

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
Pat Bentley

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



CITY HALL  
2240 Minton Road  
West Melbourne, FL 32904  
Phone: (321) 727-7700  
Fax: (321) 768-2390  
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: September 27, 2019

Subject: Friday Memo

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### Introduction

This Friday Memo is for the week of September 23 through September 27. 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.

### Norfolk Parkway

This week, the 7:30 a.m. to 8:00 a.m. traffic peak on eastbound Norfolk Parkway approaching Minton was better than it has been in previous weeks, as the County's new signal timing appears to be optimizing the operation of the signal. On Tuesday, Public Works completed the installation of a short section of new road bed and a gate off Norfolk Parkway just west of Shallow Creek such that that police and ambulance vehicles could access Sawgrass Lakes and the Pineapple Cove Classical Academy School in the unlikely event that Norfolk Parkway were ever completely blocked and emergency responders needed to get through.

### Buena Vida Estates New Grand Entry

On Thursday evening, Buena Vida Estates held a ribbon cutting ceremony for their new and very grand entrance. The new entrance and the celebration were both very well done.

### Space Coast City Managers

This afternoon, I attended the Space Coast City and County Managers monthly luncheon meeting. We had a good presenter with good interaction among the members.

### Hurricane Dorian After Action Conference Call

This afternoon, I joined with several City Managers in a conference call with County Emergency Operations management to discuss, while it was still fresh in our minds, things done well in preparation and response to Hurricane Dorian, as well as things that could be improved upon the next time a hurricane threatens Brevard County. The call was productive.

Water Plant Study

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

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

# 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 		

# November 2019

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

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
1-Oct Regular Meeting 6:30 p.m.	Introduction of New Employee - Mechanic Hector Mora (Mark)  Presentation - Hospice of St. Francis for Lights of Love Event (Cynthia)	Award of Piggyback Contract - 2019-2020 Annual Street Resurfacings (Mark) (action)  Water Plant Feasibility Study Final Report and Recommendations (Scott) (action)  City Council Annual Review of Police Chief's Performance (Kimberly) (action)  City Council Annual Review of City Attorney's Performance (Kimberly) (action)  Odor Control Service at Ray Bullard Water Reclamation Facility Headworks Structure (Mark) (action)  Resolution Conveying Excess Hollywood Boulevard Property to State of Florida Department of Transportation for Future FDOT Hollywood/Evans and US 192 Intersection Widening Project (Scott) (consent)  Bill of Sale for Durham Drive (Morris) (consent)  Approval of Business of the Quarter for the 4th Quarter (Cynthia) (consent)
15-Oct Regular Meeting 6:30 p.m.	Introduction of New Employee - Police Officer Logan Gibbons (Rick)  Public Hearing - First Reading - SJRWMD M-1 Canal Rediversion Project - Comp Plan and Rezoning (Christy)  Public Hearing - First Reading - Comp Plan Amendment, Rezoning, and Development Agreement for Buena Vida's Woodland Cottages (although previously advertised for 10-15, continue hearing to 11-19) (Christy)	September Statistical Report for Police Department (Rick) (mgmt reports)  First Reading of Ordinance on Road Connectivity (Morris) (action)  Award of Bid - Veterans Memorial Complex Irrigation and Landscaping Project (Keith) (action)  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)  Council Policy Decision on Accepting Street Lighting in Newer Subdivisions with Public Streets Where Responsibility for Street Light Maintenance Cannot be Determined in Subdivision Approval Documents (Scott) (action)
5-Nov Regular Meeting 6:30 p.m.	Public Hearing - Second Reading - SJRWMD M-1 Canal Rediversion Project - Comp Plan and Rezoning (Christy)  Public Hearing - Second Reading of Ordinance on Road Connectivity (Morris)	Award of Construction Bid - M-1 Canal Water Main (Keith) (action)  Extension of Interlocal Agreement with Brevard County for Installation and Maintenance of SCAT Bus Shelters (Scott) (consent)  Award of Construction Bid - Columbia Lane-Brandywine Water Main (Keith) (action)  Award of Construction Bid - Greenboro Force Main Replacement Project (Keith) (action)

