

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
Pat Bentley

COUNCIL MEMBERS  
Daniel Batchelder  
John Dittmore  
Adam Gaffney  
Barbara A. Smith  
Andrea Young



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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: August 30, 2019

Subject: Friday Memo

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### Introduction

This Friday Memo is for the week of August 26 through August 30. Anyone wanting to be added to the distribution list may contact Tammy Neal at 837-7771 or [tneal@westmelbourne.org](mailto: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.

### Emergency Operations Center Executive Training

On Monday evening, Council Member Young and I attended a training session at the Brevard EOC for elected officials and senior local government executives. The training was on the elected official and executive roles in the incident command system.

### Melbourne Chamber Business Advocacy Committee

On Tuesday morning, Melbourne City Manager Shannon Lewis and I addressed the Melbourne Chamber Business Advocacy Committee at the Chamber Offices. The presentations were well-received.

### Sylvan Septic to Sewer Preconstruction Meeting

On Wednesday afternoon, staff and our project engineers from ISS met with contractor Atlantic Development of Cocoa to have a detailed consultation prior to the start of the construction project.

### Melbourne Estates Drainage Improvement Grant Application

On Tuesday afternoon, we received the final of the required external permits needed for maximizing our readiness to proceed points in our CDBG-DR grant application. This grant, if funded, would allow us to construct a flood risk reduction project that would benefit our Melbourne Estates neighborhood that was hard-hit by Hurricane Irma flooding two years ago. (Melbourne Estates is the neighborhood between W. New Haven and Henry consisting of Bossieux, Stephenson, First and Third). Our project engineers Casey Coffey and Tom Vill from ISS and our grant consultant Scott Modesitt from Summit Professional Services did a great job in getting our very best grant application package put together so that we were able to submit it yesterday ahead of today's deadline.

### Water Plant Study

The project engineers' final report and staff recommendations are scheduled for the City Council meeting of October 1.

### Hurricane Dorian Preparedness

Early in the week, City Public Works, Police, and Building Department staff began preparations for then-Tropical Storm, now Hurricane, Dorian. On Wednesday, we put out three hurricane related public messages, including the possibility that the County could close its landfills Monday and that trash, recycling and yard waste might not be able to be picked up, when otherwise regularly scheduled on Labor Day. Citizens should definitely not now put out yard waste for clam pile pickup until after the storm, as yard waste put out prior can be scattered and as the pile might have to sit for a month or longer, depending upon how widespread debris might be and the post-storm availability of clam trucks across the impacted area.

On Wednesday, we suspended reuse delivery such that irrigated landscape areas might have a chance to dry out a bit before expected rainfall from the hurricane.

Thursday and today, we had a good sandbag distribution for local citizens and businesses from West Melbourne Community Park. We gave away around 6,000 sandbags.

On Thursday morning and this afternoon, I represented Brevard's municipalities on the Brevard Emergency Operations Center Policy Committee. On Thursday, the Committee voted to authorize the Chair of the Board of County Commissioners to sign a local declaration of emergency, with the County Manager authorized to execute extensions, as may be needed based upon conditions. Today, the Committee made several more substantive decisions. The next Policy Committee meeting is currently scheduled for 1 p.m. tomorrow.

On Thursday morning and this afternoon, I was in the EOC conference call with municipalities. The next conference call is currently set for 2 p.m. tomorrow.

Today, I followed the lead of Brevard Schools and County government and determined that West Melbourne City Hall will be closed for business on Tuesday. Our Tuesday evening September 3 City Council meeting is still scheduled to be held on Tuesday at 6:30 p.m., but that is subject to Hurricane Dorian weather conditions and impacts. Make-up date would be Monday September 9.

Some HOA neighborhoods have been pre-pumping down their private retention basins with Melbourne-Tillman's permission, into the Melbourne-Tillman canal system, which is thankfully currently at groundwater level. Melbourne-Tillman's sole control structure has been all the way down since Monday, and will stay down until Hurricane Dorian is well past. The City's Henry-Doherty pond is also thankfully currently at groundwater level. West Melbourne will place a pump at Henry and Dorchester on Sunday afternoon to help pump down any pre-Dorian rainfall that may accumulate from normal summer thunderstorms that might temporarily exceed the outflow. The pump will be set to pump all through Dorian's most active presence, whenever that arrival might be, currently probably sometime late Monday or pre-dawn Tuesday. Should Dorian continue to slow in its forward motion, projected time frames could continue to extend out.

