

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING February 21, 2024 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

MINUTES

Commission Members:

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Town Clerk Amber Brown

1. Call to Order

Mayor Alison Dennington called the meeting to order at 6:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Marivi Walker
Commissioner Adam Meyer

Commission Members Absent

Commissioner Corey Runte

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Public Works Director Tom Davis
Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Meeting Agenda – Additions/Deletions/Changes

Mayor Alison Dennington spoke about additional documents that were provided today for items that are on the agenda.

Vice Mayor Sherri Quarrie made a motion to accept the meeting agenda as posted with the additions; Commissioner Marivi Walker seconded; Motion carried 4-0

5. Consent Agenda

- A. Approval of the Regular Town Commission Meeting minutes January 17, 2024
- B. Approval of the Town Commission Workshop minutes January 16, 2024
- C. Approval of the Town Commission Workshop minutes January 3, 2024
- D. Approval of the Regular Town Commission Meeting minutes December 20, 2023
- E. Consideration to change the meeting date and time for the History Center Board
- F. Reappointment of Board Members
 - Reappointment of members of the Board of Adjustment
 - 1. Member Robert Schaefer
 - 2. Member Xochitl Ross
 - Reappointment of members of the Environmental Advisory Board
 - 1. Member Curtis Byrd
 - 2. Member Crystal Cain
 - Reappointment of members of the Planning and Zoning Board
 - 1. Member David Campbell
 - 2. Member April Evans
 - 3. Member Dan Harper
 - 4. Member Gabor Kishegyi

Vice Mayor Sherri Quarrie made a motion to approve the consent agenda which has the minutes for January 17, 2024, January 16th and 3rd, the minutes for December 20, 2023, the History Board change of meeting date, the reappointment of Board Members for the Board of Adjustment, Environmental Advisory Board, and also the Planning and Zoning Board; Commissioner Marivi Walker seconded; Motion carried 4-0

6. Proclamations/Presentations/Awards

7. Finance/Budget Report

Mayor Alison Dennington asked about the deficiencies from the audit last year.

Finance Manager Jennifer Kerr spoke about the 2 deficiencies are a typing error in a GL line and an issue when COVID money came in and when it needed to be entered in.

Mayor Alison Dennington asked about how money is reconciled such as the money that was allocated for the skate park.

Town Manager Elizabeth Mascaro spoke about money will be reconciled by a resolution, and the Commission determines where the money goes. The way it is worded using deficiencies makes it sound bad, but they are not. They were addressed last May, and all respondents must respond and provide comments to the State.

Mayor Alison Dennington spoke about any adjustments are not great and means the original statements were not being prepared correctly.

Town Manager Elizabeth Mascaro spoke about there being adjustments every year, and a lot of governments have them.

Commissioner Marivi Walker spoke about not implying that egregious mistakes were made. Ask the auditors for their opinion. When the auditors presented last year it did not seem like a big deal.

Mayor Alison Dennington spoke about the auditors saying adjustments are common with smaller municipalities, and that it went better than previous years. She asked various questions about line items in the budget.

Commissioner Adam Meyer had a question about FEMA money, \$10,000 had been received.

Mayor Alison Dennington questioned what the \$500 received was for.

Town Manager Elizabeth Mascaro said it was essentially for the disposal of small assets, specifically a police vehicle that's beyond repair, that they sold.

Mayor Alison Dennington addressed questions she had about the budget book, and how she will get more familiar with it.

Vice Mayor Sherri Quarrie made a motion to accept the budget report as presented; Commissioner Marivi Walker seconded; Motion carried 4-0

8. Department and Board/Committee Reports

A. Parks Board

Dawn Barlow, Chairperson of the Parks Board, introduced members Haley Conrad, Julie Samuels, Rebecca Stevens, and Sabrina Cornelius. A few members that are not present include Danika Feodoroff Warren and Lisa Kishegyi. The Board looked into what the Town Code says related to the Parks Board which is to look into park improvements and make suggestions to the Town Manager and review special events. Neither has been done in a few years. Spoke about the Parks Board discussing a veteran's park and upgrades to Ryckman Park. Spring Fest/Kids Business Fair is March 2nd.

