



TOWN OF MELBOURNE BEACH

REGULAR TOWN COMMISSION MEETING

OCTOBER 23, 2024

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Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING **Wednesday, October 23, 2024 at 6:00 p.m.** COMMUNITY CENTER – 509 OCEAN AVENUE

PUBLIC NOTICE AGENDA

**The Town Commission will conduct a Regular Town Commission Meeting
on Wednesday, October 23, 2024 in the Community Center
to address the items below**

Commission Members:

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Marivi Walker
Commissioner Robert Baldwin

Staff Members:

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

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Unfinished Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Moment of Silence**
4. **Meeting Agenda – Additions/Deletions/Changes**
5. **Consent Agenda**
 - A. Approval of the Regular Town Commission Meeting minutes June 19, 2024
 - B. Approval of the Regular Town Commission Meeting minutes July 17, 2024
 - C. Approval of the Town Commission Workshop minutes August 7, 2024
 - D. Approval of the Special Town Commission Meeting minutes September 17, 2024
 - E. Approval of the Special Town Commission Meeting minutes September 18, 2024
 - F. Approval of the Regular Town Commission Meeting minutes September 18, 2024
6. **Proclamations/Presentations/Awards**
 - A. Consideration on Resolution 2024-10 – Censuring Mayor Alison Dennington – Vice Mayor Sherri Quarrie
A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CENSURING MAYOR ALISON DENNINGTON FOR ACTIONS AND BEHAVIOR UNBECOMING OF AN ELECTED OFFICIAL; PROVIDING FOR AN EFFECTIVE DATE.
7. **Finance/Budget Report**
8. **Department and Board/Committee Reports**
 - A. Public Works Department
 - B. Building Department
 - C. Code Enforcement
 - D. Fire Department
 - E. Police Department
 - F. Town Clerk
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.
10. **Public Hearings/Special Orders**
11. **Unfinished Business**
 - A. Consideration on filling the Town Commission seat vacated by Commissioner Corey Runte
 - B. Approval of the Special Town Commission Meeting final minutes September 6, 2024
 - C. Approval of the Special Town Commission Meeting – Tentative Budget Hearing final minutes September 6, 2024
 - D. Approval of the Town Commission Workshop final minutes August 27, 2024

- E. Approval of the Town Commission Workshop final minutes August 22, 2024
- F. Approval of the Special Town Commission Meeting final minutes August 21, 2024
- G. Approval of the Regular Town Commission Meeting action minutes August 21, 2024
- H. Approval of the Town Commission Workshop final minutes July 3, 2024
- I. Approval of the Town Commission Workshop final minutes June 18, 2024
- J. Approval of the Regular Town Commission Meeting final minutes May 15, 2024
- K. Consideration to offer reduced pricing on non-resident parking passes – Town Manager Elizabeth Mascaro
- L. Consideration on the lifeguard contract for the 2025 season – Town Manager Elizabeth Mascaro

12. New Business

- A. Consideration on selling old used street signs – Town Manager Elizabeth Mascaro
- B. Consideration on scheduling ongoing stormwater runoff workshops – Commissioner Marivi Walker
- C. Discuss proposed Vacation Rental Ordinance changes – Town Attorney Ryan Knight
- D. Discuss proposed Noise Ordinance changes – Town Attorney Ryan Knight
- E. Consideration on Resolution 2024-11 – Vacation Rental Fee Schedule – Town Attorney Ryan Knight

TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FEE SCHEDULE FOR VACATION RENTAL REGISTRATION, RENEWAL OF VACATION RENTAL REGISTRATION, INITIAL AND ANNUAL INSPECTION FEES, AND LATE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

13. Administrative Reports

- A. Town Attorney
- B. Town Manager

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING June 19, 2024 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

ACTION 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 6:00 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Police Chief Tim Zander
Building Official Robert Bitgood
Fire Chief Gavin Brown
Public Works Director Tom Davis
Finance Manager Jennifer Kerr
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 – 1:22

Town Manager Elizabeth Mascaro removed Unfinished Business Item B – Consideration of replacing all of the curbing on Riverside Dr as part of the repaving project.

Vice Mayor Sherri Quarrie suggested multiple items go to a workshop.

Mayor Alison Dennington removed New Business Item D – Consideration of creating a municipal citizens academy to place it on the August 7, 2024 Town Commission Workshop.

5. Consent Agenda – 6:35

- A. Approval of the Regular Town Commission Meeting action minutes May 15, 2024
- B. Approval on changing the Ryckman House Historical Preservation and Awareness Board meeting time to 4:00 p.m

Commissioner Corey Runte made a motion to approve the Consent Agenda as presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

6. Proclamations/Presentations/Awards

- A. Presentation by the Parks Board on Veterans Park, Bicentennial Park water feature, and playground equipment – 8:29

Parks Board Chairperson Dawn Barlow presented community thoughts and feedback on a Hometown Heroes program, Veterans Park, Bicentennial Park water feature, and playground equipment. Hometown Heroes is a program where there are banners that you can insert a photo of loved ones that are veterans. Each banner costs \$100-125, cost could be covered by parks board budget, corporate sponsorship, or family members. Would need to pick a time to showcase the banners, establish a website, and get feedback from the community. Would want to support it on an annual basis and return the banners to their families. To apply, families would have access to the website, submit photos and documentation about service validation. For Veterans Park they are looking at adding some shade and some benches. Mentioned incorporating a memorial to honor loved ones, possibly planting 6 trees to represent the 6 branches of service. The budget for this project would be \$15,000 and would get project ideas from 3 companies. For Bicentennial Park, a donation of \$1,500 was made to go towards a water feature. There are some complications that would make a water feature difficult like well water and coastal elements. Would possibly want to put the \$1,500 to something else if possible. For the playground, she said they want 2 design themes, 3 age groups of equipment, and would need to price it out for each age group.

- B. Presentation by the Melbourne Beach Volunteer Firefighters Association for the donation of a new marine rescue boat to the Melbourne Beach Volunteer Fire Department – 44:45

Fire Chief Gavin Brown spoke about the Fire Departments Marine Rescue Division. Mentioned the only cost to the taxpayer is ongoing costs such as fuel and repairs.

Vice President of the MBVFA, Travis Wood, spoke about the new boat the association purchased and will be donating to the Town.

C. Presentation by Town Attorney Ryan Knight on Robert's Rules of Order – 49:47

Town Attorney Ryan Knight spoke about Robert's Rules of Order, how an item placed on the agenda should be presented, and also mentioned being civil and courteous.

7. Finance/Budget Report – 55:34

Mayor Alison Dennington said she cannot vote in favor of the monthly budget without more information.

Commissioner Corey Runte made a motion to approve the finance and budget report as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

8. Department and Board/Committee Reports – 57:37

A. Public Works Department

No additions.

B. Building Department

Building Official Robert Bitgood said the department is doing good, a busy time of year.

C. Code Enforcement

Mayor Alison Dennington asked if renting a swimming pool by the hour is a code violation and about an unregistered short term rental.

Building Official Robert Bitgood said the pool rental would be a violation, and that the unregistered short term rental is going for a hearing with the Magistrate in July.

D. Fire Department

Fire Chief Gavin Brown said they are always recruiting volunteers, July 9th is the next recruitment orientation and they will be out with a recruiting table on July 4th. Also said they were the only Fire Department to volunteer with the Florida Fish and Wildlife to help remove 5,000 lbs of debris out of the waterway. Fuel and maintenance cost is not expected to go up with the bigger boat. Does approved training on the boat once a month.

Mayor Alison Dennington asked about fuel, maintenance and training for the bigger boat.

E. Police Department

Police Chief Tim Zander said they had a busy month, increased productivity, getting out into the community, and said to remember there is still crime in the Town. Said traffic detail for example is something you place at a stop sign that is being run to monitor the activity. Just because a traffic stop does not turn into a written warning does not mean it is not tracked. Said the national average is 20% of people who get pulled over get tickets.

Mayor Alison Dennington said she was confused about the numbers and asked what a traffic enforcement detail means. Asked if there were 322 traffic stops, 94 citations, and 18 written warnings, how does that math add up? Everyone should get written warnings.

Commissioner Corey Runte said they are not there to micromanage and should trust the staff to make decisions on traffic violations and tickets. The Commission agreed.

Commissioner Marivi Walker asked what the Mayor needed this information for.

F. Town Clerk

Town Clerk Amber Brown said the internet to the building is very old so streaming live is difficult and are working on getting a newer plan for around \$40 difference a month. Said she can get documents within 24 hours of requesting them for free.

9. Public Comment (Non-Agenda Items) – 1:23:16

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.

***Jane Waters – 312 Sixth Ave** – Commended the Mayor and asked about the stop signs, speed bumps, and poles at Ocean and Pine.*

***Jan Futch Guilbeau – 806 Oak St** – Spoke about a city tax on her water bill and being upset about a negative interaction she had with the Town Manager.*

***Allen Waters – 312 Sixth Ave** – Commended the Mayor for questioning the Police Chief.*

***Dan Brunger – 400 Sixth Ave** – Spoke about how residents should contact the Town Manager if they have a problem with utility taxes and that the Town should educate people rather than adding more ordinances.*

***Bobby Williamson – 505 Riverside Cir** – Spoke about not understanding why Circle Park's name was changed. He asked where the idea of a Veterans Park came from, and why spend more money when the current stuff is not taken care of?*

***Gail Gowdy – 215 Ash** – Spoke about DAR puts flags up at Ryckman House, so maybe that would be a place to do something for veterans.*

10. Public Hearings/Special Orders – 1:50:40

A. Ordinance 2024-03 Camping Prohibited – Second reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING

CHAPTER 73-20, “CAMPING PROHIBITED,” IN THE CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Ryan Knight spoke about one typing error in subsection (c) where it says “the Town Manager may waive subsection...” it should say subsection (b) not (c).

Roger Newell – 506 Colony St – Asked what the purpose of this is.

Mayor Alison Dennington said the purpose is to stop people from renting out their yard.

Dan Brunger – 400 Sixth Ave – Spoke about the Ordinance prohibits his grandkids from camping out in his backyard. Rewrite the Ordinance to allow that.

Anna Butler – 312 Avenue A – Asked if this Ordinance covers people living in an RV.

Bruce Larson – 1507 Pine St – Spoke about adding an exemption to allow homeowners to camp in their own yard, and asked where the line is on the beach that is Town property.

Commissioner Adam Meyer said if we allow families to camp in backyards it would need to be defined and where do we draw the line, can neighboring kids stay, etc?

Town Attorney Ryan Knight said he could draft a few versions and the Commission can choose the wording they like.

Lynne Hartmann – 325 Banyan Way – Spoke about one idea is to require the people camping to have full access to the common areas of the house.

Vice Mayor Sherri Quarrie said she took the wording from Satellite Beach before it becomes a problem in the Town like it has started to become there.

Commissioner Corey Runte summarized that most of the Commission would like to include family friendly verbiage for an exception for the owner with access to utilities.

Failed for a lack of motion

B. Ordinance 2024-04 Prohibit Smoking – Second reading – 2:15:30

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73, ARTICLE VI, “PARKS AND BEACHES” IN THE CODE OF ORDINANCES TO PROHIBIT SMOKING IN TOWN PARKS AND PUBLIC BEACHES; PROVIDING FOR DEFINITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Ryan Knight talked about adding vaping and phrased it as vapor generating electronic devices.

Dan Brunger – 400 Sixth Ave – Spoke about education instead of enforcement and to include marijuana.

Bruce Larson – 1507 Pine St – Asked if this applies beyond the berm of the beach.

Commissioner Corey Runte moved to approve Ordinance 2024-04 Prohibiting Smoking on public property; Commissioner Marivi Walker seconded; Motion carried 5-0.

11. Unfinished Business

- A. Consideration on the lifeguard contract for 2024-2025 – Town Manager Elizabeth Mascaro – 2:23:09

Town Manager Elizabeth Mascaro said the Town would be participating at a 50% cost share for two seasonal guards, it would cost \$63,967.08, the Town currently pays \$22,350.43. If the Town wants lifeguards all year it would be considerably more, costing \$166,771.33.

The Commission said this is a difficult decision but they do not want to participate and that taxpayer dollars should not go to this.

Haley Conrad – 2011 Oak St – Spoke about lifeguards being super important, and it is unacceptable to not have any lifeguards from Paradise to Spessard Holland.

Dan Brunger – 400 Sixth Ave – Spoke about witnessing a drowning recently in the County area. His family assisted and it took 10 minutes for first responders to show up.

Roger Newell – 506 Colony – Asked if it would be faster to call the Fire Department directly instead of calling 911.

Fire Chief Gavin Brown said 911 is faster than calling the Fire Department directly.

Brian Casazza – 2009 Oak – This is a mistake and irresponsible by the County Commission. A lot of the people at the park are county residents. This is a County problem.

Failed for a lack of motion

- ~~B. Consideration of replacing all of the curbing on Riverside Dr as part of the repaving project – Town Manager Elizabeth Mascaro – Removed from the agenda~~

- C. Ordinance 2024-01 Sheds – First reading – 2:39:35

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR

**CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Alison Dennington abstained from the vote.

Town Attorney Ryan Knight suggested adding a grandfathering clause. Clarified that if a shed is destroyed, it would need to be built to new code.

Commissioner Adam Meyer asked if a shed is destroyed do they have to build to new code.

Commissioner Corey Runte made a motion to approve Ordinance 2024-01 Sheds first reading with the grandfathering clause; Commissioner Marivi Walker seconded; Motion carried 4-0 with Mayor Alison Dennington abstaining from the vote.

12. New Business

- A. Consideration of volunteer board member application from Tim Reed for the Board of Adjustment – Town Clerk Amber Brown – 2:43:20

Tim Reed said he applied for the Board position, said he can be objective.

Commissioner Corey Runte moved to approve the Board Member application for Tim Reed for the Board of Adjustment; Commissioner Marivi Walker seconded; Motion carried 5-0.

- B. Discussion on implementing a moratorium on traffic changes, and reviewing the policy for updates – Mayor Alison Dennington – 2:45:47

Mayor Alison Dennington said various stop signs have popped up, speed bumps, signs, etc, and that for community harmony and efficiency, she would like to have a moratorium that nothing new will pop up for 6 months and the Commission will work on a policy.

Brief Recess 8:47 p.m. - 8:51 p.m.

Vice Mayor Sherri Quarrie left at 8:49 p.m.

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Adam Meyer

Commission Members Absent

Vice Mayor Sherri Quarrie

Staff Members Present

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

Commissioner Corey Runte pointed out the connection between the two agenda items Mayor Alison Dennington brought up and does not feel it makes sense to talk about the next item if the moratorium is approved.

Commissioner Marivi Walker expressed concern with taking away power from those who know more than the Commission and asked if the Commission is normally this involved.

Police Chief Tim Zander said his job is to go over the safety of the Town. If there is a problem with a road with multiple traffic lanes, a traffic engineer would absolutely be necessary, but if we bring a traffic engineer to the Town it would cost thousands for a four way stop. Says he is in support of what the Commission decides, and also does not want lots of signs. Also says he has a safety background and is qualified to make decisions regarding safety.

Mayor Alison Dennington says it would not require a traffic engineer for everything, and that there should be a meeting to discuss changes with the public before they are implemented. Says there is already an exception for emergencies in the wording.

Commissioner Adam Meyer believes the Commission should not make traffic safety decisions and putting a moratorium in place without exceptions is dangerous.

***Jane Waters – 312 Sixth Ave** – Spoke about not having an issue with the stop signs, but does not agree with the speed bumps and poles. The public should at least be informed.*

***Haley Conrad – 2011 Oak** – Spoke about being against removing a traffic engineer from the code, the Town has a civil engineer that could be used for a traffic study, and residents were not being notified. The Commission should address quality control.*

***Doug Hilmes – 443 Riverview Lane** – Spoke about how there are safety issues crossing A1A, and all the other stop signs were not necessary. Does not support the moratorium because then you cannot remove the next agenda item. There needs to be a process and it should go to the Commission.*

Failed for a lack of motion

C. Discussion on Ocean Ave speed bumps and stop signs – Mayor Alison Dennington – 3:27:50

Mayor Alison Dennington said people have come to her about this issue so she put it on the agenda. Believes the stop signs are good, the speed bumps are bad and that the Commission could vote or put out a survey to the residents on this issue.

Commissioner Corey Runte says safety is the most important and nothing should be taken out.

Police Chief Tim Zander says that people are following the law because of the things in place and that following the traffic laws is the safest thing.

Commissioner Adam Meyer said putting the speed bump in while the stop sign was new made sense but does not believe it needs to be there indefinitely.

Haley Conrad – 2011 Oak – Spoke about agreeing with the stop signs, and asked why no one has looked into why the stop signs are being run.

The Commission discussed the safety issues and what parts are necessary and are not.

Doug Hilmes – 443 Riverview lane – Spoke about how a study should have been done. Agrees with having the stop signs, but does not think the speed bumps and poles are necessary. Do the right thing and figure out how to make the stop signs more visible.

Joe Pavlock – 501 Third Avenue – Spoke about being a retired traffic sergeant and has dealt with a lot of traffic issues. Requests two resident surveys. One about removing the speed bumps and poles. The second one for removing the stop signs with the condition of narrowing the lanes.

Tim Reed – 302 Fourth Ave – Spoke about when the road is redone that is an opportunity to do something more effective.

Gail Gowdy – 215 Ash – Spoke about being in favor of the stop signs, but not in favor of the speed bumps and poles. It's an enforcement issue so address it that way.

Mayor Alison Dennington made a motion to take a vote to take out the speed bumps; Commissioner Adam Meyer seconded; Motion carried 3-1 with Commissioner Corey Runte dissenting.

- ~~D. Consideration of creating a municipal citizens academy – Mayor Alison Dennington – Removed from the agenda - 4:03:45~~
- E. Consideration on changing the rank of a Lieutenant to Deputy Chief within the Police Department- Police Chief Tim Zander – 4:04:15

Police Chief Tim Zander is asking to change the second ranked position from Lieutenant to Deputy Chief which carries a higher level of authority. This does not come with a pay increase, it is simply a name change. Says there is no more authority internally for a Deputy Chief over a Lieutenant.

Mayor Alison Dennington mentioned there is an educational requirement so it does differ in that regard and that she is against the rank title change. Also mentioned asking for records and not receiving them from the Police Department.

Commissioner Adam Meyer said he is concerned about the finance side, what would the implications be down the road? Would a new hire in the future for a Deputy Chief to fill the position be a higher level of cost? As a Lieutenant, he has some level of authority, if he is Deputy Chief, is there additional authority he would have in the Police Chief's absence?

Commissioner Marivi Walker said they had the same issue at the office of admissions, and the titles that were in place did not work so they did a restructuring without changing pay. People were happy to have the title even with no difference in pay.

Commissioner Corey Runte said there are pros and cons and the Commission has control so if making that change became an issue, they could always change it back.

Haley Conrad – 2011 Oak St – Spoke about how her company did this and it increased morale and how people live up to their expectations.

Tim Reed – 302 Fourth Ave – Spoke about not being in favor of it, and this seems like a want not a need.

Commissioner Corey Runte moved to approve the consideration on changing the rank of Lieutenant to Deputy Chief within the Police Department as presented; Commissioner Marivi Walker seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

- F. Consideration of the Statewide Mutual Aid Agreement with the Florida Division of Emergency Management – Town Manager Elizabeth Mascaro – 4:21:04

Town Manager Elizabeth Mascaro spoke about the Division of Emergency Management being able to step in and help in case of an emergency. It's been an agreement since 1994.

Commissioner Corey Runte moved to approve consideration of the Statewide Mutual Aid Agreement with FEMA; Commissioner Adam Meyer seconded; Motion carried 4-0.

- G. Consideration to renew the contract for James Moore – Town Manager Elizabeth Mascaro – 4:25:15

Town Manager Elizabeth Mascaro said this is the current accounting firm, and provided a 3 year renewal for years 2024-2026. 32,000 for 2024, 33,500 for 2025, 35,000 for 2026. If the Town receives grant funds in excess of \$750,000 that requires a separate audit for those funds.

Tim Reed – 302 Fourth Ave – Said that the contract says if we need an audit then it will cost an additional \$1,500.00. See if they will include one free audit if necessary.

Commissioner Marivi Walker made a motion to renew the contract for James Moore; Commissioner Corey Runte seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

13. Administrative Reports – 4:33:22

- A. Town Attorney

No additions.

- B. Town Manager

Town Manager Elizabeth Mascaro said they all went to conferences to get education, mentioned property value increases, said everything overall is going well.

14. Commission Reports

15. Task List

Lifeguard Coverage – Closed
Sixth Ave Board Ramp – Push to December

16. Public Comment

17. Adjournment

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

Meeting adjourned at 10:44 p.m.