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

# September 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	 Offices Closed	6:30 City Council	11:15 Greater Palm Bay Chamber of Commerce	7:00 a.m. Melbourne Regional Chamber Business Breakfast	6	7
8	9	6:30 Planning & Zoning Bd.	11:30 West Melbourne Business Assoc  6:00 Parks & Rec Advisory Bd	6:30 Charter Review Committee	13	14
15	7:00 Space Coast League of Cities Dinner	6:30 City Council	18	5:30 Code Enf Bd	20	21
22	6:30 Business Adv Bd	24	25	7:00 Bd of Adjustment	5:00 Food Truck Friday	28
29	30					

# October 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 6:30 City Council	2 11:15 Greater Palm Bay Chamber of Commerce	3 7:00 a.m. Melbourne Regional Chamber Business Breakfast	4	5
6	7	8	9 11:30 West Melbourne Business Assoc 6:30 Planning & Zoning Bd	10 6:30 Charter Review Committee	11	12
13	14 7:00 Space Coast League of Cities Dinner	15 6:30 City Council	16	17 5:30 Code Enf Bd	18	19
20	21	22	23	24 7:00 Bd of Adjustment	25 5:00 Food Truck Friday	26
27	28	29	30	31 Halloween 		

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
3-Sep Regular Meeting 6:30 p.m.	<p>Introduction of New Employee - Administrative Assistant Charnell Parthmore Who Started with City August 28 (Rick)</p> <p>Presentation - Life Saving Award to Eric Rothery Presented by the Police Chiefs Association (Rick)</p> <p>Presentation - Proclamation to the Space Coast EDC in Support of the "Salute our Military" Campaign (Mayor)</p> <p>Public Hearing - Tentative Budget and Millage Rate (Scott)</p> <p>Public Hearing - Second Readings of Two Ordinances - Administrative Rezoning of Properties on Stephenson and Bossieux (Christy)</p> <p>Public Hearing - Resolution Adopting 2019-2020 Stormwater Assessment Roll with No Changes in Rates or Assessment Methodology (Scott)</p> <p>Public Hearing - Second Reading of an Ordinance to Modify the Qualifying Period for Mayor and Council Candidates (Cynthia)</p>	<p>Sale of Retired K-9 German Shepard "Kai" (Rick) (consent)</p> <p>Purchase of Administrative Vehicle (Rick) (action)</p>
17-Sep Regular Meeting 6:30 p.m.	<p>Presentation - Jacobs Annual Report (Brian Mascher)</p> <p>Presentation - Certificate of Recognition for Jake Yanko for Receiving Bronze at the National X-Games (Mayor)</p> <p>Public Hearing - Final Adoption of Budget and Millage Rate (Scott)</p> <p>Public Hearing - Second Reading - Annexation of Acquest Property (Christy)</p> <p>Public Hearing - Space Coast Gateway Center Preliminary Plat (Christy)</p> <p>Public Hearing - First Reading - Comp Plan Amendment to Gateway Interchange and Rezoning for Acquest Property and Large Scale Transmittal for Acquest Property (Christy)</p>	<p>August Statistical Report for Police Department (Rick) (mgmt reports)</p> <p>City Council Annual Review of Police Chief's Performance (Kimberly) (action)</p> <p>City Council Annual Review of City Attorney's Performance (Kimberly) (action)</p> <p>Space Coast Gateway Center Preliminary Plat (Christy) (action)</p> <p>Extension of Interlocal Agreement with Brevard County for Installation and Maintenance of SCAT Bus Shelters (Scott) (consent)</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>Bill of Sale for Durham Drive (Morris) (consent)</p>
1-Oct Regular Meeting 6:30 p.m.	<p>Public Hearing - First Reading - Comp Plan Amendment for Buena Vida's Woodland Duplexes (Christy)</p>	<p>Award of Piggyback Contract - 2019-2020 Annual Street Resurfacings (Mark) (action)</p> <p>Water Plant Feasibility Study Final Report (Scott) (action)</p> <p>Selection of Banking Institution for Servicing City Accounts (Margi) (action)</p>
15-Oct Regular Meeting 6:30 p.m.	<p>Public Hearing - Second Reading - Comp Plan Amendment for Buena Vida's Woodland Duplexes (Christy)</p>	<p>September Statistical Report for Police Department (Rick) (mgmt reports)</p> <p>Award of Construction Bid - Columbia Lane-Brandywine Water Main (Keith) (action)</p>