Mayor Alison Dennington spoke about the Code related to the Parks Board, thinks any changes to the parks should be vetted by the Parks Board first then go to the Commission for approval.

B. Public Works Department

Mayor Alison Dennington spoke about having a meeting between Public Works, Building Official, Town Manager, and herself with FDOT about the A1A road work.

Commissioner Marivi Walker spoke about a resident who asked her about all of the leaves that are falling from the oak trees. Add something to the newsletter about how bad leaves are for the storm drains.

Public Works Director Tom Davis spoke about the ongoing work at the Fifth Ave beach access, they uncovered concrete steps under the crossover, will put together something educational about leaves in the storm drains.

Mayor Alison Dennington asked various questions about the public works department report.

C. Building Department

No additions

D. Code Enforcement

Mayor Alison Dennington asked for details on the vacation rental violations.

E. Fire Department

No additions

F. Police Department

Mayor Alison Dennington asked questions about the status of the Police Chief and spoke about the hiring process for the Police Chief.

Town Manager Elizabeth Mascaro spoke about the Police Chief working as a contract employee.

G. Town Clerk

Mayor Alison Dennington asked various questions about the Town Clerk Report.

9. Public Comment (Non-Agenda Items)

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.

Frank Thomas – 606 Atlantic St - *Frank Thomas spoke about living in the Town of Melbourne Beach since 1961. He asked if anyone on the Parks Board does not live in the Town of Melbourne Beach. Who is the sponsor of the event this Saturday and where the money is going.*

Town Clerk Amber Brown spoke about the event is hosted by the Environmental Advisory Board and there is no money as the event is for education and information.

Joe Pavlock - 501 Third Ave - *Joe Pavlock asked what the results of the stop sign survey was, asked about the speed humps at Ocean and Pine as he thought they were temporary, when are we getting the turn arrow at the stop light, why not have an acting Police Chief rather than keep the Police Chief on as a contractor to save money, and asked about the audiovisual equipment for the Community Center.*

Mayor Alison Dennington spoke about the stop sign survey is an agenda item, the speed bumps are permanent, the turn arrow was part of the discussion the Town had with FDOT yesterday and it is in the works, and the contract for the audiovisual equipment was already approved, the brick crosswalks are pretty but not as visible.

Dan Brunger – 400 Sixth Ave - *Dan Brunger spoke about appreciating the minutes being posted online, it is hard to hear some people please get closer to the mic, what is the status of the new fire truck, the 404 Sixth Ave storm drain needs maintenance, and the camera at the Sixth Ave boat ramp is missing.*

Fire Chief Gavin Brown spoke about how the new fire truck has been ordered, but the build time is about 3 years, will receive it in the middle of 2025. The current first-run truck is turning 20 this year which is the max recommended length from NFPA.

Public Works Director Tom Davis spoke about how the cameras have made a difference in lowering vandalism, wants to look into upgrading the quality of the cameras in the future.

Mayor Alison Dennington asked various questions about the Town cameras and storm drains.

Commissioner Marivi Walker spoke about the original discussion about the cameras was for security in the parks and parking areas.

Mike Minick– 1700 Atlantic St - *Mike Minick spoke about one year ago, a loose dog attacked his dog, he brought his dog to the vet and they gave the dog a 50/50 chance. He asked the police to take a non-emergency information report and the Police Chief said no. Six weeks ago there was another dog loose. Late at night animal control will not take a report and neither will our police department, so what can be done. He has run into loose dogs over 11 times so now he carries pepper spray.*

Town Manager Elizabeth Mascaro spoke about residents need to call 911 and they will dispatch police and they will take a report.

10. Public Hearings/Special Orders

11. Unfinished Business

12. New Business

- A. Public Works Director Tom Davis spoke about consideration of curbing repair/replacement on Riverside Dr.

