Agenda
Town of Indialantic
Regular Meeting of the Town Council
Wednesday, August 12, 2020 at 7:00 p.m.

NOTICE: This meeting will not be held at Town Hall. This meeting will be held utilizing Communications Media Technology in accordance with Governor DeSantis’ Executive Order No. 20-69 and Town Emergency Order #2020-09. Those wishing to attend the meeting are encouraged to join the meeting online using the Zoom Webinar platform or by telephone.

To access the meeting, please click the link below:
https://zoom.us/j/96684189111?pwd=aHorTHQ1TnhpdWFFZDlrNEFRdjUvQT09
Passcode: 709101
Or iPhone one-tap:
US: +13017158592,,96684189111#,,,,0#,,709101# or +13126266799,,96684189111#,,,,0#,,709101#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128
Webinar ID: 966 8418 9111
Passcode: 709101
International numbers available: https://zoom.us/u/aeyIszHXAW

Instructions on how to join a Zoom meeting: https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting\n
Public Comments, prior to the meeting, can be submitted:
By drop box until 2:00 p.m., August 12, 2020. Deposit comments in the drop box located at rear entrance of Town Hall, 216 Fifth Avenue, Indialantic, FL 32903.
By email until 2:00 p.m., August 12, 2020: townhall@indialantic.com. Write ‘Public Comments 8-12-2020’ in the subject line.

Public Comments, during the meeting, (3 minutes per speaker):
Click on “Raise Hand” button to speak. The public will be joining the meeting by audio only (no video). At the appropriate time, a member of the public can indicate that he/she would like to offer a public comment by (1) Pressing the “Raise Hand” button in Zoom; or (2) dialing *9 if calling in on a telephone line.

Technical Issues: If staff or councilmembers experience technical issues the meeting will be temporarily halted until the issues are resolved; if the issue cannot be resolved, the meeting will be adjourned.
A. Call to Order:

Honorable Dave Berkman, Mayor
Honorable Stu Glass, Deputy Mayor
Honorable Simon Kemp, Councilmember
Honorable Julie McKnight, Councilmember
Honorable Doug Wright, Councilmember

1. Pledge of Allegiance:

2. Changes to Agenda:

3. Presentations and Proclamations:

4. Public Comments, Non-agenda items:
   Note: Persons wishing to address the Town Council on a matter not listed on the agenda may speak at this time. Click on “Raise Hand” button in Zoom to speak, or dial *9 if calling from a telephone.
   Speakers must provide their name and address and direct their comments to the Mayor and not to the members of the audience. Please observe the 3-minute time limit and speak only after being recognized by the Mayor.

5. Public Announcements:
   • There are openings on the Code Enforcement Board, Civil Service Board, Heritage Committee, and Playground Advisory Committee.
   • The qualifying period to run for Mayor or Town Council (seats #2 and #4) ends at noon on August 13, 2020. For more information, contact the Town Clerk at 321-723-2242 or by email at rraddon@indialantic.com.
   • The first public hearing for the fiscal year 2020-2021 budget will be held on September 9, 2020 at 7:00 p.m., and will be held via Zoom Webinar.
   • Town Hall will be closed on Monday, September 7, 2020 in observance of Labor Day.

B. Consent Agenda:

1. Approve Council Meeting Minutes for July 8, 2020
2. Approve Board and Committee Appointments/Reappointments:
   a) Playground Advisory Committee (New committee – may consist of up to seven members, open to resident and nonresidents.) -- Appoint Nicholle Rothengass; Appoint Mark McDermott; Appoint James Roland; Appoint Irene Fox-Albury

3. Adopt Resolution 10-2020 prohibiting Low Speed Vehicles on SR A1A (Casey)
4. Approve Goodwin 5K special event 11-24-2020 (Casey)
5. Adopt Resolution 11-2020 Establishing Fund Balance (Casey)
6. Appoint Deputy Mayor Glass as voting delegate for FLOC Annual Business Meeting (Raddon)
7. Resolution 12-2020 Re: Census Partnership (Glass)
8. Resolution 13-2020 Reauthorizing National Flood Insurance Program (Glass)
9. Resolution 14-2020 Re: Funding Assistance for COVID-19 (Glass)

C. Ordinances and Public Hearings:

1. Ordinance 2020-08 Second/Final Reading (Re: Declaring Emergencies):
   An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Emergencies; Making Findings; Creating Sections 10-100 Through 10-105, Article Vi., Chapter 10, Town Code Of Ordinances; Providing Definitions, Persons Authorized To Declare An Emergency, And Term Of Emergency Declaration; Setting Forth Emergency Powers; Providing Penalties And For Liberality Of Construction; Providing A Severability/Interpretation Clause; And Providing For An Effective Date.

2. Ordinance 2020-09 Second/Final Reading (Re: Paid parking rates):
   An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Parking; Making Findings; Amending Section 15-18.1 Of The Town Code Of Ordinances, Relating To Rates Of Compensation For Parking In Designated Areas Of The Public Right-Of-Way Or Areas Adjacent To The Beach; Deleting The Requirement That Parking Meters May Be Coin Operated; Providing That Parking Meters May Be Mechanically Or Electronically Operated Or Operated By Pay-By-Phone System; Providing For Enforcement; Providing For Change Of Certain Rates By Resolution; Amending The Schedule Of Fines In Section 15-23 Of The Town Code Of Ordinances, For Failure To Park Head In; Providing A Severability/Interpretation Clause; And Providing For An Effective Date.

3. Ordinance 2020-12 First Reading (Re: Adopting a new Town Code):
   An Ordinance Adopting And Enacting A New Code For The Town Of Indialantic, Brevard County, Florida; Providing For The Repeal Of Certain Ordinances Not Included Therein; Providing A Penalty For The Violation Thereof; Providing For The Manner Of Amending Such Code; And Providing When Such Code And This Ordinance Shall Become Effective.

D. Unfinished Business: (None)

E. New Business:

1. (Discussion/Action) Waste Management Recycling Rate Increase (Casey)
2. (Discussion/Action) Annual Halloween Party (Casey)
3. (Discussion/Consensus) Park Hours (Berkman)
4. (Discussion/Consensus) Backyard Chickens (McKnight)
5. (Discussion/Action) Reschedule November Council Meeting due to Veteran’s Day holiday 11-11-20 (Raddon)
6. (Discussion/Action) Town Manager Annual Evaluation and Merit Increase
F. Administrative Reports:

1. Town Manager Report
2. Town Attorney Report

G. Council Reports:

H. Adjourn:

NOTICE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD, AGENCY, OR COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION INTO EVIDENCE OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

AMERICANS WITH DISABILITIES ACT: PERSONS PLANNING TO ATTEND THE MEETING WHO NEED SPECIAL ASSISTANCE MUST NOTIFY THE OFFICE OF THE TOWN CLERK AT 321-723-2242 NO LATER THAN 48 HOURS PRIOR TO THE MEETING.
Meeting Minutes  
Town of Indialantic  
Regular Meeting of the Town Council  
Wednesday, July 8, 2020 at 7:00 p.m.

This meeting was held utilizing Communications Media Technology in accordance with Governor DeSantis’ Executive Order No. 20-69 and Town Emergency Order #2020-09.

A. Call to Order:
A regular meeting of the Indialantic Town Council was called to order via Zoom Webinar by Mayor Berkman on Wednesday, July 8, 2020 at 7:00 p.m. with the following members participating:

Honorable Dave Berkman, Mayor  
Honorable Stu Glass, Deputy Mayor  
Honorable Simon Kemp, Councilmember  
Honorable Julie McKnight, Councilmember  
Honorable Doug Wright, Councilmember

Also participating:

Michael Casey, Town Manager  
Paul Gougelman, Town Attorney  
Rebekah Raddon, Town Clerk  
Michael Connor, Chief of Police  
Jennifer Small, Finance Director

1. Pledge of Allegiance was led by Mayor Berkman. He explained that public comments would be limited to 3 minutes per person and those joining the meeting could click the ‘raise hand’ button to comment.

2. Changes to Agenda: Mayor Berkman said the agenda was amended and the following items were removed:
   Waste Management proclamation;
   100 Tampa Ave proposed small scale amendment (Ord. 2020-03, first reading); and
   100 Tampa Ave proposed rezoning (Ord. 2020-04, first reading).

   Mayor Berkman explained that the owner withdrew the application for the small scale amendment and rezoning and these will not be considered by Council. If the owner wants to pursue a rezoning, he will have to reapply.
3. **Presentations and Proclamations:** None.

4. **Public Comments, Non-agenda items:**

   Stephen Baugh, 460 Watson Drive, commented that he clocked his drive time during peak hours on residential streets and compared them to the drive times on SR A1A and Fifth Avenue, and noted that it is faster for drivers to stay on SR A1A and Fifth Avenue rather than cutting through residential streets. He added that drivers can save a full minute of travel time by staying on the main roads, and that he has passed his observations on to Mr. Casey.

   Pamela Dunn, 330 Tampa Avenue, thanked Public Works Director Joe Gervais and his staff on behalf of the Garden Club by the Sea for their work at Orlando Park. She said they did a great job.

   Jeff Brown, 339 Miami Avenue, spoke briefly about a mask ordinance; Mayor Berkman indicated this is an item on the agenda and will be spoken about later.

5. **Mayor Berkman read the following Public Announcements:**
   - There are openings on the Code Enforcement Board and the Civil Service Board.
   - Candidate qualifying packets are ready for pick-up at Town Hall. Persons interested in running for Mayor, Town Council Seat #2, and Town Council Seat #4 in the November 3, 2020 election should contact the Town Clerk. The qualifying period begins at noon on August 6 and ends at noon on August 13, 2020.

**B. Consent Agenda:**

1. Approve Council Meeting Minutes for June 10, 2020
2. Approve Board and Committee Appointments/Reappointments:
   a) Board of Adjustment – Appoint Michael Hill; Reappoint Safvat Kalaghchy
   b) Zoning and Planning Board – Reappoint Christopher Mullen
3. Declare town vehicle 1999 Dodge Ram as surplus and authorize disposal
4. Adopt Resolution No. 09-2020 Budget Adjustment #2 for FY 2019-2020
5. Authorize Town Manager to send letter to FDOT encouraging reducing the speed limit to 35 mph south of Eleventh Avenue

**MOTION** by Deputy Mayor Glass, seconded by Councilmember Wright, and vote unanimous to approve the consent agenda. Motion carried 5-0.

**C. Ordinances and Public Hearings:**
1. Ordinance 2020-07 Second/Final Reading *(Re: Clarifying term of office for elected officials)*

Mr. Gougelman read the ordinance title:
An Ordinance Of The Town Of Indialantic, Brevard County, Florida, Relating To The Time A Councilmember Takes Office; Amending Section 2.03, Town Charter; Making Findings; Providing For A Referendum Election And Ballot Language; Amending The Town Charter To Provide When Town Council Members, Including But Not Limited To The Mayor, Take Office After An Election And To Clarify The Duration Of A Council Member’s Term; Providing For Coordination With The Supervisor Of Elections; Providing A Severability Clause; And Providing For An Effective Date.

There were no public comments.

MOTION by Councilmember Kemp, seconded by Councilmember McKnight, and vote unanimous to adopt Ordinance 2020-07 on second reading. Motion carried 5-0.

2. Ordinance 2020-03 First Reading *(Proposed small scale amendment to the Comprehensive Plan future land use maps for property located at 100 Tampa Avenue):*

Note: This item was removed from the agenda and will not be continued.

3. Ordinance 2020-04 First Reading *(Proposed rezoning for property located at 100 Tampa Avenue)*

Note: This item was removed from the agenda and will not be continued.

4. Ordinance 2020-08 First Reading *(Re: Declaring Emergencies)*

Mr. Gougelman read the ordinance title:
An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Emergencies; Making Findings; Creating Sections 10-100 Through 10-105, Article Vi., Chapter 10, Town Code Of Ordinances; Providing Definitions, Persons Authorized To Declare An Emergency, And Term Of Emergency Declaration; Setting Forth Emergency Powers; Providing Penalties And For Liberality Of Construction; Providing A Severability/Interpretation Clause; And Providing For An Effective Date.

Mr. Casey explained that this ordinance cleans up language in the Town code for declaring emergencies. Mr. Gougelman answered councilmembers’ questions and briefly explained the ordinance and stated it is consistent with Florida law. There were no public comments.

MOTION by Deputy Mayor Glass, seconded by Councilmember Wright, and vote unanimous to approve Ordinance 2020-08 on first reading. Motion carried 5-0.

5. Ordinance 2020-09 First Reading *(Re: Paid parking rates)*

Mr. Gougelman read the ordinance title:
An Ordinance Of The Town Of Indialantic, Brevard County, Florida; Relating To Parking; Making Findings; Amending Section 15-18.1 Of The Town Code Of Ordinances, Relating To Rates Of Compensation For Parking In Designated Areas Of The Public Right-Of-Way Or Areas Adjacent To The Beach; Deleting The Requirement That Parking Meters May Be Coin Operated; Providing That Parking Meters May Be Mechanically Or Electronically Operated Or Operated By Pay-By-Phone System; Providing For Enforcement; Providing For Change Of Certain Rates By Resolution; Amending The Schedule Of Fines In Section 15-23 Of The Town Code Of Ordinances, For Failure To Park Head In; Providing A Severability/ Interpretation Clause; And Providing For An Effective Date.

Mr. Casey and Mr. Gougelman answered councilmembers’ questions. It was noted that the ordinance cleans up language in the Town’s code, allows for digital kiosks in addition to coin-operated meters, and raises the hourly rate for parking from $1.25 to $2.50 per hour which matches the rate charged by other beachside municipalities. There were no public comments.

MOTION by Deputy Mayor Glass, seconded Councilmember Kemp, and vote unanimous to approve Ordinance 2020-09 on first reading. Motion carried 5-0.

D. Unfinished Business:

1. (Discussion/Action) COVID-19

Councilmember Kemp expressed concerns about the rising number of COVID-19 infections and the lack of cohesion among local communities in their response to COVID-19. He asked for council’s input regarding masks and the possibility for closing beach parking to reduce the number of out-of-town visitors. Mayor Berkman suggested the council discuss beach access parking, as masks are covered next on the agenda. He noted that beach parking could be closed if deemed necessary, and shared his opinion regarding the County’s response to COVID-19. Mayor Berkman questioned the effectiveness of piecemeal beach access parking closures and recommended anyone with health concerns simply avoid the beaches altogether.

Mayor Berkman asked for public comments; the following people spoke:

Steve Whitlock, 164 Deland Avenue
Mel Chang, 225 Wayne Avenue

Mayor Berkman said the ordinances below regarding face coverings and signage were added to the agenda due to a miscommunication, and he would prefer to adopt a single emergency order instead. He explained that ordinances are long-term whereas orders are renewed on a weekly basis and provide more flexibility.
a) **Emergency Ordinance 2020-10** *(Re: Face coverings required in Town facilities. Ordinance title was not read.)*

b) **Emergency Ordinance 2020-11** *(Re: Face coverings required in essential businesses; mask policy signage required for all businesses. Ordinance title was not read.)*

Mr. Gougelman explained that he drafted an order which combines Ordinances 2020-10 and 2020-11. Mayor Berkman asked Ms. Raddon to email the order to council and discuss item E. New Business #2, Request for Traffic Light at Watson/SR A1A.

**Request for Traffic Light at Watson/SR A1A:**
After some discussion and input from Police Chief Connor, it was the consensus of the Council to have the Town Manager contact FDOT to request a study for a traffic light and/or a pedestrian crossing at the intersection of Watson and SR A1A.

**Local Emergency Order No. 2020-10 Regarding Covid-19 - Declaring a Local State of Emergency; and Requiring Use of Face Masks in Certain Facilities:**

Mayor Berkman confirmed council received the order, and reiterated that the order will be considered for adoption in lieu of Ordinances 2020-10 and 2020-11.

**MOTION** by Mayor Berkman, seconded by Deputy Mayor Glass to adopt Local Emergency Order 2020-10 Regarding Covid-19 - Declaring a Local State of Emergency; and Requiring Use of Face Masks in Certain Facilities.

Mayor Berkman spoke in support of adopting the order which would require employees of essential businesses, as well as their patrons, to wear masks. It would also require that all businesses, essential or not, post their written mask policy where potential customers can see it before entering the store. Mayor Berkman showed images of several mask policy signs. He listed nine essential businesses in Town: Ace Hardware, the health food store, the produce store, the seafood store, Publix, the dollar store, Village Market, CVS, and 7-11. In addition, the order would require masks to be worn in all Town-owned buildings. Mr. Gougelman answered a question about bathrooms at Nance Park which he indicated are leased, not owned by the Town.

Mayor Berkman asked for public comments regarding masks; the following people spoke:

Mel Chang, 225 Wayne Avenue  
Brett Miller, 220 Cocoa Avenue  
Stephen Baughn, 460 Watson Drive  
Jeff Brown, 339 Miami Avenue  
Steve Whitlock, 164 Deland Avenue
Loren Goldfarb, 320 Deland Avenue
Pat Maguire, 261 Miami Avenue

After lengthy discussion, Mayor Berkman summarized the order which, if adopted, would mandate the following:

Masks will be required in all town-owned buildings;
All businesses with foot traffic must post a written mask policy; and
Essential businesses must require employees and patrons to wear masks.

ROLL CALL VOTE: McKnight – No; Glass – Yes; Kemp – Yes; Wright – Yes; Berkman – Yes.
Motion carried 4-1.

Ms. Raddon confirmed for the record that ordinances 2020-10 and 2020-11 will not be read or considered for adoption.

Litter Ordinance
Mr. Casey provided a status update for the litter ordinance which will increase the fines for littering. He anticipates it will be on the August agenda.

E. New Business:
1. (Discussion/Action) Set Proposed Millage Rate and Public Hearing Dates for FY 2020-2021 Budget Adoption
Mr. Casey briefly summarized the proposed budget for the upcoming fiscal year and suggested a millage rate of 6.0923, which is a small increase from last year’s millage rate of 5.9484. Mayor Berkman explained that this is a starting point, and the council has the option to lower the millage rate if desired.

MOTION by Deputy Mayor Glass, seconded by Councilmember Wright to set the proposed millage rate at 6.0923 for the fiscal year 2020-2021 budget. After brief discussion, the motion carried unanimously, 5-0.

MOTION by Councilmember Kemp, seconded by Deputy Mayor Glass, and vote unanimous to adopt the following dates for budget hearings:

Council budget workshop at 6pm on August 12, 2020;
First budget hearing at 7pm on September 9, 2020; and
Second/final budget hearing at 5:30 p.m. on September 21, 2020.
MOTION carried unanimously, 5-0.  
Mr. Casey noted that the Budget and Finance Committee meeting was cancelled and rescheduled.

F. Administrative Reports:

1. Town Manager Report
Mr. Casey said Town Hall is closed to the public but is still operating and serving the public online as well as in-person; visitors just need to ring the doorbell for assistance. He is working on drafting a resolution regarding beach parking areas and asked for direction regarding locations for permit-only parking. Brief discussion ensued regarding removing meters from Watson Drive and allowing low-speed vehicles to park for free, and cars with a paid parking permit.


G. Council Reports:

Councilmember McKnight asked if council would be interested in considering allowing residents to have chickens. Mr. Gougelman indicated it would be appropriate to discuss as an agenda item; Mayor Berkman concurred and asked to have it put on next month’s agenda for discussion.

Councilmember Kemp stated the TPO meeting was cancelled this month.

Deputy Mayor Glass spoke regarding the Florida League of Cities policy committees and noted the deadline to apply to serve on a committee is August 15.

Mayor Berkman asked residents and visitors to be cautious at the beach due to a high number of sharks in the area. He advised councilmembers to refrain from posting remarks or responses on other councilmember’s posts on social media regarding items that may be voted on in the future. He spoke briefly regarding the actions of an aggressive commenter during the meeting.

H. Adjourn:

There being no further discussion, the meeting was adjourned at 9:17 p.m.
Attested by:

Rebekah Raddon, CMC, Town Clerk
1. Name: Nicholle Rothengrass  
2. Home Address: 964 Wavercest Ave AY  
3. Email: Fire8oser1345@gmail.com  
4. Business: MOBILE PRIMARY CARE PROVIDERS IN MOTION  
5. Business Address:  
6. Resume of Education and Experience: (Use additional sheets or submit resume if you prefer)  
7. Are you a registered voter? Yes No  
8. Are you a resident of the Town? Yes No  
9. Do you hold a public office? Yes No  
10. Do you serve on a Town Board at present? Yes No  
11. If yes, which Board/Committee? NA  
12. PLEASE NUMBER THE BOARDS OR COMMITTEES OF INTEREST TO YOU, IN ORDER OF PREFERENCE:  
   * BOARD OF ADJUSTMENT  
   * BUDGET & FINANCE COMMITTEE  
   * CIVIL SERVICE BOARD  
   * CODE ENFORCEMENT BOARD  
   * HERITAGE COMMITTEE  
   * PENSION BOARD OF TRUSTEES POLICE/FIRE  
   * PENSION BOARD OF TRUSTEES GENERAL EMPLOYEES  
   * PLAYGROUND ADVISORY COMMITTEE — New! Residents and nonresidents may apply.  
   * ZONING & PLANNING BOARD  
   * PARKS, RECREATION AND BEAUTIFICATION COMMITTEE  
*Florida Statute requires Financial Disclosure Form upon appointment.  

How do you feel your experience has qualified you for service on this Board/Committee?  

Experience in gov’t bodies, local non-profits and love for outdoor playgrounds and pride in hometown.  

SIGNATURE: [Signature]  
DATE: 7/17/20  

Please submit completed applications to: Town of Indialantic, 216 Fifth Avenue, Indialantic, Florida 32903  

NOTE: If you have any questions on the above, please call the Town Clerk’s office at 321-723-2242.  

Rev 7-10-2020
TOWN OF INDIALANTIC

APPLICATION TO SERVE ON TOWN BOARDS

1. Name: Mark McDermott
   Home: 

2. Home Address: 137 8th Ave. Indialantic
   Cell Phone: (321) 750-5448

3. Email: mcdermottm@me.com

4. Business: ____________________________
   Business Phone: ________________

5. Business Address: ____________________________

6. Resume of Education and Experience:
   B.S. Aviation Management, FIT
   (Use additional sheets or submit resume if you prefer)

7. Are you a registered voter? Yes [X] No ________________

8. Are you a resident of the Town? Yes [X] No ________________

9. Do you hold a public office? Yes ________________ No [X]

10. Do you serve on a Town Board at present? Yes ________________ No [X]

11. If yes, which Board/Committee? ________________

12. PLEASE NUMBER THE BOARDS OR COMMITTEES OF INTEREST TO YOU, IN ORDER OF PREFERENCE:
   *BOARD OF ADJUSTMENT
   *BUDGET & FINANCE COMMITTEE
   __________ CIVIL SERVICE BOARD
   __________ *CODE ENFORCEMENT BOARD
   __________ HERITAGE COMMITTEE
   __________ *PENSION BOARD OF TRUSTEES POLICE/FIRE
   __________ *PENSION BOARD OF TRUSTEES GENERAL EMPLOYEES
   __________ X PLAYGROUND ADVISORY COMMITTEE – New! Residents and nonresidents may apply.
   __________ *ZONING & PLANNING BOARD
   __________ PARKS, RECREATION AND BEAUTIFICATION COMMITTEE

*Florida Statute requires Financial Disclosure Form upon appointment.