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
19-Nov Regular Meeting 6:30 p.m.	<p>Public Hearing - Second Reading - Annexation of Acquest Property (Christy)</p> <p>Public Hearing - Second Reading - Comp Plan Amendment to Gateway Interchange and Rezoning for Acquest Property (Christy)</p> <p>Public Hearing - First Reading - Comp Plan Amendment, Rezoning, and Development Agreement for Buena Vida's Woodland Cottages (Christy)</p> <p>Public Hearing - Space Coast Gateway Center Preliminary Plat (Christy)</p>	<p>Selection of Deputy Mayor for One Year Term (Council) (action)</p> <p>Selection of Banking Institution for Servicing City Accounts (Margi) (action)</p> <p>October Statistical Report for Police Department (Rick) (mgmt reports)</p>
3-Dec CRA Meeting 6:00 p.m.	<p>Public Hearing - Second Reading - Comp Plan Amendment, Rezoning, and Development Agreement for Buena Vida's Woodland Cottages (Christy)</p>	<p>Approval of CRA Meeting Calendar for 2020 (Christy) (CRA)</p> <p>Modification of Interlocal Agreement with Brevard County for Energy Cost Sharing of Proposed New FP&amp;L Street Lighting Along the West Side of Minton Road from Henry to Just South of Flanagan (Scott) (action)</p> <p>First Reading of Ordinance - Annual Update of Five Year Capital Improvement Plan (Scott) (action)</p>
17-Dec Regular Meeting 6:30 p.m.	<p>Public Hearing - Second Reading of Ordinance - Annual Update of Five Year Capital Improvement Plan (Scott)</p>	<p>November Statistical Report for Police Department (Rick) (mgmt reports)</p> <p>Resolution Adopting 2020 City Council Meeting Dates (Cynthia) (consent)</p>
7-Jan Regular Meeting 6:30 p.m.	<p>Presentation - ABC Volunteer of the Year (Mayor Rose)</p> <p>Presentation - 2019 Year in Review (Mayor Rose)</p>	<p>2019 Annual Police Department Report (Rick) (mgmt reports)</p> <p>First Quarter 2019-2020 Budget Status Report (Margi) (consent)</p>
4-Feb Regular Meeting 6:30 p.m.	<p>Proclamation - March as Irish-American Heritage Month (Cynthia)</p>	<p>January Statistical Report for Police Department (Rick) (mgmt reports)</p> <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>

Six Month City Council Agenda Planning Calendar

Council Date	Presentations/Workshops/Ceremonies/Public Hearings	Consent/Action Items/Management Reports
3-Mar CRA Meeting 6:00 p.m.		CRA Annual Report (Christy) (CRA)
3-Mar Regular Meeting 6:30 p.m.		Fiscal Year 2018-2019 Comprehensive Annual Financial Report (Margi) (action) Council Receipt of Annual CRA Report (Christy) (consent)
17-Mar Regular Meeting 6:30 p.m.	Proclamation - April as Water Conservation Month (Cynthia)  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)	February Statistical Report for Police Department (Rick) (mgmt reports)
7-Apr Workshop 5:30 p.m.	Workshop - Annual Update of City Council's Near-Term Strategic Priorities for Fiscal Year 2020-2021 Budget Development (Scott)	
7-Apr Regular Meeting 6:30 p.m.		
21-Apr Regular Meeting 6:30 p.m.		March Statistical Report for Police Department (Rick) (mgmt reports) Second Quarter 2019-2020 Budget Status Report (Margi) (consent)

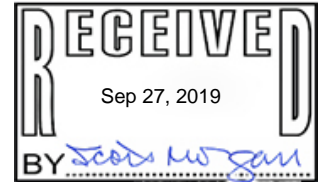
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Legal Department  
Morris Richardson, City Attorney  
City Hall  
2240 Minton Road  
West Melbourne, FL 32904  
Phone: (321) 837-7772  
Fax: (321) 768-2390  
www.westmelbourne.org



To: Mayor Rose and Members of the City Council  
Through: Scott Morgan, City Manager  
From: Morris Richardson, City Attorney *MR*  
Date: September 27, 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.

### **Jurisdictional Boundary Clarification**

A map of the cities of West Melbourne and Melbourne shows streets running through municipal boundaries, through unincorporated areas of the county, and then back into one of the cities; or, in some instances, streets may border one city, but lie within the adjoining municipality. For years, confusion relating to enforcement of traffic laws and accident investigations has resulted from the jurisdictional changes that may occur several times on one street. Law enforcement officers, citizens, and council members have complained about the confusion caused by the jurisdictional alignment of certain streets, and on occasion the determination of proper authority to exercise police powers has been mistakenly made.