ATTEST:

Alison Dennington, Mayor

Rachel Pembroke, Transcriptionist

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING July 17, 2024 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

ACTION 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 6:00 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

Absent

Commissioner Corey Runte

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Police Chief Tim Zander
Fire Chief Gavin Brown
Public Works Director Tom Davis
Finance Manager Jennifer Kerr
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 – 2:10

Vice Mayor Sherri Quarrie made a motion to approve the meeting agenda as shown; Commissioner Marivi Walker seconded; Motion carried 4-0.

5. Consent Agenda – 6:35

~~A. Approval of the Regular Town Commission Meeting action minutes June 19, 2024~~

~~B. Approval of the Town Commission Workshop summary minutes March 6, 2024~~

~~C. Approval of the Regular Town Commission Meeting summary minutes February 21, 2024~~

~~D. Approval of the site plan for 506 Third Ave – new home~~

Consent Agenda Items A, B, C, and D were removed from the Consent Agenda and added to New Business as Items A, B, C, D.

Town Manager Elizabeth Mascaro asked to put the original New Business Item F as New Business Item A due to the amount of items under new business and having residents present to address that agenda item.

The Commission approved moving the original New Business Item F to New Business Item A, followed by the pulled Consent Agenda Items A, B, C, and D to New Business Items B, C, D, and E, followed by the original New Business Items A, B, C, D, E, G, and H to New Business Items F, G, H, I, J, K, and L.

6. Proclamations/Presentations/Awards

7. Finance/Budget Report – 13:58

Mayor Alison Dennington said she has an issue with the engineering contracts and does not know if the Town is following code so she has to vote against.

Commissioner Sherri Quarrie made a motion to approve; Commissioner Adam Meyer seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

8. Department and Board/Committee Reports – 15:24

A. Parks Board

Town Manager Elizabeth Mascaro said in the report, they suggested that Veterans Park be moved out of Circle Park and into Ryckman Park. Also clarified that the only Special Event is Pineapple Man and the rest are Town Events.

New Task List Item – Clarify the difference between Special Event and Town Event, inform the Town Boards, and update forms.

B. Public Works Department – 23:41

Public Works Director Tom Davis mentioned that they do provide a rehydration program and safe working conditions as it is getting hotter.

Mayor Alison Dennington mentioned getting 24 hours' notice when they will be working on the FPL poles.

C. Building Department – 27:15

Mayor Alison Dennington asked about the building department report and the fees.

Building Official Robert Bitgood says they submit the permit and then they do the plan review, once it is approved they pay for the permit and plan review together.

D. Code Enforcement – 30:20

Building Official Robert Bitgood spoke about a certificate list and what that entails. Said that 204 Cherry might be up for sale, that might be the resolution.

Mayor Alison Dennington brought up the short term rental 204 Cherry and asked if it had gone to the Special Magistrate and how it had been resolved. Mentioned that when a code enforcement case gets resolved, it does not seem to be documented.

E. Fire Department – 40:20

Mayor Alison Dennington thanked the Fire Department and asked if there would be a way to get identifying information that is not necessarily people's names. Asked if they could add if the person is a Brevard resident or not. Also asked about the marine training intel.

Fire Chief Gavin Brown said they are not required to take names and if they did it would become public record. Normally there will be an age and a gender. Said he could look into the possibility of adding if it is a resident or not. Said the marine training intel was once a month or quarter, said it included all law enforcement agencies that enforce waterways, to know what is going on in the waterways.

Town Manager Elizabeth Mascaro mentioned that someone had said the current budget was including new firefighters and she clarified that is not true.

F. Police Department – 48:20

Vice Mayor Sherri Quarrie asked about the crocodile meeting, are they getting rid of it?

Police Chief Tim Zander said the crocodile is an endangered species and so they cannot get rid of it. Said the 211 traffic enforcement details were not necessarily a part of the 464 traffic stops, and that they would stamp a traffic detail saying they are there to investigate a call for example. Asked what the Mayor wants to do with the information in the report.

Mayor Alison Dennington spoke about car break-ins and making the residents aware. Also mentioned that of 464 traffic stops, there were 211 traffic enforcement details and asked what that meant. Asked the police officers to write more warnings, and would like a breakdown for each officer every month going forward. Says getting the data would put pressure on officers to write more tickets and warnings.

Commissioner Marivi Walker got confirmation that it is protocol to look at the police officer's performance, based on what Mayor Alison Dennington is requesting. Said that police officers have been through training to handle this.

Commissioner Adam Meyer said the Commission asked the Police Chief to pull people over and he did that. He's concerned that if the Police Chief gives police officers more busy work (writing warnings), they might pull less people over.

G. Town Clerk – 1:18:30

Town Clerk Amber Brown said all of the scanning is done for the first 41 boxes, but 7 were not included and she has to add those into the software.

9. Public Comment (Non-Agenda Items) – 1:20:00

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.

Ted Funkhouser – 509 Banyan Way – Spoke about people on electric bikes not following traffic laws.

Mark McBride – 310 Second – Spoke about how homes for sale are being advertised as short term rental ready. There were some good recommendations after the workshop, so what's next?

Town Attorney Ryan Knight spoke about what happened in 2007 when revisions were made, the Land Development Codes were amended over the course of 5 years because the specific definition relating to a dwelling unit was 2012, changed during 2017 to allow rental units for less than a week.

Frank LaGrassa – 412 First Ave – Spoke about short term rentals and how the Commission is helping with the issue.

Ken Lebrato – 213 Cherry Dr – Asked what the Town Attorney was directed to do related to short term rentals, how many magistrate hearings have there been, who makes the short term rental report, and why is 204 Cherry and 602 Shannon not on the list.

10. Public Hearings/Special Orders – 1:56:20

A. Ordinance 2024-01 Sheds – Second reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Alison Dennington recused herself from the vote due to having a property owned by her LLC that has a shed dispute going on for several years that is still pending.

Town Attorney Ryan Knight said the changes made from first reading are the grandfathering clause which allows sheds in existence to be deemed to comply with the provisions of this ordinance.

Commissioner Marivi Walker moved to approve Ordinance 2024-01 as presented; Commissioner Adam Meyer seconded; Motion carried 3-0 with Mayor Alison Dennington abstaining from the vote.

11. Unfinished Business - 1:59:15

- A. Consideration of replacing all of the curbing on Riverside Dr as part of the repaving project.

Town Manager Elizabeth Mascaro said it got pulled last month because they needed to look at how much paving needed to be done. This is to redo the curb work and do the paving. Goodson gave a price that was \$143,866 less than if they did the curb work and the paving separately. Would recommend that Goodson do both. The proposal did not include the sidewalk.

Mayor Alison Dennington said she did not receive all of the information she needed to make a decision and wanted clarification on if Goodson had been extended or expired for the county contract. Mentioned not being able to read certain pages.

Town Engineer Scott Glaubitz from BSE Consultants spoke about the project. Said he is not sure if the contract is expired and he has not seen a relaxation in prices in this type of work. DOT prices have gone down because of the large quantities.

Town Attorney Ryan Knight said the contract was extended to November 27, 2024.

Tim Reed – 302 Fourth Ave – Asked for clarification on the scope of the project.

Todd Albert – 1710 Pine St – Asked if the Town knows what Indialantic’s experience was.

Town Manager Elizabeth Mascaro said another company did their curbing.

Vice Mayor Sherri Quarrie moved to accept the Goodson Paving bid for \$340,154.70 for the repaving of Riverside and stay on the piggyback contract with Brevard County pricing; Commissioner Marivi Walker seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

B. Discussion regarding failed Ordinance 2024-03 Camping Prohibited – 2:40:50

Town Manager Elizabeth Mascaro said that there is now legislation on this issue that allows Municipalities to fine vagrants for sleeping in parks.

Mayor Alison Dennington requested putting this issue on the back burner because it is not currently a huge issue in the Town and wants to put focus on short term rentals.

Vice Mayor Sherri Quarrie asked if it would be appropriate to put the camping issue in the short term rental restructure.

Commissioner Adam Meyer expressed concern about tying the issue to short term rentals.

Commissioner Marivi Walker moved to have the Town Attorney to draft up verbiage for the disallowance of camping with some options; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

Recess at 8:55 pm -9:01 pm

Town Clerk Amber Brown conducted a roll call

Commission Members Present

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

Absent

Commissioner Corey Runte

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Police Chief Tim Zander
Finance Manager Jennifer Kerr
Town Clerk Amber Brown

12. New Business

~~A. Consideration to approve the Interlocal Agreement – Stormwater Utility Assessment Roll – Finance Manager Jennifer Kerr Moved to Item F~~

A. Originally New Business Item F - Consideration to approve a proposal regarding the stormwater project at the end of the street on Third Ave – Town Manager Elizabeth Mascaro – 3:02:00

Town Attorney Ryan Knight said there was a large banyan tree that was removed, half of it was on the homeowner's property, half on town property. It blocked the draining swell leading to the river. The Town approved removal and the homeowner removed at his expense which caused the drainage swell to not flow properly and requires a drainage pipe to be installed. This is the Town's responsibility because it is on the Town's property.

Town Engineer Ana Saunders from BSE Consulting spoke about the issues. Said the roots of the trees had extended 20 feet and were already causing erosion issues, so they want to fix it correctly with the piping. Hydraulically, you need a pipe for this, not just a swale.

Town Manager Elizabeth Mascaro said there are two bids, one for \$23,102.10 and the other for \$61,922. The discrepancy between the two had to do with bringing a full crew to do the project. The homeowner will also be paying for backfill. Asking to approve stormwater work with Ramage (\$23,102.10).

Mayor Alison Dennington asked several questions to the Building Official, the Town Engineer, and the Town Manager. Expressed concern that if the Town spends money on smaller issues, the bigger things that need fixing will not get done.

Commissioner Adam Meyer said that ignoring this problem now will be costly in the future and the Town should just get it done now. Also, confirmed that the company with the more affordable quote will do the job effectively despite the difference in the price.

Vice Mayor Sherri Quarrie made a motion to accept Ramage Contracting for \$20,352.10 plus an additional \$2,750.00 for additional services for a total of \$23,102.10 to fix the stormwater project on Town property at the end of Third Avenue; Commissioner Adam Meyer seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

~~B. Resolution 2024-03 – Stormwater Utility Assessment Roll Certification Moved to Item G~~

~~**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, CERTIFYING THE ANNUAL STORMWATER UTILITY ASSESSMENT ROLL FOR THE TOWN OF MELBOURNE BEACH STORMWATER UTILITY BUDGET FOR FISCAL YEAR 2024/2025; AND PROVIDING FOR AN EFFECTIVE DATE.**~~

B. Originally Consent Agenda Item A - Approval of the Regular Town Commission Meeting action minutes June 19, 2024 - 3:37:20

Commissioner Marivi Walker made a motion to approve the action minutes for June 19, 2024; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

~~C. Consideration to endorse the HELPER Act – Town Manager Elizabeth Mascaro Moved to Item H~~

C. Originally Consent Agenda Item B – Approval of the Town Commission Workshop summary minutes March 6, 2024 – 3:39:20

Commissioner Adam Meyer made a motion to move Consent Agenda Item B, Approval of the Town Commission Workshop summary minutes March 6, 2024 to the August Commission meeting; Commissioner Marivi Walker seconded; Motion carried 4-0.

~~D. Consideration to renew the South Beaches Coalition Interlocal Agreement Moved to Item I~~

D. Originally Consent Agenda Item C – Approval of the Regular Town Commission Meeting summary minutes February 21, 2024 – 3:40:24

Commissioner Adam Meyer made a motion to move Consent Agenda Item C Approval of the Regular Town Commission Meeting summary minutes February 21, 2024 to the August Commission meeting; Commissioner Marivi Walker seconded; Motion carried 4-0.

~~E. Consideration on a speed camera system in the school zone and parking cameras in Town paid parking areas – Police Chief Tim Zander Moved to Item J~~

E. Originally Consent Agenda Item D – Approval of the site plan for 506 Third Ave – new home – 3:41:20

Commissioner Adam Meyer asked for this to be moved because he wanted to have a discussion about determining the height of the building. Met with Building Official Robert Bitgood who told him the height of a building is measured from the finished floor, and can be up to 28 feet from there to the roof. Asked if looking into what other Towns do happens now or later in the process.

Building Official Robert Bitgood had previously discussed with the Town Planner that the minimum is 18 inches above the crown of the road (pertaining to CRS flood evaluations) and the 28 feet is from the finished floor. Does not recommend waiting to get this done. Said the Town Engineer has signed off on the plans, the protocol is the civil engineer of record has to look at the project before BSE. Said he would get back to the Mayor with the date of the preconstruction meeting. Wanted to make it clear that the information in the packet is signed and sealed by a state-certified engineer. Said that they could look into what other Towns do later (amending 7A-55).

Mayor Alison Dennington requested to get something from the Town Planner in writing. Also talked about what needs a permit and what does not, specifically fill in. Asked if the Town Engineer had signed off on the as-built plans. Read that the runoff was 50.12% pervious and 49.88% impervious and clarified that that was correct.

Vice Mayor Sherri Quarrie asked if the blocks that go under the front door on the image were for drainage.

Building Official Robert Bitgood said they were not, and he discussed with her where the setbacks and drainage would be.

***Bruce Larson - 1507 Pine St** – Spoke about being at the P&Z meeting, the Code is plain English, the height starts at the floor up. It is there to stop a third story from happening. If there is a gap in the Code, give direction to tighten it up.*

***Tim Reed – 302 Fourth Ave** – Asked when the stormwater project was discussed, was this new home taken into consideration?*

Building Official Robert Bitgood said the engineer was concerned about that too but that ultimately the new property would not affect drainage because it was east and has good water drainage.

Ken Lebrato – 213 Cherry Drive – Asked if he built a new home according to Code he could bring in 20 feet of fill then build a home on top of that. What is the Commission going to do about this?

Building Official Robert Bitgood said that is correct according to the wording in 7A-55. Said houses that are sitting taller are more compliant with stormwater restrictions.

Commissioner Marivi Walker said the Town Attorney would look at the current wording.

Steve Walters – 416 Sixth Ave – Spoke about how the Town has already fought height issues around 2004-2006. The intent was from 18 inches above the crown of the road.

Commissioner Adam Meyer made a motion to approve the site plan for 506 Third Ave; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

Commissioner Marivi Walker made a motion to request the Town Attorney and the Town look at the current verbiage and see how we can adjust it to maximize the height; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

~~F. Consideration to approve a proposal regarding the stormwater project at the end of the street on Third Ave – Town Manager Elizabeth Mascaro Moved to Item A~~

F. Originally New Business Item A – Consideration to approve the Interlocal Agreement – Stormwater Utility Assessment Roll – 4:30:00

Finance Manager Jennifer Kerr said that the cost has increased from \$1.00 per property to \$1.40, they are now calling it a Municipality instead of a Town, and the Attorney has reviewed it. It has to be submitted tonight because it has to be submitted to the county and they have to get it done and submit it to the tax collector's office. Said the increase in cost was due to employee and overhead costs being more.

Town Attorney Ryan Knight said the increase seems appropriate given the increase of costs and it being an old contract.

Commissioner Marivi Walker made a motion to approve the Interlocal Agreement – Stormwater Utility Assessment Roll as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

~~G. Resolution 2024-04 Fee Schedule Moved to Item K~~

~~**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE TOWN FEE SCHEDULE; AMENDING TOWN RESOLUTION 2022-05 TOWN FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**~~

G. Originally New Business Item B – Resolution 2024-03 – Stormwater Utility Assessment Roll Certification – 4:38:15 (read at 4:47:00)

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, CERTIFYING THE ANNUAL STORMWATER UTILITY ASSESSMENT ROLL FOR THE TOWN OF MELBOURNE BEACH STORMWATER UTILITY BUDGET FOR FISCAL YEAR 2024/2025; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Manager Jennifer Kerr said this is the certification of the assessment roll that the county does and sends to tax collectors to assess value, and has to have this done before the budget. Have not submitted yet so hoping to still be at \$1.00. This is not amending the resolution. Vacant property is charged \$2.36. Improved property is charged \$36. Would have to look at the role to determine if all vacant properties are charged the same.

Mayor Alison Dennington confirmed with the Town Attorney that this resolution is current under state law. Mentioned the difference between vacant natural, vacant altered, and vacant improved related to stormwater drainage. Asked if she could get more information within a week.

Commissioner Adam Meyer moved to adopt Resolution 2024-03 certifying the annual Stormwater Utility Assessment Roll for the Town of Melbourne Beach Stormwater Utility budget for fiscal year 2024-2025; Commissioner Marivi Walker seconded;

Roll Call Vote by Town Clerk

Mayor Alison Dennington – Aye

Vice Mayor Sherri Quarrie – Aye

Commissioner Corey Runte – Absent

Commissioner Marivi Walker – Aye

Commissioner Adam Meyer – Aye

Resolution 2023-04 carried by a vote of 4-0.

~~H. Resolution 2024-05 FDLE Grant Moved to Item L~~

~~**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AUTHORIZING PARTICIPATION IN FDLE'S EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR PRISONER TRANSPORTATION; PROVIDING FOR AUTHORITY TO EXECUTE; AND PROVIDING AN EFFECTIVE DATE.**~~

H. Originally New Business Item C – Consideration to endorse the HELPER Act – 4:48:40

Town Manager Elizabeth Mascaro said this Act helps ensure first responders, teachers, paramedics, and EMTs get support in purchasing a home.

Commissioner Marivi Walker made a motion to consider to endorse the HELPER Act; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

I. Originally New Business Item D – Consideration to renew the South Beaches Coalition Interlocal Agreement – 4:50:45

Town Clerk Amber Brown said the original was from 2013, the update was rewritten by Attorney Paul Gougelman.

Mayor Alison Dennington suggests waiting a month so she can look it over.

Commissioner Marivi Walker made a motion to push this forth to next month; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

J. Originally New Business Item E – Consideration on a speed camera system in the school zone and parking cameras in Town paid parking areas – 4:57:30

Police Chief Tim Zander said the governor passed House Bill 657 which allows Municipalities to install speed cameras in school zones. Works like red light cameras, if they are going above a certain speed, they will get a ticket in the mail. Bringing this to the Commission to see if they want to bring in a company to do a traffic study free of charge to see what the rate of speeds are. Says the company doing this will check twice to make sure the tags are correct and then it will come to the police department for a third check. The officers would also spend time in court. You can only be fined \$100 and \$60 goes to the Town, of that \$60, a percentage is given to the company and that is why they do this for free. \$23 goes to the state, \$5 to a crossing guard program, and \$12 goes to school for school safety. Of the \$60 that goes to the Town, one company is requesting \$20 and the other \$18.

Commissioner Adam Meyer asked about how much time would be needed from officers.

Vice Mayor Sherri Quarrie asked where the money goes.

Mayor Alison Dennington asked about the quotes from the companies. Said she has mixed feelings on the issue.

Police Chief Tim Zander also addressed parking which is a separate issue. No one in the country has this, so the Town would be creating it. Says that the Town would have access to the cameras but they cannot be used for surveillance.

Commissioner Marivi Walker clarified that this decision is just deciding to have the company come out.

Ken Lebrato – 213 Cherry Drive – Said he’s been in law enforcement for over 30 years. Do not touch this. It will be a nightmare. New Jersey had them and threw them out.

Tim Reed – 302 Fourth Ave – Spoke about anytime someone says you will get something for free it is never free.

Commissioner Marivi Walker made a motion to table this indefinitely; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

- K. Originally New Business Item G – Resolution 2024-04 Fee Schedule – 5:20:20
A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE TOWN FEE SCHEDULE; AMENDING TOWN RESOLUTION 2022-05 TOWN FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Manager Elizabeth Mascaro tabled this item to next month.

Mayor Alison Dennington mentioned extraordinary fees to the Town Attorney, and said there should be a separate resolution for public records.

- L. Originally New Business Item H – Resolution 2024-05 FDLE Grant – 5:22:20
A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AUTHORIZING PARTICIPATION IN FDLE’S EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR PRISONER TRANSPORTATION; PROVIDING FOR AUTHORITY TO EXECUTE; AND PROVIDING AN EFFECTIVE DATE.

Town Manager Elizabeth Mascaro said this needs to be signed to participate in this grant. She believes all Municipalities sign or none do, and does not want to be the Municipality that makes people drive.

Police Chief Tim Zander said the Sheriff’s office gets a grant that they use to pay for this program. They requested signed letters from the Municipalities asking if they agree that the Sheriff’s department should get the grant to provide this service. Melbourne Beach does not get a dollar from or spend a dollar on this grant, they do not benefit outside of using the van. He said that they need 51% participation from the Municipalities in order to use the grant, not 100%.

Mayor Alison Dennington spoke about having her signature requested and that she did not get all of the information, to which the Town Clerk disagreed. Asked how many prisoners have been transported under this agreement in the past? Asked someone to put in writing that the Town could not be liable for a penny of the \$168,000.

Steve Walters - 416 Sixth Ave – Go back 25 years and on average there was 250 arrests and the jail van was a godsend. Driving them would take 2 ½-3 hours.

