

MAYOR
Hal J. Rose

DEPUTY MAYOR
John Dittmore

COUNCIL MEMBERS
Daniel Batchelder
Pat Bentley
Adam Gaffney
Barbara A. Smith
Andrea Young



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www.westmelbourne.org

To: Mayor Rose, Members of the City Council,
Department Heads and Subscribers

From: Scott Morgan, City Manager

A handwritten signature in blue ink that reads "Scott Morgan".

Date: February 7, 2020

Subject: Friday Memo

Introduction

This Friday Memo is for the week of February 3 through February 7. Anyone wanting to be added to the distribution list may contact Tammy Neal at 837-7771 or tneal@westmelbourne.org. As always, if there are any questions or comments on items described in this memo, or on any other City matter, please call.

City Awarded \$2.27 Million Grant

Late last Friday afternoon after our Friday Memo went out, we were thrilled to learn that Governor DeSantis made the announcement that the City of West Melbourne has been selected to receive a \$2.27 million grant that we had applied for last August. Grant proposals needed to address community rebuilding and prevention efforts that were revealed when Hurricane Irma caused so much damage throughout so much of Florida.

Our local project will be to improve the storm drainage for our Melbourne Estates neighborhood located between US 192 and Henry Avenue. The project will reduce the risk of future flooding in the neighborhood as well as reduce flood risk for all our downstream neighborhoods, including the Wood Haven Manor neighborhood, the Reserves of Melbourne Apartments, and Buena Vida Estates.

For construction purposes, we plan on combining this grant-funded flood risk reduction project with another project within Melbourne Estates currently in engineering design where we plan to replace aging water mains and services.

Building Permit Issued for Start Up Company

On Monday morning, Building Official Tom Forbes, Jacobs wastewater managers Brian Mascher and Mike DeBerry and I met with three representatives of a newly formed business leasing space in our industrial area off of Ellis. The meeting was to seek to expedite the issuance of a needed building permit in advance of the firm's next scheduled tranche of funding from their investors that is anticipated at the end of the month. We were able to quickly issue the permit and schedule inspections, and the firm is appreciative.

Police Officer Recruitments

On Tuesday afternoon, Police Chief Rick Wiley, Deputy Chief Rich Cordeau, Human Resources Director Kimberly Gale and I met to strategize about Police Officer recruitment, particularly of out-of-state law enforcement officers who have indicated an interest in seeking to relocate to Florida. We have developed a plan for reimbursing new hires hired from out-of-state law enforcement agencies, in three equal portions upon the newly hired Police Officer reaching scheduled milestone intervals, for the \$1,500 cost of taking the required Florida state equivalency course and testing.

Council Approves Funding for Road Improvement Projects

On Tuesday evening, the City Council adopted a resolution approving an agreement with Brevard County and allocating development impact fee funding of future roadway improvement projects.

The approved project funding allocation:

- An allocation of \$581,000 for a warrant study, design engineering, and construction of a new traffic signal and minor improvements at the intersection of Hollywood Boulevard and Imagine Way.
- An allocation of \$400,000 for design engineering and construction of an additional eastbound lane on Norfolk Parkway as it approaches Minton Road.
- An allocation of \$85,000 for the purchase of property for the extension of Fell Road from its current terminus east to Dairy Road.
- An allocation of \$1,725,000 for design engineering and construction of the extension of Fell Road from its current terminus east to Dairy Road.
- An allocation of \$1,200,000 to complete the design engineering currently underway and to construct the extensions of Heritage Oaks and Doherty from Henry to Minton.

Following the allocation of funds, the Council approved an engineering task order with Bowman Consulting to perform the needed engineering for the Hollywood Boulevard and Imagine Way traffic signal.

Palm Bay Chamber of Commerce Luncheon

On Wednesday afternoon, Mayor Rose, Deputy Mayor Dittmore, Council Member Bentley, Council Member Gaffney, Council Member Young and I attended the Palm Bay Chamber of Commerce luncheon held in the dining hall of the Promise main campus on Norfolk Parkway. The guest speaker was Brevard Tourist Development Council Executive Peter Cranis. West Melbourne was named the Chamber's "Business of the Month".