I have conducted extensive legal research relating to the ability of a municipality to provide primary law enforcement services within the boundaries of an adjoining municipality, rather than a traditional mutual aid arrangement. On Tuesday morning, I had a very productive conference with the City Attorney for the City of Melbourne. The cities' respective police departments have discussed the issue extensively. Collectively, we propose that the cities assign primary jurisdiction of problematic areas to one agency or the other, without regard to actual jurisdiction. This may be accomplished by entry into an interlocal agreement pursuant to section 166.0495, Florida Statutes.

The proposal currently under review would assign primary jurisdiction to the West Melbourne Police Department for the following paved rights-of-way:

- U.S. Highway 192 (West New Haven Avenue) from Dairy Road west through Woodland Drive (including the intersections of Dairy/New Haven and Evans/New Haven);
- Eber Boulevard from Dairy Road west through Hollywood Boulevard (excluding the intersection of Dairy/Eber);
- Ellis Road/West NASA Boulevard from the jurisdictional boundary of Melbourne east of Wickham road marked at the existing canal, west through Wickham Road to John Rodes Boulevard (excluding the intersection of John Rodes Boulevard and Ellis Road);



- Old NASA Boulevard from Wickham Road east through Imogene Drive to the termination of Old NASA Boulevard; and
- Imogene Drive from West NASA Boulevard south to Old NASA Boulevard (excluding the intersection of West NASA/Imogene, and including the intersection of Imogene/Old NASA).

The Melbourne Police Department would assume primary jurisdiction for the following:

- Dairy Road from New Haven Avenue south to Eber Road (excluding the intersection of Dairy Road/New Haven Avenue, and including the intersection of Dairy Road/Eber Boulevard);
- West Hibiscus Boulevard from Evans Road east to Dairy Road (including the intersections of Hibiscus/Evans and Hibiscus/Dairy); and
- Evans Road from West NASA Boulevard south through Hibiscus Boulevard to New Haven Avenue (including the intersections of NASA/Evans and Evans/Hibiscus, but excluding the intersection of New Haven/Evans).

We are still in discussions, but a proposed agreement may be brought to City Council as soon as the October 15 meeting.

### ***Masci v. Brevard County, et al.***

On Wednesday morning, I attended a hearing before Circuit Judge George Turner in the case styled *Masci General Contractor, Inc. v. Brevard County, Jacobs Engineering Group, City of Melbourne, and City of West Melbourne*, Case No. 05-2015-CA-046973 in the Circuit Court in and for Brevard County. This case involves the Wickham Road widening project that was substantially completed at the end of 2013. The hearing included argument on West Melbourne's two motions for summary judgment. The hearing went well, and Judge Turner took the motions under advisement. If both of the City's motions are granted, the court will render judgment as a matter of law in the City's favor without trial.

### **Audi Dealership Vehicle Display Tower**

On Thursday night, I attended the monthly West Melbourne Board of Adjustment meeting. The only item on the agenda was the Audi dealership's request for a conditional use permit and initial site plan approval for a vehicle display tower to be located south of Chuck E. Cheese in the Coastal Commerce Center. The proposed building will be 40 feet in height, and display four vehicles stacked vertically. The Board of Adjustment approved the request, subject to conditions.



*Architectural rendering of proposed Audi vehicle display tower.*

### **Buena Vida Estates Open House & Ribbon Cutting**

On Thursday evening, I attended an open house and ribbon cutting event showcasing Buena Vida Estates' newly remodeled retirement community. Mayor Rose, Council Member Young, and the City Manager were also in attendance, along with many community leaders. It appeared to have been a very successful event.

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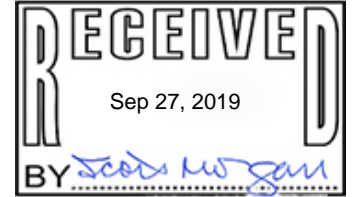
Building Department  
Tom Forbes, Building Official  
City Hall  
2240 Minton Road  
West Melbourne, FL 32904  
Phone: (321) 837-7776  
Fax: (321) 952-9542  
www.westmelbourne.org

To: Scott Morgan, City Manager

From: Thomas Forbes, Building Official

Date: September 27, 2019

Friday Memo / Building Department



Weekly activity summary for the Building Department

**Building:**

There were 5 building permits issued for new single family residences and a total of 103 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.
- Dr. Priyanka, interior alteration of medical offices, 2,500 sq. ft.
- Calvary Chapel, 2955 Minton Road, 1,543 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.
- Folklore Latino (restaurant), 2994 W. New Haven Avenue, 1,100 sq. ft. interior renovation.