Public Works Director Tom Davis spoke about the different sections of curbing along Riverside Drive that he categorized as total failure or deterioration/cracking.

Mayor Alison Dennington asked various questions about the project and the contracts, and spoke about needing more details before she can make a decision.

Town Manager Elizabeth Mascaro spoke about the details of the project and compared the price to the project on Orange and the project on Cherry. Ribbon curbing is not feasible on Riverside, so the Commission has to decide if they want to redo the entire curbing or just certain sections of it.

Commissioner Marivi Walker asked the Town Attorney Ryan Knight if this piggyback contract is a good deal.

Town Attorney Ryan Knight spoke about almost always piggybacking off a contract will have a better price.

Commissioner Adam Meyer asked if the cost (\$211,000) is reasonable and do we usually put that much towards curbing.

Town Manager Elizabeth Mascaro spoke about the cost being very reasonable per square linear foot, especially for that amount of road being done.

Vice Mayor Sherri Quarrie asked if the Commission needs to have a special meeting to get this done in a timely manner, and when do we need to notify the paving company, how much money is put aside for the project, and if that will be enough money.

Public Works Director Tom Davis spoke about it will take at least 5 weeks after the contract is done to get anyone onsite.

Town Manager Elizabeth Mascaro spoke about there being over one million dollars set aside, and this project is not related to stormwater and will not be using any stormwater money.

Commissioner Adam Meyer asked if we can get the contract with all of the numbers including the paving and curbing.

Commissioner Adam Meyer made a motion to table the discussion on paving and concrete curbing to a special meeting; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0

B. Consideration of the proposal to establish a volunteer Beach Ambassador program within the Town of Melbourne Beach – Fire Chief Gavin Brown

Fire Chief Gavin Brown spoke about trying to get most of the cost covered by Drown Zero who has offered to donate money and possibly an atv/utv. The ongoing costs would be minimal such as fuel and uniforms. The first step would be to create the policies and procedures and the training program then gauge the public's interest since this would be a volunteer program.

Mayor Alison Dennington spoke about the possibility of getting grant money.

Vice Mayor Sherri Quarrie asked if this would be in addition to the lifeguards.

Fire Chief Gavin Brown spoke about the ambassadors would be in addition to lifeguards, they would not be first responders; they would be there for educating the public to help prevent any issues. They would not be enforcing anything, but rather educating the public on items such as general wildlife, local codes and rules, rip current awareness, etc.

Mayor Alison Dennington spoke about people might pay to take the trainings.

Fire Chief Gavin Brown spoke about most of the trainings having very little cost because a lot of the trainings are done in house by volunteers of the fire department. He's hoping to start the program with donations and then the Town can cover the recurring cost.

Commissioner Adam Meyer spoke about liking the program, but what would the liability be on the Town for a resident driving a Town provided atv/utv.

Mayor Alison Dennington spoke about how all of the volunteers would need to sign waivers.

Fire Chief Gavin Brown spoke about there being a certification process and atv/utv driver training that everyone would need to go through. The Fire Department has a utv that the volunteers drive.

Mayor Alison Dennington spoke about whether all of the fire department volunteers should have to sign a waiver as well.

Fire Chief Gavin Brown spoke about how the fire department volunteers are trained members of the Town just like a town employee. Volunteerism in general is in significant decline.

Commissioner Adam Meyer made a motion to proceed with looking into the Beach Ambassador Program; Commissioner Marivi Walker seconded; Motion carried 4-0

C. Consideration of the proposal to add a Spanish Together Class – Parks Board

Parks Board Chairperson Dawn Barlow spoke about how someone requested the Parks Board look into having a Spanish class. This is a proposal for a six week pilot program to see how the program does.

Commissioner Marivi Walker asked about the details of the My Musical Tree class.

Town Manager Elizabeth Mascaro spoke about the My Musical Tree is now funded through the parking money and costs \$50.00 per session.