Florida City and County Management Association Winter Institute

Yesterday and today, I attended the FCCMA winter institute in Daytona Beach.

Construction Bids Being Sought for the Reroof and Renovation of the West Melbourne Community Park Maintenance Building



This coming Tuesday, we will be going out to bid on the budgeted renovation of the park maintenance building in West Melbourne Community Park. The project includes gutting and expanding to the south the existing office portion of the building, and putting a whole new roof on the expanded building. The City seeks sealed competitive construction bids for our public facility construction projects such as this project through a traditional newspaper advertisement in the *Florida Today* newspaper, on our City website, and through DemandStar, an online notification service that almost all construction contractors subscribe to. The bid opening is scheduled for March 27.

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- Attachments:
1. February and March Monthly Calendars.
 2. Six Month City Council Agenda Planning Calendar.
 3. Departmental Friday Memos.

February 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 7:00 Space Coast League of Cities Dinner	4 6:30 City Council	5 11:15 Greater Palm Bay Chamber of Commerce	6 7:00 a.m. Melbourne Regional Chamber Business Breakfast	7	8
9	10	11	12 11:30 West Melbourne Business Assoc 6:30 Planning & Zoning Bd	13 6:30 Charter Review Committee	14	15
16	17 President's Day Offices Closed	18 6:30 City Council	19	20 5:30 Code Enf Bd	21 5:00 Food Truck Friday	22
23	24 6:30 Business Adv Bd	25	26	27 7:00 Bd of Adjustment	28	29

March 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 6:00 CRA meeting 6:30 City Council	4 11:15 Greater Palm Bay Chamber of Commerce	5 7:00 a.m. Melbourne Regional Chamber Business Breakfast	6	7
8 Daylight Savings Time Begins 	9 7:00 Space Coast League of Cities Dinner	10 6:30 Planning & Zoning Bd	11 11:30 West Melbourne Business Assoc 6:00 Parks & Rec Advisory Bd	12 6:30 Charter Review Committee	13	14
15	16	17 Presidential Preference Primary Election Day St. Patrick's Day 	18	19 5:30 Code Enf Bd	20	21
22	23	24	25	26 7:00 Bd of Adjustment	27	28
29	30	31				