How do you feel your experience has qualified you for service on this Board/Committee?

**Strong interest and some experience in construction projects along with extensive family background in park construction**

SIGNATURE: ____________________________ DATE: ________________

Please submit completed applications to: Town of Indialantic, 216 Fifth Avenue, Indialantic, Florida 32903

NOTE: If you have any questions on the above, please call the Town Clerk’s office at 321-723-2242.

Rev 7-10-2020
TOWN OF INDIANLANTIC

APPLICATION TO SERVE ON TOWN BOARDS

1. Name: James Roland  Home: 321 723-5990
2. Home Address: 429 8th Avenue  Cell Phone: 321 794-7331
3. Email: proland@cfi.cc.com
4. Business: Retired
5. Business Address:
7. Are you a registered voter? Yes  No
8. Are you a resident of the Town? Yes  No
9. Do you hold a public office? Yes  No
10. Do you serve on a Town Board at present? Yes  No
11. If yes, which Board/Committee?
12. PLEASE NUMBER THE BOARDS OR COMMITTEES OF INTEREST TO YOU, IN ORDER OF PREFERENCE:
   * BOARD OF ADJUSTMENT
   * BUDGET & FINANCE COMMITTEE
   * CIVIL SERVICE BOARD
   * CODE ENFORCEMENT BOARD
   * HERITAGE COMMITTEE
   * PENSION BOARD OF TRUSTEES POLICE/FIRE
   * PENSION BOARD OF TRUSTEES GENERAL EMPLOYEES
   * PLAYGROUND ADVISORY COMMITTEE – New! Residents and nonresidents may apply.
   * ZONING & PLANNING BOARD
   * PARKS, RECREATION AND BEAUTIFICATION COMMITTEE

How do you feel your experience has qualified you for service on this Board/Committee?
Engineer, spec writing, monitoring construction and building a playground from scratch.

SIGNATURE: James D. Roland  DATE: July 31, 2020

Please submit completed applications to: Town of Indianlantic, 216 Fifth Avenue, Indianlantic, Florida 32903

NOTE: If you have any questions on the above, please call the Town Clerk’s office at 321-723-2242.
Rev 7-10-2020
TOWN OF INDIALANTIC

APPLICATION TO SERVE ON TOWN BOARDS

1. Name: Irene Fox-Albury Home: 321-777-6126
2. Home Address: 1835 N. Hwy A1A apt. 403 Cell Phone: 786-201-4604
3. Email: ifoxalbury2@yahoo.com
4. Business: N/A Business Phone: N/A
5. Business Address: N/A

6. Resume of Education and Experience:
(Use additional sheets or submit resume if you prefer)

7. Are you a registered voter? Yes No
8. Are you a resident of the Town? Yes No
9. Do you hold a public office? Yes No
10. Do you serve on a Town Board at present? Yes No
11. If yes, which Board/Committee? Playground Advisory

12. PLEASE NUMBER THE BOARDS OR COMMITTEES OF INTEREST TO YOU, IN ORDER OF PREFERENCE:
   *BOARD OF ADJUSTMENT
   *BUDGET & FINANCE COMMITTEE
   CIVIL SERVICE BOARD
   *CODE ENFORCEMENT BOARD
   HERITAGE COMMITTEE
   *PENSION BOARD OF TRUSTEES POLICE/FIRE
   *PENSION BOARD OF TRUSTEES GENERAL EMPLOYEES
   PLAYGROUND ADVISORY COMMITTEE – New! Residents and nonresidents may apply.
   *ZONING & PLANNING BOARD
   PARKS, RECREATION AND BEAUTIFICATION COMMITTEE

*Florida Statute requires Financial Disclosure Form upon appointment.

How do you feel your experience has qualified you for service on this Board/Committee?

I am a retired educator for 41 years. BA-Spanish, MS-Physical Ed. Specialist degree. Educational Leadership.

SIGNATURE: Irene Fox-Albury DATE:

Please submit completed applications to: Town of Indialantic, 216 Fifth Avenue, Indialantic, Florida 32903

NOTE: If you have any questions on the above, please call the Town Clerk’s office at 321-723-2242.

Rev 7-10-2020
Biography

Irene Fox began her career with a passion for dance. Opting to study in the prestigious dance studios of Alvin Ailey, Martha Graham, the Clark Center and the New York City school of Ballet and Dance Arts instead of the much publicized High School of Performing Arts in New York. Ms. Fox pursued the rigorous training needed for a career as a professional dancer. She danced professionally with many Miami companies and has brought her own experience and expertise to the classroom. Irene developed, implemented and pioneered many of magnet/dance programs available in Miami-Dade County Public Schools. She received her Bachelor of Arts in Spanish Education, A Masters of Science from Florida International University and a second Masters in Educational Leadership from Nova Southeastern University.

Throughout her thirty-seven years in the classroom as an arts educator, she has developed such prestigious programs as Miami Northwestern Senior High (PAVAC) program, the Performing and Visual Arts Center housed at Miami-Dade Community College North/South Campuses, Southwood Middle School, Norland Middle School, Mays Middle, Perrine Elementary, South Miami Senior High and New World School of the Arts. In 2002, she had the opportunity to work with the Annenberg grant to provide the first tri-school “Nutcracker” at Gusman Hall. The Annenberg grant provided three magnet schools the opportunity to improve students writing skills and secure new costumes and sets for future dance productions.

In 2002, Ms. Fox left the classroom to become lead teacher at Norland Middle School where she worked for two years revamping their magnet program. It was under her leadership that the school was awarded the Merit School of Distinction by Magnet Schools of America. She is a member of many arts advocacy groups involved in arts education and assessment. She is continuously recognized for her leadership in Arts Education. She was honored by the Coalition for Arts Education with the coveted Arts Leadership Award. She was the “Teacher of the Year” in 2009. In 1998 she was the recipient of the “Teacher of the Year Award in Dance” at the state level. She has served many leadership positions in local, state and regional organizations. She also served as the Chairperson for the “Teacher of the Year” committee for Region V for Miami-Dade County Public Schools.

In 2005, she became the Magnet Lead Teacher at South Miami Middle School, Center for the Arts. Through a grant, the school became the model arts middle school program for the State of Florida. Here she worked on many innovative recruitment strategies using technology. She also received a first place award for the most creative display at the county’s Magnet Fair.

Presently she is working as the Fitness/Dance Instructor in the county’s first single gender school for girls, Young Women’s Preparatory Academy. In addition to her busy schedule at the school, she continues to conduct seminars and workshops for arts programs throughout Florida. She became Zumba certified to enhance her fitness program. She continues her quest for excellence in Arts with the belief that every child benefits from being involved in the arts. “One of the most rewarding experiences in teaching the arts is the ability to reach out to the children in a different way and provide them with the self-esteem that lays the ground work for focus and discipline necessary to be successful and achieve in life.”
Professional Experience

Spanish Teacher
Johnson Middle School, Brevard County, Fla. September 2011-2016

* Teaching Levels 1&2 Spanish
* Worked with District to design and implement basic Spanish curriculum.
* Involved in extracurricular activities for the student body.
OBJECTIVE
To obtain a supervisory position that will utilize my experience in Magnet Talent and School Choice Programs

SKILLS
Leadership Experience, Management and Organizational Skills,
Curriculum Development, Bilingual English/Spanish, Grant Writing,
Relations/Recruitment Teaching Career, Dance Instructor, Choreographer
Team player, Excellent Work Ethic, Contagious Enthusiasm

PROFESSIONAL EXPERIENCE

LEAD TEACHER
YOUNG WOMEN'S PREPARATORY ACADEMY, MIAMI FL. SEPTEMBER 2007 – PRESENT
- Teaching in a single gender school for girls 6-12th grade students
  interested in becoming future leaders.
- Teaching fitness and involved in the wellness program for staff
  and my classes.
- Certified in CPR and last year
- Voted "Teacher of the YEAR" for 2009.

LEAD TEACHER
SOUTH MIAMI MIDDLE SCHOOL, CENTER FOR THE ARTS, MIAMI FL.
SEPTEMBER 2005-JUNE 2007

Developed, Coordinated And Implemented Magnet School
Philosophy And Mission By:
Recruitment Of A Diversified Student Population
- Design And Implementation Of The Curriculum Within The Program
- Monitored And Developed Outreach Activities, Identification and
  Coordination Of Staff Development Opportunities
- Overall Monitoring Of Related Magnet Policy Requirements
- Prepared Reports And Presentations As Required
- Work With Region And District To Implement Program Reviews
- Locate And Prepare Grant Proposals

Selected Projects:
Developed Mail-Out CD in English and Spanish
Developed DVD for Recruitment Purposes
Developed Power Point Presentation For Orientation And Auditions
Developed DVD for "Audience Etiquette" Performances
Using The School's Broadcasting Students
Developed Electronic Portfolio's For All Magnet Students

LEAD TEACHER
NORLAND MIDDLE SCHOOL, CENTER FOR THE ARTS, MIAMI FL.
SEPTEMBER 2003-2005

- Managed The Day To Day Operations Including Reporting,
  Discipline, Scheduling Classes
- Provided Parent/Teacher Conferences And Monitored the Financial
  Resources against Budgetary Guidelines
- Coordinated And Provided Staff Development And Training
- Plan And Implemented Curriculum Activities With High School Arts Programs
Selected Projects:
• Recruitment Program: Initiated School's Student Recruitment Efforts Throughout Miami-Dade County With A Variety Of Innovative Marketing Programs and Special Events
• Implemented New Program Initiatives With Parental Involvement Resulting In a More Effective Student/Teacher/Parent Relationship, Closer Cooperation of Daily Activities

DANCE INSTRUCTOR
SOUTH MIAMI SENIOR HIGH, PERFORMING ARTS PROGRAM, MIAMI, FL. SEPTEMBER 1995-2003

Taught All Levels Of Ballet, Modern, Jazz
• Developed And Implemented The Magnet Dance Program
• Showcased Unique Ability To Leverage Available Technology,
• Coordinate A Full Length Nutcracker Performance Involving The Three Magnet Feeder Pattern Schools (Elementary, Middle And Senior)
• Managed An Active Performing Group

ARTISTIC DIRECTOR/DANCE INSTRUCTOR/COORDINATOR
MAYS MIDDLE SCHOOL FOR THE ARTS AND HUMANITIES, MIAMI, FL. SEPTEMBER 1991-95

Miami Killian Senior High, Miami, Fl.
September 1987-1991
Dance Instructor: Taught Beginners-Advanced Levels Of Ballet, Modern, Jazz And Healtheducation

EDUCATION
Nova University, Miami, FL Educational Specialist, 1998
Florida International University, Miami, FL | Masters of Science | Physical Education, 1975
CW Post College, Long Island, New York | Bachelors of Arts and Sciences, 1971

PROFESSIONAL AFFILIATIONS
• Florida Association of Health, Physical Education Recreation and Dance, President 1997-1999
• Dance Education Council Chairperson 1997-1998
• Magnet Schools of America Member
• Professional Dance Teachers Association Member
• Dance Masters of America Member
• Dade Association of Dance Educators President 1997-1999 Vice President 1996

REFERENCES FUNISHED UPON REQUEST
SUBJECT: Resolution 10-2020 Low Speed Vehicles on SR A1A

Meeting Date: August 12, 2020

Summary:
Florida Statute allows Low Speed Vehicles (LSV) to operate on roadways with a posted speed limit of 35 MPH. Resolution 10-2020 requests that FDOT prohibit the operation of Low Speed Vehicles on SR A1A since the speed limit has recently been lowered to 35 MPH. Among other factors, LSV’s have a maximum speed of 25 MPH which make them a safety concern. In a coordinated effort, the Cities of Satellite Beach, Indian Harbour Beach, and Melbourne have expressed concerns about safety and are in the process of adopting similar resolutions to urge FDOT to prohibit the operation of LSV’s on SR A1A.

Recommendation:

Approve Resolution 10-2020

MOTION:
Approve Resolution 10-2020

Submitted by:
Rebekah Raddon
Town Clerk

Approved for agenda:
Michael L. Casey
Town Manager
RESOLUTION NO. 10-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF INDIALANTIC, BREVARD COUNTY, FLORIDA,
REQUESTING FOR THE FLORIDA DEPARTMENT OF
TRANSPORTATION (FDOT) TO PROHIBIT THE
OPERATION OF LOW SPEED VEHICLES (LSV’S) ON SR
A1A; PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (FDOT) recently reduced the speed limit on SR A1A from 45 mph to 35 mph to aid the safe crossing of pedestrians and calm traffic; and

WHEREAS, due to the reduced speed limit, Low Speed Vehicles (LSV’s), defined as "any four-wheeled vehicles whose top speed is greater than 20-mph, but not greater than 25-miles per hour", are now legally allowed to operate on SRA1A per Florida Statute; and

WHEREAS, SR A1A is a major beachside thoroughfare, traversed by multiple sized vehicles and much larger vehicles, including dump trucks and semi-trailers, and LSV’s are smaller and lighter than conventional cars and do not possess occupant safety measures afforded to conventional cars, such as suitable seat belts, crumple zones, energy-absorbing steering columns or airbags; and

WHEREAS, smaller-mass vehicles absorb the brunt of the force in collisions with heavier vehicles, resulting in greater damage to the smaller vehicle and, potentially, its passengers and lower acceleration rates in LSVs can make it more difficult for drivers to react quickly enough to avoid a crash; and

WHEREAS, if most of the vehicles on a corridor are traveling 35 mph or faster, introducing vehicles that cannot exceed 25 mph could cause congestion, as well as the abovementioned safety concerns; and

WHEREAS, the beachside communities of the Town of Indialantic, City of Indian Harbour Beach, City of Melbourne and City of Satellite Beach are jointly concerned for the health, welfare and safety of their citizens and feel that the operation of LSV’s on SR A1A poses a threat to public safety.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL OF
THE TOWN OF INDIALANTIC, FLORIDA, THAT:

Town of Indialantic Resolution No. 10-2020
1
SECTION 1. The Town of Indialantic, in conjunction with the City of Satellite Beach, City of Indian Harbour Beach and City of Melbourne, hereby petitions the Florida Department of Transportation to prohibit the operation of Low Speed Vehicles (LSV's) on SR A1A throughout the municipalities of Satellite Beach, Indian Harbour Beach, Indialantic and Melbourne.

SECTION 2. Severability Clause. In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 3. Effective Date. This Resolution shall become effective upon adoption.

PASSED by the Town Council of the Town of Indialantic on the 12th day of August, 2020.

TOWN OF INDIALANTIC, FLORIDA,
A Florida Municipal Corporation

David Berkman
Mayor

ATTEST:
Rebekah Raddon, CMC
Town Clerk

Town of Indialantic Resolution No. 10-2020
SUBJECT: Nance Park Use /Special Event

Staff Report – Town of Indialantic  Meeting Date: August 12, 2020

Summary:

Council is being requested to authorize the use of Nance Park for the Mikey Strong 5k/2 mile walk as a special event. The race will take place at Nance Park with no road or parking closures. The event will use the pavilions and the race will start from Nance Park and go onto the beach going north and return to Nance Park. There will be music, food and alcohol will be served for participants. The event will be from 4 PM to 8 PM November 24, 2020.

Recommendation:

Authorize the use of Nance Park for the Mikey Strong 5k/2 mile walk as a special event.

MOTION: Authorize the use of Nance Park for the Mikey Strong 5k/2 mile walk as a special event.

Submitted by:

Rebekah Raddon
Town Clerk

Approved for agenda:

Michael L. Casey
Town Manager
7/19/20

To: The Town of Indialantic

From: Julie Arnold

Hello:

Resubmitting this permit application for the Mikey Strong 5K, planned for November 24, 2020. The event details include:

- 5K walk, 2 mile walk
- Time: Race starts at 5:00 p.m., set up starts at noon that day, event to conclude at 8:00 p.m.
- Location: Nance Park start/finish and after-party
- The race will start at Nance Park, participants will traverse the beach from the existing boardwalk and walk North, and return for the complete 5K route.
- Upon completion we will hold the after-part in Nance Park in the green space of the Park and hope to utilize both pavilions. Please advise if we need to complete the pavilion rental form as well as the special event permit.
- The event is a fundraiser for the Mikey Strong Foundation, which is being formed in memory of Mikey Goodwin who recently lost his struggle with DIPG. DIPG is one of the most rare and aggressive cancers affecting 150-300 patients yearly in the US. DIPG, or diffuse intrinsic pontine glioma, is a type of brain tumor found in an area of the brainstem known as the pons.

We are currently in the process of obtaining event insurance based on the Town's outlined guidance.

Please let me know if you have any questions.

Thank you!

Best,
Julie Arnold
Event Director
For the Mikey Strong Foundation
REQUEST FOR SPECIAL EVENT

Owner/Business Name: Julie Arnold / Mary Goodwin
Address: 315 Sherwood Ave., Satellite Beach, FL 32937
Applicant: Julie Arnold Phone: 321-637-1228 Date: 11/24/20 Event: 7/11
Event Location: Nance Park / Beach
Event date(s): from 11/24 to 11/24
Time of event: from 4:00 to 8:00

Please state the purpose of this request, ie: grand opening, anniversary

Mikey Strong 5k 1/2 mile walk. Beginning and ending at Nance Park. The run/walk will travel north on the beach and the after-event will be in the green area with the two pavilions.

Type of merchandise displayed: None displayed / Sponsor banners / tent
(Please include diagram with dimensions indicating where the items will be displayed)

Per Indialantic Code Section 13-3(c)(2), please submit a copy of liability insurance in the amount of at least $100,000 per person/$200,000 per occurrence. The Town of Indialantic shall be listed as "additionally insured" for the date(s) of the event. The policy shall be non-cancelable without at least ten (10) days written notice to the Town prior to cancellation. Sample wording regarding cancellation is as follows:

"Should any of the above described policies be cancelled before the expiration date thereof, the issuing company shall mail 10 days written notice to the Town of Indialantic by certified mail prior to cancellation."

Fax: 321-951-8224 or mail to the Town of Indialantic, 220 Fifth Avenue, Indialantic, Florida 32903 within 5 days of the event.

FOR OFFICE USE ONLY

Permit for this event is approved ___ or disapproved ___ for the following reasons:

____________________________________
____________________________________
____________________________________

_______________________________
Code Enforcement Officer

_______________________________
Police Chief

_______________________________
Public Works Director

_______________________________
Town Manager

_______________________________
Fire Chief

_______________________________
Building Official

THIS PERMIT MUST BE POSTED DURING SPECIAL EVENT
Please read the attached Ordinance Section 13-3(c)(1)(2)(3)(4)(5)(6)(7)
SUBJECT: Resolution 11-2020 Establish a Fund Balance Practice

Staff Report – Town of Indialantic        Meeting Date: August 12, 2020

Summary:

Council is being requested to adopt Resolution 11-2020 setting forth certain funds in the fund balance of the General Fund and repealing Resolution 08-19 which relates to the FY-19 fund balance. This activity is consistent with Resolution 12-02 which sets forth the policy dealing with the fund balance for the General Fund.

Recommendation:

Adopt Resolution 11-2020

MOTION: Adopt Resolution 11-2020

Submitted by:

Rebekah Raddon
Town Clerk

Approved for agenda:

Michael L. Casey
Town Manager
RESOLUTION NO. 11-2020

A RESOLUTION OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA, ADHERING TO A FUND BALANCE PRACTICE; REPEALING RESOLUTION NO. 08-19; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the FY-19 audit as prepared by the Town’s independent auditors reflected that on September 30, 2019, the Town possessed $1,832,732 in the Town’s fund balance for the general fund; and

WHEREAS, the Government Finance Officers Association (GFOA) recommends at a minimum that a general purpose government maintain an unrestricted fund balance in the general fund of not less than two (2) months of operating expenditures; and

WHEREAS, two (2) months of general fund operating expenditures equates to $671,855; and

WHEREAS, $1,000 has been donated toward maintenance of the Nance Park monument sign; and

WHEREAS, Council desires to set aside $180,000 to mill and resurface South Riverside Drive in FY-23; and

WHEREAS, Council desires to set aside $70,000 to mill and resurface N. Ramona Avenue in FY-23; and

WHEREAS, Council desires to set aside $50,000 for future replacement of stormwater pipes not under pavement; and

WHEREAS, Council desires to have $400,000 available in FY-23 to purchase a replacement fire engine should it be needed; and

WHEREAS, Council desires to ensure that sufficient funds are available to meet local costs associated with the Town’s efforts to secure Florida Department of Transportation (FDOT) funds to replace plants in the US-192/SR-500 (aka Fifth Avenue) median; and

WHEREAS, $206,300 in the FY-20 budget is expected to be cash carry forward into the FY-21 budget for the local share of 5th Avenue median improvements; and

WHEREAS, Council has carried forwarded $233,800 into the FY-20 annual budget; and

WHEREAS, Council desires to set aside funds for compensated absences in an amount sufficient to correspond to the number reflected in the annual audit (i.e. $58,809); and
WHEREAS, Council desires to ensure that sufficient funds are available should a hurricane strike to cover the cost to remove vegetative debris and to cover the Town’s deductible under the Town’s insurance policy.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Indialantic, Florida, that:

SECTION 1. A Fund Balance allocation for the General Fund is adopted and shall read as follows:

(1) The Fund Balance allocation shall be consistent with Resolution 12-02, hereafter referred to as the Fund Balance Policy; and
(2) The Committed Fund Balance shall consist of the following
   (a) $1,000 for Nance Park sign maintenance;
   (b) $180,000 for South Riverside Drive resurfacing;
   (c) $70,000 for North Ramona Avenue resurfacing;
   (d) $233,800 which was included in the FY-20 budget as cash carry forward;
   (e) $282,662 for replacing a fire engine;
   (f) $18,000 for the Town’s portion of the cost to remove vegetative and other debris resulting from a hurricane;
   (g) $266,606 for the Town’s deductible under the Town’s insurance policy to cover costs associated with damage resulting from a hurricane;
   (h) $58,809 representing the potential cost to address compensated absences;
   (i) $50,000 for future replacement of stormwater pipes not under pavement.

(3) The unassigned Fund Balance shall be $671,855.

SECTION 2. That Resolution No. 08-19 is hereby repealed.

SECTION 3. Severability/Interpretation Clause.

In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council of the Town of Indialantic, Florida.
PASSED by the Town Council of the Town of Indialantic on the 12th day of August, 2020.

TOWN OF INDIALANTIC, FLORIDA,
A Florida Municipal Corporation

______________________________
David Berkman
Mayor

ATTEST:_____________________
Rebekah Raddon, CMC
Town Clerk
SUBJECT: Appoint delegate for the Florida League of Cities Virtual Annual Business Meeting

Staff Report – Town of Indialantic  Meeting Date:  August 12, 2020

Summary:

Deputy Mayor Glass has offered to represent the Town and vote on its behalf at the Florida League of Cities annual business meeting.

Recommendation:

Appoint Deputy Mayor Glass as voting delegate.