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
5-Nov Regular Meeting 6:30 p.m.		Award of Construction Bid - M-1 Canal Water Main (Keith) (action)
19-Nov Regular Meeting 6:30 p.m.	Public Hearing - Second Reading - Comp Plan Amendment to Gateway Interchange and Rezoning for Acquest Property (Christy)	October Statistical Report for Police Department (Rick) (mgmt reports)
3-Dec Regular Meeting 6:30 p.m.		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)
17-Dec Regular Meeting 6:30 p.m.		November Statistical Report for Police Department (Rick) (mgmt reports)  Adoption of 2020 City Council Meeting Dates (Cynthia) (consent)
7-Jan Regular Meeting 6:30 p.m.	Presentation - 2019 Year in Review (Mayor Rose)	
21-Jan Regular Meeting 6:30 p.m.		2019 Annual Police Department Report (Rick) (mgmt reports)  First Quarter 2019-2020 Budget Status Report (Margi) (consent)
4-Feb Regular Meeting 6:30 p.m.		
18-Feb Regular Meeting 6:30 p.m.		January Statistical Report for Police Department (Rick) (mgmt reports)
3-Mar Regular Meeting 6:30 p.m.		
17-Mar Regular Meeting 6:30 p.m.		February 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: August 30, 2019  
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.

**The Sunshine Law – Beyond the Basics**

Last week’s Legal Department Friday Memo provided a basic refresher on the Sunshine Law for members of the City Council and the City’s various boards and committees. This week, we will dig deeper and go beyond the basics. Florida’s Government in the Sunshine Law provides a right of access to governmental proceedings. At its heart is the idea that two or more members of the same public board cannot communicate with each other on any matter that may come before their board unless they are at a public meeting. In short, elected officials or appointed board members can’t meet privately to talk about public business.

Following the Sunshine Law can be a bit tricky in situations such as attending a private event to which multiple members of your public board have been invited, or a public meeting of a board other than the one on which you serve. Here are a few tips to follow if you find yourself at an event with other members of your public board.

- 1. **Do not speak at an event on a matter that may come before your board for a vote.**

If you find yourself at an event with other members of the same public board on which you serve, if the event does not meet all of the requirements of the Sunshine Law as it pertains to *your board*, you should not speak on a matter that may come before your board in the future. Such an exchange may constitute an unlawful communication outside of a duly noticed public meeting. If you are at an event, and a fellow public board member talks unexpectedly about a topic that your board may be considering, don’t respond. Consider moving to another location or leaving the event entirely if it helps your peace of mind.

- 2. **Avoid sitting at the same table when possible.**

Sitting at the same table alone does not violate the Sunshine Law. However, to the extent members of the same public board may be seated at different tables, it removes the appearance that conversations are taking place that could run afoul of the Sunshine Law. You should also avoid debates or heated discussions with fellow members of your board outside of public meetings. While communication is allowed on matters that will not



come before your board, keeping it light will reduce any appearance that the conversation has strayed out of the sunshine and into the shadows.

**3. If several members of your public board are attending an event, arrange for the Sunshine Law requirements to be met.**

If you know that several members of your public board will be attending an event or meeting other than your own, you can follow the Sunshine Law by making sure the event is open to the general public for free, ensuring that written minutes of the event are created, and providing proper notice to the public of when and where the event will be held.

For example, last month Randy Fine hosted a town hall meeting regarding City of Melbourne water quality issues at the Melbourne City Council chambers. The Mayor and several other West Melbourne City Council members were in attendance. As a precaution, the City Clerk and I made sure that the meeting was noticed as a meeting of the West Melbourne City Council, and that minutes of the meeting were taken. Had we not taken these measures, two or more City Council members could not have spoken on matters that might come before the Council for action in the future, such as plans for a potential West Melbourne water plant.

These are just a few recommendations that do not cover every possible factual scenario. If you have any questions about the implications of the Sunshine Law on events or meetings you plan to attend, please consult with the City Attorney in advance.

Speaking of sunshine, the Legal Department wishes you a Labor Day weekend safe from the storm and with as much sunshine as possible. Should you need anything over the weekend or during the City Hall closure on Tuesday, please contact me by mobile phone (as long as they work!).

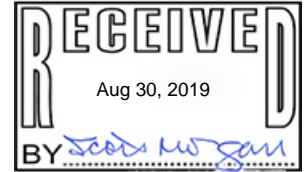
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To: Scott Morgan, City Manager

From: Thomas Forbes, Building Official

Date: August 30, 2019

Friday Memo / Building Department

Weekly activity summary for the Building Department

**Building:**

There were 10 building permits issued for new single family residences and a total of 95 permits issued this period. The last building of the Minton Cove apartment complex was issued a C.O., completing this project.