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
18-Feb Regular Meeting 6:30 p.m.	Proclamation - March as Irish-American Heritage Month (Cynthia)	<p>Reappointment of Pat Bentley and/or Scott Morgan or Appointment Otherwise of One or Two City Residents to West Melbourne Police Officers Pension Board of Trustees for Four Year Terms (Cynthia) (action)</p> <p>Purchase of Budgeted Vehicles for Building Department (Tom) (action)</p> <p>Authority to Make Purchase Offer on 3.39-acre Property on East Side of Park Hill Immediately North of Reuse Tank (Scott) (action)</p> <p>Approval of Engineering Task Order with DRMP for Design of Additional Eastbound Lane on Norfolk Parkway Approaching Minton Road (Keith) (action)</p> <p>Ascend at Hammock Landing Apartments - Gated Community and Recreation Fee Agreement (Christy) (action)</p>
3-Mar CRA Meeting 6:00 p.m.		CRA Annual Report (Christy) (CRA)
3-Mar Regular Meeting 6:30 p.m.	<p>Proclamation - April as Water Conservation Month (Cynthia)</p> <p>Presentation - Jacobs Presentation on Wastewater System Condition and Risk Assessment (Brian)</p> <p>Public Hearing - First Reading of Food Truck Ordinance (Christy)</p>	<p>Council Receipt of Annual CRA Report (Christy) (consent)</p> <p>Award of Bid - Veterans Memorial Complex Irrigation and Landscaping Project (Keith) (action)</p> <p>Award of Construction Bid - Expansion and Remodel of Office and Reroof of Park Maintenance Building at West Melbourne Community Park (Keith) (action)</p> <p>Acceptance of the Fell Road Right-of-Way Between Max K. Rodes Park and the Minton Road Right-of-Way from Brevard County (Scott) (action)</p> <p>Fiscal Year 2018-2019 Comprehensive Annual Financial Report (Margi) (action)</p> <p>Modification of Interlocal Agreement with Brevard County for Energy Cost Sharing of Proposed New FP&L Street Lighting Along the West Side of Minton Road from Henry to Just South of Flanagan (Scott) (action)</p>
17-Mar	No Council Meeting - Presidential Preference Primary Election	
7-Apr Workshop 5:30 p.m.	Workshop - Annual Update of City Council's Near-Term Strategic Objectives for Fiscal Year 2020-2021 Budget Development (Scott)	
7-Apr Regular Meeting 6:30 p.m.	<p>Public Hearing - Possible Vacation of Entirety of Espanola Way West of Carolina Street Should Property Not Be Needed for Possible City Well Site or Partial Vacation Reserving Easement for Needed City Well Site (Christy)</p> <p>Public Hearing - Second Reading of Food Truck Ordinance (Christy)</p>	<p>Award of Construction Bid - Extension of Heritage Oaks and Doherty (Keith) (action)</p> <p>Award of Construction Bid - M-1 Canal Water Main (Keith) (action)</p> <p>Extension of Interlocal Agreement with Brevard County for Installation and Maintenance of SCAT Bus Shelters (Scott) (consent)</p> <p>Selection of Banking Institution for Servicing City Accounts (Margi) (action)</p>
21-Apr Regular Meeting 6:30 p.m.		<p>Quarterly Statistical Report for Police Department (Rick) (mgmt reports)</p> <p>Second Quarter 2019-2020 Budget Status Report (Margi) (consent)</p>

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
5-May Workshop 5:30 p.m.	Workshop - Strategic Objectives Refinement, Draft 2020-2021 Revenue Budget, Five Year Vehicle Replacement Plan Update, and Five Year Street Maintenance Plan Update (Scott)	Award of Construction Bid - Renovation of Clements Wood Park Restroom (Keith) (action)
5-May Regular Meeting 6:30 p.m.		
19-May CRA Meeting 6:00 p.m.		Preliminary 2020-2021 CRA Budget (Scott) (CRA)
19-May Regular Meeting 6:30 p.m.		
2-Jun Workshop 5:30 p.m.	Workshop - Proposed Fiscal Year 2020-2021 Capital Improvement Projects (Scott)	
2-Jun Regular Meeting 6:30 p.m.		
16-Jun Workshop 5:30 p.m.	Workshop - Draft 2020-2021 Operating Budget (Scott)	
16-Jun Regular Meeting 6:30 p.m.		
7-Jul Regular Meeting 6:30 p.m.		Setting of Advertised Millage Rate and Hearing Date for Tentative Budget (Scott) (action)
21-Jul Regular Meeting 6:30 p.m.		Third Quarter 2019-2020 Budget Status Report (Margi) (consent) Quarterly Statistical Report for Police Department (Rick) (mgmt reports)

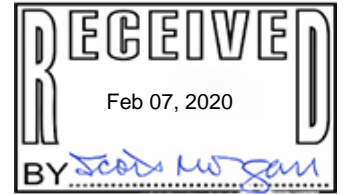
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To: Mayor Rose and Members of the City Council
Through: Scott Morgan, City Manager
From: Morris Richardson, City Attorney **MR**
Date: February 7, 2020
Subject: Friday Memo

The Legal Department Friday Memo provides news and information on legal issues affecting the City. If you have any questions regarding this report, please contact me.