MOTION:
Appoint Deputy Mayor Glass as voting delegate for the Florida League of Cities annual business meeting.

Submitted by:  

[Signature]
Rebekah Raddon
Town Clerk

Approved for agenda:  

[Signature]
Michael L. Casey
Town Manager
Agenda items B. 7, 8, 9

SUBJECT: Resolutions 12-2020; 13-2020; and 14-2020

Staff Report – Town of Indialantic Meeting Date: August 12, 2020

Summary:

Deputy Mayor Glass requested the Town adopt the following resolutions drafted by the Florida League of Cities:

Resolution 12-2020 affirms support for and a partnership with federal, state, and local leader to ensure an accurate 2020 census.

Resolution 13-2020 urges congress to reauthorize the National Flood Insurance Program.

Resolution 14-2020 urges congress to pass legislation providing direct funding assistance to all cities to help mitigate expenditures and current and future losses as a result of the novel coronavirus (covid-19) pandemic.

Recommendation:

Approve Resolutions.

MOTION:
Approve the consent agenda.

Submitted by: 
Rebekah Raddon
Town Clerk

Approved for agenda:
Michael L. Casey
Town Manager
Resolution 12-2020

A RESOLUTION OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA AFFIRMING SUPPORT FOR AND A PARTNERSHIP WITH FEDERAL, STATE AND LOCAL LEADERS TO ENSURE AN ACCURATE 2020 CENSUS.

WHEREAS, the U.S. Constitution requires the U.S. Census Bureau to conduct a count of the population every 10 years; and

WHEREAS, the members of the Town Council of the Town of Indialantic are committed to ensuring every resident is counted; and

WHEREAS, a successful census program integrates federal, state and local resources within each level of government so that a true intergovernmental partnership is achieved for a timely and accurate count, and these efforts were hampered during the novel coronavirus (COVID-19) pandemic causing deadlines to be amended so that an accurate count can be obtained; and

WHEREAS, more than $675 billion per year in federal and state funding is allocated to communities based upon population and said funding supports public health care, community development, housing, education, transportation, social services, employment; and census data collected factors into the apportionment of the U.S. House of Representatives, as well as the redistricting of state legislatures and many county and some city voting districts; and

WHEREAS, each Census Bureau employee takes a lifetime oath to protect confidentiality and ensure that data identifying respondents or their household will not be released or shared; and

WHEREAS, a united voice from businesses, government, community-based and faith- based organizations, educators, media and others should join together so that the 2020 Census message reaches the broadest audience, providing trusted advocates who can spark positive conversations about the 2020 Census.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIALANTIC:

Section 1. The Town of Indialantic unanimously supports the goals and ideals for the 2020 U.S. Census.

Section 2. The Town of Indialantic has been and will continue to be of assistance throughout the census process and asks its members to finalize their efforts toward the
October 31 deadline with every possible resource to achieve an accurate and complete count.

Section 3. A copy of this resolution be provided to the southeast office of the U.S. Census Bureau and also be shared with the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Town of Indialantic in a regular council meeting conducted through the use of communications media technology, this 12th Day of August, 2020.

TOWN OF INDIALANTIC

__________________________
Dave Berkman, Mayor

Attested by:

__________________________
Rebekah Raddon, CMC, Town Clerk
Resolution 13-2020

A RESOLUTION OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA URGING CONGRESS TO REAUTHORIZE THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, floods are the most common and destructive natural disaster in the United States and Florida; and

WHEREAS, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters and business owners in exchange for using FEMA generated Flood Insurance Rate Maps for floodplain management by participating communities; and

WHEREAS, the Flood Disaster Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to the insurance of buildings; and

WHEREAS, the NFIP provides affordable flood insurance to property owners by encouraging local governments to adopt and enforce floodplain and water management regulations, best practices and techniques; and

WHEREAS, these mitigation efforts reduce and prevent flooding on new and improved structures, thereby saving lives and reducing injuries, reducing economic losses, maintaining and protecting critical infrastructure, and reducing the liability borne by local governments and their elected officials; and

WHEREAS, flooding is a serious risk in Florida due to the state's geography and proximity to water, both coastal and inland; and

WHEREAS, this issue is a critical concern for our state as Florida has the largest number of participants in the NFIP with more than 1.7 million policies in force; and

WHEREAS, the NFIP is set to expire on September 30, 2020; and

WHEREAS, a lack of long-term reauthorization causes uncertainty for beneficiaries and providers; and

WHEREAS, there is still no viable private market for homeowners and businesses to acquire sufficient flood insurance coverage; and

WHEREAS, accurate mapping is fundamental for local governments to assess and communicate risk to their communities and property owners; and

WHEREAS, the current mapping process often results in local governments having to fight inaccurate maps that do not take into account locally built flood protection features and
communities building off of outdated mapping, which results in artificially inflated risk. Further, many areas of the country are not mapped or mapped accurately, which results in communities not being aware that they are at risk of flooding; and

WHEREAS, it is incumbent upon all of us to have a long-term, sustainable and viable NFIP with rates that are affordable; and

WHEREAS, bi-partisan legislation has been introduced in the House and Senate titled the National Flood Insurance Program Reauthorization and Reform Act of 2019 (NFIP-RE), H.R. 3872 and S. 2187, which would reauthorize the NFIP program for five years; and

WHEREAS, this legislation includes provisions to cap annual rate increases to 9 percent, fund resiliency and mitigation programs, and modernize mapping; and

WHEREAS, FEMA was scheduled to launch a new risk rating system called Risk Rating 2.0 to address deficiencies in the traditional mapping process that was originally scheduled to go into effect October 1, 2020; and

WHEREAS, FEMA postponed the launch of Risk Rating 2.0 until October 1, 2021, to allow additional time to conduct a comprehensive analysis of the proposed rating structure to protect policyholders and minimize any unintended negative effects of the transition.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIALANTIC:

Section 1. The Town Council of the Town of Indialantic supports H.R. 3872 and S. 2187 and urges Congress to reauthorize the NFIP and to keep flood insurance rates affordable for primary, non-primary and business properties while balancing the fiscal solvency of the program. The Town of Indialantic also expresses appreciation to Senator Marco Rubio (R-FL) and Representatives Debbie Mucarsel-Powell (D-26-FL), Charlie Crist (D-13-FL), Stephanie Murphy (D-7-FL) and Alcee Hastings (D-20-FL) for co-sponsoring this legislation.

Section 2. In order for local governments to help their communities and property owners to adequately prepare for risk, Congress should provide additional resources to FEMA to utilize the best technology and methods available to improve the mapping process, including seeking the input from local government officials prior to approving any flood map that could impact local zoning rules.

Section 3. A copy of this resolution be sent to President Donald Trump, the Florida Congressional Delegation, the National League of Cities and the Florida League of Cities.

Section 4. This resolution shall become effective upon adoption and shall remain in effect until repealed and hereby repeals all conflicting resolutions.

PASSED AND ADOPTED by the Town of Indialantic, in a regular council meeting conducted through the use of communications media technology, this 12th Day of August 2020.
TOWN OF INDIALANTIC

Dave Berkman, Mayor
Town of Indialantic

ATTEST: __________________________
Rebekah Raddon, Town Clerk
Resolution 14-2020

A RESOLUTION OF THE TOWN OF INDIANTIC, BREVARD COUNTY, FLORIDA REQUESTING THAT CONGRESS PASS LEGISLATION PROVIDING DIRECT FUNDING ASSISTANCE TO ALL CITIES TO HELP MITIGATE EXPENDITURES AND CURRENT AND FUTURE LOSSES AS A RESULT OF THE NOVEL CORONAVIRUS (COVID-19) PANDEMIC.

WHEREAS, the COVID-19 pandemic is an extraordinary time for the nation and the world, and it has significantly altered the normal day-to-day life of most Floridians; and

WHEREAS, since Florida cases of the Coronavirus were first reported, Florida's cities, towns and villages have been continuously working to respond to the needs of their residents and businesses; and

WHEREAS, Florida cities have been coordinating efforts among first responders, local health care professionals, and county and state partners as they work together to combat this pandemic; and

WHEREAS, Florida cities have been taking extraordinary measures to both limit the spread of COVID-19 and support local businesses, all while keeping the health and safety of their residents at the forefront of their efforts; and

WHEREAS, cities have been utilizing general revenues and implementing innovative and effective programs to deliver targeted relief such as mini grants, fee reductions and utility bill assistance to residents and small businesses needing help; and

WHEREAS, the fiscal consequences of COVID-19 are unprecedented, and cities are now facing financial shortfalls while maintaining essential services for their residents and businesses; and

WHEREAS, Congress has passed several stimulus packages to provide relief to individuals and businesses facing enormous challenges as a result of COVID-19; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act provided direct federal relief to local governments with a minimum population of 500,000, which applied to only one Florida municipality; and

WHEREAS, Congress has not provided any direct funding to Florida's cities with a population under 500,000 to help mitigate the devastating and unexpected fiscal and employment impacts this pandemic has caused; and

WHEREAS, on June 10, 2020, Governor Ron DeSantis announced Florida's plan to disburse up to $1.275 billion in CARES Act funds to counties with a population below 500,000
and recommended that counties share funds with cities within their jurisdictions, but these funds are not guaranteed nor directly available to cities; and

WHEREAS, cities are a key component to accelerating Florida's economic recovery and providing a climate that will help businesses thrive, attract visitors from all over the world and enhance the quality of life that the citizens of Florida expect and deserve.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF INDIALANTIC:

Section 1. The Town Council of the Town of Indialantic urges Congress to pass direct federal funding assistance to all cities that will help rebuild and restore the economic health of our nation by restoring the economic health of our cities.

Section 2. The Town Council of the Town of Indialantic urges Congress to support S. 3742 by Senators Cory Booker (D-NJ), Steve Daines, (R-MT) and Patty Murray (D-WA) and R.R. 6907 by Representatives Daniel Kildee (D-MI-5), Brian Fitzpatrick (R-PA-5), Dwight Evans (D-PA-3) and Fred Upton (R-MI-6) titled the RELIEF for Main Street Act. This bi-partisan legislation would allocate direct funding assistance to cities, counties and states to provide local relief and recovery funds for small businesses within their jurisdictions.

PASSED AND ADOPTED by the Town Council of the Town of Indialantic in a regular meeting conducted through the use of communications media technology, this 12th Day of August 2020.

David Berkman, Mayor
Town of Indialantic

ATTEST:

Rebekah Raddon, CMC, Town Clerk
SUBJECT: (Second/Reading) Ord. 2020-08 Relating to Declaration of Emergencies

Staff Report – Town of Indialantic        Meeting Date: August 12, 2020

Summary:

Town Attorney Gougelman drafted this ordinance to add language to the Town’s code implementing Sec. 252.31 – 252.60 and Sec. 870.041 – 870.047 of the Florida Statutes. The ordinance provides authority for calling emergencies and designates which officials can call them.

Recommendation:

Approve.

MOTION:
Adopt Ordinance 2020-08 on second reading.

Submitted by:                      Approved for agenda:

Rebekah Raddon
Town Clerk

Michael L. Casey
Town Manager
ORDINANCE NO. 2020-08

AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; RELATING TO EMERGENCIES; MAKING FINDINGS; CREATING SECTIONS 10-100 THROUGH 10-105, ARTICLE VI., CHAPTER 10, TOWN CODE OF ORDINANCES; PROVIDING DEFINITIONS, PERSONS AUTHORIZED TO DECLARE AN EMERGENCY, AND TERM OF EMERGENCY DECLARATION; SETTING FORTH EMERGENCY POWERS; PROVIDING PENALTIES AND FOR LIBERALITY OF CONSTRUCTION; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 252.31-252.60, Florida Statutes, provide for calling civil emergencies, as defined herein; and

WHEREAS, Sections 870.041-870.047, Florida Statutes, provide authority for calling local emergencies, as defined herein; and

WHEREAS, it is recognized that some of the powers delegated by Sections 252.31-252.60, Florida Statutes, overlap with the powers set forth in Sections 870.041-870.047, Florida Statutes; and

WHEREAS, in light of the COVID-19 pandemic, the Town Council chooses to implement Sections 252.31-252.60 and 870.041-870.047, Florida Statutes, by providing authority for calling emergencies and designating the officials who will call such emergencies; and

WHEREAS, doing the aforementioned promotes the public health, safety, and welfare of the community,

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

SECTION 1. Recitals. Each and all of the foregoing recitals ("WHEREAS" clauses) are hereby declared to be true and correct and are incorporated herein by this reference.

SECTION 2. That the Code of Ordinances of Indialantic, Florida, is hereby amended by adding a new section, to be numbered section 10-100, which said section reads as follows:
ARTICLE VI. DECLARATION OF EMERGENCIES

Sec. 10-100. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. “Local emergency” means the existence or imminent threat of a riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together without authority of law.

2. “Civil emergency” means the existence or imminent threat of any natural emergency, natural disaster, manmade emergency, or manmade calamity, including but not limited to pandemic, flood, conflagration, cyclone, tornado, hurricane, earthquake or explosion, within the corporate limits of the town resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

3. “Curfew” means a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the town, except the persons officially designated to perform duties with reference to the local emergency.

4. “Disaster” means any natural, technological, or civil emergency that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by a county, the Governor, or the President of the United States. Disasters shall be identified by the severity of resulting damage, as follows:
   A. “Catastrophic disaster” means a disaster that will require massive state and federal assistance, including immediate military involvement.
   B. “Major disaster” means a disaster that will likely exceed local capabilities and require a broad range of state and federal assistance.
   C. “Minor disaster” means a disaster that is likely to be within the response capabilities of local government and to result in only a minimal need for state or federal assistance. See s. 252.34(1), F.S.

5. “Emergency” means any occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property. See s. 252.34(3), F.S.

6. “Emergency management” means the preparation for, the mitigation of, the response to, and the recovery from emergencies and disasters. Specific emergency management responsibilities include, but are not limited to:
   A. Reduction of vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural, technological, or manmade emergencies or hostile military or paramilitary action.
(B) Preparation for prompt and efficient response and recovery to protect lives and property affected by emergencies.

(C) Response to emergencies using all systems, plans, and resources necessary to preserve adequately the health, safety, and welfare of persons or property affected by the emergency.

(D) Recovery from emergencies by providing for the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies.

(E) Provision of an emergency management system embodying all aspects of pre-emergency preparedness and post-emergency response, recovery, and mitigation.

(F) Assistance in anticipation, recognition, appraisal, prevention, and mitigation of emergencies which may be caused or aggravated by inadequate planning for, and regulation of, public and private facilities and land use.

(7) "Manmade emergency" means an emergency caused by an action against persons or society, including, but not limited to, enemy attack, sabotage, terrorism, civil unrest, or other action impairing the orderly administration of government. See s. 252.34(6), F.S.

(8) "Natural emergency" means an emergency caused by a natural event, including, but not limited to, a pandemic, a hurricane, a storm, a flood, severe wave action, a drought, or an earthquake. See s. 252.34(7), F.S.

(9) "Technological emergency" means an emergency caused by a technological failure or accident, including, but not limited to, an explosion, transportation accident, radiological accident, or chemical or other hazardous material incident. See s. 252.34(8), F.S.

SECTION 3. That the Code of Ordinances of Indialantic, Florida, is hereby amended by adding a new section, to be numbered section 10-101, which said section reads as follows:

Sec. 10-101. Persons authorized to declare emergency.

(a) In cases of a local emergency, such as riots, general public disorder, widespread disobedience of the law, substantial injury to persons or property constituting an imminent threat to the public peace or order, or similar circumstances, as set forth in sections 870.041-870.047, the mayor, after consultation with the town manager and the chief of police, shall have the right to declare a local emergency by local emergency order or proclamation. In the event the mayor is absent, unavailable, or disabled and cannot perform the duties of mayor related hereto, the deputy mayor, or in the absence of the deputy mayor, the chief of police, shall have the right to declare a local emergency provided the declaration is in writing.

(b) In cases of a civil emergency, as set forth in sections 252.31-252.60, the
mayor, after consultation with the town manager, shall have the right to declare a civil
emergency by civil emergency order or proclamation. In the event the mayor is absent,
available, or disabled and cannot perform the duties of mayor related hereto, the
deputy mayor, or in the absence of the deputy mayor, the town manager, shall have the
right to declare a civil emergency provided the declaration is in writing.

SECTION 4. That the Code of Ordinances of Indialantic, Florida, is hereby
amended by adding a new section, to be numbered section 10-102, which said section
reads as follows:

Sec. 10-102. Emergency powers and measures.

(a) Whenever a local emergency is declared pursuant to section 10-101(a), the
written instrument of the mayor, deputy mayor, or chief of police, shall set forth the nature
of the local emergency, any lawful measures deemed necessary to preserve and protect
the public health, safety, and welfare, and the duration said measures shall remain in
effect. Any measure promulgated under this section shall have the force and effect of
law. Such measures shall only be effective during the state of local emergency. Such
measures may include, but are not limited to, the following:

(1) Establish curfews, including, but not limited to, the prohibition of or
restrictions on pedestrian and vehicular movement, standing and parking, except for the
provisions of designated essential services, such as fire, police, emergency medical
services (including the transportation of patients and emergency calls by physicians or
other approved medical personnel), and public works services (including utility
emergency repairs). See s. 870.045(1), F.S.

(2) Utilize all available resources of the town government as reasonably
necessary to cope with the local emergency, including emergency
expenditures. However, in the case of a declaration of local emergency by the mayor,
deputy mayor, or chief of police, such emergency expenditure shall not exceed
$50,000.00.

(3) Declare certain areas of the town off limits and closed to all
nonessential personnel.

(4) Make provisions for the availability and use of temporary emergency
housing and the emergency warehousing of materials.

(5) Establish an emergency operating center and employee shelter in
addition to or in place of those provided for in the county's emergency plan.

(6) Enforcing price controls stop unconscionable price gouging as
provided by s. 501.160, F.S.; provided, that unconscionable price gouging shall not be a
violation of this code but will be enforced as provided by state law.

(7) Confiscate merchandise, equipment, vehicles, or property needed to
alleviate the emergency. Reimbursement shall be within 60 days and at customary value
charged for the items during the 90 days previous to the emergency.

(8) In cooperation with the county emergency management and on behalf
of the town, call on the National Guard or the Army, Coast Guard or other law enforcement divisions as necessary to assist in the mitigation of the emergency or to help maintain law and order, rescue and traffic control.

(9) Prohibit or limit the sale or other transfer of possession, with or without consideration, of gasoline or any other flammable or combustible liquid altogether or except by delivery into a tank properly affixed to an operable motor-drive vehicle, bike, scooter, boat, or airplane and necessary for propulsion thereof. See s. 870.045(5), F.S.

(10) Prohibit or limit the sale or distribution, with or without consideration, or possession of any portable container containing an alcoholic beverage. See s. 870.045(2) and (3), F.S.

(11) Prohibit the possession in a public place of any portable container containing gasoline or any other flammable or combustible liquid. See s. 870.045(6), F.S.

(12) Closing of places of public assemblage with designated exceptions. See s. 870.045(4), F.S.

(13) Regulation of the use or display of firearms shall be as set forth by chapter 790, F.S. Violation of this sub-section (a)(13) shall not be a violation of this code but shall be enforced pursuant to state law.

(14) Prohibit or limit the public’s use of public facilities including but not limited to, parks, government buildings, docks, rights-of-way, and beaches, or providing the manner in which the aforementioned public facilities may be used.

(b) Whenever a civil emergency is declared pursuant to section 10-101(b), the written instrument of the mayor, deputy mayor, or the town manager, shall set forth the nature of the civil emergency, any lawful measures deemed necessary to preserve and protect the public health, safety, and welfare, and the duration said measures shall remain in effect. Any measure promulgated under this section shall have the force and effect of law. Such measures shall only be effective during the state of civil emergency. Such measures may include, but are not limited to, the following:

(1) Utilize all available resources of the town government as reasonably necessary to cope with the civil emergency, including emergency expenditures. However, in the case of a declaration of civil emergency by the mayor, deputy mayor, or town manager, such emergency expenditure shall not exceed $50,000.00.

(2) Declare certain areas of
the town off limits and closed to all nonessential personnel.

(3) Make provisions for the availability and use of temporary emergency housing and the emergency warehousing of materials.

(4) Establish an emergency operating center and employee shelter in addition to or in place of those provided for in the county’s emergency plan.

(5) Enforcing price controls stop unconscionable price gouging as provided by s. 501.160, F.S.; provided, that unconscionable price gouging shall not be a violation of this code but will be enforced as provided by state law.

(6) Confiscate merchandise, equipment, vehicles, or property needed to
alleviate the emergency. Reimbursement shall be within 60 days and at customary value
charged for the items during the 90 days previous to the emergency.

(7) In cooperation with the county emergency management and on behalf
of the town, call on the National Guard or the Army, Coast Guard or other law
enforcement divisions as necessary to assist in the mitigation of the emergency or to help
maintain law and order, rescue and traffic control.

(8) Prohibit or limit the sale or other transfer of possession, with or without
consideration, of gasoline or any other flammable or combustible liquid altogether or
except by delivery into a tank properly affixed to an operable motor-drive vehicle, bike,
scooter, boat, or airplane and necessary for propulsion thereof.

(9) Prohibit or limit the sale or distribution, with or without consideration, or
possession of any portable container containing an alcoholic beverage.

(10) Closing of places of public assemblage with designated exceptions.

(11) Regulation of the use or display of firearms shall be as set forth by
chapter 790, F.S. Violation of this sub-section (b)(11) shall not be a violation of this code
but shall be enforced pursuant to state law.

(12) Prohibit or limit the public's use of public facilities including but not
limited to, parks, government buildings, docks, rights-of-way, and beaches, or providing
the manner in which the aforementioned public facilities may be used.

(c) Nothing in sub-section (b), shall be construed to:

(1) Interfere with the course or conduct of a labor dispute, except that
actions otherwise authorized by ss. 252.31-252.60 or other laws may be taken when
necessary to forestall or mitigate imminent or existing danger to public health or safety.

(2) Interfere with dissemination of news or comment on public affairs; but
any communications facility or organization, including, but not limited to, radio and
television stations, wire services, and newspapers, may be required to transmit or print
public service messages furnishing information or instructions in connection with an
emergency.

(3) Affect the jurisdiction or responsibilities of police forces, firefighting
forces, units of the Armed Forces of the United States, or any personnel thereof, when
on active duty; but state, local, and inter-jurisdictional emergency plans shall place
reliance upon the forces available for performance of functions related to emergencies.

(4) Limit, modify, or abridge the authority of the Governor to proclaim
martial law or exercise any other powers vested in the governor under the constitution,
statutes, or common law of this state independent of, or in conjunction with ss.
252.31-252.60, F.S. See s. 252.33, F.S.

SECTION 5. That the Code of Ordinances of Indialantic, Florida, is hereby
amended by adding a new section, to be numbered section 10-103, which said section
reads as follows:

Sec. 10-103. Duration and termination of emergency.
(a) Upon declaration of a local emergency pursuant to section 10-101(a) (riots, general public disorder, widespread disobedience of the law, or substantial injury to persons or property constituting an imminent threat to the public peace or order), the state of emergency shall commence immediately unless otherwise provided in the written emergency order or proclamation of the mayor, deputy mayor, or chief of police, and shall terminate when the declaration has been rescinded, terminated by resolution or written instrument of the town council, or 72 consecutive hours later, whichever event first occurs. In such cases, the state of emergency may be extended only by a request from the public official and approval by the town council by resolution or ordinance. See s. 870.047, F.S.