Vice Mayor Sherri Quarrie spoke about not being in favor of having a class in doors because of the issues that have happened in the Community Center including mold remediation costing roughly \$4,000.00 from leaving the doors open. Also, having new audio visual equipment in the building.

Commissioner Adam Meyer spoke about being in favor of it since a Parks Board member will be present. He would be interested in the data of how many people are Melbourne Beach residents.

Parks Board Chairperson Dawn Barlow spoke about it being possible to do it outside, but the instructor would prefer to do it inside.

Mayor Alison Dennington spoke about it being concerning having that many kids in one room, also if it's free to everyone they might not be as invested in learning, can we require people to make a donation to make sure they are invested in learning. Likes the idea in theory, but would like more information such as would they be signing a waiver.

Parks Board Chairperson Dawn Barlow asked if the Commission would be more comfortable if the founder was amenable to holding it outdoors.

Mayor Alison Dennington spoke about wanting a waiver for the children and adults, have a set of rules, and age limits.

Town Attorney Ryan Knight spoke about how there would be concerns with having kids in an area that is not intended for kids. Kids might want to go up and down the stairs or play with the flag or fire extinguisher.

Parks Board Chairperson Dawn Barlow proposed to make it an outdoor only activity.

Commissioner Adam Meyer made a motion to approve the six week provided it is outside; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0

Julie Samuel - 2320 S River Road - Julie Samuel spoke about attending the class. The teacher is used to handling 30 kids and runs it as an interactive class. Believes these

opportunities are possible, and wants to give kids in the community these opportunities. Suggests using parking money instead of being funded by taxpayers.

Brian Casazza - 2009 Oak St - *Brian Cassaza spoke about how any educational opportunity is very important and it should not be limited to a certain age. Everyone should have the opportunity.*

The Commission agreed this should be open to any age.

Jan Futch - 806 Oak St - *Jan Futch asked about having it at the library because it has an environment set up for that.*

Haley Conrad - 2011 Oak St - *Haley Conrad spoke about choosing Spanish because there was interest in it, it's a good starter language. She also said do not assume children are going to destroy everything, parents will bring their kids to the Spanish class if they believe they can handle it.*

AnneMarie McBride - 310 Second Ave - *AnneMarie McBride spoke about the Town getting with the library to see if they would pay and host it.*

Mayor Alison Dennington spoke about how we have this facility that is for the community, and all of the concerns about this building are valid, asked the Parks Board to come up with a list of programs they would like to implement and come up with a checklist of what needs to be done after.

Break at 8:46 pm (2:44:00)

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Public Works Director Tom Davis
Town Clerk Amber Brown

Commission Members Absent

Commissioner Corey Runte

- C. Discussion on Town Commission term lengths related to off-year/odd-year elections – Town Clerk Amber Brown.

Town Clerk Amber Brown spoke about the possibility of even-year elections. Odd-year elections cost approximately \$10,000, and even-year elections cost roughly \$400-\$200. Voter turnout for odd-year elections is usually around 20%, minus last year which was 51%. Even-year elections have 72-86% voter turnout. Spoke about 2 options. Option 1 (used in Cocoa Beach) had the referendum take effect immediately. Option 2 (used in IHB) switched but slowly took effect, had odd-year elections until everyone switched to 4-year terms.

Mayor Alison Dennington said she is skeptical and needs to get more information. Also discussed that there are some costs that are worth the money to the town and some costs that are not.

Vice Mayor Sherri Quarrie says there would need to be a referendum and then a vote in order to pass. Has discussion with Mayor Alison Dennington as to whether or not this should be done.

Mayor Alison Dennington made a motion to table the item to get more information; Commissioner Adam Meyer seconded;

Frank Lagrassa – 412 First Ave - Frank Lagrassa spoke about elections bringing accountability to a system, to government, fraught with potential for abuse.

Mark Formica – 215 Birch Ave - Mark Formica spoke about having a system for staggering elections and there being some type of checks and balances and cost containment.