**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 square foot 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.
- Dr. Priyanka, interior alteration of medical offices, 2,500 sq. ft.
- Calvary Chapel, 2955 Minton Road, 1543 sq. ft. new construction, Central Energy Plant.
- Launch Federal Credit Union, Norfolk Parkway, 6,813 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.
- Buena Vida, 2129 W. New Haven Avenue, exterior renovation.
- Housman Aluminum, 7724 Matrix Way, 6,000 sq. ft. office/warehouse, new construction.
- 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.
- Viet-Yumz, 2233 W. New Haven Avenue, interior build-out.
- Dunkin Donuts – Tract E; 4527 W. New Haven Avenue, interior build-out.
- Beef O’Brady’s, 2400 Dairy Road, interior build-out.

Building Inspections conducted from 08/26/19 to 08/30/19 totaled 249

New Permit applications received from 08/26/19 to 08/30/19 totaled 65

- 2 new single family residence permits.

**Status of Commercial projects submitted for review:**

- City of West Melbourne Maintenance building addition, permits ready to issue.
- YourLife of West Melbourne, NE corner of Minton Road and Heritage Oaks Boulevard, 60,000 sq. ft. new construction, permits ready to issue.
- Cloud Nine Smokeshop, 350 S. Wickham Road, interior renovation, review complete, awaiting revised plans.
- Extended Stay America, West Melbourne Interchange Center (Hollywood Boulevard/Palm Bay Road), 53,000 sq. ft. hotel, new construction, review underway.
- Publix, 2261 W. New Haven Avenue, interior renovation, plans submitted, review complete, awaiting revised plans.
- Folklore Latino (restaurant), 2994 W. New Haven Avenue, 1,100 sq. ft. interior renovation, review complete, awaiting revised plans.
- Audi Display Tower, 2260 Coastal Lane, 403 sq. ft., 3 story structure, review underway.
- Olive Garden, 2508 W. New Haven Avenue, interior renovation, plans submitted.
- IHOP, 855 Palm Bay Road, 4,974 sq. ft. interior build-out of new restaurant, plans submitted.

**Code Enforcement:**

The next Code Enforcement Board meeting will be September 19, 2019 at 5:30 p.m.

There were a total of 32 illegal signs removed from the right of way during the past week.

There were a total of 5 new code enforcement cases opened this week; additionally 5 existing cases were closed this past week in compliance.

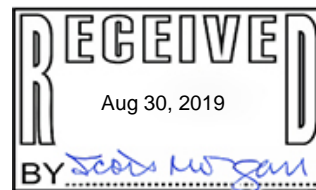
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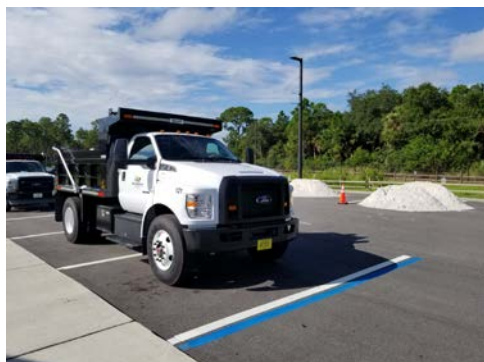
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To: Scott Morgan, City Manager  
From: Mark Piccirillo, Director of Public Works  
Date: August 30, 2019  
Subject: This Week in Public Works

The Public Works Department has been in Hurricane Dorian preparation all this week. We have been checking all the City's canals and drainage systems making sure no obstructions were detected and by making sure all City generators and lift stations are fully fueled, along with all City fleet vehicles.

The Public Works Department set up a sandbag distribution station at the West Melbourne Community Park for West Melbourne residents on Thursday and Friday. Public Works employees filled sandbags and loaded vehicles with the bags over the course of the past two days, with Jacobs employees assisting on Friday.



Images of City and Jacobs workers performing sandbag distribution.



Image of resident traffic picking up sandbags.

The Sewer Department Jacobs completed 167 work orders and 16 sewer inspections this week. In preparation for Dorian, all lift station generators in the City have been checked and fueled. They checked that all equipment is operational, and made sandbags for the plant and were reviewing all hurricane preparedness plans for the plant.



Images of hurricane preparedness for the sewer plant.

Last Friday, Jacobs responded to a 10-inch force main break on Greensboro Drive that developed a split due to fatigue and caused the pipe to fail. FDEP was contacted and informed of this break and all repairs have been made with no service interrupted.



Images of force main break repair.