(b) Upon declaration of a civil emergency pursuant to section 10-101(b), the state of emergency shall commence immediately unless otherwise provided in the written emergency order of the mayor, deputy mayor, or town manager, and shall terminate when the declaration has been rescinded, terminated by similar resolution or written instrument of the town council, or seven (7) consecutive days later, whichever event first occurs. In such cases, the state of emergency may be extended, as necessary, in increments, not exceeding seven (7) days each by the mayor, deputy mayor, or town manager, as provided in section 10-101(b). See s. 252.38(3)(a)5., F.S.

SECTION 6. That the Code of Ordinances of Indialantic, Florida, is hereby amended by adding a new section, to be numbered section 10-104, which said section reads as follows:

Sec. 10-104. Violations and penalties.

A violation of any provision of this article is a violation of section 1-9 of the town code of ordinances, or may be enforceable as otherwise provided by law.

SECTION 7. That the Code of Ordinances of Indialantic, Florida, is hereby amended by adding a new section, to be numbered section 10-106, which said section reads as follows:

Sec. 10-105. Liberality of construction.

Sections 10-100-10-105 shall be construed liberally in order to effectuate their purposes.

SECTION 8. Severability Clause/Interpretation.

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or
unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) That in interpreting this Ordinance, underlined words indicate additions to existing text, and stricken through words include deletions from existing text. Asterisks (*) indicate a deletion from the Ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

(c) Drafter’s Comments shall not be codified.

SECTION 9. Effective Date. This Ordinance shall become effective upon adoption of this Ordinance.

PASSED by the Town Council of the Town of Indialantic on first reading on the ______ day of _____________, 2020, and ADOPTED by the Town Council of the Town of Indialantic, Florida on final reading on the____ day of _____________, 2020.

TOWN OF INDIALANTIC

__________________________
David Berkman
Mayor

ATTEST:____________________
Rebekah Raddon, CMC
Town Clerk

SUBJECT:  (Second/Final Reading) Ordinance No. 2020-09 – Paid parking

Staff Report – Town of Indialantic      Meeting Date:  August 12, 2020

Summary:

Ordinance No. 2020-09 amends Section 15-8.1 of the Town Code to clarify paid parking areas, and changing the language that limits the use of parking meters and coins only. The updated language will allow the use of other devices and payment methods. The ordinance raises the hourly rate for paid parking to $2.50 per hour and allows future changes by resolution. It allows council to create areas of ‘parking by permit only’ by resolution.

Recommendation:

Adopt Ordinance No. 2020-09 on second reading.

MOTION:
Adopt Ordinance No. 2020-09 on second reading.

Submitted by:  
Rebekah Raddon  
Town Clerk

Approved for agenda:  
Michael L. Casey  
Town Manager
ORDINANCE NO. 2020-09

AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; RELATING TO PARKING; MAKING FINDINGS; AMENDING SECTION 15-18.1 OF THE TOWN CODE OF ORDINANCES, RELATING TO RATES OF COMPENSATION FOR PARKING IN DESIGNATED AREAS OF THE PUBLIC RIGHT-OF-WAY OR AREAS ADJACENT TO THE BEACH; DELETING THE REQUIREMENT THAT PARKING METERS MAY BE COIN OPERATED; PROVIDING THAT PARKING METERS MAY BE MECHANICALLY OR ELECTRONICALLY OPERATED OR OPERATED BY PAY-BY-PHONE SYSTEM; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CHANGE OF CERTAIN RATES BY RESOLUTION; AMENDING THE SCHEDULE OF FINES IN SECTION 15-23 OF THE TOWN CODE OF ORDINANCES, FOR FAILURE TO PARK HEAD IN; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 15-18.1 of the Town Code of Ordinances provides for metered parking rates for public parking in certain areas of the Town, and said rates need to be increased to account for inflation and costs of maintenance and enforcement; and

WHEREAS, the Town is given the authorized to regulate parking pursuant to Section 316.008, Florida Statutes; and

WHEREAS, the Town Council hereby finds that said amendments will promote the public health, safety, and welfare of the community, by providing for the recouping of costs of maintenance, inflation, and enforcement.

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

SECTION 1. Recitals. Each and all of the foregoing recitals ("WHEREAS" clauses) are hereby declared to be true and correct and are incorporated herein by this reference.

SECTION 2. That Section 15-18.1 of the Code of Ordinances of Indialantic, Florida, is hereby amended to read as follows:

Sec. 15-18.1. Pay Metered parking.
(a) Definitions. For the purposes of this section, the following definitions will apply:

(1) Parking meter. The words "parking meter" shall mean and include any mechanical or electronic device, device accepting valid credit cards or coins, or meter, or pay-by-phone parking system, not inconsistent with this section, placed or erected for the regulation of parking by authority of this section. Each parking meter installed shall indicate by proper legend, the legal parking time established by the town; and when operated, shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

(2) Parking meter space. The words "parking meter space" shall mean any space within the parking meter zone adjacent to or near a parking meter, and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to near, or adjoining the parking meters.

(3) Parking meter zone. The words "parking meter zone" shall mean and include any restricted street, public property or right-of-way upon which parking meters are installed and in operation, or a permit only parking meter zone or area.

(b) Designation of metered zone. The metered parking zones zone shall include the following areas:

(1) Zone 1: Watson Drive (Sunrise Park) lying east of SR A-1-A, area north of Watson Drive contained in lots 1, 2 and 3 of Block 1 of the resubdivision of Melbourne Beach (Maggie Johnson Plat); Tampa Avenue (Sea Park) lying east of SR A-1-A, both sides of Wavecrest Avenue south of Eighth Avenue to a point lying one hundred and ninety five (195) feet south of 11th Avenue and Lots 11 & 12, Block 28, Plat of Indialantic By the Sea, Plat Book 3, Page 35, Public Records of Brevard County, Florida (Sixth Avenue);

(2) Zone 2: That property lying north of Wavecrest Avenue known as Nance Sea Turtle Park (Lots 8-15, Block 66, Plat of Indialantic By the Sea, Plat Book 3, Page 35, Public Records of Brevard County, Florida);

(3) Zone 3: The south side of Wavecrest Avenue from the boardwalk to the intersection of SR A-1-A and Fourth Avenue;

(4) Zone 4: The north side of Wavecrest Avenue from the intersection of SR A-1-A and Fourth Avenue to the boardwalk and then both sides of Wavecrest Avenue south to the southern boundary line of Lot 20, Block 38, Indialantic by-the-Sea, Plat Book 3, Page 35, Public Records of Brevard County, Florida; and

(5) Zone 5: On both sides of Wavecrest Avenue beginning at the northern boundary line of Lot 19, Block 38, Indialantic by-the-Sea, Plat Book 3, Page 35, Public Records of Brevard County, Florida, and continuing south to the south side of that portion of Eighth Avenue lying between SR A-1-A and Wavecrest Avenue.

Parking in all or parts of any of the aforementioned zones may be discontinued from time to time, or permitted to resume, by resolution of the town council.
(c) Placement of meters. The marking off of individual parking spaces in the metered parking zone described in paragraph (b), and the installation of parking meters in such spaces, is hereby authorized, ratified, and confirmed. The placement of the parking meters shall be in accordance with applicable town ordinances.

(d) Payment for parking Deposit-of-coin required; exceptions. Except in a period of emergency determined by an officer of the fire or police department or the town manager or said manager’s designee, or in compliance with the directions of a police officer, police aide or traffic control sign or signal, when any vehicle shall be parked in any parking space regulated by alongside or next to which a parking meter is located, the operator of such vehicle, shall, upon entering the said parking meter space, immediately deposit or cause to be deposited or otherwise pay in or by use of said mechanical or electronic device, meter, or pay-by-phone parking system meter such proper monetary payment coin of the United States as is required for said parking meter and as is designated by proper directions on said metering device or as provided by said pay-by-phone system the meter; and when required by the directions on the meter device or as provided by said pay-by-phone system, the operator of such vehicle, after the deposit of the proper coin or coins, shall also set in operation the timing mechanism on such meter in accordance with directions properly appearing thereon or provided by pay-by-the phone system for the amount of time for which the operator’s vehicle shall be parked in the public parking space; and failure to do so deposit such proper coin, and to set the timing mechanism in operation when so required, shall constitute a violation of this section. Upon the proper payment deposit-of-such-coin (and the setting of the timing mechanism in operation, when so required) the parking space may be lawfully occupied by such vehicle during the period of time which has been prescribed for the part of the street in which said parking space is located; provided, that any person placing a vehicle in a parking meter space adjacent to a mechanical or electronic device, meter, or pay-by-phone parking system, which indicates that unused time has been left in the pay parking system meter by the previous occupant of the space shall not be required to pay for parking in said parking space for deposit a coin so long as his occupancy of said space does not exceed the indicated unused parking time. If said vehicle shall remain parked in any such parking space beyond the parking time limit set for such parking space, and if the parking meter shall indicate such illegal parking, then, and in that event, such vehicle shall be considered as parking overtime and beyond the period of legal parking time; and such parking. Parking of such vehicle in the aforesaid instance shall be deemed a violation of this section.

(e) Cost; acceptable coins; hours of operation:

(1) The cost of parking or standing a vehicle in a parking meter space located in the parking zone shall be as follows:

(A) a. Zone 1: Minimum Two dollars fifty cents ($2.50) One dollar twenty-five-cents ($1.25) per hour or a fraction thereof;
(B) b. Zone 2: Minimum Two dollars fifty cents ($2.50) One dollar twenty-five cents ($1.25) per hour or a fraction thereof;

(C) c. Zone 3: Minimum Two dollars fifty cents ($2.50) One dollar twenty-five cents ($1.25) per hour or a fraction thereof;

(D) d. Zone 4: Minimum Two dollars fifty cents ($2.50) One dollar twenty-five cents ($1.25) per hour or a fraction thereof; and

(E) e. Zone 5: Minimum Two dollars fifty cents ($2.50) One dollar twenty-five cents ($1.25) per hour or a fraction thereof.

Parking meter rates in all or parts of any of the aforementioned zones may be increased from time to time by resolution of the town council.

(2) The parking meters shall be operated in the parking meter zones every day including Sundays and holidays as follows:

(A) a. Zone 1: between the hours of 6:00 a.m. and 9:00 p.m. for Town Council declared special events and for occasions authorized by the Town Manager the parking time shall be extended to 11:00 p.m. for those portions of the zone as set by the Town Manager

(B) b. Zone 2: between the hours of 6:00 a.m. and 1:30 a.m.

(C) c. Zone 3: between the hours of 6:00 a.m. and 1:30 a.m.

(D) d. Zone 4: between the hours of 6:00 a.m. and 1:30 a.m.

(E) e. Zone 5: between the hours of 6:00 a.m. and 9:00 p.m.

- for Town Council declared special events the parking time shall be extended to 11:00 p.m.

(f) Violations. It shall be unlawful and a violation of the provisions of this section for any person:

(1) To cause, allow, permit or suffer any vehicle registered in said person's his name to be parked in a metered parking space overtime;

(2) To cause, allow, permit or suffer any vehicle registered in said person's his name to remain or be placed in any parking space controlled by any parking meter while said parking meter system provides is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space;

(3) To cause, allow, permit or suffer any vehicle registered in said person's his name to be parked across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings;

(4) To deface, injure, tamper with, open, break, destroy or impair the usefulness of any parking meter installed by the town under the provisions of this section;

(5) To deposit, or cause to be deposited, in any parking meter, any slugs, device or metal substance, or other substitute for lawful coins;

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(6) To cause, allow, permit or suffer any vehicle registered in said person's his name to be parked in any manner except front end in toward the parking meter; or

(7) To cause, allow, permit or suffer any vehicle registered in said person's his name to remain or be placed in any parking space contrary to instructions on a posted sign or direction.

(g) Collection of deposited money. The town administration shall provide for the regular collection of any the money deposited in said parking meters or otherwise paid to said parking meter system.

(h) Penalties:

(1) Any person violating the provisions of subsections (f)(1), (2), or (3), (6), or (7) of this section shall be subject to a fine under the terms and conditions as set forth in section 15-23 of this chapter;

(2) Any person violating the provisions of subsections (f)(4) or (5) herein shall be subject to a fine in an amount not less than two hundred dollars ($200.00) and not more than one thousand dollars ($1,000.00).

(i) Enforcement. Section 15-18.1(f)(1), (2), (3), (5) and (6) shall be enforced by parking enforcement specialists, hired specifically to provide parking enforcement, or by town police officers. Section 15-18.1(f)(4) and (7) shall be enforced by town police officers in accordance with state statutes, and the penalty for violation shall be in accordance with section 15-18.1(h)(2).

(j) Parking permits; issuance; display; use agreements.

(1) Nontransferable, except as stated in sub-section (k) below, parking permits shall be issued by the town on a calendar year basis, expiring December 31 of the year issued for metered zones 1, 2, 3, 4 and 5. Display of such permit shall be by placing the permit on the rear of the vehicle, in a manner easily visible, as approved by the town manager in his reasonable discretion, shall constitute authorization by the town to park in the metered parking zone without complying with subsections (d), (e) and (f)(1) and (f)(2) herein.

(2) The town council Town Council may approve parking space use agreements with individuals or other legal entities for use of parking spaces within metered parking zones 3 and 4 for other than special events as defined in paragraph (j)(3) below; provided, that the Town Council finds that the application for the proposed parking space use agreement satisfies the following standards:

   (A) A demonstrated need for the use agreement is shown to exist by the applicant and other evidence presented;

   (B) The parking space use agreement will not be adverse to the public interest;

   (C) The number of parking spaces subject to a parking space use
agreement shall not exceed the difference between the number of parking spaces a private 
property owner would be required by the town code Town-Code to have to serve the 
property to be benefitted minus the number of off-street parking spaces available to serve 
the property to be benefitted by the parking space use agreement;

(D) The agreement shall provide a license for an individual or legal 
entity, said individual or legal entity's invitees, to utilize a public parking space for motor 
vehicular or motorcycle parking. The individual or legal entity executing the parking space 
use agreement with the Town shall be a licensee. The agreement shall not convey 
ownership or an easement interest in individual parking spaces, and the agreement shall 
be acceptable in form and substance to the town manager and town attorney;

(E) Compensation. During the term of the parking space use 
agreement, compensation shall be paid by the licensee to the Town for each hour between 
6:00 a.m. and 1:30 a.m. of each day that the meters are subject to the parking space use 
agreement. The rate of compensation shall be as follows:

(i) Zone 3: Individual parking spaces may be utilized at a rate 
of $60 per parking space per calendar year. Said amount may be prorated for use 
agreements covering partial years provided the partial year is added to the following 
calendar year.

(ii) Zone 4: Minimum Two dollars fifty cents ($2.50) One 
dollar twenty-five cents ($1.25) per hour or a fraction thereof.

(F) The licensee shall properly maintain the parking spaces subject 
to the parking space use agreement. For the purposes of this provision, "maintenance" 
shall include keeping all of the parking spaces subject to the agreement clean, free of litter, 
debris, branches, tree limbs, brush, grass, trash, junk, refuse, inoperative motor vehicles, 
junk cars and complying with the standards established in the town code, from time to time, 
for maintenance of private properties;

(G) The parking space use agreement shall provide that it may be 
canceled at anytime for failure of the licensee to adhere to the provisions of said use 
agreement, or the need to make a public use of the area included within the parking spaces, 
all as reasonably determined by the town, or upon a valid public need of the Town for the 
parking spaces. Upon cancellation, the licensee shall have liability for compensation only 
until the date of cancellation;

(H) The licensee shall indemnify and save harmless the Town from 
and against any and all liability, claims, demands, damages, expenses, fees, fines, 
penalties, suits, proceedings, actions and causes of action of every kind and nature arising 
of or in any way connected with the licensee's negligent or other use, occupation, 
management or control of the parking spaces subject to the use agreement. The licensee 
will at its own cost and expense, defend any and all claims against the Town, or in which 
the Town may be impleaded with others in any such action or proceeding arising out of 
such use or occupancy. The licensee shall agree to satisfy, pay and discharge any and all 
judgments, orders and decrees that may be entered against the Town in any such action 
or proceeding to which the Town may be a party and the licensee shall be liable;

(I) The licensee shall continuously provide and maintain at all times
during the term of the parking space use agreement, without cost or expense to the Town, policies of insurance including public liability and property damage policies in the amount of $1,000,000.00 single limit liability insuring the licensee and the Town, as an additional insured, against any and all claims, demands, action and causes of action whatsoever for injuries received and damage to the parking spaces or other property in connection with the use or occupancy of the parking spaces subject to the use agreement. All insurance shall be issued by a standard insurance company licensed to do business in the State of Florida by the Florida Insurance Commissioner, of a type and grade acceptable to the town manager/town attorney and shall provide for reasonable notice to the Town prior to cancellation or non-renewal. The licensee shall promptly supply the Town with proof of insurance;

(J) The agreement shall have a duration not to exceed two (2) years;

(K) The licensee shall pay all costs of recording the agreement in the Public Records of Brevard County, Florida; and

(L) The parking spaces subject to a use agreement must specifically and directly serve an operating business in the Town.

(3) The Town Council may approve parking space use agreements for special events with individuals or other legal entities for use of parking spaces within the metered parking zone; provided, that the Town Council finds that the application for and proposed parking space use agreement satisfies the standards set forth in this paragraph. A special event is defined as including but not limited to the following: temporary events such as art shows, or events coinciding with recognized town holidays. The standards include:

(A) A demonstrated need for the use agreement is shown to exist by the applicant and other evidence presented;

(B) The parking space use agreement will not be adverse to the public interest;

(C) The agreement shall provide a license for an individual or legal entity, or said individual or legal entity's invitees, to utilize a public parking space for motor vehicular or motorcycle parking. The individual or legal entity executing the parking space use agreement with the Town shall be a licensee. The agreement shall not convey ownership or an easement interest in individual parking spaces, and the agreement shall be acceptable in form and substance to the town manager and town attorney;

(D) Compensation. During the term of the parking space use agreement, compensation shall be paid by the licensee to the Town for each hour, or fraction thereof, of each day that the town requires parking meters to be operated in the portion of the metered parking zone in which the parking spaces subject to the parking space use agreement are located. The rate of compensation shall be paid to the Town at a rate of 50 cents per hour per parking space;

(E) The licensee shall properly maintain the parking spaces subject to the parking space use agreement. For the purposes of this provision, "maintenance" shall include keeping all of the parking spaces subject to the agreement
clean, free of litter, debris, branches, tree limbs, brush, grass, trash, junk, refuse, inoperative motor vehicles, junk cars and complying with the standards established in the town code, from time to time, for maintenance of private properties;

(F) The parking space use agreement shall provide that it may be canceled at anytime for failure of the licensee to adhere to the provisions of said use agreement, or the need to make a public use of the area included within the parking spaces, all as reasonably determined by the town. Upon cancellation, the licensee shall have liability for compensation only until the date of cancellation;

(G) The licensee shall indemnify and save harmless the Town from and against any and all liability, claims, demands, damages, expenses, fees, fines, penalties, suits, proceedings, actions and causes of action of every kind and nature arising of or in any way connected with the licensee’s negligent or other use, occupation, management or control of the parking spaces subject to the use agreement. The licensee will at its own cost and expense, defend any and all claims against the Town, or in which the Town may be impleaded with others in any such action or proceeding arising out of such use or occupancy. The licensee shall agree to satisfy, pay and discharge any and all judgments, orders and decrees that may be entered against the Town in any such action or proceeding to which the Town may be a party and the licensee shall be liable;

(H) The licensee shall continuously provide and maintain at all times during the term of the parking space use agreement, without cost or expense to the Town, policies of insurance including public liability and property damage policies in the amount of $1,000,000.00 single limit liability insuring the licensee and the Town, as an additional insured, against any and all claims, demands, action and causes of action whatsoever for injuries received and damage to the parking spaces or other property in connection with the use or occupancy of the parking spaces subject to the use agreement. All insurance shall be issued by a standard insurance company licensed to do business in the State of Florida by the Florida Insurance Commissioner, of a type and grade acceptable to the town manager/town attorney and shall provide for reasonable notice to the Town prior to cancellation or non-renewal. The licensee shall promptly supply the Town with proof of insurance; and

(I) The parking spaces subject to a use agreement must serve and benefit a special event actively being held within the Town.

(k) Establishment of annual fee and discount for parking permit; Limitations generally. The town council, from time to time, may establish by resolution the price for an annual fee for a parking permit. Said annual fee schedule may include a discount schedule for permits purchased after a certain date. Annual permits may be issued for parking in metered zones 1, 2, 3, 4 and 5. Unless otherwise specified by resolution of the Town Council, rates for an annual permit (January 1st to December 31st), or for a partial year, shall be as follows:

(1) a. Members of town Town boards and committees and councilmembers: Two permits per household for free, except in zone 2;

(2) b. Full-time and regular part-time employees of the town Town: one
permit per employee free, except in Zone 2:

(3) e. Town residents and non-residents of the town Town: minimum of $40 per calendar year $30;

(4) e. Permits issued after May 31st for town Town residents and non-residents: minimum of $30 for remainder of the calendar year, $20 town Town residents may be issued separate permits for each individual car owned by them or resident members of their family. A Town-business physically located and operating in the town contiguous with in metered parking zones 3 and 4, and non-residents of the town Town may obtain not more than one (1) permit at any one time. Should a permit holder wish to transfer a permit to a different vehicle, this transfer may be accomplished by returning the originally issued permit to town hall to be destroyed, revoked and exchanged for another permit.

SECTION 3. That Section 15-23(a) of the Code of Ordinances of Indialantic, Florida, is hereby amended to read as follows:

Sec. 15-23. Penalties.

(a) Any person cited for a violation of this article shall be deemed to be charged with a noncriminal violation and shall be assessed a civil penalty according to the following schedule:

<table>
<thead>
<tr>
<th>Violation</th>
<th>Within 10 days</th>
<th>After 10 days</th>
<th>After 20 days</th>
<th>After 30 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Meter violation</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(2) Parking overtime</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(3) Parking over line</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(4) Parking in a manner contrary to posted directions</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(5) No parking zone</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(6) Loading zone</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(7) Parked double</td>
<td>$25.00</td>
<td>$35.00</td>
<td>$35.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(8) Obstructing traffic</td>
<td>$25.00</td>
<td>$35.00</td>
<td>$35.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(9) Parked on sidewalk</td>
<td>$25.00</td>
<td>$35.00</td>
<td>$35.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>(10) Blocking fire hydrant</td>
<td>$32.00</td>
<td>$32.00</td>
<td>$32.00</td>
<td>$32.00</td>
</tr>
<tr>
<td>(11) Disabled permit only</td>
<td>$100.00</td>
<td>$100.00</td>
<td>COURT</td>
<td>COURT</td>
</tr>
<tr>
<td>(12) Failure to park front end within head in parking spaces</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$45.00</td>
</tr>
</tbody>
</table>

SECTION 4. Severability Clause/Interpretation.