Commissioner Marivi Walker made a motion to approve Resolution 2024-05 which authorizes the participation in the Edward Byrne Memorial Assistance Grant; Vice Mayor Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

13. Administrative Reports – 5:37:35

A. Town Attorney

No additions.

B. Town Manager

Town Manager Elizabeth Mascaro spoke about how the Planning and Zoning Board requested permission to take a look at the tree ordinance.

Commissioner Marivi Walker made a motion to allow Planning and Zoning to review the tree ordinance; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

14. Commission Reports

Commissioner Marivi Walker made a motion to allow the Town Attorney to do some new verbiage based on camping; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

15. Task List - 5:39:15

Mayor Alison Dennington said to schedule a standalone short term rental workshop to pick up from the last one and give direction to the Town Attorney to pick up going forward. Asked to add about parking, occupancy and how to enforce it, noise, etc. Also asked him to look into irreparable harm and how to go straight forward with a notice of violation and hearing if it does not meet the irreparable harm standard. Asked the Town Manager to get the date for the workshop.

Town Attorney Ryan Knight said he will draft up a short memo of what you can and cannot do, put together the STR provisions from other Municipalities, and propose changes to the current ordinance.

16. Public Comment

17. Adjournment

Vice Mayor Sherri Quarrie moved to adjourn; Commissioner Marivi Walker seconded, Motion carried 4-0.

Meeting adjourned at 11:42p.m.

ATTEST:

Alison Dennington
Mayor

Rachel Pembrook
Transcriptionist

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP AUGUST 7, 2024 MEETING 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 6:03 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Clerk Amber Brown

Commission Members Absent

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Adam Meyer

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments - 7:15

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.

Bruce Larson – 1502 Pine – Spoke about having an engaged citizenry and thinks having a way to have more engagement is good, there are several things in the Land Development Code that need to be looked at.

Mayor Alison Dennington spoke about her frustration with the lack of a follow-up process when someone says in a meeting that they will get more information later, specifically with Planning and Zoning.

Town Manager Elizabeth Mascaro said this is not a big issue because Planning and Zoning has done just about everything the Commission has requested.

Mark McBride – 312 Second – Wanted to know what the status is on scheduling the next Short Term Rental Workshop.

Town Manager Elizabeth Mascaro said the Town Attorney has not provided dates he is available so it has not been scheduled yet. Said there are also other dates and things they need confirmation on first, but will get with the Town Attorney soon.

Sue Martin – 2202 Rosewood Drive – If a resident has an issue how can a citizen get an issue looked at right away. Is the Town planning on doing a parade for the surfer for getting a gold medal?

Mayor Alison Dennington said you could go to the Planning and Zoning meetings and raise issues there. Also said you could contact any Commissioner by email and have them raise that issue. Doesn't know if a parade is being planned but suggested bringing it to the Park's Board.

Town Manager Elizabeth Mascaro said you could reach out to her or come to a Commission meeting.

5. New Business

A. Discussion on creating a municipal citizens academy – 25:35

Mayor Alison Dennington spoke about how the point of the citizens academy would be to educate residents about the Town Government and would be just for residents. It would

be basic modules on different aspects of the Town such as Town Commission, budget, Planning and Zoning and Board of Adjustment, all other boards, Public Works, etc.

Commissioner Marivi Walker spoke about liking the idea of educating the public and getting people to volunteer. She is all for it and hopefully it will encourage involvement.

Mayor Alison Dennington spoke about proposing having it be in person in order to get people engaged and make sure they are paying attention. It can be done in the Community Center. People could either go through all of the modules or just pick and choose which modules they want to attend. It could be a six-month or nine month program that meets once per month.

Dawn Barlow – 1710 Pine St – *It is encouraging to see increasing involvement and is in favor of it. Suggested looking at existing programs to get feedback and direction. Would be helpful to understand the communication strategy and channels.*

Anna Butler – 312 Avenue A – *Thinks it is a good idea. Getting fresh people at the meetings would be important. Some people would be more willing to attend because it would have set times, where Commission meetings have no time limits.*

Mayor Alison Dennington spoke about how some people do not want to attend Commission meetings, but would be more likely to attend the academy.

B. Discussion on creating a Citizen Advisory Board – 46:45

Mayor Alison Dennington spoke about how the Citizen Advisory Board could meet to discuss referendum items, budget issues, or public records issues prior to a lawsuit being filed. Proposed hosting the Citizens Academy then at the end of the program the members would be the test run of the Citizens Advisory Board. Mentioned that you cannot control who the residents go to first, but if they are not the appropriate Board, they can point them in the right direction.

Commissioner Marivi Walker brought up the order of doing things, would the residents go to the Citizens Advisory Board first with an issue?

Bruce Larson – 1507 Pine – *Spoke about how residents should not go to the Board with issues. They should first go to staff for a resolution. The Board should help streamline things such as the items going to Planning and Zoning. This could expedite items. Don't wait to form the Board until after the academy, start it now.*

Mayor Alison Dennington spoke about an example could be for Short Term Rentals, the Town Attorney would review the Code and propose changes from the legal standpoint. Whereas the Board could come up with the issues that they are having with Short Term Rentals and ideas to fix it. Spoke about how one thing the Board can do is review and propose changes to the charter. Suggested lobbying the other Commissioners about starting this Board.

Commissioner Marivi Walker asked that the Board would not be residents coming to their representative on the Advisory Board regarding any issues.

Mark McBride – 312 Second – *Likes the idea of the Advisory Board because they could come up with solutions and have discussions rather than a three minute monologue.*

Mayor Alison Dennington said other Advisory Boards can create subgroups and that would be helpful in this case for a topic like short term rentals.

Dawn Barlow – 1710 Pine St – *Spoke about how one slight concern would be that the Board would have to follow Sunshine Law, and if they do a Board they can only accomplish so much during the meeting and then do they wait until the next month's meeting? Is there a document that lists what the key points are that each Board and Department is working on?*

Mayor Alison Dennington spoke about how the Board could call a special meeting to continue items, and brought up subgroups again. Do not currently have a document like that but could have an end of the year report plus next year's items.

Sue Martin – 2202 Rosewood – *The more people that get involved the better, but as a resident with an issue, who does she go to? She is concerned about diluting responsibilities. She can see the good side, but also sees the issue of not knowing who to go to.*

Mayor Alison Dennington said the Board does not decide things, they vet topics. It's an opportunity for interested citizens to have meetings around topics they find important.

Mayor Alison Dennington asked Commissioner Marivi Walker about the idea of not waiting to form the Board until after the academy and instead do it now. Suggested for this Board to have 5 as a quorum but maybe make it 9 people.

Commissioner Marivi Walker spoke about being fine with creating the Board before the academy.

Bruce Larson - 1507 Pine – *Spoke about starting with 5-9 people and draft what the purpose of the Board is.*

Tim Reed - 302 Fourth Ave – *Is in favor of more engagement. It will have to be a very structured and meaningful Board. Does not think this will get people off their seat that isn't currently off their seat. The issues that have been brought to the Commission have just been batted around. Fears that the Advisory Board would be the same in just kicking the can around. Engage people's desire to be involved in either topic. What is the problem that is trying to be solved by these items? If it is to hear resident issues the Commission already has. The issue is action is not being done.*

Mayor Alison Dennington said she needed three votes to get this going, wants to get people more informed and more involved. Spoke about how the Advisory Board could keep on top of the Town Commission to keep things moving. It will help bridge the gap

and be an extra set of ears and eyes. Responded to Commissioner Marivi Walker's point about how Short Term Rentals are a big issue, but some people might not think so. There is this idea that we don't have a lot so it does not need to be a priority. The Advisory Board could elevate the priority of topics.

Commissioner Marivi Walker spoke about understanding the frustration, said she has lots of meetings but does not have time to get things done. Thinks getting people together to discuss the current biggest issues in the Town would be beneficial.

Mark McBride – 312 First Ave – Spoke about understanding the frustration. The Advisory Board can come up with solutions, but also apply pressure on the Commission.

Bruce Larson - 1507 Pine – Spoke about the Board would be to increase efficiency, efficacy, and transparency of Town business.

Mayor Alison Dennington said even though this will not be perfect and there will be some lessons learned along the way, she believes this Board will help the residents get more involved and hopefully shorten their meetings because topics are vetted.

6. Adjournment

Mayor Alison Dennington moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 2-0.

Meeting adjourned at 7:36 pm.

ATTEST:

Alison Dennington
Mayor

Rachel Pembroke
Transcriptionist

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING September 17, 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

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 6:00 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments – 1:09

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.

Pat Scordino – 500 Harland Ave – Spoke at a Commission meeting 2 years ago about paving issues and storm drain issues related to Harland Ave. The road is failing, lower the speed limit, and make it a no-through traffic road. Nothing has been done in two years. Would like the concerns to be addressed and she does not see anything in the budget for it.

Town Manager Elizabeth Mascaro spoke about the engineering is being done for basin 1 which would include that area. This has been going on for months because it is a big area. After the engineering is done then the Town can go out for grants because the project might cost up to 4 million dollars. The project will include paving, storm drains, outlets, etc. The process will begin in 2025.

Commissioner Corey Runte spoke about how the project was funded in that budget, however, it opened a can of worms that has shown a lot of major issues involving multiple roads. The project has significantly evolved. Additionally, emergency projects such as Cherry collapsing popped up.

Mayor Alison Dennington spoke about this year's budget included putting \$500,000.00 into stormwater. Asked about the status of the engineering and scheduling another public workshop.

Town Manager Elizabeth Mascaro spoke about there being a lot of pipework that needs to be done, so it will be done in phases. Can look into scheduling another public workshop.

Gail Gowdy - 215 Ash Ave – Asked when was the stormwater workshop.

Alison Dennington spoke about it being around March or April.

5. Public Hearings – 14:42

- A. Public Hearing on the Town's Fiscal Year 2024/2025 (FY25) Millage Rate and Annual Budget – Town Manager Elizabeth Mascaro

Town Manager Elizabeth Mascaro spoke about how nothing has changed since the last vote.

Mayor Alison Dennington spoke about receiving the vacancy rate data from the Police Chief and she calculated the vacancy rate over the last 5 years as 4.68% which is pretty low. The national average in police departments is around 30%. She will be voting against it because we do not need additional officers, and we should be lowering taxes. Spoke about an AGO opinion regarding needing 2 officers on at all times. As long as you have

mutual aid agreements then you are not in violation. The Town has mutual aid agreements with Indialantic and Brevard County.

Commissioner Marivi Walker spoke about the national average would include large cities like Minneapolis and Chicago which are not comparable to Melbourne Beach.

Town Manager Elizabeth Mascaro spoke about the priority is safety.

Bruce Larson – 1507 Pine St – Spoke about nowadays it is not ok to be alone because no mutual aid agreement is going to be fast enough. Two people in separate vehicles. You cannot determine if another officer is needed without knowing how many shifts an officer is working alone. Single shifts are not okay. Is there not a lot of overtime because they are doing single shifts? Approve the money, but prior to hiring get the data. There are 4 line items that can get this budget back to the rollback rate. There are errors in the budget.

Mayor Alison Dennington spoke about there not being a lot of money in overtime.

Gail Gowdy – 215 Ash Ave – Spoke about being concerned because there is no backup and thinks there are still mistakes. The Town Manager and Police Chief presented incorrect information about how many officers were in Indialantic and Satellite and there is no data to back the information. How can the Commission make a decision without backup?

Town Manager Elizabeth Mascaro spoke about the numbers that were presented for the other departments were for the entire department not just the officers.

Mayor Alison Dennington spoke about not thinking there is enough justification for the budget, and that hiring another officer would be violating the Town Charter and Code because it requires a referendum.

Commissioner Corey Runte spoke about the Town Attorney already providing an opinion and does not think police department staffing needs to go to a referendum.

Ronaldo Dovale – 215 Ash Ave – Spoke about previous years the budget was not approved until the last few days in September, so there is still time to approve the budget later.

Commissioner Corey Runte spoke about how there are legal advertising notices that need to be done, and we are at the very end of the deadline.

Mayor Alison Dennington read section 15.1 and spoke about the Town not complying with the minimum requirements. Spoke about there is not enough justification to support adding officers.

Recess 6:37 – 6:39

Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
 Town Clerk Amber Brown

Mayor Alison Dennington spoke about if the reason for adding officers is due to having a hard time with retention then where is the data? If the reason is there are shifts with only one person working then where is the data? This budget has never provided the bare minimum justification.

Vice Mayor Sherri Quarrie spoke about the Police Chief did a presentation, provided documentation, emailed the Commission, and had a meeting with each Commissioner as to why he needed the additional officers. Safety is the biggest issue, but there has also been a large increase in traffic. In favor of 2 additional officers, unsure about having an additional code enforcement officer. If you look at pages 1-7 and the exhibits everything is in the budget, and believes we have met the requirements.

Commissioner Marivi Walker spoke about being fine with the information she has received.

Town Manager Elizabeth Mascaro spoke about information she received from the Police Chief. Tonight there will only be one officer from midnight to 5:00 am, and on average 10-30 times per month there is a single officer and it is always that night shift from midnight to 5:00 am.

Mayor Alison Dennington spoke about the data and how the information is supposed to be given to the public, it is the taxpayer's money and the information needs to be given to them so they can understand it. The police department is the largest chunk of our budget. If there is a justification it needs to be in the budget. Believes it violates the Town Charter. There are a lot of people in Town who would like to get rid of the police force.

Vice Mayor Sherri Quarrie spoke about the Police Chief presented everything during a public workshop. During that meeting, she asked the Police Chief if he needed anything additional to cover the expenses of any additional officers, and he said no, any expenses are included in the proposed budget.

Mayor Alison Dennington spoke about not receiving the single-shift data. Received anecdotal data that is not true. What additional trainings need to be done every month with all of the shifts? Law of diminishing return.

Steve Walters – 416 Sixth Ave – Spoke about the Mayor wasting her time because it sounds like they already have their decisions made. It sounds like the Commission wants to wait until after the election.

Mayor Alison Dennington passed the gavel.

Mayor Alison Dennington made a motion to remove the extra officer from the budget, and next year we can get the data if we need it, and add it back in;

Motion failed for a lack of second

6. New Business

- A. Resolution 2024-08, Adopting the Final Millage Rate for the Fiscal Year 2024-2025 – Town Manager Elizabeth Mascaro – 53:36

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2024/2025; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Corey Runte moved to adopt Resolution 2024-08 setting the final operating millage rate for fiscal year 2024-2025 at 4.4770 mills, which is greater than the rollback rate of 4.2798 by 4.608%, and setting the final debt service millage rate for fiscal year 2024-2025 at .2350 mills.; Vice Mayor Sherri Quarrie seconded;

Bruce Larson – 1507 Pine St – Spoke about passing the budget, but continue working on the budget anywhere there is conflict.

Roll Call Vote by Town Clerk

Mayor Alison Dennington – Nay
Vice Mayor Sherri Quarrie – Aye
Commissioner Corey Runte – Aye
Commissioner Marivi Walker – Aye

Resolution 2024-08 carried by a vote of 3-0

- B. Resolution 2024-09, Adopting the Final Budget for the Fiscal Year 2024-2025 – Town Manager Elizabeth Mascaro – 1:00:02

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2024/2025; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Corey Runte moved to adopt Resolution 2024-09 setting forth the appropriations and revenue estimate for the final budget for fiscal year 2024-2025 in the amount of \$4,582,113; Vice Mayor Sherri Quarrie seconded;

Roll Call Vote by Town Clerk

Mayor Alison Dennington – Nay
Vice Mayor Sherri Quarrie – Aye
Commissioner Corey Runte – Aye
Commissioner Marivi Walker – Aye

Resolution 2024-07 carried by a vote of 3-0

7. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 4-0.

Meeting adjourned at 7:02 pm.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING September 18, 2024 at 5:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

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 5:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Attorney Ryan Knight

Deputy Police Chief Matthew Smith

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments – 2:15

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.

5. New Business

A. Review and discuss the submissions to fill the vacant Commission seat – 2:43

Mayor Alison Dennington spoke about the candidates being Robert Baldwin, Dawn Barlow, Robin Davis, Bruce Larson, and Katherine Wilborn to fill the Commission seat that was vacated by Commissioner Adam Meyer.

Town Manager Elizabeth Mascaro spoke about some candidates provided a resume, some provided a letter of intent, and some provided both or other documents so to be fair to everyone instead of providing one document for each candidate all of the documents that were given to the Town are now being provided. Candidate Robin Davis has withdrawn her application.

The Commission decided to hear from each candidate first.

- Robert Baldwin – 4:37

Robert Baldwin spoke about being a long time Melbourne Beach resident. Been to a number of Town meetings. Served on the Code Enforcement Board until the Town switched to a Special Magistrate. Ran the Melbourne Beach soccer club for about 6 years. Was here when every Town Commission meeting had TV stations broadcasting what was happening and is glad those days are behind us. Background in finance with a lot of experience in accounting then moved into executive leadership positions. Today most of his time is spent in healthcare.

- Dawn Barlow – 9:12

Dawn Barlow spoke about being born and raised in Melbourne Beach. Is a big fan of options and applauds everyone who applied for the position. She has a finance background, and has been described as task oriented and results driven. There are key projects identified in Town that she would like to see action on and finish them. Met with prior Commissioner Adam Meyer to discuss his efforts. Dawn Barlow took a position with the Parks Board and the Board nominated her as the chairperson. She has also met with Town staff to move projects ahead.

• ~~Robin Davis~~ Application withdrawn

• Bruce Larson – 13:49

Bruce Larson spoke about appreciating the feedback he has received from the stakeholders he has reached out to. He grew up in Melbourne Beach and after high school he joined the Navy. The most important thing is being able to move forward and make decisions. A key factor is to have managed growth for what is important. Like when residents worked to make Pine St a bike path. Secondly stewardship is important and also transparency. The key things are continuing managed growth and coming to a consensus to move forward.

• Katherine Wilborn – 18:57

Katherine Wilborn spoke about being a forty-year resident of Melbourne Beach. She has attended various Town board meetings. Is a naturalist and environmentalist and would like to restore Melbourne Beach as a bird sanctuary and the historic sign. It is important to look at responsible development. We need to address infrastructure and safety within the Town. Projects that have been pending for a long time should not get pushed in favor of other projects. This is a Town of people and we should care about our neighbors.

Julie Samuels – 2320 S River Rd – Spoke about being on the Parks Board, and Dawn Barlow is a pure joy to work with. She has firsthand experience working with Dawn who has great leadership skills, and does a lot of work.

Kim Adkinson – Surf Rd – Spoke about Dawn Barlow having a really good knowledge of the people, and she would be really good at asking questions.

Michael Bove – 216 Ash Ave – Spoke about his comments are directed at the Board as a whole not any individual person, last meeting there was a wasted opportunity to hold an election. The Commission is working for their own opinions not for the opinions of the residents. Represent the residents not yourself.

Anna Butler – 312 Avenue A – Spoke about knowing Dawn Barlow from tennis and she is competitive but completely composed, and Bruce Larson has been very helpful to her as a candidate who is not a politician. She supports both Dawn Barlow and Bruce Larson.

Ted Funkhouser – 509 Banyan Way – Spoke about whoever is voted in keep in mind we do not want to see this type of Town change.

Brian Casazza – 2009 Oak St – Spoke about not knowing any of the candidates. He has read all of the minutes and is very impressed with the Parks Board.

Haley Conrad – 2011 Oak St – Spoke about originally being concerned about the Commission not choosing to hold an election. Does not know the candidates other than Dawn who has had great leadership on the Parks Board and would be a great candidate.

Frank LaGrassa – 412 First Ave – Spoke about Bruce Larson has qualities that you are born with. He has seen him in action with politicians and he was very articulate and able to communicate well.

Mayor Alison Dennington asked Robert Baldwin why he was only on the Board of Adjustment for one year and what was his attendance, and how does he handle a disagreement.

Robert Baldwin spoke about being an alternate on the Board of Adjustment and he was never called to attend a meeting. He does not fly off the handle, but it is important to have different opinions and to listen to others.

Vice Mayor Sherri Quarrie asked if he is familiar with Robert's Rules of Order, asked about his finance background, and his background on the Code Enforcement Board and Board of Adjustment, asked about his opinion on the Town budget, and Town safety.

Robert Baldwin spoke about being familiar with Robert's Rules of Order, having knowledge of the Town's Ordinances, and the Town's budget, does not think there is a crime problem thanks to the police, does think infrastructure is a big thing that always needs to be looked at and addressed.

Mayor Alison Dennington asked each candidate what one of the most important issues is.

Dawn Barlow spoke about there being three key issues that have been brought up including infrastructure, short term rentals, and protecting the environment.

Bruce Larson spoke about managed growth because everything else is a byproduct of that.

Katherine Wilborn spoke about infrastructure and related items being the environment and people.

Commissioner Corey Runte asked all of the candidates how would they help structure meetings so it does not last all night.