CONDITIONAL USE PERMITS

A “conditional use” of real property is a use that is appropriate to the zoning classification in which it is located, but which depends upon factual findings prior to the issuance of a permit. The Code of Ordinances of the City of West Melbourne uses the term “conditional use permit” to refer to a special exception granted by the Board of Adjustment with appropriate conditions and safeguards. Generally, the conditions imposed must bear a relationship to the goal of compatibility between the use and the surrounding area, and should not be whimsical or capricious.¹

In West Melbourne, the Board of Adjustment holds a public hearing and votes to approve, to deny, or to conditionally approve an application for a conditional use permit.² Notice of a Board of Adjustment public hearing on a conditional use permit must be given 15 days in advance of the hearing. Notice must be posted at City Hall and published in a newspaper of regular circulation within the City. The Code provides for a courtesy notice to be mailed to record property owners within a radius of 500 feet of the subject property, however, the failure to mail or receive such courtesy notice does not affect the validity of any proceedings.³

A conditional use permit may not be granted unless the applicant demonstrates by a preponderance of the evidence that the conditional use requested will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will be in harmony with the general purpose of the City’s land development regulations.⁴ The Board of Adjustment must make a factual determination as to whether the applicant has met the burden of proof by considering the character and use of the adjoining buildings and those in the vicinity, the number of persons residing or working in such buildings or upon such land, and traffic conditions in the vicinity. The Board shall also consider whether

¹ See *Cap's-On-The-Water, Inc. v. St. Johns Cty.*, 841 So. 2d 507, 509 (Fla. 5th DCA 2003).

² Sec. 66-349, City of West Melbourne Code of Ordinances.

³ Sec. 66-350, City of West Melbourne Code of Ordinances.

⁴ Sec. 66-351, City of West Melbourne Code of Ordinances.

satisfactory provision and arrangement has been made concerning the following factors, where applicable:

- (1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access if fire or catastrophe occurs.
- (2) Off-street parking and loading areas where required with particular attention to the items in (1) and the economic, noise, glare or odor effects of the conditional use on adjoining properties.
- (3) Refuse and service areas with particular reference to the items in subsections (1) and (2).
- (4) Screening and buffering with reference to type, dimensions and character.
- (5) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the area.
- (6) Required yards and other open space.
- (7) Height.
- (8) Landscaping.
- (9) Renewal and/or termination dates.
- (10) The use will be reasonably compatible with surrounding uses with regard to function, hours of operation, the type and amount of traffic to be generated, building size and setbacks, relationship to land values and other factors that may be used to measure compatibility.

If the Board of Adjustment grants a conditional use permit, the Board may prescribe appropriate conditions and safeguards it considers necessary.⁵ Such additional conditions may include, but are not limited to, the following:

- (1) Increasing the required lot size or yard dimensions.
- (2) Limiting the height, size or location of buildings.
- (3) Controlling the location and number of vehicle access points.
- (4) Increasing the street width.
- (5) Increasing the number of off-street parking spaces.
- (6) Limiting the number, size, location or lighting of signs.
- (7) Requiring additional fencing, screening, landscaping, separation or other facilities to protect adjacent or nearby property.
- (8) Designating sites for open space.
- (9) Preserving existing trees.

The Board of Adjustment is composed of seven appointed members who must be residents of the City, and who may not hold any other public office or position in the City

⁵ Sec. 66-352, City of West Melbourne Code of Ordinances.

government.⁶ The concurring vote of four members of the Board is necessary in order to decide in favor of the applicant for a Conditional Use Permit.⁷

Any resident of the City, landowner within the City, or officer of the City may appeal a decision of the Board of Adjustment to the City Council for a hearing. The appeal must be filed with the City Clerk within 30 days of the contested decision, and the notice must specify the law and facts on which the appeal is based. The City Clerk then transmits the record to the City Council. A public hearing of the appeal will take place within a reasonable time period, with at least seven days' public notice given in advance of the hearing. The City Council shall render its decision within a reasonable time period after the appeal, and the decision of the City Council shall be considered the final determination of the City.⁸

⁶ Sec. 66-116, City of West Melbourne Code of Ordinances.

⁷ Sec. 66-118, City of West Melbourne Code of Ordinances.