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or
unenforceability shall not affect any of the other or remaining terms, provisions, clauses,
sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied
as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did
not exist.

(b) That in interpreting this Ordinance, **underlined** words indicate
additions to existing text, and **strikethrough** words include deletions from existing text.
Asterisks (** * **) indicate a deletion from the Ordinance of text, which exists in the Code
of Ordinances. It is intended that the text in the Code of Ordinances denoted by the
asterisks and not set forth in this Ordinance shall remain unchanged from the language
existing prior to adoption of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective upon
adoption of this Ordinance.

PASSED by the Town Council of the Town of Indialantic on first reading on the
_______ day of ____________, 2020, and ADOPTED by the Town Council of the
Town of Indialantic, Florida on final reading on the ___________ day of ____ 2020.

TOWN OF INDIALANTIC

________________________
David Berkman
Mayor

ATTEST: ___________________
[Signature]
Rebekah Raddon, CMC
Town Clerk
SUBJECT:   (First Reading) Ordinance 2020-12 Adoption of Town Code

Staff Report – Town of Indialantic     Meeting Date:   August 12, 2020

Summary:

In accordance with our agreement for recodification, Municode has conducted a full legal review of the Town’s code followed by editing and reorganizing. All ordinances adopted by the Town in 2019 and current-year ordinances through June 10 have been incorporated into the new code.

Ordinance 2020-12 provides for adoption of the new code. Substantive changes have been outlined in a memo provided by senior code attorney Roger Merriam.

Recommendation:

Approve Ordinance 2020-12 on first reading.

MOTION: Approve Ordinance 2020-12 on first reading.

Submitted by:

Rebekah Raddon
Town Clerk

Approved for agenda:

Michael L. Casey
Town Manager
ORDINANCE NO. 2020-12

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIALANTIC, FLORIDA, THAT:


Section 2. All ordinances of a general and permanent nature enacted on or before June 10, 2020, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding $500.00, imprisonment for a term not exceeding 60 days, or both such fine and imprisonment. Except as otherwise provided by law or ordinance: (i) With respect to violations of this code that are continuous with respect to time, each day that the violation continues is a separate offense; and (ii) With respect to other violations, each act constitutes a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after June 10, 2020, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 7. This ordinance shall become effective upon adoption of this ordinance.

PASSED by the Town Council of the Town of INDIALANTIC on first reading on the ____ day of __________, 2020, and ADOPTED by the Town Council of the Town of INDIALANTIC, Florida, on final reading on the ______ day of ______________________.
TOWN OF INDIALANTIC

__________________________
David Berkman, Mayor

ATTEST:____________________

Rebekah Raddon, CMC
Town Clerk
Ms. Rebekah Raddon  
Town Clerk  
Town of Indialantic, Florida  
E-mail to: rraddon@indialantic.com  

Re: Town of Indialantic Recodification—Final Code (with stud)  

Dear Rebekah:  

Enclosed as an email attachment the new Code. Changes are shown in strikeout and underline. Ordinances through Ord. No. 2020-06, adopted June 10, 2020, are included.  

The proofs were prepared using Microsoft Word and are enclosed in pdf format. A memorandum of substantive changes and a sample chapter showing the finished product are also attached. A suggested adopting ordinance for the Code is also attached.  

Please supply the names of the officials on the title page.  

We know you are eager to complete this part of the process and have your new Codes in hand. Please adopt the Code promptly. Upon return of the adopting ordinance, we will then begin our final stages of production, including preparation of tables and index, to be followed by shipment of your new Codes.  

As we near completion of this important project, I thank you again for your continued assistance and cooperation. Please do not hesitate to call on me if I may help in any way. I look forward to hearing from you soon.  

Sincerely,  

Roger D. Merriam
MEMORANDUM

June 30, 2020

TO: ALL CONCERNED

RE: INDIALANTIC RECODIFICATION—SUBSTANTIVE CHANGES
The following changes have been made throughout the new Code. Except in special situations, they are not accounted for in this memorandum.

1. State law references corrected.

2. Placement of textual state law references in a standardized form (F.S. (ch., §, etc.).

2. Grammar and spelling corrections.
Chapter 1. General Provisions

Revised to be more complete. Code § 1-11 (garage sales) is moved to the licenses chapter. Section 1-10 is modified to remove provisions not authorized or mandated by F.S. § 938.15.

Chapter 2. Administration

Article I. In General

Sec. 2-1. Departments, boards, officers enumerated. Per a telephone conversation with the town clerk, revised subsection (a) so that the departments are administration department, building department, public works department, fire department and police department. (New Code § 2-3)

Article II. Elections

Sec. 2-16. When mayor and councilmembers elected. Deleted the first, second, and last sentences as covered by Charter § 7.03. (New Code § 10-2)

Article III. Town Council

Added the following language: "Swearing in of newly elected officials shall be immediately after the roll call and the establishment of a quorum." (New Code § 2-29)

Sec. 2-101. Compensation. Deleted the third sentence as covered by (and inconsistent with) Charter § 2.04. (New Code § 2-30)

Sec. 2-102. Meetings to be public. Deleted as covered by F.S. § 286.011.

Sec. 2-104. Special meetings. In the first sentence, deleted the reference to the town manager as inconsistent with Charter § 2.08. (New Code § 2-32)

Sec. 2-106. Rules of procedure. So as to avoid adoption by reference problems, altered to reference the tenth edition of Robert’s Rules of Order, Newly Revised. (New Code § 2-34)
Sec. 2-109. Filling vacancies on council. Deleted as covered by Charter § 2.06.

Article IV. Mayor

Sec. 2-123. Compensation. Deleted the third sentence as covered by Charter § 2.04. (New Code § 2-71)

Sec. 2-124. General powers and duties. Deleted as covered by Charter § 2.05.

Sec. 2-126. Deputy mayor to act in absence or disability. Deleted as covered by Charter § 2.02(5).

Article V. Town Manager

Sec. 2-137. Appointment, removal. Deleted as covered by Charter § 3.01

Sec. 2-138. Qualifications. Deleted all provisions except reaching the age of majority as covered by Charter § 3.01. (New Code § 2-122)

Sec. 2-139. Powers and duties; appointment of town officers. Deleted as covered by the charter.

Article VI. Town Clerk

Sec. 2-150. Position established. Deleted as covered by Charter § 4.06.

Sec. 2-151. Appointment, removal. Deleted as covered by Charter § 4.06.

Sec. 2-152. Powers, duties. In the first sentence deleted the duty to keep minutes as covered by Charter § 4.06. In the second sentence deleted the ‘other duties’ provision as covered by Charter § 4.06. (New Code § 2-143)

Article IX. Officers and Employees

Division 3. Pension Plan for Police Officers and Firefighters

Sec. 2-228. Benefit amounts and eligibility. In subsection (f)(2)b, deleted “pursuant to F.S. ch. 112, pt. VII.” Nothing in F.S. § 112.80 et seq. appears applicable; portions of F.S. ch. 112, pt. VII were transferred to F.S. § 110.501 et seq.; such provisions appear inapplicable as well. (New Code § 2-320)
Sec. 2-230. Contributions. In subsection (b), changed %560.06 to $560.06. (New Code § 2-322)

Sec. 2-231. Administration. (New Code § 2-323)

1. In subsection (c) changed "[the]" to "the".

2. In subsection (m), deleted the provided clause in the second sentence. The statutes cited no longer exist and apparently there are no successor statutes.

Sec. 2-232. Finances and fund management. In subsection (e)(2), deleted the following sentence: “The Board of Trustees may invest in foreign securities as regulated by Sections 175.071(1)(b)(4)b. and 185.06(1)(b)4b., Florida Statutes.” The statutes cited do not regulate foreign investments and there are no apparent successors to same. (New Code § 2-234)
Chapter 3. Alcoholic Beverages

Sec. 3-7. Loafing, loitering in establishment. Deleted as unconstitutional.

Sec. 3-10. Possession of open container; Consumption in public places. Given the proposed reorganization of the Code, this section will no longer be § 3-10. This means that all signs citing § 3-10 will have to be replaced; this problem is avoided by inserting language ratifying existing signs. (New Code § 4-8)
Chapter 5. Beaches, Boats, Parks and Recreation

Article I. In General

Sec. 5-6. Animal Access. In subsection (b), changed disabled or handicapped persons to disabled persons. (New Code § 8-5)

Article III. Ocean Beach

Division 2. Concessions

Sec. 5-66. Transfer of permit. Tied the fee to resolution. (New Code § 8-112)

Sec. 5-68. Business Tax required. Altered to require a business tax receipt. See F.S. ch. 205. (New Code § 8-114)
Chapter 6. Buildings and Construction

Article I. In General

Sec. 6-3. Official to head department; temporary substitute. Changed building inspection department to building department. (New Code § 103-3)

Article II. Building Code

Sec. 6-33. Enforcement of the minimum building code. (New Code § 103-41)

1. In subsection (a) changed the definition of board to read as follows: “Board means the Florida Building Commission created by F.S. § 553.74.”

2. In subsection (b), deleted the words “as follows” and paragraphs (5)—(8). These provisions no longer correctly reflect F.S. § 553.79(5)—(8) and are not needed as the introductory language adopts such provisions by reference.

Article III. Electricity

Sec. 6-62. Code adopted. Revised to adopt the National Electrical Code as adopted by the state. (New Code § 103-108)

Article IV. Plumbing

Sec. 6-74. Florida Building Code. Plumbing. Revised to adopt the Florida Building Code, Plumbing. (New Code § 103-134)

Sec. 6-78. Septic tanks if sewer not available. Changed “State Department of Health and Rehabilitative Services” to “state department of health.” (New Code § 103-138)

Article IX. Alarm Systems

Sec. 6-169. Permits required; fee; renewal. Tied fee to resolution. (New Code § 12-20)

Sec. 6-172. Fee assessments for excessive false alarms. Tied fee to resolution. (New Code § 12-23)

Sec. 6-173. Prohibited alarm systems. Changed “Brevard County Civil Defense”
to “Brevard County Emergency Management.” (New Code § 12-24)

Article XI. Housing

Sec. 6-200. Standard Housing Code Adopted. Deleted as obsolete.
Chapter 6.5. Floodplain Management

Division 4. Permits

6.5-104.2.1 Buildings, structures and facilities exempt from the Florida Building Code. Conformed the listing of provisions exempt from the Florida Building Code to F.S. § 553.73(10). (New Code § 107-115).
Chapter 8. Garbage, Trash and Weeds

Article II. Lot Clearing

Sec. 8-42. Short title; Legislative intent. In subsection (b), deleted the reference to repealed F.S. § 715.05. (New Code § 24-19)
Chapter 9. Local Business Tax


Sec. 9-2. When business tax receipts sold and due; partial-year receipts; definitions; classification. In subsection (b), conformed to F.S. § 205.053(1) by changing “August 1st” to “July 1st”. (New Code § 30-20)

Sec. 9-5. Suspension, revocation authorized. Deleted. As the receipt is evidence of payment of a tax, it is not revocable. See generally F.S. § 205.022(2), (5).

Sec. 9-12. Schedule of business taxes; exemptions. Deleted subsection (g) as based upon repealed F.S. § 205.171. (New Code § 30-27)
Chapter 10. Offenses – Miscellaneous

Article I. In General

Sec. 10-5. Curfew for children. Changed "Florida Department of Health and Rehabilitative Services" to "Florida Department of Juvenile Justice." (New Code § 22-2)

Sec. 10-13. Noise; definitions; procedures. In subsection (1)c., altered the last entry so it is inapplicable to motor vehicles, thus avoiding preemption by F.S. §§ 316.007, 316.293. (New Code § 22-31)

Sec. 10-13.1. Hours during which loud and disturbing noise is prohibited. In subsection (a), deleted reference to Town Fiftieth anniversary celebration as obsolete. (New Code § 22-33)

Sec. 10-22. Private detectives regulated. Deleted as obsolete.

Article III. Commercial Store Security

Deleted as obsolete in light of F.S. § 812.1701 et seq.
Chapter 11. Planning and Development

Article I. In General


Sec. 11-7. Definitions In the definition of comprehensive plan, deleted the reference to repealed F.A.C. 9J-5 and otherwise conformed the definitions to F.S. § 163.3164. (New Code § 101-1)

Sec. 11-8. Land development code designated. Delete as not needed. With the exception of § 11-5.5, the provisions designated in this section have been segregated into a separate land development portion of the Code.

Sec. 11-9. Procedures for quasi-judicial hearings; Ex parte communications; Site visits; Receipt of expert opinion; and Review of mail and other correspondence. (New Code § 101-2)

1. Deleted subsections (F)4 and (G)6. These provisions refer to the obsolete Standard Housing Code.

2. Deleted subsection (G)7. If refers to the obsolete Standard Code for the Elimination or Repair of Unsafe Buildings.
Chapter 13. Streets and Sidewalks

Article III. Small Wireless Facilities

Sec. 13-41. Definitions. In subsection (b), conformed the definition of wireless support structure to F.S. § 337.401(7)(b)17. (New Code § 28-65)


Article IV. Melbourne Causeway

Sec. 13-56. Violation of regulations. As ordinance violations are not misdemeanors (see F.S. §§ 775.08(2), revised to tie penalty to Code § 1-9. (New Code § 28-95)
Chapter 15. Traffic

Article I. In General

Sec. 15-5. Driving with children in arms or on lap. Deleted as obsolete.

Sec. 15-6. Vehicles with tar pots attached. Deleted as obsolete.

Article II. Parking, Stopping and Standing

Sec. 15-17. Definitions. (New Code § 32-29)

1. Throughout this section changed “handicapped” to “persons who have [or with] disabilities.”

2. Conformed definition of private road or driveway to F.S. § 316.003(61).

3. Conformed definition of street or highway to F.S. § 316.003(83).


Sec. 15-20. Parking, commercial vehicles, trailers or heavy vehicles in residential areas. In subsection (c)(3), updated state law reference. (New Code § 32-34)
Chapter 16.5. Water Management

Article II. Water Shortage

Sec. 16.5-20. Penalties. In subsection (3), tied penalty to Code § 1-9 (same penalty). (New Code § 14-88)
Chapter 17. Zoning

Article I. In General

Sec. 17-4. Definitions. In the definition of community residential home, corrected the state law reference. (New Code § 113-4)

Article VI. Zoning Regulations Generally

Sec. 17-115. Community residential homes. (New Code § 113-246)

1. Revised subsection (b)(3) so that regulations inapplicable to the town are deleted.


5. In subsection (g)(1)(B)1, corrected the first F.A.C. reference to be to F.A.C. 69A-38.020(3)(a). Corrected the second reference to be to F.A.C. ch. 69A-38.

6. In subsection (g)(1)(B)2, corrected the F.A.C. reference to be to F.A.C. 69A-38.023.

7. In subsection (g)(1)(C), corrected the F.A.C. references to be to F.A.C. ch. 69A-40.

8. In subsection (j)(1), changed Florida Department of Health and Rehabilitative Services to state.

9. In subsection (j)(2), altered references to occupational license tax to be business tax and occupational license to be business tax receipt. See F.S. ch. 205.
SUBJECT: Recycling Rate Increase

Staff Report – Town of Indialantic       Meeting Date: August 12, 2020

Summary:

During a virtual conference meeting with Harris Sanitation/Waste Management about adverse impacts to recycling operations, it was noted that there have been substantial increases in the cost associated with recycling. Several countries will no longer accept recycling or waste from the United States and the value of recyclables has fallen below $0, i.e., it costs more to recycle than the recycling is worth. Attached is a letter from Harris Sanitation/Waste Management which explains the situation further.

Harris Sanitation/Waste Management as requested an increase of $0.82 per residential customer per month in Indialantic as per our franchise agreement which allows for rate adjustments on the basis of unusual changes in the cost of operations – see excerpt (attached).

Recommendation:

Approve the increase $0.82 per residential customer per month as authorized in the franchise agreement.

MOTION:

Approve the increase $0.82 per residential customer per month as authorized in the franchise agreement.

Submitted by:  

Rebekah Raddon  
Town Clerk

Approved for agenda:  

Michael L. Casey  
Town Manager
July 27, 2020

Mr. Michael Casey
Town Manager
Town of Indialantic
216 Fifth Street
Indialantic, FL 32903

Re: Adverse Impacts to Recycling Operations

Dear Mr. Casey:

Harris Sanitation/Waste Management Inc. of Florida ("WM") is writing to share with you a review of issues that have had negative impacts on our Recyclable Materials operations, and to begin a dialogue with you regarding adjustments to the Solid Waste Agreement ("Agreement") to help address those impacts.

Since entering into the Agreement, uncontrollable circumstances have resulted in the costs of providing processing, transportation and marketing services for Recyclable Materials to increase dramatically. The primary driver of these significant adverse changes has been changes in laws governing these activities, which were outside of Harris Sanitation/WM’s control.

Most noteworthy were changes in laws and regulations imposed by the People’s Republic of China. In accordance with the Law of the People’s Republic of China on Prevention and Control of Environmental Pollution by Solid Waste, starting in 2017, the government of China adopted standards that have had a devastating impact on the recycling industry. See, for example, National Standards of the People’s Republic of China GB 16487.4-2017 related to paper recyclables. The biggest impact of this standard was that it established a new quality specification of 0.3% contamination by weight for any imported wastepaper. The prior standard had been 10% contamination.

For plastics, the contamination specification was established at 0.5%. See National Standards of the People’s Republic of China GB 16487.12-2017 related to plastic recyclables. The prior standard had been 10% contamination. Even worse, in 2018, Announcement No. 6 of the
Announcement on Adjustment to the Catalogue for the Administration of Import Solid Waste banned the import of “scraps of plastics,” effective December 31, 2018.

More nations have followed China’s lead, including domestically. Moreover, there has been growing concern over the issue of plastic waste in the environment, and the impact of plastics transported to less developed countries. This has led Harris Sanitation/WM’s parent, Waste Management, Inc., to adopt a policy in August 2019 that its operating subsidiaries would no longer ship collected and processed plastics outside of North America.

**Processing Costs**

The adoption of more stringent quality specifications has increased the cost of processing collected Recyclable Materials. In order to meet the new specifications, the material has had to undergo additional sorting, which has reduced the tons per hour of material that can be processed and readied for market at our Cocoa Material Recovery Facility (MRF). It has also increased labor costs due to the need for additional hand sorting.

**Loss of Commodity Value**

The series of events discussed above has resulted in large reductions in commodity values, and current trends are not encouraging. This can best be seen by looking at commodity values for paper products, which nationally make up about 60% of Recyclable Materials received and processed. The largest paper commodity is mixed paper. Prices have fallen dramatically from $88.00 per ton in 2017 to **negative $5.00-$20.00** per ton in November 2019. This means that Harris Sanitation/WM must pay to have this material recycled following processing. The second commodity is cardboard, which has similarly fallen from well above $100.00 per ton to $30-35 per ton in November 2019. One example of this loss of value is in the Southeast, where values have plummeted from $180.00 per ton in 2017 to $30.00 per ton in 2019, but that same trend generally exists throughout the United States.

To demonstrate the overall loss of commodity value specific to your community, the following table is presented. This sets forth the revenue per ton of all residential Recyclable Materials collected and processed at the Cocoa Material Recovery Facility from 3Q 2017 through 4Q 2019. This is the destination for Residential Recyclable Materials or Commercial Recyclable Materials collected in the Town of Indialantic.
As seen above, overall commodity values have declined by a staggering $67.89 per ton from October 2017 through December 2019, an approximately 57% reduction. For the Town of Indialantic, based on the tonnage of Recyclable Materials collected, monthly revenue for Residential Recyclable Material has decreased by $0.82 per customer per month. Furthermore, the fee that Harris Sanitation/WM pays for marketing of recyclables is based on a calculation of commodity value less processing cost. Currently, the processing costs significantly exceed commodity value, which means that Harris Sanitation/WM has to pay a tipping fee for processing and marketing to the Material Recovery Facility.

Our company carefully evaluates market conditions and has provided guidance that commodity values are not likely to recover significantly in the foreseeable future, as supply will continue to outstrip demand. These events have proven devastating for the recyclables industry, and at this point, Harris Sanitation/WM’s recycling operations are marginally sustainable.

As a result, Harris Sanitation/WM respectfully requests an extraordinary increase of $0.82 per Residential customer per month. Harris Sanitation/WM wants to make it clear that the purpose of this request is to align the rates with our recycling costs on a going forward basis, and not to retroactively recover prior increased costs or decreased commodity revenues. The attachment on page 4 outlines current market-viable single stream Recyclable Materials for the Town’s review.

I will be calling you soon to discuss this matter and next steps. Thank you in advance for your consideration.

Sincerely,

Dina Reid-Hicks
Government Affairs Manager
**RECYCLABLES SPECIFICATIONS**

**RECYCLABLES** must be dry, loose (not bagged), unshredded, empty, and include ONLY the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Recyclables/Non-Recyclables</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aluminum cans</td>
<td>Newspaper</td>
</tr>
<tr>
<td>PET bottles with the symbol #1 – with screw tops only</td>
<td>Mail</td>
</tr>
<tr>
<td>HDPE plastic bottles with the symbol #2 (milk, water bottles detergent, and shampoo bottles, etc.)</td>
<td>Uncoated paperboard (ex. cereal boxes; food and snack boxes)</td>
</tr>
<tr>
<td>PP plastic bottles and tubs with symbol # 5 - empty</td>
<td>Uncoated printing, writing and office paper</td>
</tr>
<tr>
<td>Steel and tin cans</td>
<td>Old corrugated containers/cardboard (uncoated)</td>
</tr>
<tr>
<td>Glass food and beverage containers – brown, clear, or green – empty*</td>
<td>Magazines, glossy inserts and pamphlets</td>
</tr>
</tbody>
</table>

**Non-Recyclables** include, but are not limited to the following:

<table>
<thead>
<tr>
<th>Item</th>
<th>Recyclables/Non-Recyclables</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plastic bags and bagged materials (even if containing Recyclables)</td>
<td>Microwavable trays</td>
</tr>
<tr>
<td>Porcelain and ceramics</td>
<td>Mirrors, window or auto glass</td>
</tr>
<tr>
<td>Light bulbs</td>
<td>Coated cardboard</td>
</tr>
<tr>
<td>Soiled paper, including paper plates, cups and pizza boxes</td>
<td>Plastics not listed above including but not limited to those with symbols #3*, #4*, #6*, #7*, and unnumbered plastics, including utensils</td>
</tr>
<tr>
<td>Expanded polystyrene</td>
<td>Coat hangers</td>
</tr>
<tr>
<td>Glass and metal cookware/bakeware</td>
<td>Household appliances and electronics</td>
</tr>
<tr>
<td>Hoses, cords, wires</td>
<td>Yard waste, construction debris, and wood</td>
</tr>
<tr>
<td>Flexible plastic or film packaging and multilaminated materials</td>
<td>Needles, syringes, IV bags or other medical supplies</td>
</tr>
<tr>
<td>Food waste and liquids, containers containing such items</td>
<td>Textiles, cloth, or any fabric (bedding, pillows, sheets, etc.)</td>
</tr>
<tr>
<td>Hazardous/Medical Waste or containers which contained such materials</td>
<td>Napkins, paper towels, tissue, paper plates, and paper cups</td>
</tr>
<tr>
<td>Any paper Recyclable materials or pieces of paper Recyclables less than 4&quot; in size in any dimension</td>
<td>Propane tanks, batteries</td>
</tr>
<tr>
<td>Cartons*</td>
<td>Aseptic Containers*</td>
</tr>
</tbody>
</table>

* These materials may be deemed Recyclables upon written consent of Contractor, which may be withdrawn upon notice to City if there is no commercially viable market.
A delinquent account is not paid in full within ten (10) days after the billing of such notice, collection service shall cease.