Sue Martin – 2202 Rosewood Drive - Sue Martin suggested waiting until everyone terms out.

Steve Walters – 416 Sixth Ave - Steve Walters spoke about this already going to the voters and the voters overwhelmingly wanted to keep term limits. This has been decided by the residents before, why do it again.

Mayor Alison Dennington withdrew her motion to table it

Adam Meyer withdrew his second

Fails for lack of motion

- D. Consideration of Resolution 2024-01 – Providing for access to public records by remote electronic means and approving the Town’s record (master) copy documents on electronic media – Town Clerk Amber Brown

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, PROVIDING FOR ACCESS TO PUBLIC RECORDS BY REMOTE ELECTRONIC MEANS IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 119, FLORIDA STATUTES; FURTHER APPROVING THE KEEPING AND MAINTAINING OF THE TOWN’S RECORD (MASTER) COPY DOCUMENTS ON ELECTRONIC MEDIA, NAMELY THE TOWN’S LASERFICHE IMAGING SYSTEM, IN ACCORDANCE WITH THE REQUIREMENTS OF F.A.C RULE 1B-26.003; AND PROVIDING AN EFFECTIVE DATE.

Mayor Alison Dennington spoke about missing information and not being comfortable with it. It needs to include the MCCi contract, the Admin Rule, and not destroying records until there is an inventory and a request to destroy records.

Commissioner Adam Meyer asked Town Attorney Ryan Knight how other towns have dealt with the issue of hard copies after making them digital to which he said each town deals with it differently, but most are starting to get away from keeping hard copies.

Mayor Alison Dennington asked Town Clerk Amber Brown to start putting the documents online, but not to make them the master copy yet.

Commissioner Adam Meyer made a motion to table this to have it rewritten to include a method to deal with the hard copies; Mayor Alison Dennington seconded; Motion carried 3-1 with Commissioner Marivi Walker dissenting

Mark Formica – 215 Birch Ave - Mark Formica spoke about dealing with this in his company, you will have to go with cloud based or a vault, verify the contract has the safety precautions to protect the documents.

- E. Consideration of changing the date for the Regular Town Commission Meetings in March, April, and May – Commissioner Marivi Walker

Commissioner Adam Meyer spoke about not having a problem with it, but wished Commissioner Corey Runte was here to verify everyone can attend.

Mayor Alison Dennington spoke about the meeting dates being in the Charter, so you need to work your schedule around the meetings. If we have a quorum which is three we shouldn't change the dates.

Commissioner Marivi Walker removed the item from the agenda.

- F. Discussion on ordinance language changes related to sheds – Building Official Robert Bitgood

Building Official Robert Bitgood spoke about residents who have pulled a shed permit in the past couple of years have mentioned not building a new larger home or doing an addition it would be nice to be able to have a larger shed. The main changes are increased size to 160 square feet.

Mayor Alison Dennington spoke about having a potential conflict on this topic so she will not be voting on this. The Town does not have a zoning placement permit. It should go back to Planning and Zoning to allow them to work together with the Building Official.

Commissioner Adam Meyer spoke about being comfortable with the 160 square foot size and to allow the shed anywhere as long as the six foot fence can be built around it. Agrees it should go back to Planning and Zoning with the changes.

Vice Mayor Sherri Quarrie asked if the biggest issue Planning and Zoning had was allowing the shed up to the front building line rather than the rear building line, asked about the details of the height restriction, electric and water hook up.

Building Official Robert Bitgood spoke about how that was one of the big issues. You could put a large RV or boat in the same area that this proposal is for. Current code says you can have 1 shed per 10,000 square feet of property. The new proposal would be limited to one shed per address. The shed can have electric, but it cannot have a water hook up. Proposes based on the changes that have been suggested, taking it back to Planning and Zoning to see what they say.

Commissioner Adam Meyer made a motion to approve the wording on page 169 to go back to P&Z; Commissioner Marivi Walker seconded; Motion carried 3-0 with Mayor Alison Dennington abstaining from the vote due to a conflict

Mayor Alison Dennington was advised to fill out a Form 8b.

