away the grass from the area to make a sloped area and then make a berm along Riverside to keep the water from going across the road. Vice Manager Davis said that we could do the same thing at other Town properties. The Town Manager added that Scott Glaubitz from BSE would like to check percolation which would cost less than \$1,000. Mr. Glaubitz could also shoot grades. It was then suggested that perc tests could be performed in all the Town's parks.

Commissioner Quarrie made a motion to have BSE conduct percolation tests in Bicentennial and Circle Parks to determine the feasibility of installing rain gardens, with a cost not to exceed \$2,000; Commissioner Walters seconded. Motion carried 4-0.

- C. Consideration of request to promote the use of golf carts on municipal streets – Commissioner Quarrie (01:05:15)

Commissioner Quarrie said we have a lot of low speed vehicles (LSV) and golf carts in Town and she would like to make it easier to get them approved and licensed. She wants to encourage their use because they are more environmentally friendly and generate more of a community feeling. She wants to make it easier to get carts approved by having our Police Department perform the service for a small fee. Some residents think that we could have 3+ parallel parking spaces on the south side of dune crossovers which would give residents more opportunity to use our beaches. Another resident asked her about providing golf cart parking at Ocean Park. Commissioner Quarrie thinks we should promote golf cart use in Town. Looking at the maps that were provided in the agenda packet, the Commission discussed where golf carts could be parked and some of the drawbacks to providing that parking. Vice Mayor Davis commented that golf carts could be parked on the grass in designated areas.

Chief Griswold said that if a golf cart is purchased with all the safety equipment already installed, it's much easier to register. If it doesn't have a horn, safety belts, a windshield, wipers, lights, etc., it would have to be trailered to the DMV to be registered. Once a golf cart is made street legal, it then becomes an LSV. She added that Satellite Beach is wanting to do what Melbourne Beach did years ago and have the golf carts registered through their City so the vehicle doesn't have to be transported elsewhere to be registered. The Chief is looking into the matter further.

The Mayor clarified the topic saying that what is being discussed is how to buy a non-street legal golf cart and make it street legal without transporting it somewhere. The second part of the topic is about where they can be parked. He would like to continue the discussion at a Workshop and let the Chief continue researching the matter. He also wants to add to the Action Item list the subject of Ocean Park meters, end of street parking and add to that designated golf cart parking and then add another Action Item covering golf cart certification and golf carts on streets.

There was Commission consensus to discuss the subject of registering and parking golf carts at a Workshop after more research has been performed by the Town Manager and Police Chief.

- D. Consideration of Resolution 2018-02 allowing the transfer of funds from Short Term Capital Funds into Long Term Capital Fund 333 to preserve funds until project completions – Finance Manager Mascaro (01:23:13)

Finance Manager Mascaro said the Commission discussed transferring funds to Fund 333 at the last Workshop. Resolution 2018-02 was drafted to allow the transfer of funds from the Short Term Capital Fund account into the Long Term Capital Fund. This is being done since she doesn't anticipate the projects that are

being funded out of the Short Term Capital Fund will be completed by the end of the fiscal year though it would be OK if they were.

Vice Mayor Davis made a motion to approve Resolution 2018-02 as presented; Commissioner Quarrie seconded. Motion carried 4-0.

- E. Consideration of request by Ragnar Relay to hold a competitive running event in February 2019 – Town Manager Daniels (01:24:57)

Town Manager Daniels said this is just an A1A event utilizing sidewalks and traffic controls; there will be limited impact on the Town. When the event gets closer, there will be follow-up meetings and the Police Chief will get involved. The Commission wanted to ensure that nothing is staged in the Town and that they aren't given a Special Event permit. They also want Ragnar Relay representatives to meet with the Town Manager and the Police/Fire Chiefs so we are kept in the loop regarding their event.

Commissioner Walters made a motion to approve the request by Ragnar Relay with the caveat that there be no use of our facilities, they can only traverse the Town and must meet with the Town Manager and the Fire and Police Chiefs prior to the event; Commissioner Quarrie seconded. Motion carried 4-0.

XII. Staff Reports (01:31:21)

A. Town Attorney Report

Town Attorney Repperger reported that the Baccus mediation was cancelled because the parties reached an agreement. Mrs. Baccus withdrew her application for relief.

B. Town Manager / Public Works Report

The Town Manager provided a sketch of a proposed playground and is awaiting information another company. He added that he's trying to fit in a tot area. He also talked about possible equipment we would purchase and where in the Park it would be placed adding that the cost will most likely be in the \$190,000 - \$200,000 range.

Town Manager Daniels has engaged the Parks Board to help with coordinating the event to raise funds for the playground equipment. They are considering an orchestra or swing band for Friday night. The park will be cordoned off and an entry fee will be charged. Under consideration is a *Taste of Melbourne Beach* where different restaurants in the area will feature some menu items for sampling, wine and cheese, carriage rides, and more. On Saturday, the event will focus more on families so there will be food trucks, children's events and possibly a 5K race. He said he will provide a full report and will circulate it before the next

meeting. Mayor Simmons asked the other Commissioners to think about the Commission participating in some way.

The Town Manager and the Mayor met with Kyle Kennedy from the Seafarer Exploration group. Mr. Kennedy has a state permit to salvage the wreck site of a ship that contains artifacts from 1715. He's not requesting anything from us other than some recognition or use of the Community Center for a presentation. He is also interested in working with Gemini and may put salvage items on their campus. This would be good publicity for Melbourne Beach. Mayor Simmons said in the meeting he was waiting for a catch but one didn't come; they don't want anything from us but a byline or a ceremony. He added that the State of Florida gets the first 20% of the salvage value. He also gave some background on the wreck that Mr. Kennedy is hoping to salvage.

Town Manager Daniels said the pier work is moving forward quickly and should be finished ahead of schedule.

New piping and fill replacement has been completed for the Rosewood/Dogwood project. The work on Oak will begin the next day. Currently, we are under budget. Both projects will be paved at the same time to save money.

The Town Manager mentioned a vacation leave donation policy he'd like the Commission to approve at a future meeting.

C. Town Clerk Report

The Town Clerk asked for the Code of Ordinance books from the Commission so she could update them.

D. Departmental Reports:

1. Building Department – no comments
2. Code Enforcement – The new Code Enforcement Officer is doing well and is coming up to speed. The Mayor commented favorably on the detail included on the code report. SWO means Stop Work Order.
3. Police Department – Mayor Simmons and Commissioner Walters like the new reporting format.
4. Fire Department – no comments
5. Finance Department – no comments

XIII. Town Commission Comments (01:51:44)

A. General Comments

No comments

B. Review of Commission Action List

6 items were added to the Action List:

1. Ocean Park parking options, End of street parking options and golf cart parking
2. Golf carts on streets and certification program
3. Rain gardens at Riverside Circle and Bicentennial Park
4. PW Supervisor position alternatives
5. Town Hall siding
6. Community Center roof

The Town Manager asked that instead of paving 1 mile per year, the Town pave 2 miles every 2 years. This item will be brought back before the Commission in January 2019.

3 items were closed

15 items were updated

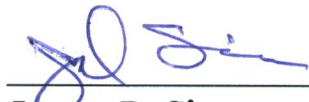
There was discussion regarding the Deputy Town Clerk position and it was decided that it would be budgeted for 21 hours/week.

XIV. Adjournment (02:22:46)

Commissioner Walters made a motion to adjourn; seconded by Vice Mayor Davis. Motion carried 4-0.

Meeting adjourned at 8:53 p.m.

ATTEST:



James D. Simmons, Mayor



Nancy Wilson, Town Clerk