K. Any delinquent account may be reinstated upon payment of the past due balance, any delinquent fee, and a $15.00 reinstatement fee and the necessary deposit. Service shall resume upon the next scheduled pick-up after payment has been given to the Collector.

SECTION 14 - Change in Cost of Doing Business

A. Compensation payable to the Collector may from time to time be adjusted. In that event any approved adjustment for the sixth and subsequent years of the term hereof shall be adjusted and increased on the first day of the sixth year of this Agreement and every one-year anniversary thereafter (the “Adjustment Dates”). First adjustment date under this agreement extension shall occur on October 1, 2019.

The increases of additional compensation shall, however, be subject to adjustments on each adjustment date, as set forth below. The Collector shall advise the Town Council and customer of the percent amount of increases pursuant to this Section 14 at least thirty (30) days before the customer must remit amount to the Collector. Beginning with the first adjustment date and for each adjustment date thereafter (including any renewal terms, if any), the base compensation shall be adjusted annually and shall be equal to the base compensation for the immediately preceding year of the Agreement multiplied by a fraction, the numerator of which is the index (hereinafter defined) most recently reported as of such adjustment date, and the denominator of which is the index reported twelve (12) months earlier. By way of example, if the Agreement commences on September 17, 1996 and the second year begins on September 17, 1997, the numerator of the fraction referred to above shall be based on the most recent CPI Index available when the request is being made prior to September 17, 1997, and the denominator of the fraction shall be the index for the same month being used in determining the numerator but for the preceding year e.g. September 17, 1996. For purposes of this paragraph, “Index” shall mean the index numbers of retail commodity prices designated “CONSUMER PRICE INDEX FOR ALL URBAN CONSUMER- U.S. CITY AVERAGE ALL ITEMS” (1982-1984=100) prepared by the Bureau of Labor Statistics, U.S. Department of Labor. Any publication by either the U.S. Department of Labor or the U.S. Department of Commerce in which such index numbers are published shall be admissible in evidence in any legal or judicial proceeding involving this Agreement without further proof of authenticity. In the event the U.S. Department of Labor ceases to issue updates to the Index, the adjustment of base compensation thereafter shall be according to the most closely comparable commodity index published by the U.S. Department of Labor, and if such is not determined by that Department, then the most closely comparable commodity index as determined by agreement of Collector and the Town; and in the absence of agreement, then as determined by arbitration in accordance with the then existing rules of the American arbitration Association in which three (3) arbitrators shall hear the matter.

B. In addition to the foregoing annual adjustment, the Collector may be entitled to an increase in the fees or compensation sufficient to offset the amount of any fee, surcharge, duty, tax, or other charges of any nature imposed by the federal government, any agency thereof, the State of Florida, any agency thereof, or by any local governmental agency which is payable solely by reason of the nature of the operations conducted by the Collector and any other sales or service taxes of general application to the operation of the landfill. The collector shall provide all facts, figures, calculations, and writings upon which the Collector relied in computing any such proposed increase to the Town. After review of said facts, figures, calculations, and writings, the Town Council shall consider approval of the amount of any fee or compensation increase prior to imposition of any such increase in fees or compensation upon Customers. Prior to imposing said fee or tax, the Collector shall give notice thereof to all customers.
C. The Collector may petition the Town at any time for additional rate adjustments on the basis of unusual charges in the costs of operations. The Town shall have the right, as a condition of any approval, to demand inspections by itself and/or an independent auditor of pertinent records that demonstrate the need for an adjustment to the rates. If such rate adjustments are not approved by the Town, the Collector shall have the option to terminate this Agreement upon not less than one hundred and eighty (180) days notice to the Town following disapproval by the Town Council.

SECTION 15: Other Changes or Costs

A. The Collector shall provide for the disposal of all solid waste at the landfill. It is understood that the County of Brevard (the “County”) currently bills under commercial and residential customers, but not roll-off container customers for disposal at the landfill. Should the County change its billing system as described such that additional costs are incurred by the Collector, the Collector may be allowed to adjust rates in the manner provided in Section 14.B. of this Agreement. If after reasonable consideration by the Town Council, approval is not given, the Collector shall have the option of terminating this Agreement with respect to residential, commercial, institutional, or roll-off container customers, upon not less than ninety (90) days notice to the Town given following disapproval by the Town Council.

B. Should the Brevard County Landfill have a catastrophe, relocate or close so as to cause the Collector additional cost, these costs shall be submitted with documentation to the Town for approval of additional charges to customer’s bills in order to offset the additional expense to the Collector, if after reasonable consideration by the Town Council, approval is not given, the Collector shall have the option to terminate this Agreement with respect to residential, commercial, institutional or roll-off container customer, upon not less than ninety (90) days notice to the Town given following disapproval by the Town Council.

C. In the event excessive amounts of solid waste, debris, yard trash or refuse has accumulated by reason of any storm, freeze, natural disaster, severe disturbance, riot or other calamity, the Collector shall, within five (5) working days, submit a certified estimate, to the Town Manager, of additional payroll costs, equipment and disposal costs to remove and dispose of the excessive solid waste, debris or refuse. The Collector shall submit such estimate for review and approval, prior to performing this additional work. The Town Council shall determine the validity of the Collector’s estimate and, if approved, the Town Manager shall furnish written approval to the Collector before any bill may be submitted to the Town of payment. However, consideration of this estimate shall not bind the Town to use the Collector to clean up debris. The Collector shall not be responsible for nor have an obligation to collect, transport or dispose of debris or other waste material from a hurricane, severe storm or other natural or man-made disaster beyond that which is normally collected unless the Town enters into a written agreement with Collector specifying the terms and compensation for such services. Notwithstanding that the Collector has an exclusive franchise with the Town for the Collection of Solid Waste, Yard Trash, in the event that the Collector and the Town are unable to agree within ten (10) working days to an agreement to collect Solid Waste, Yard Trash, or refuse existing after a storm, freeze, natural disaster, severe disturbance, riot, or other calamity, or in the event that after any of such occurrences the Town deems in promotion of the public health, safety, or aesthetics to contract with other persons or legal entities for Solid Waste, Yard Trash, or refuse clean-up after said storm, freeze, natural disaster, severe disturbance, riot, other calamity, said contracting with other persons or legal entities shall not be deemed to be a violation of or inconsistent with this Agreement.

D. The Collector may petition the Town for rate adjustments due to a change in charges for billing
by the City of Melbourne. This shall not bind the Town to approve same.

**SECTION 16: Hours of Operation For Collection** - Hours of operation for collection services shall be from 7:00 am until 7:00 p.m. Monday through Saturday, holidays excepted, and 7:00 am until 7:00 p.m. holidays, Saturdays, and Sundays to the extent that this Agreement shall require or allow service on holidays, Saturdays, or Sundays.

**SECTION 17: Collector's Personnel**

A. The Town hereby requires and the Collector agrees that the Collector's collection employees shall at all times wear clean uniforms and shirt bearing the Collector's name.

B. Each driver shall, at all times, carry a valid drivers license, which satisfies all state and local requirements for the operation of the vehicle under his control.

C. The Collector shall provide operation and safety training for all personnel.

D. Wages of all collection employees shall equal or exceed the minimum hourly wages established by local, state or federal governments, and shall otherwise satisfy, all governmental regulations regarding labor and employment.

E. No person shall be denied employment by the Collector's for reasons of race, sex, handicap, creed, color or religion.

**SECTION 18: Hazardous Waste**

A. No customer shall place or deposit hazardous waste at any solid waste collection point or in any place where it might reasonably be expected to be collected and transported to the landfill, all by the Collector.

B. The Collector may refuse to collect solid waste from a customer, if the Collector reasonably believes and can demonstrate to the Town that such solid waste contains hazardous waste for collection.

**SECTION 19: Miscellaneous Provisions**

A. Law to Govern: This Franchise shall be governed by the laws of the State of Florida both as to interpretation and performance. Any dispute or litigation arising between the parties pursuant to this Franchise shall be litigated in Brevard County, Florida.

B. Compliance with the Laws: The Collector shall conduct operations under this Franchise in compliance with all applicable laws.

C. Illegal Provision: if any provision of this Franchise shall be declared illegal, void, or unenforceable, the other provisions shall not be affected but shall remain in full force and effect.

D. Point of Contact: All dealings, contacts between the Collector and the Town shall be between the Town Manager, or his or her designee so designated in writing, on behalf of the Town, and the General Manager of the Collector or his or her designee so designated in writing, on behalf of the Collector. Any party hereto may unilaterally alter the foregoing designation of persons or addresses of persons to whom notice is to be given by dispatching in the manner required for the giving of a notice, a notice changing
SUBJECT: 2020 Halloween Festival

Meeting Date: August 12, 2020

Summary:

Staff is requesting that council cancel the 2020 Halloween Festival that was to be held on Saturday, October 24, 2020, from 4:00 PM to 8:00 PM. The reason for cancellation is because of the COVID-19 and unknown situation for the next few months. Normally the Halloween committee would be starting to plan and prepare for the event at this time of year and it has not been able to meet because of COVID-19. The Halloween Festival would be in direct conflict with current CDC guidelines.

Recommendation:

Cancel Halloween Festival for Saturday, October 24, 2020

MOTION:
Cancel Halloween Festival for Saturday, October 24, 2020

Submitted by:
Rebekah Raddon
Town Clerk

Approved for agenda:
Michael E. Casey
Town Manager
SUBJECT: Park Hours

Staff Report – Town of Indialantic    Meeting Date: August 12, 2020

Summary:

Mayor Berkman would like to discuss amending some park hours as covered by Indialantic Ordinance Section 5-2. See attached sheet with parks and hours.

Recommendation:

MOTION:

Submitted by: Rebekah Raddon
Town Clerk

Approved for agenda: Michael L. Casey
Town Manager
<table>
<thead>
<tr>
<th>Park Name</th>
<th>Open</th>
<th>Closed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dewy Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Ernest Kouwen-Hoven Riverside Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Gus Carey Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Indialantic Ocean Beach Park-South of Wendy's</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Indian River Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Lily Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Orlando Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Sea Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Sunrise Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Tradewinds Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Vincent Benevente Sunset Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Wavecrest Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Wavecrest Extended Park</td>
<td>6:00 AM</td>
<td>9:00 PM</td>
</tr>
<tr>
<td>Douglas Park</td>
<td>5:00 AM</td>
<td>10:00 PM</td>
</tr>
<tr>
<td>Nance Park</td>
<td>6:00 AM</td>
<td>1:30 AM</td>
</tr>
<tr>
<td>Indialantic Ocean Beach Park-North of Wendy's</td>
<td>6:00 AM</td>
<td>1:30 AM</td>
</tr>
</tbody>
</table>
SUBJECT: Allowing Chickens

Staff Report – Town of Indialantic       Meeting Date:  August 12, 2020

Summary:

Councilwoman McKnight would like to discuss the possibility of chicken being allowed in the residential area of Indialantic. Currently Indialantic Ordinance section 4-25 prohibits having chickens within the Town Limits. Attached are previous council minutes where this was discussed, ordinance from the cities of Satellite Beach, Indian Harbour Beach and Melbourne that allow and regulate chickens in the residential area.

Recommendation:

MOTION:

Submitted by:                              Approved for agenda:

Rebekah Raddon
Town Clerk                              Michael L. Casey
Town Manager
Sec. 4-25. Livestock and fowl; prohibited; penalty.

(a) The owning, keeping, or having, within the town limits, of any livestock, as defined in section 4-1, is prohibited.

(b) The owning, keeping, or having, within the town limits, of any chickens, turkeys, ducks, geese, or any other fowl, is prohibited. The owning, keeping, or having, within the town limits, of any parakeets, canaries or tropical birds, indoors, is permitted. This section is in no way intended to modify section 4-23.

(c) Violations of this section shall be punishable in accordance with section 4-2, Indialantic Code of Ordinances. (Ord. No. 82-308, 1, 6-15-82)
1. Second reading – by title only

   The Town Clerk read the ordinance by title only.

2. Public hearing and adoption

   There were no public comments.

   Councilmember Campbell moved to adopt Ordinance 11-05. Deputy Mayor Goldfarb seconded. Motion carried unanimously.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. Discussion and possible action regarding amending the code to allow dogs in parks for Town declared special events (Requested by Mayor Berkman)

   Mayor Berkman stated that people often bring their dogs to the park for events such as Friday at Fifth and the art show and suggested that Council consider amending the code to allow dogs for these special events.

   In response to a question from Council, Attorney Gougelman advised that the Town could face additional liability and recommended contacting the Town’s insurance carrier to determine if an injury would be covered and what safety measures would be recommended, such as signs, prior to allowing it.

   Councilmember Greer advised that the Melbourne Art Festival allowed dogs and has had problems with the dogs urinating and fighting. He noted that bringing dogs into crowds can make them more anxious due to the higher energy level during special events.

   Town Manager Chinault was requested to review the Town’s policy with the insurance carrier and report to Council at the next meeting.

B. Discussion and possible action regarding amending Sec. 4-25(b) relating to fowl (Requested by Councilman Campbell)

   Councilmember Campbell advised that he has been requested by residents to allow a limited number of chickens in residential areas.

   Councilmember Campbell moved to continue the discussion to allow chickens. The motion died due to the lack of a second.

C. Discussion and possible action regarding extension of employment agreement with the Town Manager
Sec. 4-4. - Keeping animals, fowl other than domestic pets, exceptions.

(a) It shall be unlawful to keep, raise or maintain in the city any animal other than an animal ordinarily kept as a domestic pet. For purposes herein, chickens are not considered domestic pets. The keeping of livestock or poultry is expressly prohibited. Notwithstanding any provision to the contrary herein, chickens may be allowed as follows:

(1) Backyard chickens shall be permitted on single family properties which have a zoning designation of R-1AAA, R-1AA and R-1A subject to all regulations described below:

   a. For the purposes of this section, the terms "backyard chicken" or "chicken" refers to hens, or female chickens, only. It shall be unlawful to keep ducks, geese, turkeys, peafowl, roosters or male chickens, or any other fowl.

   b. No more than four (4) chickens shall be permitted on any lot or parcel.

   c. Chickens may only be kept for personal use. Selling chickens, eggs, feathers, chicken parts or chicken manure, or the breeding of chickens for commercial purposes shall be prohibited.

   d. Chickens shall not be slaughtered on site.

   e. All stored feed must be kept in a pest-proof container or be kept inside a secured structure.

   f. Chicken coops and enclosures must be maintained in a clean and sanitary condition at all time including dry bedding material. Activities permitted by this section must be conducted in a manner that does not create a public nuisance such as odor, noise, or the attraction of pests. Such coops or enclosure may be mobile or fixed to the ground only and shall not exceed the following dimensions four (4) foot by four (4) foot and six (6) feet in height.

   g. Chickens must be kept within a coop or enclosure and may not be released or set free to roam unless such roaming is confined to the fenced rear yard of the subject property.

   h. Chicken coops and enclosures must be screened from neighboring properties with an opaque fence. Chicken coops or enclosures must be enclosed on three (3) sides and on top. The sides and rear portions of
such coop or enclosure may be fenced with what is commonly known as "chicken wire and the roof must be of solid construction. All enclosures for the keeping of chickens shall be so constructed and maintained as to prevent rodents or other pests from being harbored underneath, within, or within the walls of the enclosure. The henhouse/coop must be impermeable to rodents, wild birds, and predators, including dogs and cats. Enclosures shall be kept in a neat condition, including provision of clean, dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizing shall be removed promptly.

i. Chickens, coops and enclosures shall be located in the rear yard only. No chicken coop or enclosure shall be closer than ten (10) feet from any rear or side property line. Side corner setbacks shall meet the principal structure setbacks.

j. Nothing herein is intended to preempt any governing property owner's restrictions and in those instances where there exists a property owners association the applicant for a backyard chicken permit shall provide proof to the city that the property owners association has approved such use and the erection or installation of a coop or enclosure.

k. A permit is required. Applications shall be filed with the city clerk's office together with a filing fee to be set by resolution of council. The application must include a site sketch that demonstrates compliance with the regulations in the subsections above. The applicant must also provide proof of successful completion of a University of Florida/IFAS Backyard Chicken Training class or an equivalent class approved by the city manager or designee.

l. No animal that kills a chicken will, for that reason alone, be considered a dangerous or aggressive animal.

m. By submitting an application for a backyard chicken permit, each applicant consents to an initial inspection by the city to assure that the provisions of this code have been satisfied prior to such permit being issued. In addition, each applicant consents to inspections as required by the city for the sole purpose of assuring continued compliance with the provisions herein. In addition, should the city receive a complaint
that there is a violation of the provisions herein, the applicant shall be
deemed to consent to an inspection of the property to determine if a
violation herein exists.

n. The fee for the permit required herein shall be established by a
resolution of the city council from time to time.

(2) Violations/penalties/enforcement. In the event that the city receives a
complaint of an alleged violation of the provisions herein, the city may
conduct an inspection of the premises to verify the allegations of the
complaint. Should the inspection reveal evidence of an alleged violation, then
the matter will be referred to the city manager for a hearing to determine if a
violation exists. Prior to such hearing the city shall provide a cure notice to
the applicant. After receipt of the notice should the applicant believe they
have come into compliance they shall contact the city building official to
schedule a compliance inspection to determine if the alleged violation is
cured. If after the expiration of the time to cure and no cure inspection is
scheduled, the city manager shall schedule a violation hearing. If the city
manager shall determine at such hearing a violation exists the following
penalties may be imposed:

a. For a first violation a fine of up to twenty-five dollars ($25.00), plus
administrative costs not to exceed the fine amount;
b. For a second violation a fine of up to fifty dollars ($50.00), plus
administrative costs not to exceed the fine amount;
c. For a third violation a fine of up to one hundred dollars ($100.00), plus
administrative costs not to exceed the fine amount; and
d. For a fourth violation, revocation of permit, plus administrative costs.

Any fine and administrative costs imposed shall become a lien and
enforced in accordance with the provisions of Chapter 162 of the Florida
Statutes.

(Ord. No. 15, §§ 1, 2, 6-13-61; Ord. No. 2019-07, § 1, 7-23-19)
Sec. 14-3. - Backyard chickens.

(a) For purposes of this section, backyard chicken shall mean birds having the taxonomic name of gallus gallus domesticus.

(b) Up to four backyard chickens may be kept on any single-family lot in the city, subject to the following:

1. Only hens may be kept; all roosters are prohibited.

2. Backyard chickens are allowed for personal use only. The sale or bartering of backyard chickens, eggs, or manure is prohibited.

3. Breeding of backyard chickens for any reason is prohibited.

4. Except as provided in section 14-3(d), slaughter of backyard chickens for any reason is prohibited.

5. All backyard chickens shall be maintained and contained in a coop located in the enclosed backyard of the lot. For purposes of this section, coop shall mean the henhouse where backyard chickens sleep or nest and any adjacent outdoor run. The coop shall be completely enclosed at all times; shall satisfy setback and all other accessory-structure requirements for enclosed buildings in section 30-510, this Code; and shall be constructed and secured to prevent access into the coop by other animals, including from digging under any enclosure material. If the henhouse is larger than 80-square-feet, a building permit shall be required prior to construction. The henhouse shall have a maximum height of 5.5 feet and provide at least four-square-feet per chicken.

6. All coops shall be constructed, maintained, and cleaned to avoid attracting rodents, reptiles, vermin, insects, predators, birds of prey, foraging animals, and other pests. Regular removal of waste is required, and any manure not used for composting or fertilizer shall be promptly removed.

7. All feed and other items associated with backyard chickens shall be kept in secure metal containers or otherwise protected to prevent rodents, reptiles, vermin, insects, predators, birds of prey, foraging animals, and other pests from gaining access to the feed or other items. Under no circumstances shall plastic containers of any kind be allowed.

8.
Backyard chickens shall not be set free or allowed to wander outside a coop at any time, except that they may wander within the enclosed back yard between the hours of 8:00 a.m. and 8:00 p.m.

(9) All coops shall be screened from the view of any adjoining property by an opaque fence at least six feet high. A perimeter or boundary fence or wall, chain link fence, chain link fence with slats, or similar fence shall not meet the requirement for an opaque fence.

(10) No property located within the ocean bluff buffer zone or the 100 foot buffer zone around conservation areas, as shown in Exhibit A, shall be allowed to have chickens.

(11) Anyone desiring to possess and maintain backyard chickens on their property, including persons possessing and maintaining such chickens when the ordinance from which this section is derived is adopted, must obtain a permit for such activity from the city. No permit shall be issued until a properly-completed application is approved by the building and zoning department. As a condition of permit approval, each applicant shall acknowledge on the application that the city has permission to enter upon the subject property to perform an initial inspection 30 days after permit approval, as well as subsequent random inspections anytime thereafter to ensure compliance with the requirements of this section.

(c) No animal that kills or wounds a chicken shall, for that reason alone, be considered a dangerous or aggressive animal.

(d) If a regulatory agency issues any advisory or alert that chickens must be exterminated in the interest of public health, all chickens located in the city shall be immediately exterminated. No backyard chickens shall be allowed within the city thereafter until such advisory or alert is lifted and the agency reauthorizes backyard chickens within the city. If such agency imposes conditions to allowing backyard chickens, any person intending to keep backyard chickens shall provide proof of compliance to the agency and/or the city.

Exhibit A
Legend
- Conservation Areas
- 100' Buffer Zone
- Ocean Buff
- Buffer Zone
- Satellite Beach
- City Limits
Animal Permits

An animal permit is required for animals (except for domestic dogs and cats), reptiles, or fowl that are kept outside of a residence. An animal permit will not be issued for animals or reptiles regulated by the Florida Fish and Wildlife Conservation Commission or any other permitting agency.

A person applying for an animal permit must be the property owner or have permission from the property owner. In addition to any conditions that are made part of an animal permit, the applicant will be responsible for complying with applicable homeowners' association rules and regulations.

After submitting a completed application to the City Clerk's Office, the Code Compliance Division will inspect the property. After all conditions have been met and a satisfactory inspection has been completed, the City Clerk's Office will issue an animal permit.

The following guidelines will assist you in preparing a home for your pet:

- If you are placing a structure (coop, cage, enclosure, etc.) on the property, you must contact the Community Development Department at 321-608-7500 regarding setback requirements. All structures must meet the minimum setback requirements established in the City's Zoning Code. A setback is the distance that a structure must be placed away from property lines. Setbacks are determined by zoning district, type of lot, and location of structure on the lot.

- In addition to the setback requirements, a structure that is larger than 100 square feet or higher than six feet may require a building permit. You must contact the Code Compliance Division at 321-608-7915 to determine whether a building permit for an accessory structure will be required.