⁸ Sec. 66-122, City of West Melbourne Code of Ordinances.

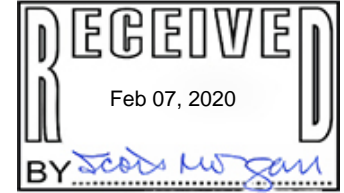
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To: Scott Morgan, City Manager

From: Thomas Forbes, Building Official

Date: February 7, 2020

Friday Memo / Building Department

Weekly activity summary for the Building Department

Building:

There were 14 building permits issued for new single family residences and a total of 277 permits issued this period.

Commercial Project Update:

The following commercial projects have had permits issued and are in various stages of construction:

- Promise in Brevard Bakery & Café, 3000 Minton Road (West Melbourne Community Park), 7,100 sq. ft. new construction.
- West Melbourne Police Station, 2290 Minton Road, 9,489 sq. ft. addition. (Addition completed, remodel is in progress)
- Apollo Surgery Center, 375 W. New Haven Avenue, 9,150 sq. ft. (second floor), tenant build out.
- Aventine Apartments, 4515 Durham Drive, 379,594 sq. ft. new construction.
- Pineapple Daycare, 4125 Minton Road, 12,614 sq. ft. new construction.
- The Springs at Hibiscus, 288 unit apartment complex, 12 apartment buildings, clubhouse and ancillary buildings, total square footage 338,952.
- Carlton of West Melbourne, Hollywood Boulevard, 15-3 story apartment buildings, clubhouse and ancillary structures.
- The Oasis at West Melbourne Apartments, John Rodes Boulevard, 10-3 story apartment buildings, clubhouse and ancillary structures.
- Sprengergarten, 2825 Eber Road, new construction of a 5,624 sq. ft. events building and a 6,000 sq. ft. maintenance building.
- B & M Property Holdings, LLC, 7600 Technology Drive, 22,500 sq. ft. warehouse.
- Publix, 2261 W. New Haven Avenue, interior renovation.
- YourLife of West Melbourne, NE corner of Minton Road and Heritage Oaks Boulevard, 60,000 sq. ft. new construction.
- Extended Stay America, 4450 Hollywood Boulevard, 53,857 sq. ft. hotel, new construction.
- Shannon Plaza, 149 Shannon Avenue, 8,908 sq. ft. new construction.

- FP&L storm shelter, 9001 Ellis Road, 1,056 sq. ft. new construction.
- IHOP, 855 Palm Bay Road, 4,974 sq. ft. interior build-out of new restaurant.
- Crunch Fitness, 1275 W. New Haven Avenue (old Toys-R-Us), 45,000 sq. ft. interior renovation.
- Kracken Guard Technologies, 7755 Ellis Road, 13,500 sq. ft. interior build-out.
- Extended Stay America, Coastal Commerce Center, 53,857 sq. ft. 4 story hotel.

Building Inspections conducted from 02/03/20 to 02/07/20 totaled 277

New Permit applications received from 02/03/20 to 02/07/20 totaled 58

- 7 new single family residence permits.

Status of Commercial projects submitted for review:

- City of West Melbourne Maintenance building addition, permits ready to issue.
- Audi Display Tower, 2260 Coastal Lane, 403 sq. ft., 3 story structure, permit ready to issue pending approved site plan.
- Design of the Times (florist shop), 2394 Minton Road, 3,959 sq. ft. new construction, review complete, awaiting revised plans.
- Hammond's Kitchen, 7705 Matrix Way, 9,000 sq. ft. new construction, review complete, awaiting revised plans.
- Palm Crossings Plaza, 145 Palm Bay Road, 2,133 sq. ft. new construction, review complete, permits ready to issue.
- Tru Hotel by Hilton, W. New Haven Avenue, 45,611 sq. ft. new construction, review underway.
- RaceTrac, 465 S. Wickham Road, 5,411 sq. ft. new construction, plans submitted, review underway.
- Apsey Holdings, 99 Sunset Drive, 2,400 sq. ft. warehouse, plans submitted.
- Grace Church, 2820 Minton Road, 15,709 sq. ft. new construction, plans submitted.
- McDonalds, 235 Palm Bay Road, front counter remodel, plans submitted.
- McDonalds, 445 S. Wickham Road, front counter remodel, plans submitted.
- Capritta Appliances, 2585 W. New Haven Avenue, tenant build-out, plans submitted.