Robert Baldwin spoke about having very qualified Town staff, so the Commission should listen to them, trust them, and provide guidance.

Dawn Barlow spoke about everyone has the right to be heard uninterrupted for three minutes without having a reaction. You do not need to keep rehashing topics when you are heard the first time. Town employees do a great job and have expertise listen to them.

Bruce Larson spoke about having differing opinions, but being able to compromise to move forward. Listening and be prepared for the meetings.

Katherine Wilborn spoke about the Town needs to inform the residents of things that are going on. Communication, information, polling, and trust are all important.

Mayor Alison Dennington asked Robert Baldwin and Dawn Barlow how many meetings they missed when they were on a Town board.

Robert Baldwin spoke about missing one.

Dawn Barlow spoke about missing one.

Mayor Alison Dennington asked each candidate how many Regular Town Commission Meetings they have attended in the past 2 years.

Robert Baldwin spoke about 5 or 6.

Dawn Barlow spoke about not having an exact number, but would estimate around 10.

6. Adjournment

Commissioner Marivi Walker moved to adjourn; Vice Mayor Sherri Quarrie seconded; Motion carried 5-0.

Meeting adjourned at 6:02 pm.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING September 18, 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

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 6:12 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call.

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Fire Chief Gavin Brown
Deputy Police Chief Matthew Smith
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 – 2:48

Vice Mayor Sherri Quarrie made a motion to accept the meeting agenda as presented; Commissioner Corey Runte seconded; Motion carried 4-0.

5. Consent Agenda – 4:16

- ~~A. Approval of the Special Town Commission Meeting final minutes September 6, 2024~~
- ~~B. Approval of the Special Town Commission Meeting – Tentative Budget Hearing final minutes September 6, 2024~~
- ~~C. Approval of the Town Commission Workshop final minutes August 27, 2024~~
- ~~D. Approval of the Town Commission Workshop final minutes August 22, 2024~~
- ~~E. Approval of the Special Town Commission Meeting final minutes August 21, 2024~~
- ~~F. Approval of the Regular Town Commission Meeting action minutes August 21, 2024~~
- ~~G. Approval of the Town Commission Workshop final minutes July 3, 2024~~
- ~~H. Approval of the Town Commission Workshop final minutes June 18, 2024~~
- ~~I. Approval of the Regular Town Commission Meeting final minutes May 15, 2024~~
- ~~J. Approval of the site plan for 1609 Atlantic St – new home~~

Mayor Alison Dennington pulled Items A through I from the Consent Agenda to be put at the end of New Business, and Item J to the beginning of Unfinished Business.

Town Attorney Ryan Knight confirmed Consent Agenda Items A through I have been moved to the very end of the meeting under New Business, and Consent Agenda Item J which is the approval of the site plan was moved to the first item under Unfinished Business. Leaving no items on the Consent Agenda to vote on.

6. Proclamations/Presentations/Awards –

- A. Proclamation recognizing September 17th through September 23rd as Constitution Week – 7:58

Mayor Alison Dennington read the proclamation recognizing September 17th through September 23rd as Constitution Week.

- B. Presentation from the Parks Board on updates and recommendations on ongoing projects – 10:23

Chairperson Dawn Barlow presented updates and recommendations on the 5 projects that the Parks Board is reviewing: Hometown Heroes, Veteran’s Park, Bicentennial Park Water Feature, Playground Equipment, and Circle Park Enhancement.

Commissioner Corey Runte spoke about being in favor.

Alison Dennington spoke about being in favor of Hometown Heroes and a refresh on Circle Park but would like to bid it or set a limit.

Vice Mayor Sherri Quarrie spoke about residents wanting to be aware of what happens in the Parks, so it needs to be noticed to the public before making any changes to the Parks.

Chairperson Dawn Barlow spoke about notifying all of the residents around Circle Park and the residents mentioned being okay with a refresh of Circle Park, but not having it as a Veteran's Park. Move the Veteran's Memorial to Ryckman Park as an honor walk where the coquina rock is.

Commissioner Corey Runte spoke about trusting the Parks Board and Staff. Supports the refresh of Circle Park. Recommends proceeding with working with Staff to proceed in concept and start the planning process. Loves the idea of fundraising for the brick path.

Mayor Alison Dennington spoke about being in favor of all of it.

Vice Mayor Sherri Quarrie and Commissioner Marivi Walker agreed with proceeding with the refresh of Circle Park and the brick path for a Veteran's Memorial.

Chairperson Dawn Barlow spoke about Bicentennial Park and the donation from the dissolved Garden Club that was donated for a water feature. Reached out to some experts who mentioned an upfront cost of approximately \$6,000 and a monthly maintenance of \$200.00. Based on the donation amount of \$1,500 the Parks Board did not approve the water feature. Will table this item for now and focus on the other items.

Mayor Alison Dennington agreed and is in favor of returning the money.

Commissioner Corey Runte spoke about continuing the conversation, but not making it a priority.

C. Presentation from the Planning and Zoning Board on the tree cutting and replacement ordinance – 47:54

Planning and Zoning Board Member Dan Harper spoke about the Board's requesting a slight change to the tree ordinance. The Planning and Zoning Board recommended changing Section 9A-7(C) to delete the second sentence "any trees that are removed for new construction shall be replaced by the same or similar species." Keep the tree density before and after provision. This would have no impact on the requirements regarding oak trees.

Mayor Alison Dennington spoke about being in favor as long as a definition of density is added.

Commissioner Corey Runte spoke about being generally in favor of it and thinks a public workshop is needed and involve the Environmental Advisory Board.

Vice Mayor Sherri Quarrie spoke about the Environmental Advisory Board and the Building Department needs to be involved. Trees are a big deal, so we need input from everyone. Not ready to make a decision yet.

Commissioner Marivi Walker spoke about needing more information before making a decision.

Planning and Zoning Board Member Dan Harper spoke about there being conflicting language about trees in the ordinance. One says tree for tree and one says proportional.

Town Attorney Ryan Knight spoke about if there are two conflicting ordinances get with him ahead of the meeting, so he can go through and see which Ordinance would prevail.

The Town Commission had a consensus to allow the Town Manager to coordinate moving forward.

- D. Recognition of Boy Scout Logan Knolmayer for the completion of his Eagle Scout project – Installation of fire hydrant reflectors throughout the Town of Melbourne Beach – 1:00:22

Resident Logan Knolmayer thanked everyone who assisted him in completing his Eagle Scout Project and for allowing him to do the project. Approximately 82 man-hours went into installing fire hydrant reflectors throughout the Town.

Fire Chief Gavin Brown spoke about the project is more than just completing the project. It is about project management as Logan had to coordinate funding, safety, and logistics, attend meetings, and get approvals to complete the project from start to finish.

Mayor Alison Dennington read a letter of thanks to Logan Knolmayer for his Eagle Scout Project that increased public safety within the Town of Melbourne Beach.

7. Finance/Budget Report – 1:06:05

Commissioner Corey Runte spoke about being below the target rate of expenditures.

Commissioner Corey Runte made a motion to approve the Finance Report as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

8. Department and Board/Committee Reports

- A. Public Works Department – 1:07:35

Mayor Alison Dennington spoke about the Oak tree is going to die by the new deck. Asked about the swale installation and asked for a procedure for requests.

Town Manager Elizabeth Mascaro spoke about how the tree has been looked at and it is not going to die. The Town still has the swale program, and a resident requested the swale.

Mayor Alison Dennington spoke about asking for a swale several times and no one responded and she did not receive one, so there needs to be some type of written criteria for it since it is a free service to residents.

Town Manager Elizabeth Mascaro asked Mayor Alison Dennington if she would still like a swale.

Mayor Alison Dennington spoke about not wanting a swale.

B. Building Department – 1:12:02

Town Manager Elizabeth Mascaro spoke about Mayor Alison Dennington having a question about a shed that was installed because it was 10 feet by 16 feet. 160 Square feet is the allowed maximum size.

C. Code Enforcement – 1:14:05

Town Manager Elizabeth Mascaro spoke about the software has limitations on how much detail is currently provided on the reports, so the Town is currently working to add more categories.

Mayor Alison Dennington spoke about cases seem to be pending for a long time.

Town Manager Elizabeth Mascaro spoke about the attractive nuisance is a home the Town is about to have condemned because the house has been in probate.

Mayor Alison Dennington spoke about the cases in the status first letter and telling short term rental violators they could not rent until they were registered.

Town Attorney Ryan Knight spoke about the Code Officer would have no authority to tell someone they cannot continue to rent while they are in the registration process.

Mayor Alison Dennington spoke about not understanding the verbal warning. Why not immediately file a notice of violation for short term rental violations? The verbal warning does not start the clock.

Town Attorney Ryan Knight spoke about the whole point of code enforcement is compliance. Typically, you provide a warning with an amount of time then inspect to see if there is still a violation. If so, then you send a notice and schedule a hearing.

Mayor Alison Dennington spoke about wanting the amount of time when a verbal warning is given. Asked how soon the next Magistrate Hearing would be scheduled.

Commissioner Corey Runte suggested Mayor Alison Dennington meet with the Town Manager prior to the meeting to go over any questions.

Mayor Alison Dennington asked about the report on page 196 of the packet.

D. Fire Department – 1:26:46

Fire Chief Gavin Brown spoke about the Fire Department is a teaching station with 9 State Certified Instructors which is why you will see fire trucks from other departments in Town and at the station.

Mayor Alison Dennington spoke about the Fire Department being awarded a grant for \$40,952.00.

E. Police Department – 1:28:16

Mayor Alison Dennington spoke about being very happy with the data.

F. Town Clerk – 1:29:54

Town Clerk Amber Brown spoke about the new Town website will go live September 25th.

9. Public Comment (Non-Agenda Items) – 1:30:58

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.

Town Clerk Amber Brown read a public comment sent in by **Walter Hardman – 320 Sixth Ave –** *Some residents and elected officials feel they do not have to treat town employees with respect. Town employees deserve better, residents should hold elected officials accountable for their behavior.*

Jim Simmons – 409 Avenue B – *Spoke about issues the Mayor has caused with staff and the staff has never been better. The Mayor's actions jeopardize everything the Town has accomplished. We need a change in Mayor.*

Kate Wilborn – 502 Second – *Spoke about Mayor Dennington has improved communication with the Town and created the Town forum where people can connect.*

Mark Formica – 215 Birch – *Spoke about there being bullying here and it is distasteful, people want to see details, and tone is down a bit.*

Frank LaGrassa – 412 First Ave – *Spoke about applauding the Mayor for doing things the prior Commission did not do.*

Tina Coppock – 505 Avenue B – *Spoke about a prior comment about social media. People use social media as a weapon. The Mayor accused Adam Meyer of having a backup plan. The Mayor owes some people an apology. Stop doing it or resign.*

Mark McBride – 310 Second Ave – *Spoke about and thanked the Commission for funding enforcement of short term rentals, and spoke about issues with short term rentals. What has been done in the past year? Please make short term rentals a priority. Provided a handout on short term rental ordinance recommendations.*

Bryan Troy – 509 Hibiscus Trl – *Spoke about as a leader the Mayor wont denounce her followers when they go so far as calling people sexual predator supporters, or saying Joyce Barton is not eligible. You're either part of the problem or part of the solution.*

Mayor Alison Dennington spoke about not being responsible for other people's comments.

10. Public Hearings/Special Orders

11. Unfinished Business

- A. Originally Consent Agenda Item J – Approval of the site plan for 1609 Atlantic St – new home – 1:53:00

Mayor Alison Dennington spoke about not having any issues with it but pulled the item to allow the public to speak.

Jim Simmons – 409 Avenue B – Spoke about site plans go on the consent agenda because the only responsibility is to ensure they meet the code. It is not for public review.

Bruce Larson – 1507 Pine – Spoke about attending the Planning and Zoning meeting and it was done correctly. That is not the case for many other ones. The question is where is the height being measured from?

Commissioner Corey Runte made a motion to approve 1609; Commissioner Marivi Walker seconded; Motion carried 4-0.

- B. Originally Unfinished Business Item A - Consideration on filling the Town Commission seat vacated by Commissioner Adam Meyer – 1:57:43

Mayor Alison Dennington spoke about having a Special Meeting to discuss this item.

Commissioner Marivi Walker spoke about having a meeting and everyone presented themselves and they are all fabulous.

Commissioner Corey Runte spoke about appreciating everybody stepping up and applying. We have amazing candidates, thanked them, and encouraged them to run in the next election to stay involved.

Mayor Alison Dennington spoke about her choice would be Dawn Barlow. All of the candidates are great. Dawn has done a phenomenal job on the Parks Board and has attended all of the meetings lately, as well as Bruce Larson.

Julie Samuels – 2320 S River Rd – Spoke about serving on the Parks Board with Dawn Barlow and thinks she is highly qualified and would be a great addition.

Commissioner Marivi Walker made a motion to appoint Mr. Robert Baldwin to the vacated seat by Mr. Adam Meyer; Vice Mayor Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

Town Clerk Amber Brown administered the Oath of Office for Commissioner Robert Baldwin.

Recessed at 8:14 pm - 8:33 pm.

Town Clerk Amber Brown conducted a roll call.

Commission Members Present

Mayor Alison Dennington
 Vice Mayor Sherri Quarrie
 Commissioner Corey Runte
 Commissioner Marivi Walker
 Commissioner Robert Baldwin

Staff Members Present

Town Manager Elizabeth Mascaro
 Town Attorney Ryan Knight
 Deputy Police Chief Matthew Smith
 Town Clerk Amber Brown

C. **Originally Unfinished Business Item B - Approval of the Town Commission Workshop final minutes March 6, 2024 – 2:06:38**

Mayor Alison Dennington spoke about voting against it because the Charter requires the minutes to be prepared 5 days after the meeting and there are 9 sets of minutes on the agenda, so she has not had time to relisten to all of the meetings.

Commissioner Corey Runte made a motion to approve the meeting minutes from March 6th; Vice Mayor Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

D. **Originally Unfinished Business Item C - Consideration to offer reduced pricing on non-resident parking passes – 2:13:26**

Town Manager Elizabeth Mascaro spoke about it in September 2023 the Commission discussed this but made no decision on reducing the guest parking pass the later in the year it is. One idea is to charge \$100 in January, \$50 in July, and \$25 in September.

Commissioner Marivi Walker verified this would be to pro-rate it when people buy it later in the year.

Commissioner Corey Runte spoke about being fine with that.

Vice Mayor Sherri Quarrie spoke about the reason it was not reduced is because it will still require the same amount of staff time and September through December is the busiest time of year.

Mayor Alison Dennington spoke about being against this, raise the price to \$200, have a limited number, and maybe for the last month it could be \$100. This will play into Airbnb's as well.

Commissioner Corey Runte asked how many guest passes have been sold this year.

Mayor Alison Dennington spoke about wanting to know what the cap amount is.

Commissioner Corey Runte suggested tabling this, but is in favor of pro rating it for \$50 half way through the year.

Vice Mayor Sherri Quarrie spoke about in the very beginning, the Commission did not want to allow nonresidents to park at crossovers, but because of the beach renourishment, the Town had to allow nonresidents to park there.

Commissioner Corey Runte made a motion to table the parking pass item under New Business; Commissioner Marivi Walker seconded; Motion carried 5-0.

- E. Originally Unfinished Business Item D - Consideration on the design for an ADA compliant ramp on the Community Center – 2:21:29

Town Manager Elizabeth Mascaro spoke about this is to come into compliance with ADA by adding a ramp to the front of the Community Center because there is no handicap parking near the ramp in the rear. This is for the Commission to decide to approve the concept so it can go out to bid or not. There is \$40,000.00 set aside for this.

Commissioner Corey Runte spoke about he will be voting to approve it.

Vice Mayor Sherri Quarrie asked why there are steps on the west end and not a ramp.

Town Manager Elizabeth Mascaro spoke about the steps go into the grass in case people want to walk into the park.

Mayor Alison Dennington spoke about not being against it, but it is pretty small, so she cannot see it. In the future provide bigger versions.

Town Manager Elizabeth Mascaro spoke about the drawings are engineer drawings in order to have the proper grade, and the ramp has to be on the north east to accommodate and add two handicap parking spots at the ramp.

Tim Reed – 302 Fourth Ave – Spoke about he thought the justification of removing the half circle was for the ramp.

Commissioner Corey Runte spoke about the half circle was removed because it served no purpose and by removing it we gained pervious green space.

Commissioner Corey Runte made a motion to approve the ADA ramp in concept as presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

12. New Business

- A. Consideration to allow legal team to put together a process and plan of action regarding investigating allegations of a toxic workplace – 2:28:41

Vice Mayor Sherri Quarrie spoke about receiving an email with the resignation from the Building Official, and the reasons included a statement of a toxic workplace. An accusation of this degree requires an investigation that includes interviewing all of the employees. Also was contacted by residents wanting to know why an investigation has not already been started due to the nature of the accusations. The accusations are against an elected official, but the employee stated it is in the workplace, so a full investigation needs to be done. Requested the Commission to vote to allow the legal team to put together the necessary process and plan of action. Either have the Town Attorney's law firm perform

the investigation, or allow an outside firm to do the investigation. The resignation letter includes a statement that things are not going to change while the Mayor is on the dais.

Town Attorney Ryan Knight spoke about his firm and himself represent the Town, so he thinks it would be a conflict of interest, so if there is an investigation it should be done by an independent third party firm that has an employment attorney. That would normally cost around \$350 per hour. Depending on how many documents are included and how many employees are included it can cost anywhere between \$50,000-\$125,000. He is not an employment lawyer, however, to be considered a hostile work environment the employee needs to be in a protected class. As far as the letter goes, there are no allegations that the individual is part of a protected class.

Mayor Alison Dennington spoke about there is nothing in the letter. The Commission is not his boss, and they have oversight. The employee can believe it is toxic in his mind that does not mean it is legally.

Town Attorney Ryan Knight spoke about any allegations of a toxic work environment would be for someone else to determine not the Town Attorney. Someone saying it is toxic or a hostile environment does not make it so legally. Unless there is other evidence or emails that back it up.

Mayor Alison Dennington spoke about having a deposition of Robert Bitgood while he was the Building Official. He was deposed for a personal matter for the previous Police Chief Melanie Griswold.

Commissioner Corey Runte spoke about the fact that the Mayor is trying to find an out is concerning. The Mayor is not good with conflict or challenges. Robert Bitgood was a fantastic Building Official and the sole reason he resigned is the Mayor, which is a shame. Not in favor of having an attorney do an investigation, but is in favor of the Town Attorney sending a survey to all staff asking if the Mayor has caused a toxic work environment. The Mayor needs to grow and reflect on this otherwise the Town is going to lose everybody from the staff and the commission.

Vice Mayor Sherri Quarrie spoke about Building Official Robert Bitgood is great and dedicated to his job. Finds it disturbing the Mayor went out of her jurisdiction to find out what he was doing outside of the Town.

Mayor Alison Dennington spoke about the Building Official was hired as an expert witness and he did not disclose it on his state financial forms for the first 2 years which is a violation of State law.

Commissioner Corey Runte spoke about the Mayor being thrown out of the hearing.

Town Manager Elizabeth Mascaro spoke about the Mayor sending a brief to the prior Police Chief's attorney.

Mayor Alison Dennington spoke about what Commissioner Corey Runte and Town Manager Elizabeth Mascaro said was false. She was looking for an attorney to represent her in the appellate case and was given that law firms information. Mr. Bitgood did not disclose it to the Town in writing.

Town Manager Elizabeth Mascaro spoke about Robert Bitgood disclosed it to her verbally.

Town Attorney Ryan Knight spoke about it would not need to be disclosed in writing.

Mayor Alison Dennington spoke about grievances from employees against the Town Manager.

Vice Mayor Sherri Quarrie spoke about the grievance from Tom Davis went to the attorney, and it went through the proper process.

Commissioner Marivi Walker asked about the resignation letter stating the Mayor contacted State authorities regarding Robert Bitgood.

Vice Mayor Sherri Quarrie spoke about meeting with Robert Bitgood and he spoke about the pool that went to the Board of Adjustment needed clarification from DEP regarding their permit. The Building Department sent the clarification email to the Commission. The Mayor contacted the Department of Environmental Protection and the homeowner and made disparaging remarks about the Building official and his Department.

Commissioner Corey Runte asked what the Mayor said when she contacted DEP which is out of line.

Mayor Alison Dennington spoke about receiving an email with a response from DEP and contacted them thinking it was related to the mangroves. She contacted DEP and they advised the DEP clerk made an issue on the permit. The Mayor mentioned to DEP that residents are upset about mangroves being cut. She did nothing wrong.

Commissioner Corey Runte spoke about it being completely wrong to contact DEP, and then to take that opportunity to make disparaging remarks about a completely different property. Stay in your lane.

Vice Mayor Sherri Quarrie spoke about receiving the original email at 2:07 pm and an additional email was sent 1 hour later advising it was sent by accident as it was intended for the Board of Adjustment regarding a coastal variance. The Mayor did all of that within one hour.