- Structures must be in place prior to submitting an animal permit application. The Code Compliance Division inspector will need to see the structure when he/she performs the inspection.

- The number of animals permitted will be based on the zoning district, lot size, and usable lot area. Permits will not be issued for roosters unless there is something unique about the size or location of the property.

- Animal feed must be stored in sealed containers.

- Animals may not be used for commercial purposes.

- An animal permit application will automatically expire if an inspection has not been conducted by the City within 30 days of receipt of the application.

- An animal permit is effective for two years from the date of issuance. During that period, the permit may be revoked if the animals are not being taken care of properly, permit conditions are not being met, or the City has received complaints of odor, noise, feces, or animals running at large.

To request an application for an animal permit, send an e-mail to city.clerk@mlbflo.org or contact the City Clerk's Office at (321) 608-7220.
ARTICLE II. - ANIMAL PERMITS

Sec. 10-23. - Purpose.

The intent of the city council in adopting this article is to recognize that the zoning code does not expressly permit nondomestic animals in certain zoning districts; however, within these districts, there are certain animals that may be kept as family pets.

(Code 1984, § 5-13; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-24. - Authority.

The city clerk, under the direction of the city manager, is hereby authorized and directed to administer the animal permitting process. Permits may be issued for certain animals in accordance with this article that are maintained outside of a residence.

(Code 1984, § 5-14; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-25. - Jurisdiction by state.

The city will not issue permits for animals regulated by the Florida Fish and Wildlife Conservation Commission. Any person in the city who keeps an animal regulated by the state must possess the appropriate license and follow all applicable statutes, rules, and regulations.

(Code 1984, § 5-15; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal permit* means the permit that is issued by the city clerk.

*Animal permit application* means the form provided by the city clerk for the purposes of processing a request to keep certain animals.

*Animal structure* means any structure used to house an animal. The term "animal structure" includes, but is not limited to, coop, cage, and enclosure.
Sec. 10-27. - Permit required for certain animals; conditions.

(a) A permit shall be required for animals (except domestic dogs and cats) that are kept outside of a residence. An applicant for an animal permit must complete a form provided by the city clerk and provide a hand-drawn diagram that includes the following: street name; location of house; and location of any structure used to house the animal. If an animal structure will be used, it must be in place prior to submitting the animal permit application.

(b) Animal structures must meet any setback requirements established in this Code. If an animal structure is larger than 100 square feet or higher than six feet, a building permit for an accessory structure will be required from the code compliance division.

(c) Code compliance personnel will conduct a physical inspection of the area where the animal is maintained and make a recommendation for approval or denial of the animal permit to the city clerk.

(d) The number of animals permitted will be based on the zoning district, lot size, and usable lot area as determined by a physical inspection of the site by the city. Animal permits will generally not be issued for roosters unless there is something unique about the property, such as zoning, acreage, and location.

(e) Animal feed that is stored outside must be in sealed containers to prevent access by rodents, insects, and wildlife.

(f) An applicant for an animal permit is responsible for complying with homeowners' association rules and regulations, if applicable, that pertain to keeping animals or animal enclosures outside of a residence.

(g) If the applicant is not the owner of the property, the applicant must obtain permission from the property owner to keep animals that require an animal permit from the city.

(h) An animal permit will be effective for two years from the date of issuance. In order to keep the animal permit in an active status, the applicant must submit a new animal permit application to the city clerk prior to the expiration date of the animal permit.
Sec. 10-28. - Inspection of area.

Once an animal permit has been issued, the location will be subject to an annual inspection by code compliance personnel to ensure that the area is being maintained in a manner that is safe and sanitary for the animal.

(Code 1984, § 5-18; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-29. - Maintenance of animals, reptiles, and fowl.

A person who has been issued an animal permit shall be required to maintain the area where the animal is kept in a sanitary manner. Complaints from surrounding neighbors and personal observation by code compliance personnel shall be considered in determining whether an area is being properly maintained.

(Code 1984, § 5-19; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-30. - Permit revocation.

If any condition of an animal permit has been violated, the city clerk may revoke the permit.

(Code 1984, § 5-20; Ord. No. 2001-31, § 1, 6-26-2001)

Sec. 10-31. - Appeals.

A person aggrieved by a decision of the city clerk in the issuance, denial or revocation of an animal permit may appeal to the city manager. The appeal must be submitted in writing within 20 days of the decision and state the basis for the appeal. A person aggrieved by a decision of the city manager may appeal to the city council. The appeal must be submitted in writing to the city clerk within 20 days of the decision and state the basis for the appeal.

(Code 1984, § 5-21; Ord. No. 2001-31, § 1, 6-26-2001)

Secs. 10-32—10-50. - Reserved.
SUBJECT: Reschedule November 11, 2020 council meeting

Staff Report – Town of Indialantic  Meeting Date: August 12, 2020

Summary:
Staff has requested the November 11, 2020 Town Council meeting be rescheduled as Town Hall will be closed for the Veteran’s Day holiday.

Recommendation:
Discuss and choose alternate date for November meeting.

MOTION:
Reschedule meeting to <date>

Submitted by:
Rebekah Raddon
Town Clerk

Approved for agenda:
Michael L. Casey
Town Manager
SUBJECT: Town Manager Evaluation

Staff Report – Town of Indialantic       Meeting Date: August 12, 2020

Summary:

Section 5 of the Town Manager’s employment agreement provides for the Council to evaluate the Manager’s performance over the preceding year. Evaluation forms were distributed to be filed with the Town Clerk. Copies of Council evaluations and summary are provided.

Section 3(b) of the Town Manager’s employment agreement states the Town Manager shall be eligible for a merit increase at the discretion of the Town Council. Council is being requested to approve a 2.5% merit pay increase based on the Town Manager’s performance evaluation provided by council. The evaluation had a possible score from 0 to 5, with the average score of the five evaluations being 4.66 out of possible 5.

The Town’s employees merit performance affords an increase from 0-3%

Recommendation:

Accept the performance evaluation for the Town Manager for the period of July 12, 2019 through July 11, 2020. Approve a 2.5% merit increase.

MOTION: Accept the performance evaluation for the Town Manager for the period of July 12, 2019 through July 11, 2020. Approve a 2.5% merit increase.

Submitted by:

[Signature]
Rebekah Raddon
Town Clerk

Approved for agenda:

[Signature]
Michael L. Casey
Town Manager
SUMMARY OF TOWN MANAGER EVALUATIONS
07/12/2019 – 07/11/2020

<table>
<thead>
<tr>
<th>Berkman</th>
<th>Glass</th>
<th>Kemp</th>
<th>McKnight</th>
<th>Wright</th>
<th>ORGANIZATIONAL MANAGEMENT</th>
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<tbody>
<tr>
<td>5</td>
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<td>5</td>
<td>4</td>
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<td>3</td>
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<td>4</td>
<td>Works to protect the Town's assets</td>
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<tr>
<td>4</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>Develops annual budget consistent with Council guidelines</td>
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<tr>
<td>4</td>
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<td>5</td>
<td>4</td>
<td>Informs Council of long-term financial issues</td>
</tr>
<tr>
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<td>5</td>
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<td>5</td>
<td>4</td>
<td>Administers the adopted budget</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>Communicates needed adjustments during the fiscal year</td>
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<td>5</td>
<td>4</td>
<td>5</td>
<td>4</td>
<td>Explores funding opportunities</td>
</tr>
</tbody>
</table>

FISCAL MANAGEMENT

| 5 | 5 | 5 | 5 | 4 | Responds to requests for information/assistance |
| 5 | 5 | 4 | 5 | 4 | Carries out directives of the Council |
| 5 | 5 | 5 | 5 | 4 | Informs Council of issues important to the Town |
| 5 | 5 | 5 | 5 | 4 | Understands Council issues and transfers them to Council agendas |

COUNCIL RELATIONS

| 4 | 5 | 5 | 5 | 4 | Coordinates projects with other governmental agencies |
| 5 | 5 | 5 | 5 | 4 | Addresses Town responsibility re: outside agency requirements |
| 4 | 5 | 5 | 5 | 4 | Represents the Town with other governments/agencies |
| 4 | 5 | 5 | 5 | 3 | Maintains an interest in neighboring areas to protect the Town |

INTERGOVERNMENTAL

| 5 | 5 | 5 | 5 | 4 | Addresses citizen complaints in professional manner |
| 5 | 5 | 5 | 5 | 4 | Demonstrates interest in the community |

Average overall score

| Average | 4.65 | 4.8 | 5 | 3.85 | 4.66 |

5 Excellent
4 Very good
3 Good
2 Fair
1 Poor
N/O Not Observed
TOWN OF INDIALANTIC

Performance Evaluation

This form divides the Manager’s tasks into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are provided for additional comments.

Michael L. Casey
Town Manager

Dave Berkman
Evaluator

July 12, 2019 thru July 11, 2020
Evaluation Period

7/26/20
Date of Evaluation

Evaluation Scale

5  Excellent
4  Very Good (i.e. exceeds expectations)
3  Good (i.e. meets expectations)
2  Fair (i.e. meets most expectations, but improvements are needed)
1  Poor (i.e. fails to meet the evaluator’s expectations in all categories)
N/O Not observed (i.e. evaluator does not have sufficient information to judge performance)

ORGANIZATIONAL MANAGEMENT

5  Effectively implements Town policies including provisions of the Town Charter, Town Code, and Town’s Comprehensive Plan

4  Takes a long vision of the Town’s needs

5  Manages Town employees, assumes responsibility for staff performance, addresses personnel matters effectively (including union negotiations), and recruits and retains competent personnel for Town positions

5  Plans, organizes, & supervises the most appropriate utilization of manpower, materials, machinery/equipment, and other resources with an understanding of department operations

5  Works to protect the Town’s assets
FISCAL MANAGEMENT

4 Develops an annual budget and supporting documentation consistent with Town requirements that conforms to guidelines adopted by the Council—including recommendations for decreasing expenses

4 Informs Council of long-term financial issues (e.g. projections for general fund reserve and decisional impacts if known)

5 Administers the adopted budget within approved revenues and expenditures

5 Communicates in a timely manner any adjustments needed to the adopted budget during the fiscal year

4 Explores funding opportunities, including grants, as appropriate for Town needs

COUNCIL RELATIONS

5 Responds to requests for information/assistance by the Council and/or individual Council members (including budget related requests)

5 Carries out directives of the Council

5 Informs Council of issues important to the Town of Indialantic

5 Understands Council issues and transfers them to Council agenda for consideration

INTERGOVERNMENTAL

4 Coordinates projects that occur within the Town of Indialantic with County and/or State personnel as appropriate

5 Addresses Town responsibilities with regard to outside agency requirements (e.g. FDEP, FDOT)

4 Represents the Town in matters that involve other governments and/or agencies

4 Maintains an interest in neighboring areas to protect the Town's interests

COMMUNITY RELATIONS

5 Addresses citizen complaints and questions in a professional, friendly and prompt manner
5 Demonstrates interest in the community (attends events, frequently drives/walks/rides through Town)

COMMENTS:

Mike has done a fantastic job this year. He has grown into this position very quickly, he is well respected, he does a fantastic job communicating and we are happy to have him as Town manager.

OVERALL RATING:

Excellent X
Very good
Good
Fair
Poor

Evaluator’s Signature 7/26/20
Date
TOWN OF INDIALANTIC

Performance Evaluation

This form divides the Manager’s tasks into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are provided for additional comments.

Michael L. Casey                              Stu Glass
Town Manager                                  Evaluator

July 12, 2019 thru July 11, 2020              July 15, 2020
Evaluation Period                            Date of Evaluation

Evaluation Scale

5    Excellent
4    Very Good (i.e. exceeds expectations)
3    Good (i.e. meets expectations)
2    Fair (i.e. meets most expectations, but improvements are needed)
1    Poor (i.e. fails to meet the evaluator’s expectations in all categories)
N/O  Not observed (i.e. evaluator does not have sufficient information to judge performance)

ORGANIZATIONAL MANAGEMENT

5    Effectively implements Town policies including provisions of the Town Charter,
     Town Code, and Town’s Comprehensive Plan

5    Takes a long vision of the Town’s needs

5    Manages Town employees, assumes responsibility for staff performance,
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5    Plans, organizes, & supervises the most appropriate utilization of manpower,
     materials, machinery/equipment, and other resources with an understanding of
     department operations

5    Works to protect the Town’s assets
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COUNCIL RELATIONS

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INTERGOVERNMENTAL

5 Coordinates projects that occur within the Town of Indialantic with County and/or State personnel as appropriate

5 Addresses Town responsibilities with regard to outside agency requirements (e.g. FDEP, FDOT)

5 Represents the Town in matters that involve other governments and/or agencies

5 Maintains an interest in neighboring areas to protect the Town’s interests

COMMUNITY RELATIONS

5 Addresses citizen complaints and questions in a professional, friendly and prompt manner
5 Demonstrates interest in the community (attends events, frequently drives/walks/rides through Town)

COMMENTS:

Mike is doing an excellent job in all respects. Consistently exceeds all requirements and expectations.

OVERALL RATING:

Excellent  5  
Very good  
Good  
Fair  
Poor  

Evaluator's Signature  

Date  7/15/2020
TOWN OF INDIALANTIC

Performance Evaluation

This form divides the Manager’s tasks into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are provided for additional comments.

Michael L. Casey
Town Manager

Simon Kemp
Evaluator

July 12, 2019 thru July 11, 2020
Evaluation Period

07/21/2020
Date of Evaluation

Evaluation Scale

5    Excellent
4    Very Good (i.e. exceeds expectations)
3    Good (i.e. meets expectations)
2    Fair (i.e. meets most expectations, but improvements are needed)
1    Poor (i.e. fails to meet the evaluator’s expectations in all categories)
N/O  Not observed (i.e. evaluator does not have sufficient information to judge performance)

ORGANIZATIONAL MANAGEMENT

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INTERGOVERNMENTAL

5 Coordinates projects that occur within the Town of Indialantic with County and/or State personnel as appropriate

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5 Represents the Town in matters that involve other governments and/or agencies

5 Maintains an interest in neighboring areas to protect the Town's interests

COMMUNITY RELATIONS

5 Addresses citizen complaints and questions in a professional, friendly and prompt manner
5 Demonstrates interest in the community (attends events, frequently drives/walks/rides through Town)

COMMENTS:

Mike Casey has done an excellent job in adjusting his new role as Town Manager. He is responsive, courteous, and helpful when I have questions. I have talked to other residents who expressed their appreciation for the change in managers.

OVERALL RATING:

Excellent 5
Very good
Good
Fair
Poor

Evaluator's Signature

Date 07/21/2020
TOWN OF INDIALANTIC

Performance Evaluation

This form divides the Manager's tasks into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are provided for additional comments.

Michael L. Casey
Town Manager

Julie McKnight
Evaluator

July 12, 2019 thru July 11, 2020
Evaluation Period

07/15/2020
Date of Evaluation

Evaluation Scale

<table>
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</tr>
<tr>
<td>4</td>
<td>Very Good (i.e. exceeds expectations)</td>
</tr>
<tr>
<td>3</td>
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<tr>
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<td>1</td>
<td>Poor (i.e. fails to meet the evaluator's expectations in all categories)</td>
</tr>
<tr>
<td>N/O</td>
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</table>

ORGANIZATIONAL MANAGEMENT

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5 Understands Council issues and transfers them to Council agenda for consideration

INTERGOVERNMENTAL

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5 Addresses Town responsibilities with regard to outside agency requirements (e.g. FDEP, FDOT)

5 Represents the Town in matters that involve other governments and/or agencies

5 Maintains an interest in neighboring areas to protect the Town’s interests

COMMUNITY RELATIONS

5 Addresses citizen complaints and questions in a professional, friendly and prompt manner
Demonstrates interest in the community (attends events, frequently drives/walks/rides through Town)

COMMENTS:

I think Mike Casey has done an incredible job as Indekelen's Town Manager. His ability to successfully navigate through the many challenges presented since he assumed this position has been quite impressive. Our town is fortunate to have...

OVERALL RATING:

Excellent  X
Very good
Good
Fair
Poor

Evaluator's Signature

Date  07/15/2020
TOWN OF INDIALANTIC

Performance Evaluation

This form divides the Manager’s tasks into five (5) categories and provides for the rating of each item in the category using the evaluation scale shown. Spaces are provided for additional comments.

Michael L. Casey
Town Manager

Doug Wright
Evaluator

July 12, 2019 thru July 11, 2020
Evaluation Period

July 20th 2020
Date of Evaluation

Evaluation Scale

5  Excellent
4  Very Good (i.e. exceeds expectations)
3  Good (i.e. meets expectations)
2  Fair  (i.e. meets most expectations, but improvements are needed)
1  Poor (i.e. fails to meet the evaluator’s expectations in all categories)
N/O  Not observed (i.e. evaluator does not have sufficient information to judge performance)

ORGANIZATIONAL MANAGEMENT

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4. Explores funding opportunities, including grants, as appropriate for Town needs

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4. Carries out directives of the Council

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4. Understands Council issues and transfers them to Council agenda for consideration

INTERGOVERNMENTAL

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4. Addresses Town responsibilities with regard to outside agency requirements (e.g. FDEP, FDOT)

4. Represents the Town in matters that involve other governments and/or agencies

3. Maintains an interest in neighboring areas to protect the Town’s interests

COMMUNITY RELATIONS

4. Addresses citizen complaints and questions in a professional, friendly and prompt manner
4 Demonstrates interest in the community (attends events, frequently drives/walks/rides through Town)

COMMENTS:


OVERALL RATING:

Excellent
Very good  Yes
Good
Fair
Poor

Evaluator's Signature  July 20th
Date
1. **Intergovernmental Activity:**
   
a. **US-192/SR-500 Resurfacing:** FDOT is proposing to resurface US-192/SR-500 (aka Fifth Avenue) from the easternmost relief bridge to SR-A1A in FY-22. (04/16/18) FDOT has agreed to analyze the mid-block crossings and determine if Rectangular Rapid Flashing Beacons (RRFBs) are warranted. (06/18/18) FDOT has determined that pedestrian counts indicate that Rapid Rectangular Flashing Beacons (RRFBs) are not warranted at the Fifth Avenue mid-block pedestrian crossings. However, FDOT did recommend improving the lighting and signage at these locations which will be factored into the resurfacing project that should commence in FY-22. (04/16/19) FDOT has determined that pedestrian activated crossing signals are not warranted for mid-block crossings on Fifth Avenue at this time. (05/08/19) Resurfacing scheduled for FDOT fiscal year 2023, scheduled for 11/22 (2/3/20)

b. **SR-A1A Pedestrian Crossing at 2nd Avenue:** Is to be modified in FY-20 and include Rectangular Rapid Flashing Beacons; however, FWA prohibits the use of RRFBs. (01/10/18) FWA now allows RRFBs; however, FDOT has had to re-apply to use them. (04/16/18) Was notified work is starting on SRA1A between US192 and SR518 (10/1/19). Was notified work is starting on SRA1A between US192 and SR518 (10/1/19). Modifications made to MOT while work is being performed (10/15/19) Barrels have been removed and waiting on flashing lights and roadway markings. (12/30/19) Light is active and FDOT placed new signage speed limit lowered to 35 mph from Pineda to Eleventh Ave. (5/8/20) FDOT removed outside pedestrian crossing sign (8/4/20)

c. **SR-A1A South of US-192:** FDOT has been requested to lower the posted speed limit from 40 mph to 35 mph. (05/09/18) FDOT will conduct a speed study after the safety improvements have been completed. (01/09/19) Council approved Resolution 19-2019 12/8/19 asking FDOT to lower speed limits on Beachside on State Roadways (12/30/19) FDOT is discussing possible lower speed limits now after controversy on pedestrian crossing (3/3/20) Speed limit lowered south of US-192 to 11th Ave to 35MPH (6/3/20) Requested FDOT lower speed limit south of 11th to 35MPH to Melbourne Beach and heard positive response back waiting on final answer (8/4/20)

d. **Pedestrian Crossing Signals:** FDOT inspected the US-192 intersections at Riverside Drive and SR-A1A on 2/22/19 and are evaluating possible audible pedestrian signal improvements. (03/13/19) Spoke to DOT sent Jay email 8/15/19. FDOT looking at updating traffic lights and crossing conducting study to work into the resurfacing in 22/23 FDOT fiscal year (2/27/20)

2. **Fiscal Activity:**
   
a. **Fifth Avenue median:** The Town is soliciting proposals from Registered Landscape Architects for consideration to develop a plan to replace the existing plants in the Fifth Avenue median. (06/18/18) A recommendation
will be presented to Council for 8/8/18. (08/08/18) Staff is negotiating a contract with Susan Hall Landscape Architecture, Inc. (09/12/18) Workshop will be held 10-18-18 at 6:30 p.m. (10-10-18) Options will be presented to Council at the January meeting for approval. (01/09/19) Some counties in the median are being relocated to Nance and Douglas parks and to the Fifth Avenue median east of SR-A1A to determine if the areas are suitable for relocation once the new plants are installed in the median. (02/13/19) The grant application was sent to FDOT on 3/7/19. (04/16/19) FDOT has approved the application with funding projected in FY-23. (05/08/19) FDOT contacted me and we are on schedule for FY-23 and working with Susan Hall Landscape Architecture, Inc on first past review of submission (7/29/19). Ryan from Susan Hall’s sent preliminary information state approved first pass. Working with Ryan on Bid documents (8/1/19) Received initial Project Schedule, Landscape Plans, ITB and Opinion of Project Costs from Susan Halls office for initial submission to DOT for review and I submitted them to FDOT for first review 8/20/19. Heard from DOT Dawn Latchum assigned project number is 442883-2-58-01 for submission (8/21/19). Received comments from FDOT and Susan Hall Landscaping Architecture, Inc is reviewing comments (9/30/19) Spoke with Ryan and his is looking into if lighting can be used (10/28/19) Ryan responded to comments from FDOT on median plans (11/1/19). FDOT wants meeting with landscape architect and town (11/15/19). Meeting wet with FDOT and Susan Hall on 1/28/20 at 2 PM FDOT Deland (11/25/19) Attending meeting and project is still moving forward. Nothing can be done until after repaving is done. Project funded in FDOT 2023 fiscal year earliest project could happen in 8/22 (2/3/20) Ryan recently responded to comments from FDOT (8/4/20)

b. Budget Committee
Budget committee is scheduled to meet on 07/07/20 to review 2020/2021 budget (6/30/20). Budget & Finance Committee met on 7/21/20 and unanimously recommended Council set the FY 2021 millage rate at 6.0923 (8/4/20)

3. Organizational Activity:
   a. Swale: Public Works has installed swales at 205 S. Ramona Avenue on the 7th Avenue side. (05/15/17) A swale was improved at 810 Wavecrest Avenue and a swale was added at 305 S. Ramona Avenue. (10-10-18) A swale was added at 812 Wavecrest Avenue. (11/07/18) A swale was added at 425 Second Avenue. (02/13/19) A swale was added at 435 Twelfth Avenue. (03/13/19) A swale was added to the west side of S. Riverside Place. (07/10/19) Swale ordinance is presented to town council March 2020 meeting (3/4/20). Waiting on Environmental Task Force to review and make further recommendations (7/1/20) Ordinance was reviewed at the July
meeting and updating the swale design will be reviewed at the August Environmental Task Force meeting (8/4/20)

b. **Meters:** Kiosk have been ordered and expected around the end of January 2020 (12/3/19). Kiosk expected to be shipped in a next few weeks for Nance Park (3/4/20). Kiosk is active and working as of this date (5/8/20). Kiosk are operating still some tweaking in signage (6/16/20).