Building Inspections conducted from 09/23/19 to 09/27/19 totaled 283

New Permit applications received from 09/23/19 to 09/27/19 totaled 55

- 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), 53,857 sq. ft. hotel, new construction, review complete, awaiting revised plans.
- Publix, 2261 W. New Haven Avenue, interior renovation, plans submitted, review complete, permit ready to issue.
- Audi Display Tower, 2260 Coastal Lane, 403 sq. ft., 3 story structure, review complete, awaiting revised plans.
- Olive Garden, 2508 W. New Haven Avenue, interior renovation, permits ready to issue.
- IHOP, 855 Palm Bay Road, 4,974 sq. ft. interior build-out of new restaurant, plans submitted.
- Extended Stay America, Coastal Commerce Center, 53,857 sq. ft. 4 story hotel, review complete, awaiting revised plans.
- Design of the Times (florist shop), 2394 Minton Road, 3,959 sq. ft. new construction, plans submitted.
- Palm Crossings Plaza, 145 Palm Bay Road, 2,133 sq. ft. new construction, plans submitted.

**Code Enforcement:**

The next Code Enforcement Board meeting will be October 17, 2019 at 5:30 p.m.

There were a total of 23 illegal signs removed from the right of way during the past week.

There was a total of 1 new code enforcement case opened this week; additionally 1 existing case was closed this past week in compliance.

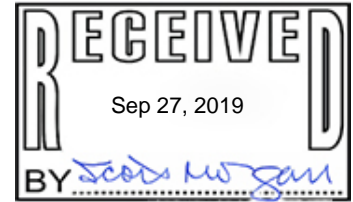
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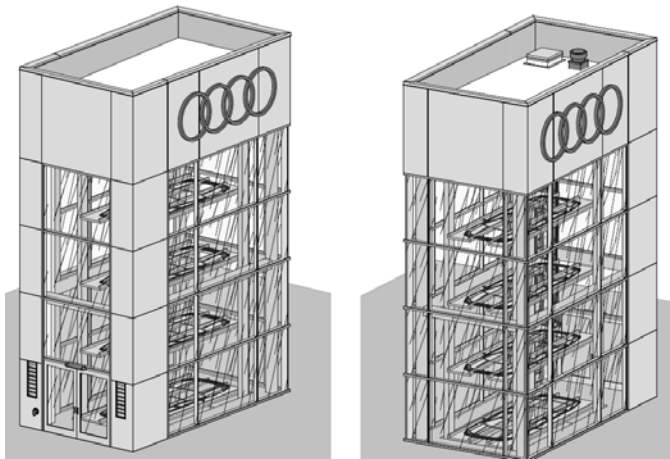
Planning & Economic Development Dept.  
Christy Fischer, Planning Director  
City Hall  
2240 Minton Road  
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**UPDATE**

TO: Scott Morgan, City Manager  
PREPARED BY: Christy Fischer, Planning Director  
DATE: September 27, 2019  
SUBJECT: Planning Department Update

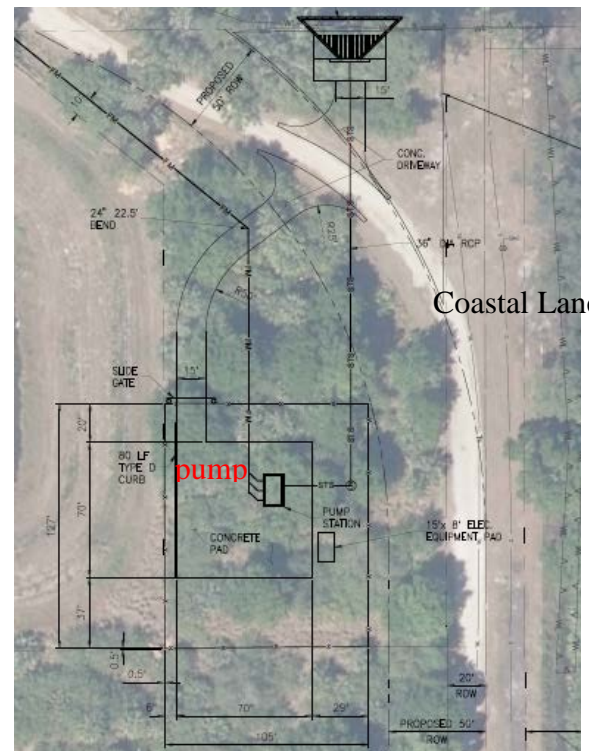
*Audi dealership car tower* – The Audi dealership is proposing to add a car display tower similar to the one in Cocoa off I-95. The Board of Adjustment approved this 4-story glass tower on September 26, 2019 and the image below is Audi’s architectural rendering of the tower. The glass that is used is similar to windshield glass in that it has a film that prevents the glass from blowing all over the property if shattered and is rated to a 140 mile/hour wind load. The tower will be on the back of the showroom.