Commissioner Corey Runte spoke about receiving the correction email at 3:46 pm explaining it was an accident, so in 47 minutes the Mayor decided to contact DEP and talk about other properties in Town.

Mayor Alison Dennington spoke about if he cannot do his job then the Town does not need him.

Tina Coppock – 505 Avenue B – Spoke about if there is any doubt of treatment go back and listen to the recordings after the Mayor took office. The Mayor treated him badly in front of the entire public for no reason. Finds it ironic the Mayor is worried about legal expenses when she ran up over \$80,000.00 suing the Town.

Mayor Alison Dennington spoke about disagreeing with that opinion.

Robin Davis – 318 Sixth Ave – Spoke about the mayor should have passed the gavel because the allegations are against her. The complaint should go to the FDLE Public Integrity Unit and to the Ethics Commission. Follow Robert's Rules of Order, stay in your lane and out of the weeds, and allow staff to do their job. When people make a mistake they will fix it. They are not intentionally doing anything. Does not want the news coming back it is embarrassing. Try to be civil.

Mayor Alison Dennington spoke about calling the Town Attorney prior to this who advised she should not recuse herself. Spoke about Robin Davis being Tom Davis's wife and he filed a grievance against the Town Manager.

Commissioner Corey Runte called point of order on the Mayor for making incendiary accusations towards other people with accusations that are completely irrelevant and deserve a response from Robin Davis, and stop interrupting her. The Mayor is weaponizing a grievance.

Mayor Alison Dennington stated the point of order was not well taken.

Commissioner Corey Runte appealed the ruling, and spoke about wanting to hear Robin Davis's respond to the Mayor's statements.

The Commission started to vote but it was not finished and was indecipherable.

Commissioner Corey Runte asked Robin Davis if the grievance from Tom Davis was resolved.

Mayor Alison Dennington spoke about there being a grievance against the Town Manager and the Commission never wanted to talk about it, but because this is about her it is a huge deal. Spoke about the Town Manager saying to her that the office has noticed how Tom has put his hands on her when he talks. The Mayor did have any problems with it, but thought Tom was going to get thrown under the bus and fired.

Robin Davis spoke about to her knowledge the grievance was resolved properly, and said you will be hearing from her lawyer.

Bryan Troy – 509 Hibiscus – Spoke about only meeting Robert Bitgood once and he went above and beyond to assist and be helpful. If you are trying to prove work place harassment the first meeting the Mayor embarrassed him and dressed him down for 10 minutes.

Tina Bove – 216 Ash Ave – Spoke about not doing any social media because of this. Can see the Town and Community is being split. Should be an example to our children. We might be getting our children back in order by limiting social media and maybe take an example from the kids. Take it down. It does seem stacked right now. These are our neighbors we should not be at each other's throats.

Mark McBride – 310 Second Ave - Spoke about agreeing the Commission would do well not to talk about this. Was there a formal grievance filed by Robert Bitgood?

Town Attorney Ryan Knight spoke about there is a formal grievance filed.

Alan Earwood – 404 Sunset – Spoke about Robert has been nothing but professional and is always timely and cannot say enough about that.

Mayor Alison Dennington spoke about having a garage door permit and Robert Bitgood handled it and he was great. The issues are related to how the short term rental case was handled.

Commissioner Corey Runte spoke about the Mayor retaliating against Robert and everybody else who was involved in the illegal shed.

Commissioner Robert Baldwin spoke about speaking with contractors to see what they thought about the Building Official. They all respected him and said he was responsive and fair not that he was easy. Is very concerned. Is there legal liability based only on the letter that the Commission received? If the Commission does not jump at hiring an outside firm what is the best course of action? Asked about doing an internal investigation. A survey seems like a 360 review.

Town Attorney Ryan Knight spoke about the employee still works here, so he could file another grievance. The current letter is general. Other places have done an anonymous survey of 6-8 questions. He could draft some questions and submit them to the Commission to choose the questions.

Commissioner Corey Runte made a motion to decline current legal pursuit of this matter, but to proceed with an anonymous survey prepared by the Town Attorney to every single employee of the Town; Commissioner Marivi Walker seconded;

Steve Walters – 416 Sixth Ave – Spoke about them baiting the Mayor and they did the same thing to him. The job is to inquire and investigate. If they are going to survey the current employees they should question the 26 people that have been fired, resigned, or forced out in the last 5 years by the Town Manager.

Frank LaGrassa – 412 First Ave – Spoke about doing more than just surveying the employees because maybe the Mayor just wants to shape up the place. Maybe there was too much taking care of the employees. If the Mayor is requiring employees to work harder of course they are not going to like her.

Town Attorney Ryan Knight suggested the survey would be anonymous and not name anyone but just have questions about the work environment and ask about any concerns they might have.

Mayor Alison Dennington asked about including past employees, and there potentially being undue influence from current employees.

Town Attorney Ryan Knight spoke about not seeing any reason to survey people who are not currently employed, and the survey would be anonymous. If there is any interference then the employee should report that.

Motion carried 5-0.

- B. Consideration on holding a Town sponsored meet the candidate forum at Town Hall – Mayor Alison Dennington – 3:28:50

Mayor Alison Dennington spoke about receiving a request from a resident to host a candidate forum.

Vice Mayor Sherri Quarrie spoke about thinking it is an excellent idea, so she reached out to the Space Coast League of Women Voters which has done candidate forums before. They can commit to one of three days. Have the Town Clerk reach out to the Space Coast League of Women voters to set that up.

Commissioner Corey Runte spoke about being in favor of it as long as it is fair and equitable, the Commissioners do not attend, and the Town Manager coordinates it.

Jim Simmons – 409 Avenue B – Spoke about participating in them in the past and only about 5 people attended. Also, you had to submit your questions beforehand, so you were not able to ask questions after hearing the answers. Ask about being able to submit questions during the forum.

Vice Mayor Sherri Quarrie spoke about how the League of Women Voters can also explain general election amendments.

Commissioner Robert Baldwin spoke about how amendments can be confusing, so that might draw people in.

Mayor Alison Dennington spoke about the Commission staying out of it and allowing them to handle everything.

Commissioner Corey Runte made a motion to approve the Town-sponsored candidate forum with the three stipulations previously mentioned. One, no Commissioner or Mayor is allowed to be present at the event. Two, televised to the public audience via our software system. Three, it's coordinated by our Town Manager and Town Clerk with the Space Coast League of Women Voters; Commissioner Marivi Walker seconded; Motion carried 5-0.

- C. Materials and information related to mental health awareness and suicide prevention – Mayor Alison Dennington – 3:39:34

Mayor Alison Dennington spoke about September is Suicide Prevention Month.

Recess 10:07 – 10:15

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker
Commissioner Robert Baldwin

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Deputy Police Chief Matthew Smith
Town Clerk Amber Brown

Mayor Alison Dennington spoke about this being her agenda item to get mental health awareness resources and materials out to the public. Many of the trainings are free. 22 veterans a day commit suicide, so if you know a veteran reach out to them and be kind.

Julie Samuels – 2320 S River Road – Spoke about this being a good topic and information and if the Commission would like the Parks Board to take it on and have an event they would be happy to.

Commissioner Corey Runte made a motion to approve proceeding with a mental health awareness event hosted by the Parks Board subject to further due diligence; Commissioner Marivi Walker seconded; Motion carried 5-0.

- D. Consideration on a formal investigation into a complaint received by Human Resources – Town Manager – 3:45:19

Mayor Alison Dennington spoke about this is from her after she heard Mr. Bitgood filed a grievance against her. She does not understand how you can file a grievance against someone who is not an employee. Would have filed a grievance against the Town Manager months ago related to the key fob issue. Asked the Town Attorney if he has reviewed the policy requiring Commissioners to receive a key fob.

Town Attorney Ryan Knight read Town Policy Section 10.02 that states a key fob will be assigned to each member of Town Hall staff, Commission members, and Volunteer Firefighters. The Chief of Police tracks all uses of the fobs and detects attempts to access unauthorized areas.

Mayor Alison Dennington spoke about watching everyone use key fobs back in August including Joyce Barton. She spoke with Chief Griswold and was told Commissioners do not get key fobs, so she asked who, when, and why the policy was changed. She has never received a reason or who changed the policy so they are violating the Town Policy. Filed a complaint with HR, and would like an investigation into that. When there is an

investigation, she would like to have answers on whether the policy is being violated by the Town Manager and the effect of that. The Town has policies and if the Manager does not follow them, then that is a liability. Would like an investigation into that in conjunction with the other investigation.

Commissioner Robert Baldwin asked what the current practice is.

Mayor Alison Dennington asked the Town Attorney if there is a liability in not following the policy and instead asked what's the current practice.

Town Attorney Ryan Knight spoke about the Town Commission has the authority to change and revise the policy if there is a vote. It is his understanding that prior to his tenure, the Police Chief said they would no longer allow fob access because of security issues. The Commission could authorize this to be looked into.

Commissioner Robert Baldwin asked if the new Police Chief has the same opinion.

Commissioner Corey Runte spoke about the Mayor wanting to spend taxpayer dollars on this investigation in retaliation against Robert's grievance. None of the Commissioners have them nor should they because that could be a liability will make a motion to amend the policy because there is no reason the Commission should have a fob. If the concern is to get mail, then put the mail up front.

Mayor Alison Dennington spoke about policies and procedures are important to follow. She does not want a fob. You do not just ignore a policy if it is not working. You come to the Commission with revised policies. Would like the Manager to form an informal internal committee to review the policies and then make recommendations to the Town Commission. This is not about getting a key fob it is about following the policies and procedures. Does not want policies and procedures that are not being followed, or are only followed for some people.

Town Manager Elizabeth Mascaro spoke about already working with the Town Attorney and reviewing other municipalities' policies and procedures to revise the current ones.

Town Attorney Ryan Knight spoke about sending sample policies to the Commission and asked if the Commission is okay with removing the Commissioner's key fob access.

Mayor Alison Dennington spoke about not wanting a key fob, so she would be okay with it.

Commissioner Corey Runte spoke about having zero interest in having an outside investigation done but is in favor of reviewing the policies and procedures.

Vice Mayor Sherri Quarrie spoke about the agenda item states discrimination against the Mayor. There are no mailboxes there is a letter holder sitting on a desk it is not a federal mailbox. You want the taxpayers to pay for an investigation because you believe that you are being withheld from your junk mail. You are threatening staff saying this is grounds for termination with cause.

Commissioner Marivi Walker read part of the complaint stating grounds for termination of the Manager for any criminal liability for obstruction of any kind and spoke about those being really harsh words.

Vice Mayor Sherri Quarrie spoke about the Mayor threatening the entire staff because she believes the rest of the Commission has key fobs.

Mayor Alison Dennington spoke about having a witness stating Commissioner Runte used his key fob.

Commissioner Corey Runte spoke about that being false that the Commissioners do not currently have fobs.

Mayor Alison Dennington spoke about believing there are several grounds upon which the Town Manager could be fired.

Vice Mayor Sherri Quarrie asked if that was toxic.

Town Attorney Ryan Knight spoke about how the Mayor can say what she wants to say, but speak one at a time.

Mayor Alison Dennington spoke about elected officials are for oversight. The Manager is there to run the day-to-day. Everyone has to follow policies and procedures including the Manager. There are policies and procedures that are only being followed when it is convenient. There were grievances being filed against the Town Manager and nothing was done. Would like to have a Commission take all grievances seriously.

Commissioner Corey Runte spoke about that being false that an employment attorney was involved. No one is going to vote for a taxpayer-funded lawsuit. We can review policies and procedures, have a mailbox, and not have fobs.

Vice Mayor Sherri Quarrie spoke about the previous grievances were taken to legal, addressed, and dismissed.

Mayor Alison Dennington spoke about the grievances were never retracted.

Steve Walters – 416 Sixth Ave – Spoke about the prior Town Hall building where Commissioners had key fobs to access the front door to the building and their mailbox and met with residents. The new Town Hall building used to have a Commission meeting room, but it is now the Town Clerk's office. The policy cannot be changed by the Police Chief. If it needs to be changed a Commissioner can put it on the agenda.

Jim Simmons – 409 Avenue B – Spoke about it would be prudent to change the policies, put the mailboxes in the front lobby, and allow Commissioners to access the front lobby. Guesses the policy changed because we never thought there would be a Mayor with 3 open lawsuits against the Town who could root through all of the files.

Julie Samuels – 2320 S River Rd – Spoke about how people stop listening because they do not like someone. Spoke about her experience with the Town Manager. She does only follow policies when she wants to. After she said something during a public meeting then she had additional roadblocks and hurdles she had to follow. Is all for the Boards having as many events as they want, but all should need to follow the same rules.

Town Manager Elizabeth Mascaro spoke about the EAB event was significantly smaller so they did not need to have police and porta potties. Whereas the Parks Board event was as big as Founders Day which is why those items were needed.

Christina Keshishian – 313 Hibiscus Trl – Spoke about previously being on the EAB and when the Town Manager attended the meetings she would be clerical with her requirements, and that is not a critique that is consistency.

Frank LaGrassa – 412 First Ave – Asked if the Commissioners have jobs. Maybe if the Mayor sues she will find something. She would be suing the Commission on behalf of the residents. Need transparency on employee salaries and benefits in dollars.

Commissioner Corey Runte spoke about the Commissioners did have key fobs, but they were asked to return them.

Anna Butler – 312 Avenue A – Spoke about how trust has eroded and no relationship can work without trust. Forgot about what is important. What is the master plan, are people being heard? This is really difficult to sit through. Is this irreparable? How are we going to figure this out to make sure the Town is the focus? This has got to stop.

Kate Wilborn – 502 Second Ave – Spoke about there being a lot of fighting, hopes Robert Baldwin does not just follow along with things. We need to see transparency, and fairness, and to protect the Town. Look at what is in the Town's best interest.

Commissioner Corey Runte made a motion to decline any sort of investigation whatsoever legally via lawsuit or whatever it may be, and would approve reviewing an updated set of policies and procedures; Commissioner Marivi Walker seconded; Motion carried 5-0.

Commissioner Robert Baldwin spoke about how the way things are worded can blow things out of proportion. If there is a policy not being followed, let's talk about it.

Mayor Alison Dennington spoke understanding if you had walked in her shoes.

Commissioner Robert Baldwin spoke about one task on the dais is not letting all of the other things affect the current item.

Commissioner Corey Runte spoke about how we have got to move past the settled lawsuits and move forward including himself. The Mayor did not need to threaten a lawsuit to get this done. We have got to move on and work together. Thinks the Mayor is receiving bad information from a few residents who want turmoil.

Mayor Alison Dennington spoke about having Commissioner Corey Runte take his own advice.

E. Consideration on a private provider for the Building Official – Town Manager Elizabeth Mascaro – 4:34:44

Town Manager Elizabeth Mascaro spoke about the Building Official leaving and the Town is required to have a building official. The Town is currently advertising for a new building official, but until that happens the Town has to have a building official. The Town currently has a contract with Veritas to fill in when the Building Official is on vacation, but they have not been able to fill in yet. Received a quote from Universal, and asked for a quote from SAFEbuilt but we have not received anything back.

Mayor Alison Dennington spoke about how she would have liked to immediately receive an email and schedule a meeting. Would like to bid it, but can fill the emergency with someone.

Town Manager Elizabeth Mascaro spoke about how it would be best to have an employee instead of contracting it out because they typically do not care about the Town and only come three days a week, but in the meantime, this would fill the gap.

Mayor Alison Dennington asked about how long the job posting will be posted.

Town Manager Elizabeth Mascaro spoke about the position being posted now, but the responses are people thinking they are licensed because they have a driver's license.

Commissioner Robert Baldwin asked what the contracted date would be.

Town Manager Elizabeth Mascaro spoke about the contract would require a 30-day notice.

Vice Mayor Sherri Quarrie asked how to keep the Building Department in the black if the contractor would be working fewer hours.

Town Manager Elizabeth Mascaro spoke about the Building Official would no longer be reviewing plans, so all plans would go to the Town Planner and the Planning and Zoning Board like they used to.

Commissioner Corey Runte spoke about the Town has to do this no matter what, but could set a time frame of not to exceed 4 months and review it then.

Mayor Alison Dennington asked the Town Attorney Ryan Knight what would happen if the Town had to continue to renew the contract over and over.

Commissioner Corey Runte spoke about not bidding private provider contractor work.

Commissioner Marivi Walker spoke about in theory the contractor could be the Building Official for the Town forever and that would not be in violation of anything.

Mark Formica – 215 Birch Ave – Asked why did it take so long to do this.

Commissioner Corey Runte spoke about everything has to be voted on by the Commission.

Frank LaGrassa – 412 First Ave – Spoke about being a supporter of the Mayor, and believing Commissioner Corey Runte’s words as he sounded sincere.

Commissioner Corey Runte made a motion to approve private provider for building official not to exceed four months based on the information presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

The Commission decided Consent Agenda Items A through I which were moved to New Business Items G through O will be tabled to the next meeting.

- F. Consideration on changing the date for the October Regular Town Commission Meeting – Town Clerk Amber Brown- 4:49:37

Town Manager Elizabeth Mascaro spoke about the Town Clerk will be away at a clerk conference when the October Regular Commission Meeting is scheduled.

Commissioner Corey Runte spoke about tentatively pushing the meeting to October 23rd.

- G. Approval of the Special Town Commission Meeting final minutes September 6, 2024

Tabled to the next meeting

- H. Approval of the Special Town Commission Meeting – Tentative Budget Hearing final minutes September 6, 2024

Tabled to the next meeting

- I. Approval of the Town Commission Workshop final minutes August 27, 2024

Tabled to the next meeting

- J. Approval of the Town Commission Workshop final minutes August 22, 2024

Tabled to the next meeting

- K. Approval of the Special Town Commission Meeting final minutes August 21, 2024

Tabled to the next meeting

- L. Approval of the Regular Town Commission Meeting action minutes August 21, 2024

Tabled to the next meeting

M. Approval of the Town Commission Workshop final minutes July 3, 2024

Tabled to the next meeting

N. Approval of the Town Commission Workshop final minutes June 18, 2024

Tabled to the next meeting

O. Approval of the Regular Town Commission Meeting final minutes May 15, 2024

Tabled to the next meeting

13. Administrative Reports

A. Town Attorney – 4:52:00

1) Outline of the code enforcement process

Tim Reed - 302 Fourth – Spoke about the memo using the word reasonable which is vague. There should be a table to provide a guide because subjective is not good.

Town Attorney Ryan Knight spoke about it being vague because the time depends on the type of violation. Reasonable is up to the Code Enforcement Officer.

B. Town Manager – 4:55:16

Town Manager Elizabeth Mascaro spoke about the curb work on Riverside will begin next week.

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Commissioner Robert Baldwin moved to adjourn; Commissioner Marivi Walker seconded, Motion carried 5-0.

Meeting adjourned at 11:30 p.m.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town Commission Meeting

Section: Resolutions and proclamations

Meeting Date: Oct. 23, 2024

From: Vice Mayor Sherri Quarrie

RE: Resolution

Background Information: Our Sept Budget meetings and RTCM was a great disappointment. Both to myself and I have been told multiple residents. They were shocked at the troubling and escalating conduct by the mayor and her inability to maintain a professional demeanor.

The meeting behavior and resident negative comments has been going on for a long period of time since the mayor's swearing in.

Because of the feedback from others and my own personal observations and disappointment, I have formalized this Resolution for Censure of the Mayor to be presented at the October Regular Commission meeting.

Recommendation: Commission to pass as majority so the mayor is aware of her conduct and will take steps to be more professional.

Attachments: Prepared Resolution

RESOLUTION NO. 2024-10

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CENSURING MAYOR ALISON DENNINGTON FOR ACTIONS AND BEHAVIOR UNBECOMING OF AN ELECTED OFFICIAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Melbourne Beach values transparency, respect, integrity, and adherence to ethical standards in governance; and

WHEREAS, Mayor Alison Dennington's actions and behavior have consistently violated these values and principles, and

WHEREAS, Mayor Alison Dennington has disregarded Resolution 2023-10 (Renumbered from 2023-02) by failing to follow proper procedures and decorum during public meetings; and

WHEREAS, Mayor Alison Dennington's treatment of Commissioners and accusing them of falsifying medical conditions, Town staff members including berating them publicly, bringing forward in meetings accusations of actions addressed and resolved pursuant to Policy and Procedures and rescinding grievances; These actions are deemed inappropriate and detrimental to public trust and respect for her office and a healthy work environment; and

WHEREAS, Mayor Alison Dennington has removed agenda items because she has not reviewed them in a timely manner; and

WHEREAS, Mayor Alison Dennington has declined to approve meeting minutes from the past six months resulting in a backlog, and attributes this issue to the Town Clerk for not delivering the minutes according to her specifications; and

WHEREAS, Mayor Alison Dennington is consistently unprepared in reviewing meeting packets, does not engage with staff to clarify questions about agenda items prior to the meetings resulting in excessive open dialogue and unnecessarily lengthy public meetings; and

WHEREAS, Mayor Alison Dennington has demonstrated a pattern of arguing points of law with legal counsel and making singular time-consuming requests for reports from staff without majority vote of Commission is against established protocols and guidelines; and

WHEREAS, the definition of "censure" includes "an expression of official disapproval."