Code Enforcement:

The next Code Enforcement Board meeting will be February 20, 2020 at 5:30 p.m.

There were a total of 41 illegal signs removed from the right of way during the past week.

There were a total of 3 new code enforcement cases opened this week; additionally 2 existing cases were closed this past week in compliance.

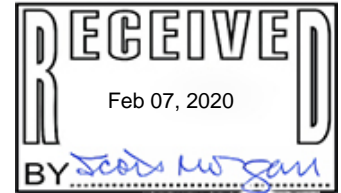
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To: Scott Morgan, City Manager
From: Mark Piccirillo, Director of Public Works
Date: February 07, 2020
Subject: This Week in Public Works

Public Works conducted interviews this week to fill the vacant Maintenance Worker position in the Public Works Streets and Drainage Department. After two days of interviews, an applicant was chosen and the information submitted to the City's Human Resources Director proceed with the hiring process.

The Public Works Streets and Drainage Department repaired a blemish in the travel portion of Academic Lane. The section of road was cut out, road base installed, and re-patched.



The Public Works Streets and Drainage Department was out today after the storm that rolled through earlier this morning, checking the City for any damage. A damaged tree had fallen across the A-7 Canal, located on Coastal Lane. The tree was pulled out of the canal, cut up, and removed.



The Public Works Department completed its annual Diversity, Sexual Harassment, and Ethics training courses this week.

The Public Works Water Department completed 126 work orders this week, serviced seven fire hydrants, and exercised 11 water valves in the water distribution system. Water Distribution Workers field-verified the water main and valve locations at the Home Depot Plaza and the Minton Center Plaza. The Water Department also repaired a fire hydrant on Coastal Lane, and responded to and repaired a water service line leak on Bossieux Boulevard that was detected at the tap for the service on the main. A new poly water service line was installed from the main to the meter box.



The Public Works Water Department, in conjunction with Lead Mechanic Bobby Simcox, made a new training apparatus that will help the Water Department sharpen their water main break and water tapping skills. This new apparatus can simulate a live water main by connecting a fire hose to a fire hydrant and pressurizing the pipe with the same water volume and water pressure that the water mains in the ground have, only in a controlled environment.



The Sewer Department Jacobs completed 202 work orders and 15 sewer inspections this week. They conducted an inspection of the CIP Sylvan Drive Septic to Sewer project and performed preventative maintenance on the Wood Haven lift station check valves #1 and #2, located in the ground vault. The check valves were cleaned and are back on-line.



Jacobs repaired a manhole at the Hampton Inn located on Durham Drive by applying a two-part epoxy coating to the interior of the manhole.



This year's CIP of manhole lining continued this week with one of the City's contractors, PCI, completing five manholes in the Hollywood Estates neighborhood. The lining of older manholes in the City's collection system reduces stormwater and ground water from infiltrating into the plant.

On Thursday, 27 students and two teachers from the Academy of Environmental Water Technology Heritage High School program were on-site for a plant tour. Jacobs' employees conducted the tour and the students were shown first-hand the importance of how the plant operates. The students were shown the technical side of data collection and monitoring of the flows that arrive at the plant. They were also shown the process from when it arrives as raw material, through the final product when it leaves the plant as reclaimed water or as a solid.

After the students finished the plant tour, Water Supervisor Tim Thibert took the opportunity to meet with them and introduce them to the water distribution side of the utility. They were informed of the process from the water being processed at the plant, and entering into the distribution system and what licenses and training are required to work on the side of the water production and distribution.