Dan Brunger – 400 Sixth Ave - Dan Brunger brought up past permits, asked about setbacks and existing sheds, asked about the amount of sheds you can have, spoke about property rights, ex post facto and due process. Do we have a town with town ordinances or an HOA? Do we have a town that we live in, or is it just to look at?

Building Official Robert Bitgood said there are no setbacks for sheds. Mayor Alison Dennington asked how to document what is already existing, also asked if Dan Brunger was in favor of the change and he said no.

Building Official Robert Bitgood also said if someone already has multiple sheds they would be grandfathered in.

G. Consideration of pricing contract renewal with Waste Pro – Town Manager Elizabeth Mascaro

Town Manager Elizabeth Mascaro spoke about how the current Waste Pro contract is expiring. The current cost is \$22.37 and the new proposed cost is \$28.90 effective 5/1/2024. It will be adjusted in years 2-7 where price would be \$2.95 instead of \$5.64.

Commissioner Adam Meyer asked if the \$2.95 would be added on top of the cost every year or if it would be one time. There was agreement that the wording was confusing.

Commissioner Adam Meyer made a motion to go back to Waste Pro to get yearly costs; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0

Break 10:23-10:28 (4:15:05)

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Town Clerk Amber Brown

Commission Members Absent

Commissioner Corey Runte

Steve Walters – 416 Sixth Ave - Steve Walters spoke about how this needs to go out to bid. It makes sense to go out to bid since it has been 14 years.

Mayor Alison Dennington asked questions about going out to bid.

Commissioner Adam Meyer made a motion to put it out to RFP for the results in March; Vice Mayor Sherri Quarrie seconded, Motion carried 4-0

- H. Discussion on second kitchens, repeal ordinance 2023-02 and working on a stricter, narrowly tailored alternative – Mayor Alison Dennington

Mayor Alison Dennington spoke about how this ordinance was not properly noticed.

Town Attorney Ryan Knight speaks about how there is no perfect ordinance when it comes to second kitchens because there is no definition to determine what a kitchen is.

Mayor Alison Dennington made a motion to direct the town attorney to prepare a repeal ordinance to repeal the second kitchen ordinance and to tighten the language up including the requirement for a development order as part of the permitting process

Mayor Alison Dennington withdrew her motion

Commissioner Adam Meyer said he had too many questions, asked about the options moving forward with a repeal.

Commissioner Marivi Walker made a motion to send it back to the town attorney to review the wording and bring in comments to the next meeting; Commissioner Adam Meyer seconded;

Mark Formica – 215 Birch Ave - Mark spoke about being against second kitchens, there are people that will take advantage of it. By the time you go through the procedure, weeks are going to go by. Is the moratorium sufficient to stop anything additional?

Building Official Robert Bitgood spoke about receiving a permit for a second kitchen that he did turn down because of the moratorium and they redid it.

Town Attorney Ryan Knight spoke about by the time it went through the courts then the issue would most likely be a moot point.

Frank Lagrassa – 412 First Ave - Frank Lagrassa spoke about agreeing with what Mark said. What does the Town Attorney mean when he said there isn't a perfect ordinance for this? What is the benefit of this ordinance and where did it originate? Believes this will ruin the neighborhoods.

Town Manager Elizabeth Mascaro said a resident came to a Planning and Zoning meeting and requested it.

Tim Reed – 302 Fourth Ave - Tim Reed spoke about being against the second kitchen ordinance and does not believe in the reason for multigenerational living. A repeal is better than rewording. There are not a ton of residents wanting to do it.

Mayor Alison Dennington spoke about emails between the Town Planner, Town Manager, and Commissioner Corey Runte around the time of the ordinance where the Town Planner said this is allowing an accessory living structure. February 2, 2023 from Corey to Cliff, March 7, 2023 from Corey to several people.

Commissioner Marivi Walker spoke about if everything the Mayor is saying the Town Planner said is true, then she would want to repeal it as well.