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Town Commission does hereby censure Mayor Alison Dennington for actions and behavior unbecoming of an elected official.

Section 2. The Commission calls upon Mayor Dennington to restore respect, integrity, and professionalism in her role as Mayor.

Section 3. The Commission urges Mayor Dennington to abide by Resolution 2023-10 (Renumbered from 2023-02), follow proper procedures according to Robert’s Rules of Order, and listen to all Commissioner’s viewpoints during meetings, refrain from unnecessary interruptions or gaveling other members into silence without cause cited.

Section 4. The Commission requests that Mayor Dennington refrains from spreading misinformation via social media platforms that may be harmful or damaging to the reputation of the Town or its officials.

Section 5. The Commission encourages open dialogue between all elected officials without interruptions for the betterment of Melbourne Beach governance.

Section 6. This resolution shall be effective immediately upon passage by a majority vote of the Town Commission.

Section 7. The Town Commission hereby affirms our commitment to upholding transparency, accountability, and respect for all individuals involved in local government matters within the Town of Melbourne Beach.

PASSED AND ADOPTED by the Town Commission of the Town of Melbourne Beach, Brevard County, Florida, at its regular meeting this 23rd day of October, 2024.

ATTEST:

TOWN OF MELBOURNE BEACH,
FLORIDA, a Florida Municipal Corporation

Amber Brown, CMC
Town Clerk

By: _____
Alison Dennington, Mayor

(TOWN SEAL)



Town of Melbourne Beach
Finance Department

Memo

To: Mayor, Vice Mayor and Commissioners
 From: Jennifer Kerr, Finance Manager
 Date: October 16, 2024
 Re: September Fiscal Year 2024

We are in the last month of our fiscal year 2024. The target expenditure rate for September is 100.00%. All departments are doing well keeping their total expenditure budget within the target rate. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 89.26%. The Departmental expenditure rate breakdown is as follows:

Legislative:	95.99%
Executive:	95.21%
Finance:	89.87%
Legal:	100.87%
Comp & Plan:	26.51%
General Services:	69.43%
Law Enforcement:	96.99%
Fire:	95.07%
Code:	66.66%
Public Works:	85.48%
Grounds Keeping:	52.87%
Parks:	85.08%

Discussion Items:

The Town received Parking Revenue for September FY2024 in the amount of \$10,734.35.
 Parking revenue for September FY2023 was \$15,171.79.

Parking Revenue for FY2024 totaled: \$173,863.75
 Parking Revenue for FY2023 totaled: \$189,994.70
 That is a difference of \$16,130.95.

- A Fiscal Year (FY) parking comparison is attached.

A copy of the Attorney's monthly invoice is provided with the Finance Report.

We are in the process of closing out the FY2024 Budget. Invoices pertaining to FY2024 will continue to come in through the beginning of November. The FY2024 budget will be closed out at the November Commission Meeting.

REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH
Balance As Of 09/30/2024

Fund: 001 GENERAL FUND							
Account Category: Revenues		Description	ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-00-311.00.00		AD VALOREM TAXES	2,685,662.00	2,685,662.00	0.00	28,306.41	98.95
001-00-312.41.00		LOCAL OPTION COUNTY GAS TAX	125,000.00	125,000.00	0.00	15,789.67	87.37
001-00-314.10.00		UTILITY SERVICES TAX FPL	276,000.00	276,000.00	0.00	(23,688.31)	108.58
001-00-314.30.00		UTILITY SERVICES TAX WATER	54,000.00	54,000.00	0.00	(2,892.00)	105.36
001-00-314.40.00		UTILITY SERVICES TAX GAS	0.00	0.00	0.00	(110.09)	100.00
001-00-314.40.10		UTILTIY GAS TAX AMERIGAS	8,500.00	8,500.00	0.00	1,306.24	84.63
001-00-314.40.20		UTILITY GAS TAX SUBURBAN	1,300.00	1,300.00	0.00	(101.08)	107.78
001-00-314.40.30		UTILTIY GAS TAX FERRELL	2,500.00	2,500.00	0.00	(1,531.77)	161.27
001-00-314.40.40		UTILITY GAS TAX SAM'S GAS	100.00	100.00	0.00	(564.50)	664.50
001-00-314.40.50		UTILITY SERVICE GAS TAX THOMPSONG	0.00	0.00	0.00	(321.96)	100.00
001-00-315.00.00		COMMUNICATIONS SERVICE TAX	145,000.00	145,000.00	0.00	11,848.32	91.83
001-00-316.00.00		OCCP. LIC	15,000.00	15,000.00	0.00	1,609.91	89.27
001-00-323.10.00		FRANCHISE FEES FPL	215,000.00	215,000.00	0.00	18,681.71	91.31
001-00-323.70.00		FRANCHISE FEES SOLID WASTE	44,000.00	44,000.00	0.00	(7,109.62)	116.16
001-00-323.70.10		SOLID WASTE COMMERCIAL	15,000.00	15,000.00	0.00	(1,038.01)	106.92
001-00-329.20.00		BONFIRE PERMIT	350.00	350.00	0.00	(550.00)	257.14
001-00-329.50.00		LOW SPEED VEHICLE REGISTRATION	500.00	500.00	0.00	(1,900.00)	480.00
001-00-329.50.10		LOW SPEED VEHICLE PERMIT FEE	600.00	600.00	0.00	(900.00)	250.00
001-00-331.12.00		FEMA	0.00	0.00	0.00	(56,532.20)	100.00
001-00-334.10.00		FEMA STATE GRANT	0.00	0.00	0.00	(4,224.09)	100.00
001-00-334.40.00		FMIT SAFETY GRANT	7,000.00	7,000.00	0.00	2,008.00	71.31
001-00-335.12.00		STATE REVENUE SHARING PROCEEDS	112,000.00	112,000.00	0.00	701.22	99.37
001-00-335.15.00		ALCOHOLIC BEVERAGE LICENSES	4,300.00	4,300.00	0.00	(725.51)	116.87
001-00-335.18.00		HALF CENT SALES TAX LOCAL GOV	225,000.00	225,000.00	0.00	31,636.81	85.94
001-00-342.20.00		SAFETY INSPECT FEE VAC RENTAL	1,200.00	1,200.00	0.00	(750.00)	162.50
001-00-342.20.10		SAFETY RENEWAL-VAC RENTALS	1,600.00	1,600.00	0.00	(500.00)	131.25
001-00-345.10.00		VAC RENTAL APP FEE-INITIAL	4,000.00	4,000.00	0.00	(2,500.00)	162.50
001-00-345.10.10		VAC RENEWAL FEE - RENTALS	4,725.00	4,725.00	0.00	(175.00)	103.70
001-00-349.00.29		LIEN SEARCH REQUEST	0.00	0.00	0.00	(560.00)	100.00

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-00-361.10.00	INTEREST ON INVESTMENTS	12,000.00	12,000.00	0.00	(16,611.50)	238.43
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	2,500.00	0.00	(7,615.10)	404.60
001-00-369.00.49	INSURANCE RECOVERY	100.00	100.00	0.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	194,000.00	194,000.00	0.00	194,000.00	0.00
						95.79
Department: 21 LAW ENFORCEMEN						
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	45,500.00	0.00	(5,012.84)	111.02
001-21-337.20.00	SCHOOL RESOURCE OFFICER	68,500.00	68,500.00	0.00	17,125.00	75.00
001-21-337.90.01	OTHER GRANTS	6,000.00	6,000.00	0.00	6,000.00	0.00
001-21-347.90.01	SPECIAL EVENTS	0.00	0.00	0.00	(1,280.00)	100.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	5,000.00	0.00	(2,270.03)	145.40
001-21-351.13.00	PARKING TICKETS	500.00	500.00	0.00	500.00	0.00
001-21-351.13.10	ACCIDENT REPORT	200.00	200.00	0.00	(30.00)	115.00
001-21-364.10.00	DISPOSAL OF ASSETS - VEHICLES	200.00	200.00	0.00	200.00	0.00
001-21-369.00.00	MISCELLANEOUS REVENUE	100.00	100.00	0.00	(543.27)	643.27
						88.34
Department: 22 FIRE CONTROL						
001-22-271.00.99	CARRY FORWARD	10,700.00	10,700.00	0.00	10,700.00	0.00
001-22-322.30.00	FIRE PROTECTIVE SERVICES	2,000.00	2,000.00	0.00	(3,520.00)	276.00
001-22-364.20.00	DISPOSAL OF ASSETS - OTHER	100.00	100.00	0.00	100.00	0.00
001-22-369.55.10	SHARED TRAINING	500.00	500.00	0.00	500.00	0.00
						41.50
Department: 29 CODE ENFORCEME						
001-29-359.00.00	OTHER FINES AND FORFEITURES	1,000.00	1,000.00	0.00	1,000.00	0.00
						0.00
Department: 41 PUBLIC WORKS						
001-41-335.12.00	STATE REVENUE SHARING	0.00	0.00	0.00	(4.37)	100.00
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	500.00	500.00	0.00	500.00	0.00
001-41-369.00.00	MISCELLANEOUS REVENUE	0.00	0.00	0.00	(721.00)	100.00
						145.07

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
Department: 72 PARKS & RECREATION						
001-72-347.41.00	FOUNDER'S DAY	7,000.00	7,000.00	0.00	(332.50)	104.75
001-72-347.50.00	FACILITY RENTALS	6,000.00	6,000.00	0.00	1,705.00	71.58
001-72-366.19.00	TH DONATIONS - KIDS BUSINESS FAIR	5,000.00	5,000.00	0.00	(1,640.00)	132.80
						101.49
Overall Revenue Rate:						95.41
Account Category: Expenditures						
Department: 00						
001-00-581.00.00	TRANSFER OUT	441,761.00	441,761.00	0.00	0.00	100.00
						100.00
Department: 11 LEGISLATIVE						
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	16,200.00	0.00	2,323.49	85.66
001-11-500.12.00	REGULAR SALARIES	60,113.00	60,113.00	0.00	(298.61)	100.50
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	5,838.00	5,838.00	0.00	404.66	93.07
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	8,157.00	8,157.00	0.00	(51.01)	100.63
001-11-500.23.01	HEALTH INSURANCE	6,534.00	6,534.00	0.00	483.00	92.61
001-11-500.23.02	LIFE INSURANCE	71.00	71.00	0.00	3.44	95.15
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	244.00	244.00	0.00	167.80	31.23
001-11-510.31.00	PROFESSIONAL SERVICES	250.00	250.00	0.00	(172.55)	169.02
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	4,465.00	0.00	2,910.38	34.82
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,100.00	2,100.00	0.00	4.86	99.77
001-11-510.47.00	PRINTING	12,593.00	12,593.00	0.00	4,308.04	65.79
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	800.00	0.00	164.01	79.50
001-11-510.48.40	LEGAL NOTICES	10,000.00	10,000.00	0.00	8,370.50	16.30
001-11-510.49.50	ELECTION EXPENSE	11,000.00	11,000.00	0.00	824.16	92.51
001-11-510.54.00	DUES & SUBSCRIPTIONS	720.00	720.00	0.00	(215.00)	129.86
001-11-510.54.10	TRAINING & SCHOOLS	3,560.00	3,560.00	0.00	1,616.00	54.61
001-11-510.64.01	CAPITAL OUTLAY	85,700.00	85,700.00	0.00	(9,412.12)	110.98
001-11-543.00.00	LICENSES & FEES	34,267.00	34,267.00	0.00	(911.10)	102.66
						95.99

Department: 12 EXECUTIVE	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-12-500.12.00	REGULAR SALARIES	147,720.00	147,720.00	0.00	2,286.58	98.45
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	11,301.00	11,301.00	0.00	(1,147.10)	110.15
001-12-500.22.01	RETIREMENT - ICMA	15,247.00	15,247.00	0.00	322.11	97.89
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,937.00	4,937.00	0.00	102.62	97.92
001-12-500.23.01	HEALTH INSURANCE	28,117.00	28,117.00	0.00	6,503.95	76.87
001-12-500.23.02	LIFE INSURANCE	828.00	828.00	0.00	153.25	81.49
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	212.00	212.00	0.00	25.02	88.20
001-12-510.40.00	TRAVEL & MEETINGS	1,820.00	1,820.00	0.00	(230.38)	112.66
001-12-510.49.99	MISCELLANEOUS	300.00	300.00	0.00	300.00	0.00
001-12-510.52.50	GAS & OIL	2,400.00	2,400.00	0.00	0.00	100.00
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,511.00	3,511.00	0.00	1,000.73	71.50
001-12-510.54.10	TRAINING & SCHOOLS	1,680.00	1,680.00	0.00	1,130.00	32.74
						95.21
Department: 13 FINANCE						
001-13-500.12.00	REGULAR SALARIES	112,950.00	112,950.00	0.00	1,182.62	98.95
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,641.00	8,641.00	0.00	118.48	98.63
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	15,327.00	15,327.00	0.00	141.83	99.07
001-13-500.23.01	HEALTH INSURANCE	39,000.00	39,000.00	0.00	15,826.32	59.42
001-13-500.23.02	LIFE INSURANCE	297.00	297.00	0.00	161.88	45.49
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	158.00	158.00	0.00	16.69	89.44
001-13-510.32.00	AUDITING SERVICES	32,600.00	32,600.00	0.00	1,750.00	94.63
001-13-510.32.90	BANKING FEES	12,916.00	12,916.00	0.00	3,317.94	74.31
001-13-510.40.00	TRAVEL & MEETINGS	1,221.00	1,221.00	0.00	250.16	79.51
001-13-510.47.00	PRINTING	216.00	216.00	0.00	216.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	60.00	0.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	1,000.00	1,000.00	0.00	468.05	53.20
001-13-543.00.00	LICENSES & FEES	7,785.00	7,785.00	0.00	0.00	100.00
						89.87
Department: 14 LEGAL COUNSEL						
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	97,000.00	0.00	992.96	98.98
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	10,000.00	0.00	(1,925.00)	119.25
						100.87

Department: 15 PLANNING	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-15-510.31.00	PROFESSIONAL SERVICES	26,000.00	26,000.00	0.00	19,107.45	26.51
						26.51
Department: 16 FEMA - HURRICANE						
001-16-520.52.05	PROTECTIVE GEAR	0.00	0.00	0.00	67.76	100.00
						100.00
Department: 19 GENERAL SERVICES						
001-19-500.24.00	WORKERS COMPENSATION	3,687.00	3,687.00	0.00	0.00	100.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,620.00	4,620.00	0.00	705.00	84.74
001-19-510.31.11	SECURITY	1,000.00	1,000.00	0.00	(1,695.00)	269.50
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	17,000.00	0.00	1,892.00	88.87
001-19-510.35.00	PRE-EMPLOYMENT EXP	400.00	400.00	0.00	344.00	14.00
001-19-510.41.00	TELEPHONE	25,080.00	25,080.00	0.00	1,451.48	94.21
001-19-510.41.10	COMMUNICATION SERVICES	45,372.00	45,372.00	0.00	(1,787.07)	103.94
001-19-510.43.00	STREET LIGHTS	50,400.00	50,400.00	0.00	(348.02)	100.69
001-19-510.43.10	ELECTRICITY	33,600.00	33,600.00	0.00	1,596.83	95.25
001-19-510.43.20	WATER & SEWER	3,650.00	3,650.00	0.00	(427.99)	111.73
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	2,500.00	0.00	70.45	97.18
001-19-510.45.00	GENERAL LIABILITY INSURANCE	94,000.00	94,000.00	0.00	9,382.00	90.02
001-19-510.45.01	FLOOD INSURANCE	5,690.00	5,690.00	0.00	(360.00)	106.33
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	128,000.00	0.00	30,641.00	76.06
001-19-510.45.03	AUTO INSURANCE	9,000.00	9,000.00	0.00	(688.00)	107.64
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,832.00	4,832.00	0.00	518.18	89.28
001-19-510.46.15	EQUIPMENT MAINTENANCE	31,500.00	31,500.00	0.00	16,891.46	46.38
001-19-510.46.36	PEST CONTROL	3,120.00	3,120.00	0.00	(600.00)	119.23
001-19-510.47.00	PRINTING	900.00	900.00	0.00	799.88	11.12
001-19-510.49.90	ADOPT AN AREA	1,000.00	1,000.00	0.00	97.89	90.21
001-19-510.49.98	CONTINGENCY	25,000.00	25,000.00	0.00	19,007.00	23.97
001-19-510.49.99	MISCELLANEOUS	300.00	300.00	0.00	147.13	50.96
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	11,000.00	0.00	4,517.77	58.93
001-19-510.51.10	POSTAGE	1,500.00	1,500.00	0.00	179.64	88.02
001-19-510.52.10	JANITORIAL SUPPLIES	5,400.00	5,400.00	0.00	1,996.14	63.03
001-19-510.54.00	DUES & SUBSCRIPTIONS	435.00	435.00	0.00	39.97	90.81
001-19-510.64.01	CAPITAL OUTLAY	148,000.00	148,000.00	0.00	141,478.99	4.41

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-19-543.00.00	LICENSES & FEES	20,585.00	20,585.00	0.00	4,828.47	76.54
001-19-581.00.00	TRANSFER OUT	77,000.00	77,000.00	0.00	0.00	100.00
						69.43
Department: 21 LAW ENFORCEMEN						
001-21-500.12.00	REGULAR SALARIES	721,855.00	721,855.00	0.00	30,497.50	95.78
001-21-500.12.50	HOLIDAY PAY	23,000.00	23,000.00	0.00	3,930.77	82.91
001-21-500.14.00	SALARIES OVERTIME	15,000.00	15,000.00	0.00	(864.29)	105.76
001-21-500.14.16	HURRICANE PAY	18,000.00	18,000.00	0.00	18,000.00	0.00
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,634.00	7,634.00	0.00	282.93	96.29
001-21-500.15.01	FIRST RESPONDER	6,000.00	6,000.00	0.00	(41.07)	100.68
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	54,888.00	54,888.00	0.00	(401.35)	100.73
001-21-500.22.02	POLICE PENSION	142,500.00	142,500.00	0.00	(49,066.27)	134.43
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	5,217.00	0.00	1,221.95	76.58
001-21-500.23.01	HEALTH INSURANCE	105,440.00	105,440.00	0.00	16,676.81	84.18
001-21-500.23.02	LIFE INSURANCE	2,900.00	2,900.00	0.00	519.02	82.10
001-21-500.23.10	STATUTORY AD&D	1,000.00	1,000.00	0.00	(162.50)	116.25
001-21-500.24.00	WORKERS COMPENSATION	8,848.00	8,848.00	0.00	271.00	96.94
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,296.00	2,296.00	0.00	1,360.57	40.74
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	725.00	0.00	(77.45)	110.68
001-21-520.34.40	DISPATCHING SERVICES	18,319.00	18,319.00	0.00	(549.11)	103.00
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,000.00	1,000.00	0.00	(1,386.00)	238.60
001-21-520.40.00	TRAVEL & MEETINGS	3,184.00	3,184.00	0.00	1,249.04	60.77
001-21-520.41.10	COMMUNICATION SERVICES	6,000.00	6,000.00	0.00	(1,731.05)	128.85
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	7,000.00	7,000.00	0.00	6,810.55	2.71
001-21-520.46.15	EQUIPMENT	2,500.00	2,500.00	0.00	1,038.10	58.48
001-21-520.46.16	RADAR CALIBRATION	250.00	250.00	0.00	(428.50)	271.40
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	17,000.00	0.00	803.38	95.27
001-21-520.48.00	PROMOTIONAL ACTIVITIES	1,500.00	1,500.00	0.00	274.18	81.72
001-21-520.48.50	CRIME PREVENTION	1,500.00	1,500.00	0.00	780.27	47.98
001-21-520.49.99	MISCELLANEOUS	100.00	100.00	0.00	2.55	97.45
001-21-520.51.10	POSTAGE	125.00	125.00	0.00	110.08	11.94
001-21-520.52.00	UNIFORMS	8,500.00	8,500.00	0.00	1,507.92	82.26
001-21-520.52.05	PROTECTIVE GEAR	3,500.00	3,500.00	0.00	(908.78)	125.97