c. **Pipes Under Pavement:** Placed legal ad for both north and south pipes under pavement project with bids being received from 7/16/19 thru 8/16/19. Had preconstruction meeting with prospective bidders and town engineer on 7/22/19 (7/31/19). Received bids from 4 contractors and have meeting on lowest bidder and BSE on 9/10/19 (9/5/19). Council asked to approve low bidder PRP at 10/9/19 council meeting (10/1/19). Have signed agreement with PRP and received all paperwork. Worked out agreement with City of Melbourne for laydown site on S. Palm old water tower property during project for PRP. Waiting on start date (11/7/19) Start date approximately the second week of January 2020 (12/30/19) PRP is working on project is underway at this time, should last until mid-July (2/3/20) Project is underway and work expected to be completed by July 2020 (3/4/20). Work is progressing and July is expected finish date (5/8/20). PRP is still proceeding and expect to finish south residential this month and move to north residential (6/3/20). Project still proceeding and scheduled by end of summer completion (6/30/20). PRP finishing up in north end of town and also list we have given to correct issues (8/4/20)

d. **Code Codification:** Signed agreement and issued purchase order for with Municode for codification and hosting of Town Codes. Project approved by Council at the October 2019 meeting. Project will take in excess of year and working with staff, Town Attorney and Municode to review, update and make sure all corrections are made for the codification and web hosting (11/7/19). Received email last week from Municode and they have assigned personnel at this time but project is expected to be in excess of one year. Municode has been in contact with clerk and time table is still in line for next year (3/4/20). First review received from Municode and being reviewed by staff and town attorney (5/8/20) Had meeting with Municode and proceeding with codification (6/3/20) Process is continuing with first reading of codification ordinance scheduled for the August Council meeting (8/4/20).

e. B-4 10th Ave to Ramona Ave Storm Sewer Replacement awarded (2/17/20) Contractor notified waiting on start time (5/8/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20)

f. B-5 2nd Ave/Riverside Drive off-line retention area (2/17/20) Waiting on approval of grants from council (5/8/20). Grants have been awarded and BSE is working with Atlantic Development to begin constructions (6/3/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20) Project scheduled to begin first week of August (8/4/20)

g. 2nd Avenue/Riverside Drive to Ramona Avenue Sewer Replacement (2/17/20) Contractor notified waiting on start time (5/8/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20)
h. B-3 Orlando Boulevard/Ramona Drive Storm Sewer Replacement (2/17/20) Contractor notified waiting on start time (5/8/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20) Notified 8/4 by Hinterland Group the contractor that was awarded the contract would be mobilizing for the project beginning 8/5/20 (8/4/20)

i. B-6 Outfall Repair II at Wayne Ave. and Riverside Dr. Sewer Replacement (2/17/20) Contractor notified waiting on start time (5/8/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20)

j. B-4 Bike Path/9th Ave. to Melbourne Ave. Storm Water Replacement/Bike Path Relocation (2/17/20) Contractor notified waiting on start time (5/8/20) Preconstruction meeting held 6/26/20 construction begins in next few months (7/1/20) Meetings held with J&D Construction on site and project is scheduled to begin week of 8/10 and last about 60 days (8/4/20)

k. B-2 Miami Ave bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

l. B-3 Orlando Blvd bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

m. B-3 Ramona Ave bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

n. B-4 Melbourne Ave bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

o. B-4 Palm Ct bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

p. B-5 Ramona Ave bids opened 3/3/20 and given to BSE for evaluation (4/6/20)

q. Met with Software Company about replacing outdated building software which had been budgeted for this fiscal year. After review and meeting several other municipalities already using this company staff decided on BSA Software. Contract has been signed and we came in under budget able to additionally include Building Department, Code Enforcement, and Business Tax Receipt in the package. Price came in under budgeted amount. Expect delivery of software complete with data conversion from old software in next six months. (6/3/20) Had several meetings with company to include conversion of data, software and hardware compatibility. Staff is explored other municipalities using software to seek training. Time table is to go live in October 2020 (6/30/20). We have supplied updates and given preliminary data for conversion. Conflict with BSA has pushed back the go live date to December 2020 (8/4/20)

r. Full Contract with police union (PBA) is up and have spoken with PBA representative and planning on initial meeting the end of August (8/4/20)

s. Firefighter union (IAFF) contract has one article open cost of living wage adjustment, and meeting scheduled for 8/18/20 at 10am (8/4/20).
Indialantic Police Department

Monthly Activity Report

June 2020

OPERATIONS:

* The Department Responded to 1006 Incidents.

* 29 Subpoenas were issued.

* Activity 10 Arrests
  0 Felony
  4 Misdemeanor
  6 Traffic

  1 DUI & 0 Drug

  81 Traffic Citations
  232 Traffic Stops
  159 Verbal Warnings
  2 Capias Filed

TRAINING:

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# Indialantic Fire Rescue
## Monthly Report for July 2020

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<td>Trash Fires</td>
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<tr>
<td>Other Fire Calls</td>
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<table>
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<tr>
<th>RESCUE &amp; EMERGENCY MEDICAL</th>
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<tr>
<td>Medical</td>
<td>33</td>
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<tr>
<td>Well Being Check</td>
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<tr>
<td>Water Rescue</td>
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<tr>
<td>Motor Vehicle/Pedestrian Accident with injuries</td>
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<tr>
<td>Motor Vehicle with no injuries</td>
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<thead>
<tr>
<th>HAZARDOUS CONDITIONS (No Fire)</th>
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<tr>
<td>Electrical Wiring/Equipment Problem/Gas Leak</td>
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<tr>
<th>GOOD INTENT CALL</th>
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<tr>
<td>Dispatched and Cancelled Enroute</td>
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<tr>
<td>Dispatched and Cancelled on Scene</td>
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<table>
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<th>FALSE ALARM &amp; FALSE CALLS</th>
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<td>False Alarm or False Call</td>
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<td>Smoke Detector activation due to smoke or dust</td>
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<td>Special Type of Incident</td>
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<td>RUNNING TOTAL OF PREVIOUS MONTHS</td>
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<td>TOTAL CALLS YEAR TO DATE</td>
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<td>BREVARD COUNTY</td>
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| VOLUNTEER HOURS                 | 154.75|
| SAVINGS REALIZED BY THE TOWN    | $3,095|

| VOLUNTEER F/F ACTIVITY          | Monthly business meeting 7/7/20 and weekly training conducted on 7/14/20, 7/21/20, & 7/28/20. Training included self contained breathing apparatus, emergency medical patient assessment, & EMS/corona virus. The volunteers approved the purchase of new front tires for the squad at a cost of $440 and voted on three new members into the organization. |

<p>| CAREER F/F ACTIVITY             | The on-duty crews completed 180 hours of on-line and practical training throughout the month. Placed the five new self contained breathing apparatus purchased through a state grant into service. |</p>
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<thead>
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<th></th>
<th>CURRENT</th>
<th>YTD 20</th>
<th>YTD 19</th>
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<td>562</td>
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<td>$108,285.00</td>
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<td>24</td>
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<td>Date</td>
<td>Company Name</td>
<td>Owner Name/Address</td>
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<tr>
<td>IND20_333</td>
<td>7/14/2020</td>
<td>RE ROOF</td>
<td>CCNSTANTINO, RONALD 141 MICHIGAN AV</td>
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<tr>
<td>IND20_415</td>
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<td>HAGEN 1145 SHANNON AVE N</td>
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<tr>
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<td>THOMAS 346 MIAMI AVE</td>
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<td>PEREZ 221 WAYNE AV</td>
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<td>IND20_429</td>
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<td>ACCORDIAN SHUTTERS</td>
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<tr>
<td>IND20_430</td>
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<td>COOK 505 MIRAMAR AV S 2</td>
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<td>VAZQUEZ, JOHNNY 425 PALMETTO PL</td>
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<tr>
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<td>ALHADAD, SYED MOHSEN 216 TWELFTH TER</td>
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<td>PANICCIA, ADELIA TRUSTE 800 MIRAMAR AV N</td>
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<tr>
<td>IND20_447</td>
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<td>BOESCH, KENNETH 200 TAMPA AVE</td>
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<tr>
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<td>NGUYEN 505 MIRAMAR AVE N 3</td>
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<tr>
<td>IND20_457</td>
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<td>CLARK, H L III 225 FIFTH AV</td>
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<tr>
<td>IND20_458</td>
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<td>REPLACE METER MAIN AND 2 SUBPANE</td>
<td>CLARK, H L III 225 FIFTH AV</td>
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<td>IND20_459</td>
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<td>GUNN, MICHAEL J 109 MIRAMAR AV S</td>
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<td>BOYNTON 510 WATSON DR</td>
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<td>MUSSER 505 MIRAMAR AVE N 3</td>
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<tr>
<td>IND20_463</td>
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<td>SERVICE OVER TO UNDER</td>
<td>HAGEN 1202 RAMONA AVE S</td>
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<td>WOOSTER, THOMAS 121 ELEVENTH AVE</td>
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<tr>
<td>IND20_465</td>
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<td>8X20 SHED</td>
<td>MCELI 128 EIGHTH AV</td>
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<td>IND20_466</td>
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<td>RE PLUMB SANITARY LINES UNDER SLA</td>
<td>FIRST STATE TRUST 205 MELBOURNE AV</td>
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<td>IND20_472</td>
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<td>CERNY 232 COCOA AV</td>
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<td>REPLACE METER MAIN</td>
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<td>Date</td>
<td>Description</td>
<td>Company/Name</td>
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<td>CIRCULAR DRIVEWAY-PAVERS</td>
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<td>POTTER</td>
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<td>RANN</td>
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<td>GLIDA, PETER</td>
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<td>DAVENPORT</td>
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<td>IND20_492</td>
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<td>HVAC</td>
<td>LANGLEY</td>
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<td>IND20_493</td>
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<td>RE ROOF</td>
<td>GOLDFARB</td>
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<td>IND20_494</td>
<td>7/24/2020</td>
<td>BUILDOUT FOR TAKE OUT PIZZA STORE</td>
<td>PANICcia, ADELIA TRUSTE</td>
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<td>HVAC</td>
<td>ENGELHART</td>
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<td>IND20_497</td>
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<td>MULCAHY</td>
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<td>McMAHON</td>
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<td>HOFFMAN, JILL</td>
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<td>THOMAS</td>
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<td>RE ROOF</td>
<td>BENJAMIN</td>
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<td>REPLACE GARAGE DOOR</td>
<td>HUTCHINSON, CHRISTOPH</td>
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Permits: 66

Grand Total

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<th>Permit Fee</th>
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<th>Surcharge Fee</th>
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### Inspection Result Date Summary
07/01/2020 through 07/31/20

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*All Results: 86*
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<th>Code</th>
<th>Description</th>
<th>Status</th>
<th>Notes</th>
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<tr>
<td>604 North Riverside Drive</td>
<td>over sized real estate sign</td>
<td>05/27/20</td>
<td>17-106-3(1)</td>
<td>Over sized real estate sign</td>
<td>Completed</td>
<td>Letter sent 05/27/2020 observed by CPS</td>
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<tr>
<td>346 Third Avenue</td>
<td>BTR Required</td>
<td>03/19/20</td>
<td>See 9-1, 9-6, 9-7</td>
<td>BTR not on file</td>
<td>In the Process</td>
<td>letter sent 03/19/2020</td>
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<tr>
<td>103 North Riverside Drive</td>
<td>over sized real estate sign</td>
<td>05/22/20</td>
<td>17-106-3(1)</td>
<td>Over sized real estate sign</td>
<td>Completed</td>
<td>Letter sent 05/27/2020 observed by CPS, 05/10/20/027 by MC</td>
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<tr>
<td>241 Oakland Ave.</td>
<td>Landscaping</td>
<td>06/02/20</td>
<td>5-5-68(d)</td>
<td>Yes in ROW</td>
<td>Completed</td>
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<tr>
<td>313 Second Ave.</td>
<td>Landscaping</td>
<td>06/24/20</td>
<td>5-5-68(d)</td>
<td>dead tree</td>
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<td>405 South Rose Ave.</td>
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<td>yard sign</td>
<td>Unfounded</td>
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<td>436 Fifth Ave.</td>
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<td>365 Fourth Ave.</td>
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<td>05/22/20</td>
<td>5-5-68</td>
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<td>418 Oakland Ave.</td>
<td>Landscaping</td>
<td>05/21/20</td>
<td>5-5-68(d)</td>
<td>dead tree</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>713 North Riverside Drive</td>
<td></td>
<td>07/02/20</td>
<td>5-5-68</td>
<td>Veg in ROW</td>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>143 Second Avenue</td>
<td>BTR Required</td>
<td>07/14/20</td>
<td>See 9-1, 9-6, 9-7</td>
<td>BTR not on file</td>
<td>Outstanding</td>
<td>letter sent 07/14/2020</td>
</tr>
<tr>
<td>337 Second Ave.</td>
<td>Boat/RV Storage</td>
<td>07/17/20</td>
<td>17-103-0(3)</td>
<td>Trailer in Front yard</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>Vacant Lot @ Watson &amp; Way</td>
<td>Landscaping</td>
<td>07/22/20</td>
<td>Sec 8-21</td>
<td>Landscaping Debris</td>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>444 Michigan Ave.</td>
<td>Boat/RV Storage</td>
<td>07/29/20</td>
<td>17-103-0(3)</td>
<td>Boat on trailer</td>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>405 G Jennings Ave.</td>
<td>Boat/RV Storage</td>
<td>08/13/20</td>
<td>17-103-0(3)</td>
<td>Boat on trailer</td>
<td>Unfounded</td>
<td></td>
</tr>
<tr>
<td>Zone 2</td>
<td></td>
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</tr>
<tr>
<td>215 Michigan Avenue</td>
<td>Landscaping</td>
<td>06/10/20</td>
<td>5-5-68(b)</td>
<td>Very high grass, not neat &amp; attractive</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>196 Fourth Avenue</td>
<td>Storage of Vehicle</td>
<td>06/25/20</td>
<td>Sec 15-36</td>
<td>Unpoppable Vehicle in yard</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>106 Fourth Avenue</td>
<td>Landscaping</td>
<td>07/16/20</td>
<td>5-5-68(c)</td>
<td>Very high grass, not neat &amp; attractive</td>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td>Department</td>
<td>Action Date</td>
<td>Code</td>
<td>Category</td>
<td>Status</td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td>215 Michigan Avenue</td>
<td>General Maintenance</td>
<td>06/29/20</td>
<td>Sec 5-63</td>
<td>construction debris</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>215 Fifth Avenue (210 South)</td>
<td>Trash Container Areas</td>
<td>06/30/20</td>
<td>Sec 5-65</td>
<td>broken dumpster door</td>
<td>Outstanding</td>
<td></td>
</tr>
<tr>
<td>215 Fifth Avenue</td>
<td>Prohibited Sign</td>
<td>06/10/20</td>
<td>Sec 5-106.2</td>
<td>absolute sign</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>320 Motroam Ave</td>
<td>Landscaping</td>
<td>07/02/20</td>
<td>Sec 5-68</td>
<td>Veg in ROW</td>
<td>Completed</td>
<td></td>
</tr>
<tr>
<td>800 N Shannon Avenue</td>
<td>Bus/RV Storage</td>
<td>07/13/20</td>
<td>13-140/6(3)</td>
<td>Trailer in Front yard</td>
<td>Unfounded</td>
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</tr>
</tbody>
</table>

**Zone 3**

<table>
<thead>
<tr>
<th>Address</th>
<th>Department</th>
<th>Action Date</th>
<th>Code</th>
<th>Category</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>424 Tenth Ave</td>
<td>Landscaping</td>
<td>06/03/20</td>
<td>Sec 5-68</td>
<td>Veg in ROW</td>
<td>TOT Invoices</td>
</tr>
<tr>
<td>504 South Rainora Ave</td>
<td>Landscaping</td>
<td>06/24/20</td>
<td>Sec 5-68(6)</td>
<td>dead tree</td>
<td>Completed</td>
</tr>
<tr>
<td>229 North Ter</td>
<td>Landscaping</td>
<td>06/13/20</td>
<td>Sec 5-68</td>
<td>Veg in ROW</td>
<td>Completed</td>
</tr>
<tr>
<td>1213 South Riverside Dr</td>
<td>Prohibited Sign</td>
<td>07/01/20</td>
<td>170-106.2(3)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>400 South Riverside Drive</td>
<td>Landscaping</td>
<td>07/02/20</td>
<td>Sec 5-68</td>
<td>Reflectors in ROW</td>
<td>Completed</td>
</tr>
<tr>
<td>321 Seventh Avenue</td>
<td>POD</td>
<td>01/24/20</td>
<td>17-116</td>
<td>POD without permit</td>
<td>Outstanding</td>
</tr>
</tbody>
</table>

**Zone 4**

<table>
<thead>
<tr>
<th>Address</th>
<th>Department</th>
<th>Action Date</th>
<th>Code</th>
<th>Category</th>
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</thead>
<tbody>
<tr>
<td>150 Fifth Avenue</td>
<td>BTR Required</td>
<td>03/19/20</td>
<td>Sec 5-1, 5-6, 5-7</td>
<td>BTR not on file</td>
<td>In the Process</td>
</tr>
<tr>
<td>205 Melbourne Avenue</td>
<td>Bus/RV Storage</td>
<td>06/01/20</td>
<td>17-103(3)</td>
<td>Boat on trailer in front</td>
<td>Completed</td>
</tr>
<tr>
<td>128 Eighth Avenue</td>
<td>No permit applied for</td>
<td>06/06/20</td>
<td>Chapter G</td>
<td>Shed in Breathing Tie Downs</td>
<td>Completed</td>
</tr>
<tr>
<td>170 Eleventh Ave</td>
<td>Placing on land of another</td>
<td>06/24/20</td>
<td>Sec 8-20</td>
<td>Yard debris on adj abv</td>
<td>Completed</td>
</tr>
<tr>
<td>300 Cocoa Avenue</td>
<td>Landscaping</td>
<td>06/10/20</td>
<td>Sec 5-68(6)</td>
<td>Very high grass, neat &amp; attractive</td>
<td>Outstanding</td>
</tr>
<tr>
<td>1201 South Shannon Ave</td>
<td>Landscaping</td>
<td>07/02/20</td>
<td>Sec 5-68</td>
<td>Veg in ROW</td>
<td>TOT Invoices</td>
</tr>
<tr>
<td>115 Miami Ave</td>
<td>Prohibited Sign</td>
<td>07/12/20</td>
<td>17.106.2(2)(a)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>Address</td>
<td>Problem Description</td>
<td>Date</td>
<td>Code(s)</td>
<td>Compliance</td>
<td>Status</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------------------------------</td>
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</tr>
<tr>
<td>249 Fifth Avenue</td>
<td>Trash Container Area</td>
<td>07/07/20</td>
<td>Sec. 5.5-65</td>
<td>Not Complied</td>
<td>Outstanding</td>
</tr>
<tr>
<td>249 Fifth Avenue</td>
<td>BTR Required</td>
<td>07/07/20</td>
<td>BTR, 9.1, 9.6, 9.7</td>
<td>BTR not on file</td>
<td>Outstanding</td>
</tr>
<tr>
<td>323 Orchard Avenue</td>
<td>Storage of Vehicles</td>
<td>07/08/20</td>
<td>Sec. 15.34</td>
<td>Not Complied</td>
<td>Outstanding</td>
</tr>
<tr>
<td>316 Deland Avenue</td>
<td>Landscaping</td>
<td>07/02/20</td>
<td>Sec. 11.7</td>
<td>Not Complied</td>
<td>Outstanding</td>
</tr>
<tr>
<td>310 South Shannon Avenue</td>
<td>Landscaping</td>
<td>07/12/20</td>
<td>5.5-68</td>
<td>Not neat and attractive</td>
<td>Outstanding</td>
</tr>
<tr>
<td>227 Coca Avenue</td>
<td>General Maintenance</td>
<td>06/09/20</td>
<td>Sec. 5.6.3</td>
<td>Large trash in ROW</td>
<td>Complied</td>
</tr>
<tr>
<td>303 Deland Avenue</td>
<td>Boat/RV Storage</td>
<td>07/28/20</td>
<td>17-1030(b)(3)</td>
<td>RV in yard</td>
<td>Outstanding</td>
</tr>
<tr>
<td><strong>Zone 5</strong></td>
<td></td>
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<tr>
<td>9R500</td>
<td>Prohibited Sign</td>
<td>07/28/20</td>
<td>17-106.2(2)(a)</td>
<td>Prohibited sign</td>
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</tr>
<tr>
<td><strong>Zone 6 (Miramar &amp; Wave Crest)</strong></td>
<td></td>
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</tr>
<tr>
<td>200 South Miramar Avenue</td>
<td>Over-sized real estate sign</td>
<td>05/27/20</td>
<td>17-106.5(1)</td>
<td>Over-sized real estate sign</td>
<td>Removed</td>
</tr>
<tr>
<td>1101 South Miramar Ave.</td>
<td>Hydrant Clearance</td>
<td>06/08/20</td>
<td>EFFC 18.3.4.1</td>
<td>Landscaping biking</td>
<td>Complied</td>
</tr>
<tr>
<td>Miramar Avenue/5th Avenue</td>
<td>Prohibited Sign</td>
<td>7/12/20</td>
<td>17.106.2(2)(a)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>Miramar Avenue/5th Avenue</td>
<td>Prohibited Sign</td>
<td>7/12/20</td>
<td>3.106.2(2)(a)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>South Miramar Ave/5th Ave.</td>
<td>Prohibited Sign</td>
<td>7/12/20</td>
<td>17.106.3(2)(a)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>311 South Miramar Avenue</td>
<td>Landscaping</td>
<td>07/02/20</td>
<td>5.5-68</td>
<td>Ornaments in ROW</td>
<td>Complied</td>
</tr>
<tr>
<td>306 Wavecrest Ave</td>
<td>Prohibited Sign</td>
<td>7/10/20</td>
<td>17.106.2(3)(a)</td>
<td>Prohibited sign</td>
<td>Removed</td>
</tr>
<tr>
<td>301 South Miramar Avenue</td>
<td>Trash Container Area</td>
<td>07/14/20</td>
<td>Sec. 5.5-65</td>
<td>Accumulation of debris</td>
<td>Outstanding</td>
</tr>
<tr>
<td>1 Eighth Avenue</td>
<td>Turtle Light</td>
<td>07/24/20</td>
<td>Division 3</td>
<td>Turtle Light Violation</td>
<td>Outstanding</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------</td>
<td>----------</td>
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<tr>
<td>912 Wave Crest Avenue</td>
<td>Turtle Light</td>
<td>7/24/2020</td>
<td>Division 3</td>
<td>Turtle Light Violation</td>
<td>Outstanding</td>
</tr>
</tbody>
</table>