Town Attorney Ryan Knight believes an appeal would be sufficient.

Vice Mayor Sherri Quarrie asked about the new process implemented, every single thing was not going to go to Planning and Zoning, how would this be affected by that process?

Building Official Robert Bitgood said this would be an exception. It would be handled at the building department level. If an architect draws a house and says it's only a wet bar, no one legally could say to that architect that it is a kitchen, and the plan would have to be approved as a wet bar.

Commissioner Marivi Walker made a motion to send it back to the attorney to look at the language; Commissioner Adam Meyer seconded;

Mayor Alison Dennington removed the motion

Commissioner Marivi Walker made a motion to draft a repeal for the ordinance; Commissioner Adam Meyer seconded; Motion passed 4-0

Frank Lagrassa – 412 First Ave - Frank Lagrassa wanted to say thank you.

- I. Discussion on Town Charter and Code provisions related to traffic changes and changes to the parks and possible conflicting policies and procedures – Mayor Alison Dennington

Mayor Alison Dennington spoke about this being related to following the code related to the Parks Board, and not knowing what our policies and procedures are related to traffic control, if there are none then create them. Pushed this to a workshop.

Vice Mayor Sherri Quarrie spoke about the code being very clear on park changes. The Commission has the right to make changes to the parks without the Parks Board approval.

Mayor Alison Dennington spoke about how there have been things that the Commission has said they were not aware of, so there are items that the Parks Board and the Commission are not involved in or aware of. It seems the Town staff is making decisions without the Parks Board or Commission knowing about it. Sometimes it is better to slow things down and have them vetted.

Vice Mayor Sherri Quarrie spoke about the public works department bringing things to the Commission for approval. It is not valid to say the Town staff does not bring things to the Commission.

Mayor Alison Dennington spoke about some changes that have been made that people are more sensitive to. Just because we can make changes doesn't mean we can't slow things down and allow the Parks Board to vet it then bring it to the Commission. She does not believe the removal of the semicircle was vetted by the Commission.

Building Official Robert Bitgood spoke about how the removal of the semicircle is because we are not up to ADA code because the handicap parking is in the front and the ramp is in the rear. The plan is to put a ramp and the handicap parking right out front of the Community Center.

Commissioner Adam Meyer spoke about how the Parks Board is full of resident volunteers, and it is important to make it clear as to what they get to have a say in.

Commissioner Adam Meyer made a motion to discuss the rules and procedures of the Parks Board at a Workshop; Commissioner Marivi Walker seconded; Motion carried 4-0

Haley Conrad - 2011 Oak St - Haley Conrad, member of the Parks Board, spoke about meeting regularly since 2021. They have held many fantastic activities in the Park. Nothing is brought to the Parks Board. What is the role of the Parks Board? The Parks Board meets prior to the Commission meeting. In the State of Florida to use the word engineer you must be certified. Does not think the goal is to require that all items go to the Parks Board, but rather use them as a resource to assist you. There clearly is ambiguity in the ordinance.

Vice Mayor Sherri Quarrie spoke about in 2020 there was a memo stating the Parks Board has not met in a year. Said the role of the Parks Board is to look at the agendas, and see what's on there that would need the Commission's input.

Mayor Alison Dennington spoke about just because we don't have to do something doesn't mean we shouldn't.

Town Manager Elizabeth Mascaro spoke about the interpretation of the Code is not that things need to be brought to the Parks Board, but rather the Parks Board can bring items they would like to incorporate into the Parks.

Mayor Alison Dennington says the Parks Board was founded in 1987, it's a Parks Board not an Event Board. Suggests coming up with guidelines at the workshop, for example major things will be run by the Parks Board, minor things will not be. She feels it is important to have a conversation about the way to go about this for clarity.

Gabor Kishegyi – 221 Surf Rd - Gabor Kishegyi spoke about how every decision should be sent to the respective Board.