*St. Johns River Water Management District pump station* – The St. Johns River Water Management District is proposing a canal/creek re-diversion project in which it will split the flow of the M-1 canal for the western portion to flow into the St. Johns River drainage basin instead of its current path which is to flow into the Indian River Lagoon. This should reduce some of the pollutants that enter the lagoon while still performing the role of keeping the canal as a drainage facility. The photo below is what the pump equipment would look like, on the dirt road part of Coastal Lane, north of New Haven Avenue.



would look like, on the dirt road part of Coastal Lane, north of New Haven Avenue.



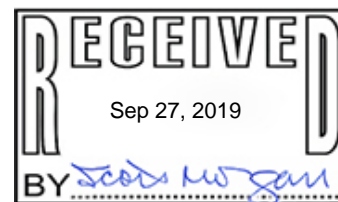
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Public Works Department  
Mark Piccirillo, Public Works  
Director  
Public Works Facility  
1415 Henry Avenue  
West Melbourne, FL 32904  
Phone: (321) 727-3710  
Fax: (321) 952-0924  
www.westmelbourne.org



To: Scott Morgan, City Manager  
From: Mark Piccirillo, Director of Public Works  
Date: September 27, 2019  
Subject: This Week in Public Works

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The Public Works Department attended the Space Coast Vision Zero Symposium on Wednesday, held at the Bill Posey Conference Center, at the Brevard County Department of Health building. The symposium was hosted by the Space Coast Transportation Planning Organization regarding information on the Vision Zero (eliminating fatalities) initiative and how to implement it on the Space Coast.

The Public Works Streets and Drainage Department assisted the Water Department this week by utilizing the Vac-Con to soft dig for locating water mains to verify their locations.



Images of Vac-Con truck assisting with locates.

The Public Works Streets and Drainage Department is working with Atlantic Foundation and Concert Repair to repair damaged sidewalks in the neighborhood of Morris Court, East Haven Drive, Margo Court, Haven Drive, and Naylor Drive.

The Public Works Water Department completed 235 work orders this week, serviced 11 fire hydrants, and exercised 20 water valves. They responded to and replaced two water service line leaks, one on Alligator Flag Circle, and a second one on Dragonfly Drive. They also soft dug numerous locations on the water main that runs along South Drive to Campbell Drive to verify and document their findings for an upcoming water main project.

We would like to congratulate Water Distribution Worker Stephen Hanson, who successfully passed his State Department of Environmental Protection, Level III Water Distribution system operation test, and will be obtaining his state license.



Image of Water Distribution Worker Stephen Hanson.

The Sewer Department Jacobs completed 173 work orders and 14 sewer inspections this week and were on hand to observe the Johns Landing force main pressure test, which passed all standards. They responded to a sewer blockage on Moccasin Drive and Alligator Flag Circle. The contractor working in this area removed a standing up sewer pipe at a new construction site, which allowed an aluminum can and sand to enter into the City sewer collection system. The blockage was removed and service restored.



Image of sewer blockage being removed.

The Manchester Lakes lift station pump #1 failed. It was removed, replaced, and is back in service.



Images of lift station pump being serviced.

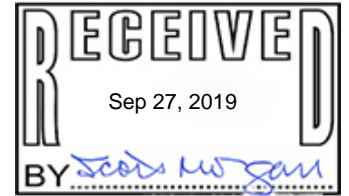
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Rich Boprey  
Parks & Recreation Director  
Veterans Memorial Complex  
2285 Minton Road  
West Melbourne, FL 32904  
Phone: (321) 837-7779  
Fax: (321) 768-2390  
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TO: Scott Morgan, City Manager

FROM: Rich Boprey, Parks & Recreation Director

DATE: September 27, 2019

RE: Friday Memo/Parks & Recreation

The Parks & Recreation Department is hosting the Parker Foundation for Autism and Child Development Basketball Clinic at the Field of Dreams. The clinic will be held on Tuesdays, from 5:00-6:30p.m. The initial meeting was held on September 24 and the clinic will continue October 1, 8, 15, and 22.

The i9 Sports Fall schedule has been confirmed for Saturday mornings, from 8:30-1:30 p.m. at Clements Wood Park. The program will operate for seven weeks from October 12 through November 23. The make-up date will be December 7 if needed.