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-21-520.52.50	GAS & OIL	25,000.00	25,000.00	0.00	4,756.41	80.97
001-21-520.52.70	MEDICAL	800.00	800.00	0.00	570.20	28.73
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	3,000.00	0.00	(1,449.30)	148.31
001-21-520.54.00	DUES & SUBSCRIPTIONS	1,175.00	1,175.00	0.00	470.00	60.00
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	6,400.00	0.00	5,950.00	7.03
001-21-520.64.01	Capital Outlay	8,400.00	8,400.00	0.00	(3,600.43)	142.86
001-21-543.00.00	LICENSES & FEES	14,646.00	14,646.00	0.00	1,541.26	89.48
001-21-581.00.00	TRANSFER OUT	15,000.00	15,000.00	0.00	0.00	100.00
						96.99
Department: 22 FIRE CONTROL						
001-22-500.12.00	REGULAR SALARIES	96,226.00	96,226.00	0.00	431.41	99.55
001-22-500.14.16	HURRICANE PAY	1,890.00	1,890.00	0.00	1,890.00	0.00
001-22-500.14.50	STIPEND PAYROLL	44,000.00	44,000.00	0.00	11,160.00	74.64
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,727.00	10,727.00	0.00	863.79	91.95
001-22-500.22.01	RETIREMENT - ICMA	9,248.00	9,248.00	0.00	(282.64)	103.06
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	3,591.00	3,591.00	0.00	107.41	97.01
001-22-500.23.01	HEALTH INSURANCE	28,200.00	28,200.00	0.00	1,824.12	93.53
001-22-500.23.02	LIFE INSURANCE	148.00	148.00	0.00	12.88	91.30
001-22-500.23.10	STATUTORY AD&D	207.00	207.00	0.00	(162.50)	178.50
001-22-500.24.00	WORKERS COMPENSATION	16,222.00	16,222.00	0.00	0.00	100.00
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	241.00	241.00	0.00	120.01	50.20
001-22-520.31.11	SECURITY	0.00	0.00	0.00	(300.00)	100.00
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	5,400.00	0.00	(200.00)	103.70
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	2,060.00	0.00	1,391.00	32.48
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	4,375.00	0.00	2,775.00	36.57
001-22-520.40.00	TRAVEL & MEETINGS	750.00	750.00	0.00	193.89	74.15
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	1,944.00	0.00	0.00	100.00
001-22-520.46.15	EQUIPMENT	10,000.00	10,000.00	0.00	(1,165.48)	111.65
001-22-520.46.20	VEHICLE MAINTENANCE	32,000.00	32,000.00	0.00	(5,404.29)	116.89
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	1,000.00	0.00	(1,168.18)	216.82
001-22-520.51.00	OFFICE SUPPLIES	800.00	800.00	0.00	565.05	29.37
001-22-520.52.00	UNIFORMS	12,600.00	12,600.00	0.00	3,076.51	75.58
001-22-520.52.02	S.C.B.A.	2,550.00	2,550.00	0.00	(999.76)	139.21

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	2,925.00	0.00	(493.00)	116.85
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	1,000.00	0.00	494.85	50.52
001-22-520.52.20	TOOLS & HARDWARE	10,500.00	10,500.00	0.00	72.82	99.31
001-22-520.52.50	GAS & OIL	5,000.00	5,000.00	0.00	1,968.20	60.64
001-22-520.52.70	MEDICAL	1,400.00	1,400.00	0.00	(933.33)	166.67
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	610.00	0.00	(65.00)	110.66
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	5,525.00	0.00	418.00	92.43
001-22-520.54.12	TRAINING MATERIALS	3,200.00	3,200.00	0.00	1,760.79	44.98
001-22-520.64.01	Capital Outlay	82,369.00	82,369.00	0.00	2,909.98	96.47
001-22-543.00.00	LICENSES & FEES	13,473.00	13,473.00	0.00	1,140.40	91.54
001-22-581.00.00	TRANSFER OUT	36,500.00	36,500.00	0.00	0.00	100.00
						95.07
Department: 29 CODE ENFORCEME						
001-29-500.12.00	REGULAR SALARIES	15,792.00	15,792.00	0.00	5,616.62	64.43
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,208.00	1,208.00	0.00	189.58	84.31
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	2,143.00	2,143.00	0.00	458.96	78.58
001-29-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	0.00	100.00
001-29-500.24.00	WORKERS COMPENSATION	738.00	738.00	0.00	0.00	100.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	51.00	51.00	0.00	34.38	32.59
001-29-520.40.00	TRAVEL & MEETINGS	50.00	50.00	0.00	50.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	100.00	100.00	0.00	100.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	150.00	0.00	150.00	0.00
001-29-520.48.55	FIRE PREVENTION	4,600.00	4,600.00	0.00	169.64	96.31
001-29-520.51.00	OFFICE SUPPLIES	125.00	125.00	0.00	30.71	75.43
001-29-520.51.10	POSTAGE	350.00	350.00	0.00	197.51	43.57
001-29-520.51.20	RECORDING COSTS	120.00	120.00	0.00	120.00	0.00
001-29-520.52.00	UNIFORMS	300.00	300.00	0.00	300.00	0.00
001-29-520.54.00	DUES & SUBSCRIPTIONS	150.00	150.00	0.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	600.00	600.00	0.00	600.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	1,000.00	0.00	1,000.00	0.00
						66.66

Department: 41 PUBLIC WORKS	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
001-41-500.12.00	REGULAR SALARIES	253,947.00	253,947.00	0.00	38,390.96	84.88
001-41-500.14.00	SALARIES OVERTIME	4,000.00	4,000.00	0.00	3,051.80	23.71
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	19,427.00	19,427.00	0.00	2,628.33	86.47
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	34,461.00	34,461.00	0.00	5,014.69	85.45
001-41-500.23.01	HEALTH INSURANCE	46,000.00	46,000.00	0.00	10,251.70	77.71
001-41-500.23.02	LIFE INSURANCE	294.00	294.00	0.00	(5.51)	101.87
001-41-500.23.10	STATUTORY AD&D	83.00	83.00	0.00	0.00	100.00
001-41-500.24.00	WORKERS COMPENSATION	4,424.00	4,424.00	0.00	0.00	100.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	813.00	813.00	0.00	533.65	34.36
001-41-530.40.00	TRAVEL & MEETINGS	150.00	150.00	0.00	150.00	0.00
001-41-530.43.15	ELECTRICAL WORK	5,000.00	5,000.00	0.00	(5,543.50)	210.87
001-41-530.43.50	DUMP SERVICE	2,000.00	2,000.00	0.00	1,918.84	4.06
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	6,500.00	0.00	5,262.41	19.04
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	5,000.00	0.00	3,199.28	36.01
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	9,500.00	0.00	(5,735.13)	160.37
001-41-530.46.30	BUILDING MAINTENANCE	9,000.00	9,000.00	0.00	(7,287.23)	180.97
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	600.00	0.00	371.78	38.04
001-41-530.46.32	RYCKMAN HOUSE	1,000.00	1,000.00	0.00	(700.00)	170.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	2,000.00	2,000.00	0.00	1,869.69	6.52
001-41-530.46.35	PIER MAINTENANCE	1,000.00	1,000.00	0.00	863.40	13.66
001-41-530.46.40	GROUNDS MAINTENANCE	10,000.00	10,000.00	0.00	5,101.46	48.99
001-41-530.52.00	UNIFORMS	3,750.00	3,750.00	0.00	2,147.75	42.73
001-41-530.52.05	PROTECTIVE GEAR	2,500.00	2,500.00	0.00	1,466.39	41.34
001-41-530.52.20	TOOLS & HARDWARE	5,000.00	5,000.00	0.00	(979.53)	119.59
001-41-530.52.25	TOOL RENTALS	1,500.00	1,500.00	0.00	645.85	56.94
001-41-530.52.50	GAS & OIL	7,000.00	7,000.00	0.00	1,211.38	82.69
001-41-530.53.10	STREET REPAIR	7,500.00	7,500.00	0.00	513.26	93.16
001-41-530.53.20	STREET SIGNS	8,000.00	8,000.00	0.00	2,165.59	72.93
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	1,500.00	0.00	984.05	34.40
001-41-530.57.25	WELDING	200.00	200.00	0.00	200.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	4,000.00	0.00	0.00	100.00
001-41-581.00.00	TRANSFER OUT	10,000.00	10,000.00	0.00	0.00	100.00
						85.48

Department: 42 GROUNDS KEEPING		ORIGINAL BUDGET	Amended	Encumbrance	Available	% Used
001-42-530.34.91	LANDSCAPING	22,300.00	22,300.00	0.00	16,594.44	25.59
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	2,500.00	0.00	(933.09)	137.32
001-42-530.46.40	GROUNDS MAINTENANCE	26,000.00	26,000.00	0.00	16,469.06	36.66
001-42-530.46.43	TREE EXPENSE	3,000.00	3,000.00	0.00	3,000.00	0.00
001-42-530.52.00	UNIFORMS	3,125.00	3,125.00	0.00	2,980.25	4.63
001-42-530.52.05	PROTECTIVE GEAR	575.00	575.00	0.00	485.31	15.60
001-42-530.52.20	TOOLS & HARDWARE	500.00	500.00	0.00	(1,043.18)	308.64
001-42-530.52.25	TOOL RENTALS	0.00	0.00	0.00	(323.69)	100.00
001-42-530.52.50	GAS & OIL	1,000.00	1,000.00	0.00	(483.57)	148.36
001-42-530.54.10	TRAINING & SCHOOLS	375.00	375.00	0.00	375.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	0.00	0.00	0.00	(7,134.60)	100.00
001-42-581.00.00	TRANSFER OUT	4,250.00	4,250.00	0.00	0.00	100.00
						52.87

Department: 72 PARKS & RECREATION

001-72-570.48.10	FOUNDER'S DAY	8,000.00	8,000.00	0.00	(549.02)	106.86
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	1,800.00	0.00	813.03	54.83
001-72-570.48.52	FOURTH OF JULY	1,000.00	1,000.00	0.00	0.00	100.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	4,000.00	4,000.00	0.00	(592.55)	114.81
001-72-570.48.60	EASTER EGG HUNT	400.00	400.00	0.00	(25.12)	106.28
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	5,000.00	0.00	3,530.59	29.39
001-72-570.48.91	CHILDREN'S BUSINESS FAIR	5,000.00	5,000.00	0.00	(985.87)	119.72
001-72-570.63.01	TENNIS COURT EXPEDITURES	700.00	700.00	0.00	700.00	0.00
001-72-570.63.02	BBALL & VBALL COURTS	700.00	700.00	0.00	0.00	100.00
001-72-570.64.01	CAPITAL OUTLAY	30,000.00	30,000.00	0.00	5,555.64	81.48
						85.08

Overall Expenditure Rate:

89.26

Fund: 104 ENVIRONMENTAL ADVISORY

Account Category: Revenues

Department: 00

104-00-271.00.99	CARRY FORWARD	9,977.14	9,977.14	0.00	9,977.14	0.00
104-00-337.90.01	OTHER GRANTS	0.00	0.00	0.00	(568.00)	100.00

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
104-00-381.00.00	TRANSFERS IN	5,500.00	5,500.00	0.00	0.00	100.00
						39.21
Account Category: Expenditures						
Department: 72 PARKS & RECREATION						
104-72-570.31.00	PROFESSIONAL SERVICES	2,000.00	2,000.00	0.00	2,000.00	0.00
104-72-570.34.91	LANDSCAPING	500.00	500.00	0.00	500.00	0.00
104-72-570.46.40	GROUNDS MAINTENANCE	1,200.00	1,200.00	0.00	851.93	29.01
104-72-570.51.00	OFFICE SUPPLIES	0.00	0.00	0.00	(345.35)	100.00
104-72-570.52.00	UNIFORMS	400.00	400.00	0.00	360.77	9.81
104-72-570.64.01	CAPITAL OUTLAY	6,000.00	6,000.00	0.00	4,971.17	17.15
104-72-570.83.01	SUNSHINE JIM	1,500.00	1,500.00	0.00	57.61	96.16
						27.62
Fund: 125 BUILDING DEPT						
Account Category: Revenues						
Department: 24 PROTECTIVE INSPECTION						
125-24-322.00.00	BUILDING PERMITS	240,000.00	240,000.00	0.00	54,508.96	77.29
125-24-322.00.01	PERMIT SEARCH REQUEST	0.00	0.00	0.00	(15.00)	100.00
125-24-322.10.00	ZONING PLAN REVIEW	2,500.00	2,500.00	0.00	2,125.00	15.00
125-24-322.10.10	SITE PLAN REVIEW P&Z	6,000.00	6,000.00	0.00	4,261.25	28.98
125-24-322.20.00	BUILDING PLAN REVIEW	5,500.00	5,500.00	0.00	3,625.00	34.09
125-24-322.31.00	BOA ADVERTISING COSTS	100.00	100.00	0.00	(175.06)	275.06
125-24-322.31.20	P&Z ADVERTISING	200.00	200.00	0.00	200.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	13,000.00	13,000.00	0.00	1,706.43	86.87
125-24-329.00.10	BOA VARIANCE FEES	1,000.00	1,000.00	0.00	(3,297.00)	429.70
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	6,000.00	0.00	496.14	91.73
125-24-364.10.00	DISPOSAL OF ASSETS - VEHICLES	0.00	0.00	0.00	(6,000.00)	100.00
						79.06
Account Category: Expenditures						
125-24-500.12.00	REGULAR SALARIES	154,096.00	154,096.00	0.00	1,236.56	99.20
125-24-500.14.00	SALARIES OVERTIME	1,000.00	1,000.00	0.00	1,000.00	0.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	11,788.34	11,788.34	0.00	300.36	97.45
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	20,910.83	20,910.83	0.00	142.83	99.32

	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
125-24-500.23.01	HEALTH INSURANCE	17,000.00	17,000.00	0.00	4,419.04	74.01
125-24-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	24.52	81.97
125-24-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	0.00	100.00
125-24-500.24.00	WORKERS COMPENSATION	1,475.00	1,475.00	0.00	1,475.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	493.11	493.11	0.00	299.86	39.19
125-24-520.40.00	TRAVEL & MEETINGS	700.00	700.00	0.00	(1,156.46)	265.21
125-24-520.41.10	COMMUNICATION SERVICES	0.00	0.00	0.00	(195.00)	100.00
125-24-520.46.20	VEHICLE MAINTENANCE	800.00	800.00	0.00	374.09	53.24
125-24-520.51.00	OFFICE SUPPLIES	430.00	430.00	0.00	167.18	61.12
125-24-520.51.10	POSTAGE	75.00	75.00	0.00	57.64	23.15
125-24-520.52.00	UNIFORMS	560.00	560.00	0.00	335.31	40.12
125-24-520.52.20	TOOLS & HARDWARE	100.00	100.00	0.00	(150.38)	250.38
125-24-520.52.50	GAS & OIL	700.00	700.00	0.00	193.09	72.42
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	1,500.00	0.00	1,475.00	1.67
125-24-520.54.10	TRAINING & SCHOOLS	400.00	400.00	0.00	(549.00)	237.25
125-24-520.64.01	Capital Outlay	0.00	0.00	0.00	(10,733.00)	100.00
125-24-543.00.00	LICENSES & FEES	3,490.00	3,490.00	0.00	(1,693.10)	148.51
125-24-581.00.00	TRANSFER OUT	20,000.00	20,000.00	0.00	20,000.00	0.00
						92.78

Fund: 145 AMERICAN RESCUE PLAN

Account Category: Revenues

Department: 00

145-00-271.00.99	CARRY FORWARD	759,385.36	759,385.36	0.00	759,385.36	0.00
						0.00

Account Category: Expenditures

Department: 41 PUBLIC WORKS

145-41-530.64.01	CAPITAL OUTLAY	758,533.87	758,533.87	0.00	703,795.79	7.22
						7.22

Fund: 172 OCEAN PARK PARKING F	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
Account Category: Revenues						
Department: 00						
172-00-271.00.99	CARRY FORWARD	51,144.00	51,144.00	0.00	51,144.00	0.00
						0.00
Department: 75 TOWN PARKS						
172-75-342.10.00	PARKING TICKET REVENUE	12,000.00	12,000.00	0.00	6,400.00	46.67
172-75-344.50.00	PARKING METER REVENUE	95,000.00	95,000.00	0.00	7,608.02	91.99
						86.91
Account Category: Expenditures						
172-75-543.00.00	LICENSES & FEES	0.00	0.00	0.00	(300.00)	100.00
172-75-575.31.02	LIFEGUARD CONTRACT	73,000.00	73,000.00	0.00	50,649.55	30.62
172-75-575.31.11	SECURITY	0.00	0.00	0.00	(319.00)	100.00
172-75-575.32.90	BANKING FEES	5,500.00	5,500.00	0.00	240.42	95.63
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	1,800.00	0.00	0.00	100.00
172-75-575.34.91	LANDSCAPING	1,500.00	1,500.00	0.00	1,278.27	14.78
172-75-575.41.10	IPS COMMUNICATIONS FEE	5,000.00	5,000.00	0.00	638.55	87.23
172-75-575.43.10	ELECTRICITY	3,000.00	3,000.00	0.00	383.34	87.22
172-75-575.43.20	WATER & SEWER	1,200.00	1,200.00	0.00	(582.87)	148.57
172-75-575.43.50	DUMP SERVICE	250.00	250.00	0.00	250.00	0.00
172-75-575.46.12	MAINTENANCE SUPPLIES	3,000.00	3,000.00	0.00	609.87	79.67
172-75-575.46.31	BUILDING MAINT RESTROOMS	400.00	400.00	0.00	(2,057.10)	614.28
172-75-575.46.40	GROUNDS MAINTENANCE	1,200.00	1,200.00	0.00	(1,015.76)	184.65
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	350.00	0.00	(2,025.96)	678.85
172-75-575.52.25	TOOL RENTAL	3,000.00	3,000.00	0.00	3,000.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	1,500.00	0.00	1,500.00	0.00
172-75-575.53.20	SIGNS	800.00	800.00	0.00	800.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	2,000.00	0.00	1,506.04	24.70
172-75-575.63.05	BOCCE BALL COURT	0.00	0.00	0.00	(7,356.15)	100.00
172-75-575.64.01	CAPITAL OUTLAY	6,000.00	6,000.00	0.00	5,433.07	9.45
172-75-581.00.00	TRANSFER OUT	1,400.00	1,400.00	0.00	0.00	100.00
						52.54

Fund: 175 RYCKMAN CROSSOVER P	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
Account Category: Revenues						
Department: 00						
175-00-271.00.99	CARRY FORWARD	120,556.74	120,556.74	0.00	120,556.74	0.00
						0.00
Department: 75 TOWN PARKS						
175-75-342.10.00	PARKING TICKET REVENUE	3,500.00	3,500.00	0.00	(3,500.00)	200.00
175-75-344.50.00	PARKING METER REVENUE	89,000.00	89,000.00	0.00	2,528.23	97.16
175-75-344.50.10	PARK PASS REVENUE	2,500.00	2,500.00	0.00	(700.00)	128.00
175-75-347.90.01	SPECIAL EVENTS	0.00	0.00	0.00	(75.00)	100.00
						101.84
Account Category: Expenditures						
175-75-575.31.00	PROFESSIONAL SERVICES	0.00	0.00	0.00	(3,000.00)	100.00
175-75-575.32.90	BANKING FEES	3,400.00	3,400.00	0.00	(106.39)	103.13
175-75-575.41.15	IPS COMMUNICATION FEE	2,800.00	2,800.00	0.00	(46.27)	101.65
175-75-575.47.00	PRINTING	0.00	0.00	0.00	(1,876.50)	100.00
175-75-575.48.52	FALL FESTIVAL	4,000.00	4,000.00	0.00	138.24	96.54
175-75-575.48.53	CHRISTMAS DECORATIONS	4,000.00	4,000.00	0.00	4,000.00	0.00
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	10,500.00	0.00	(450.00)	104.29
175-75-575.63.06	PLAYGROUND EQUIPMENT	0.00	0.00	0.00	(2,256.69)	100.00
175-75-575.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	0.00	48,200.00	3.60
175-75-575.73.00	CULTURAL SERVICES	3,500.00	3,500.00	0.00	2,699.08	22.88
175-75-581.00.00	TRANSFER OUT	91,500.00	91,500.00	0.00	0.00	100.00
						72.13
Fund: 351 LAND & ROAD IMPROVEM						
Account Category: Revenues						
Department: 00						
351-00-271.00.99	CARRY FORWARD	27,397.17	27,397.17	0.00	27,397.17	0.00
351-00-381.00.00	TRANSFERS IN	90,000.00	90,000.00	0.00	0.00	100.00
						76.66

Account Category: Expenditures	Description	ORIGINAL BUDGE	Amended	Encumbrance	Available	% Used
Department: 41 PUBLIC WORKS						
351-41-570.31.00	PROFESSIONAL SERVICES	5,000.00	5,000.00	0.00	3,777.50	24.45
351-41-570.31.21	ENGINEERING SERVICES	20,000.00	20,000.00	0.00	20,000.00	0.00
351-41-570.34.91	LANDSCAPING	10,000.00	10,000.00	0.00	(11,024.00)	210.24
351-41-570.46.40	GROUNDS MAINTENANCE	0.00	0.00	0.00	(2,249.25)	100.00
351-41-570.46.43	TREE EXPENSE	9,000.00	9,000.00	0.00	8,650.00	3.89
351-41-570.52.25	TOOL RENTALS	3,000.00	3,000.00	0.00	3,000.00	0.00
351-41-570.53.20	STREET SIGNS	20,000.00	20,000.00	0.00	(18,753.10)	193.77
351-41-570.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	0.00	37,773.65	24.45
						64.81