J. Discussion on Riverside Drive traffic control concerns – Vice Mayor Sherri Quarrie

Vice Mayor Sherri Quarrie spoke about how this agenda item is to present the data that was part of the discussion on the stop signs. If the stop signs are removed what is the liability to the Town if something happens?

Town Attorney Ryan Knight spoke about there not being much if any liability. Commissioner Adam Meyer spoke about the speed trailer data after the stop signs were installed the speed trailer was 50 feet after the stop signs, so it was almost impossible to speed unless you don't stop at the stop sign.

Mayor Alison Dennington spoke about needing data that is not skewed. Tickets work, have the police out there writing tickets. She has received emails from people that like the stop signs or about speeding on Riverside. Her suggestion would be to have the police out there writing tickets. Landscaping trucks should not be parked on Riverside, causes issues with passing.

Commissioner Marivi Walker spoke about how there are people that pass on Riverside. The Town 100% needs to figure out traffic calming devices for the Town. Trucks don't have a good way to turn around.

K. Discussion on the Riverside Drive stop sign survey – Town Manager Elizabeth Mascaro

Mayor Alison Dennington spoke about the results of the stop sign survey. Keep the stop signs, 239 votes in favor, 20.38%. Remove the stop signs, 787 votes, 67.09%. Keep one, remove one, 56 votes, 4.77%. No opinion, 9 votes, .77%. Inconclusive, 3 votes, so not even 1%. Invalid/not Melbourne Beach Proper/name or address missing, 79 votes, 6.73%. Total of 1173 responses. Area specific and town wide, majority said to remove the stop signs.

Mayor Alison Dennington made a motion to remove both stop signs; Commissioner Adam Meyer seconded; Motion carried 4-0

Brian Casazza - 2009 Oak St - Brian Cassazza spoke about there was no data provided with the survey. There is a lack of communication. There was no information to the residents to make an educated decision. The Town needs to do a better job.

Mayor Alison Dennington said she was going to follow up with the manager and did not so she apologizes. Suggests going forward to have information readily available for the residents the next time a survey is sent out.

Steve Walters - 416 Sixth St - Steve Walters spoke about not knowing why this is still being discussed. People have provided information that stop signs should not be used for speeding. If you want to enforce traffic violations, have a police officer out there writing tickets.

Haley Conrad - 2011 Oak St - Haley Conrad spoke about how stop signs do not cure passing or speeding. There have been many studies that show this. People may ask to put a stop sign in to stop speeding, but that is not what they are for. The purpose of a stop sign is to control the right of way.

Paula Panton – 809 Riverside Drive - Paula Panton spoke about everything Steve and Haley said is true. People speed through the stop signs and the police aren't writing those tickets.

- L. Consideration of obtaining a traffic study on Riverside Drive for calming device options – Commissioner Marivi Walker

Commissioner Marivi Walker spoke about wanting a traffic calming device study for the entire Town.

Mayor Alison Dennington spoke about not wanting to spend money to do a traffic study when there are plenty of people that during a Workshop can come up with something.

Commissioner Adam Meyer asked if they could ask in their interview questions what the police chief would suggest for this situation.

Mayor Alison Dennington made a motion to schedule a workshop to discuss traffic calming devices prior to spending any money for a study; Commissioner Adam Meyer seconded; Motion carried 4-0

Haley Conrad - 2011 Oak St - Haley Conrad agreed that having a traffic calming study for the entire Town is important.

13. Administrative Reports

- A. Town Attorney

Town Attorney Ryan Knight spoke about having a to do list from the meeting.

- B. Town Manager

Town Manager Elizabeth Mascaro spoke about having a lot of meetings the past month.

Mayor Alison Dennington asked for a status from BS&E on the Poinsettia project.

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Commissioner Marivi Walker moved to adjourn; Commissioner Adam Meyer seconded; Motion carried 4-0.

Meeting adjourned at 12:11 a.m.



Alison Dennington
Mayor

ATTEST:



Rachel Pembrook
Transcriptionist