FY23	Dec-23	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	TOTAL
Ocean	3,456.88	4,996.04	8,137.70	13,056.24	9,875.00	10,732.69	10,164.36	13,312.63	8,768.32	6,502.28	97,708.60
Ryckman	6,359.91	6,415.41	8,745.55	10,817.72	9,235.16	9,540.80	7,688.74	9,178.92	6,403.47	6,496.07	92,286.10
Total	9,816.79	11,411.45	16,883.25	23,873.96	19,110.16	20,273.49	17,853.10	22,491.55	15,171.79	12,998.35	189,994.70

FY24	Dec-24	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	TOTAL
Ocean	2,544.37	2,412.50	3,359.78	10,650.19	10,584.79	11,999.21	11,707.57	13,209.28	7,281.57	5,649.19	87,391.98
Ryckman	5,833.19	5,111.66	6,927.64	10,600.74	9,782.44	9,917.90	8,116.48	8,718.81	6,675.88	5,085.16	86,471.77
Total	8,377.56	7,524.16	10,287.42	21,250.93	20,367.23	21,917.11	19,824.05	21,928.09	13,957.45	10,734.35	173,863.75



SHEPARD, SMITH, KOHLMYER & HAND, P.A.
ATTORNEYS & COUNSELORS AT LAW

INVOICE

Shepard, Smith, Kohlmyer & Hand, PA
2300 Maitland Center Parkway, Suite 100
Maitland, FL 32751

Invoice #: 23521
Date: 09-15-2024

Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, FL 32951

Matter Number:240013 - Town of Melbourne Beach - General
Matter Name:General

Services

Date	Atty	Description	Quantity	Rate	Discount	Total
08-16-24	RGK	Email Correspondence: Email to Elizabeth Mascaro Re Consent Agenda Items	0.20	200.00	-	\$40.00
08-16-24	RGK	Email Correspondence: Emails from Jennifer Kerr and Mayor Dennington RE: Update - gotten no response? Re: Sometime Time Sensitive but Not emergency - Manager Performance Evaluation - P&P, Directives, guidance, informal or formal and records/info	0.20	200.00	-	\$40.00
08-17-24	RGK	Research Florida Division of Elections advisory opinions re resignation and end of term.	1.30	200.00	-	\$260.00
08-17-24	RGK	Review STCM, RTCM, and TCW Agenda packets in preparation for meetings on 8/21.	2.10	200.00	-	\$420.00
08-18-24	RGK	Review Town Charter and Town Code re candidate election qualifying and elections qualifying officer duties.	1.20	200.00	-	\$240.00
08-19-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Special Town Commission Meeting and Board of Adjustment meeting.	0.10	200.00	-	\$20.00

08-19-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Other Municipalities Policies	0.20	200.00	-	\$40.00
08-19-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Fyi - I heard Joyce is running - but she doesn't qualify. Nov 5 election, last year Nov 7 - not 365 days	0.20	200.00	-	\$40.00
08-19-24	RGK	Email and confer with DAS re election qualification and provisions of election code and town charter.	0.60	200.00	-	\$120.00
08-19-24	RGK	Phone conference with Amber Brown re election qualification questions.	0.30	200.00	-	\$60.00
08-19-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Fyi - I heard Joyce is running - but she doesn't qualify. Nov 5 election, last year Nov 7 - not 365 days	0.20	200.00	-	\$40.00
08-19-24	RGK	Prepare for and attend hearing on Motion for Partial Summary Judgment.	0.90	200.00	-	\$180.00
08-19-24	RGK	Review Florida formal opinions of the Division of Elections re interpretation of charter requirements for term limits and resign to run interpretation.	1.60	200.00	-	\$320.00
08-19-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Fyi - I heard Joyce is running - but she doesn't qualify. Nov 5 election, last year Nov 7 - not 365 days	0.20	200.00	-	\$40.00
08-20-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Fyi - I heard Joyce is running - but she doesn't qualify. Nov 5 election, last year Nov 7 - not 365 days	0.20	200.00	-	\$40.00
08-20-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Section 2.03 of Town Charter.	0.40	200.00	-	\$80.00
08-20-24	RGK	Email Correspondence: Email from Elizabeth Harris Re: Funoe, LLC v. Town of Melbourne Beach - Case No. 05- 2022-AP-025737	0.10	200.00	-	\$20.00
08-20-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe, LLC v. Town of Melbourne Beach - Case No. 05- 2022-AP-025737	0.20	200.00	-	\$40.00
08-20-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe, LLC v. Town of Melbourne Beach - Case No. 05- 2022-AP-025737	0.10	200.00	-	\$20.00
08-20-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Strange case out of Tampa	0.20	200.00	-	\$40.00
08-20-24	RGK	Phone conference with Elizabeth Mascaro re agenda items for 8/21 meeting.	0.50	200.00	-	\$100.00
08-20-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Strange case out of Tampa	0.10	200.00	-	\$20.00

08-20-24	RGK	Email Correspondence: Email from Mayor Dennington Re Funoe shed case - not mooted need to notify the court as required	0.20	200.00	-	\$40.00
08-20-24	RGK	Email Correspondence: Email to Claudia Pastorius RE: Funoe shed case - not mooted need to notify the court as required	0.20	200.00	-	\$40.00
08-20-24	RGK	Email Correspondence: Email from Amber Brown with attachments Re Building Height Referendums; review attachments of prior referendum language and ordinances.	0.40	200.00	-	\$80.00
08-21-24	RGK	Draft memorandum on candidate qualification and section 2.03 of the Town Charter.	1.30	200.00	-	\$260.00
08-21-24	RGK	Email Correspondence: Email to Mayor Dennington Re Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Commissioner Quarrie Re Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Commissioner Runte Re Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Commissioner Walker Re Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Commissioner Meyer Re Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe shed case - not mooted need to notify the court as required	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Robert Bitgood FW: Building Height Referendums	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Email Correspondence: Email to Amber Brown FW: Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-21-24	RGK	Attend special meeting and regular Commission meeting.	5.50	200.00	-	\$1,100.00
08-21-24	RGK	Meet with Robert Bitgood re building height LDC provisions.	0.30	200.00	-	\$60.00
08-22-24	RGK	Email Correspondence: Email from Elizabeth Mascaro FW: Join us tomorrow: Elected Officials Webinar	0.10	200.00	-	\$20.00
08-22-24	RGK	Phone conference with Elizabeth Mascaro and Robert Bitgood re Section 11 of LDC.	0.50	200.00	-	\$100.00

08-22-24	RGK	Review Town Charter and Florida Election Code re referendum requirements and special election.	1.10	200.00	-	\$220.00
08-22-24	RGK	Research Florida case law and other municipalities noise ordinances re updating Town's code relating to noise and STRs.	1.20	200.00	-	\$240.00
08-23-24	RGK	Phone conference with Elizabeth Harris re Funoe v. Town.	0.20	200.00	-	\$40.00
08-23-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Can you pull an old case for me	0.20	200.00	-	\$40.00
08-23-24	RGK	Email Correspondence: Email from Claudia PastoriusRe: Funoe, LLC v. Town of Melbourne Beach - Case No. 05-2022-AP-025737	0.10	200.00	-	\$20.00
08-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re See attached discussion on Dept of labor rule	0.10	200.00	-	\$20.00
08-26-24	RGK	Email Correspondence: Email from Commissioner Walker Re: Memo on Candidate Qualification	0.10	200.00	-	\$20.00
08-26-24	RGK	Phone conference with Commission Walker re questions about Charter.	0.20	200.00	-	\$40.00
08-26-24	RGK	Draft discussion items and proposed code revisions re noise ordinance, STR ordinance for STR workshop on 8/29.	3.30	200.00	-	\$660.00
08-26-24	RGK	Email Correspondence: Email to Amber Brown Re STR Workshop Materials	0.20	200.00	-	\$40.00
08-26-24	RGK	Email Correspondence: Email from Mayor Dennington Re Would like a current list of all employees of town, and all accrued comp time	0.10	200.00	-	\$20.00
08-26-24	RGK	Email Correspondence: Email to Elizabeth Mascaro Re DEP	0.10	200.00	-	\$20.00
08-26-24	RGK	Email Correspondence: Emails with Amber Brown RE: STR Workshop Materials	0.10	200.00	-	\$20.00
08-27-24	RGK	Email Correspondence: Email from Amber Brown Re Short Term Rental Workshop Agenda Packet	0.10	200.00	-	\$20.00
08-27-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: 1st week of July Budget	0.10	200.00	-	\$20.00
08-27-24	RGK	Email Correspondence: Email from Mayor Dennington Re Budget meeting tonight and addition info previously requested before and during last meeting	0.20	200.00	-	\$40.00
08-27-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Budget meeting tonight and addition info previously requested before and during last meeting	0.10	200.00	-	\$20.00

08-27-24	RGK	Phone conference with Elizabeth Mascaro re budget workshop and special meeting on 8/29.	0.40	200.00	-	\$80.00
08-28-24	PAB	Confer with RGK re employment and charter matter	0.10	225.00	-	\$22.50
08-28-24	RGK	Email Correspondence: Email from Mayor Dennington Re Heads up curtesy	0.10	200.00	-	\$20.00
08-28-24	RGK	Email Correspondence: Email from Mayor Dennington Re Bitgood discussion on social media - 1st I read of letter online! letter given to TC Runte and others yet first I hear of it is during a commission meetings - and Nextdoor	0.30	200.00	-	\$60.00
08-28-24	RGK	Confer with PAB re building official resignation.	0.20	200.00	-	\$40.00
08-28-24	RGK	Phone conference with Mayor Dennington Re STR workshop and materials.	0.70	200.00	-	\$140.00
08-28-24	RGK	Phone conference with Jennifer Kerr re 204 Cherry Street enforcement hearing.	0.20	200.00	-	\$40.00
08-28-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe Matter	0.20	200.00	-	\$40.00
08-28-24	RGK	Email Correspondence: Email to Amber Brown Re Utility Shed Ordinance	0.10	200.00	-	\$20.00
08-28-24	RGK	Email Correspondence: Email to Elizabeth Harris RE: Shed Ordinance	0.10	200.00	-	\$20.00
08-28-24	RGK	Email Correspondence: Email from Claudia Pastorius Re: Funoe, LLC v. Town of Melbourne Beach - Case No. 05-2022-AP-025737	0.10	200.00	-	\$20.00
08-28-24	RGK	Email Correspondence: Email with Attachments from Elizabeth Mascaro FW: Emails Regarding 1503 Atlantic St	0.40	200.00	-	\$80.00
08-28-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe, LLC v. Town of Melbourne Beach - Case No. 05-2022-AP-025737	0.20	200.00	-	\$40.00
08-28-24	RGK	Review short term rental cases filed with court and challenges to proposed ordinances for discussion at STR workshop.	0.70	200.00	-	\$140.00
08-28-24	RGK	Phone conference with Mayor Dennington re charter provisions as to Commission vacancy.	0.30	200.00	-	\$60.00
08-28-24	RGK	Phone conference with Elizabeth Mascaro re Commissioner Meyer resignation and charter provisions.	0.30	200.00	-	\$60.00
08-29-24	RGK	Email Correspondence: Email from Commissioner Meyer and Elizabeth Mascaro RE: Adam Meyer - Resignation from Town Commission	0.20	200.00	-	\$40.00

08-29-24	RGK	Email Correspondence: Email from Commissioner Walker Re Commissioner Meyer resignation	0.10	200.00	-	\$20.00
08-29-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Commissioner Meyer resignation	0.20	200.00	-	\$40.00
08-29-24	RGK	Email Correspondence: Email from Elizabeth Harris Re Update on Funoe	0.10	200.00	-	\$20.00
08-29-24	PAB	Confer with RGK re charter and complaint issue; confer with CBS; analyze charter and confer with RGK	1.00	225.00	-	\$225.00
08-29-24	RGK	Email Correspondence: Email to Mayor Dennington Re Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-29-24	RGK	Email Correspondence: Email to Commissioner Quarrie Re Resignation of Commissioner Meyer and Vacancies on the Commission	0.20	200.00	-	\$40.00
08-29-24	RGK	Email Correspondence: Email to Commissioner Walker Re Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-29-24	RGK	Email Correspondence: Email to Commissioner Runte Re Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-29-24	RGK	Email Correspondence: Emails with Commissioner Runte RE: Resignation of Commissioner Meyer and Vacancies on the Commission	0.20	200.00	-	\$40.00
08-29-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Complaint	0.20	200.00	-	\$40.00
08-29-24	RGK	Confer with PAB re employee complaint and interpretation of charter provisions.	0.50	200.00	-	\$100.00
08-29-24	RGK	Meet with Jennifer Kerr and Elizabeth Mascaro re code enforcement hearing 204 Cherry Street.	1.00	200.00	-	\$200.00
08-29-24	RGK	Attend code enforcement hearing.	1.00	200.00	-	\$200.00
08-29-24	RGK	Meet with Jennifer Kerr and Elizabeth Mascaro re various issues with HR, Commission vacancy, and STR workshop.	2.00	200.00	-	\$400.00
08-29-24	RGK	Attend STR Workshop.	3.50	200.00	-	\$700.00
08-30-24	RGK	Email Correspondence: Emails with Commissioner Walker Re: Landline STR ordinance	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Email from Mayor Dennington Fwd: Addition to the packet tonight	0.10	200.00	-	\$20.00

08-30-24	RGK	Email Correspondence: Emails from Commissioner Walker and Elizabeth Mascaro RE: Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-30-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe Motion to Strike	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re See attached are Runte FB posts and answers and election	0.10	200.00	-	\$20.00
08-30-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Question on state statute - auditor selection committee - we don't have one? Do we? And...	0.30	200.00	-	\$60.00
08-30-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Resignation of Commissioner Meyer and Vacancies on the Commission	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re Urgent - Call for special meeting Monday or Tuesday next week Re: Resignation of Commissioner Meyer and Vacancies on the Commission	0.10	200.00	-	\$20.00
08-30-24	RGK	Review Motion to Strike Amended Initial Brief and Amended Appendix and in the Alternative Motion to Dismiss Appeal.	0.30	200.00	-	\$60.00
08-30-24	RGK	Email Correspondence: Email to Jennifer Kerr Re 204 Cherry Notice of Hearing	0.10	200.00	-	\$20.00
08-30-24	RGK	Research other municipalities fee schedule for comparison for Town Commission.	0.80	200.00	-	\$160.00
08-30-24	RGK	Phone conference with Elizabeth Mascaro re social media accounts.	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Legal notice - false statements of fact	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Just as an fyi - I am trying to correct some ND posts	0.20	200.00	-	\$40.00
08-30-24	RGK	Email Correspondence: Email from Mayor Dennington w/attachments Re See more attached. Still TM never provided Resignation letter to me. Runte is posting it online.	0.20	200.00	-	\$40.00
09-02-24	RGK	Email Correspondence: Email from Elizabeth Harris Re: Funoe Motion to Strike	0.10	200.00	-	\$20.00
09-02-24	RGK	Email Correspondence: Emails from Mayor Dennington and Amber Brown Re: Town Commission Meetings Next Week	0.20	200.00	-	\$40.00

09-02-24	RGK	Email Correspondence: Email from Elizabeth Mascaro FW: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-03-24	RGK	Phone conference with Elizabeth Mascaro re special meeting.	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Emails from Elizabeth Mascaro and Bruce Larson FW: Vacation Rentals operating unregistered - 204 Cherry Dr and 602 Shannon Ave	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Email from Amber Brown Re Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Bitgood Complaint -Dennington	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Email to Amber Brown Re Emergency Meeting Ordinance	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Town Commission Meetings Next Week	0.30	200.00	-	\$60.00
09-03-24	RGK	Email Correspondence: Email from Amber Brown FW: In accordance wit the Town Code, section 1.26, Minutes	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Email to Amber Brown RE: In accordance wit the Town Code, section 1.26, Minutes	0.10	200.00	-	\$20.00
09-03-24	RGK	Draft proposed Findings of Fact, Conclusions of Law, and Order for special magistrate (204 Cherry Drive).	0.70	200.00	-	\$140.00
09-03-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Special meeting	0.30	200.00	-	\$60.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re 5th request for Comp time records (first 2 were oral/during meetings)	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Budget meeting tonight and addition info previously requested before and during last meeting	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Elizabeth Mascaro Re Complaint Filed	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Budget meeting tonight and addition info previously requested before and during last meeting	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Complaint Filed	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00

09-03-24	RGK	Email Correspondence: Email to Paul Gougelman RE: Special Magistrate Hearing and Proposed Order	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Elizabeth Harris Fwd: SERVICE OF COURT DOCUMENT CASE NUMBER 052022AP025737XXXXXX FUNOE LLC v. TOWN OF MELBOURNE BEACH	0.10	200.00	-	\$20.00
09-03-24	RGK	Phone conference with Jennifer Kerr re non-exempt employee comp time.	0.20	200.00	-	\$40.00
09-03-24	RGK	Email Correspondence: Email from Amber Brown RE: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Complaint Filed	0.10	200.00	-	\$20.00
09-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Willful and deliberate Obstruction - need advice	0.30	200.00	-	\$60.00
09-04-24	RGK	Email Correspondence: Email from Amber Brown RE: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Claudia Pastorius Re Position on Motion to Vacate	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Claudia Pistorius Re Appeal Proceedings	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Emails with Paul Gougelman RE: Special Magistrate Hearing	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Paul Gougelman Re Code Enforcement Order	0.10	200.00	-	\$20.00
09-04-24	DAS	Review correspondence re: Bitgood complaint; conference with Ryan Knight re: same	0.50	225.00	-	\$112.50
09-04-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00

09-04-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Email from Mayor Dennington Re Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.20	200.00	-	\$40.00
09-04-24	RGK	Review of Employee Handbook and Policies and Procedures Manual re complaints and employee conflicts of interest.	0.70	200.00	-	\$140.00
09-04-24	RGK	Email Correspondence: Email to DAS Re Records Request	0.10	200.00	-	\$20.00
09-04-24	RGK	Phone conference with Elizabeth Mascaro re public records request of personnel files.	0.40	200.00	-	\$80.00
09-04-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-04-24	RGK	Email Correspondence: Emails with Commission Walker RE: Mayor responses to social media posts	0.30	200.00	-	\$60.00
09-04-24	RGK	Email Correspondence: Emails with Amber Brown and Mayor Dennington RE: Requesting all Public Records from Commissioners	0.40	200.00	-	\$80.00
09-05-24	RGK	Review Appellant's Notice of Pending Filings (Funoe v. Town).	0.10	200.00	-	\$20.00
09-05-24	RGK	Review Appellant's Motion to Vacate (Funoe v. Town).	0.20	200.00	-	\$40.00
09-05-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-05-24	RGK	Review proposed Stipulated Final Consent Judgment and Addendum to Settlement Agreement and Mutual Release (Funoe v. Town).	0.30	200.00	-	\$60.00
09-05-24	RGK	Email Correspondence: Email from Claudia Pastorius Re Funoe v Town Resolution Proposal	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email to Claudia Pastorius RE: Funoe v Town Resolution Proposal	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email from Mayor Dennington Re False statement atPZ tonight by Bitgood - I Not true what said tonight	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00

09-05-24	RGK	Email Correspondence: Email from Amber Brown RE: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email to Elizabeth Mascaro RE: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Emails with Cliff Reppenger RE: Amended Binding Lot Agreement DCH, LLC (Pepaj) and Town of Melbourne Beach	0.30	200.00	-	\$60.00
09-05-24	RGK	Email Correspondence: Emails with Dale Dettmer RE: Amended Binding Lot Agreement DCH, LLC (Pepaj) and Town of Melbourne Beach	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email from Amber Brown RE: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Email from Amber Brown RE: Code Enforcement Order	0.10	200.00	-	\$20.00
09-05-24	RGK	Phone conference with Jennifer Kerr re Complaint and policy procedures.	0.20	200.00	-	\$40.00
09-05-24	RGK	Email from Mayor Dennington re complaint allegations and formal request for investigation.	0.40	200.00	-	\$80.00
09-05-24	RGK	Confer with DAD and AJH re authority to request investigation and Commission vote on approval of investigation and scope of investigation.	0.30	200.00	-	\$60.00
09-05-24	AJH	Review correspondence re: grievance issues, confer w/ RN re: same	0.30	225.00	-	\$67.50
09-05-24	RGK	Phone conference with Jennifer Kerr re Budget and HR investigation request.	0.20	200.00	-	\$40.00
09-05-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Resolution 2023-10	0.10	200.00	-	\$20.00
09-05-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: Budget	0.10	200.00	-	\$20.00
09-05-24	RGK	Phone conference with Mayor Dennington Re investigation request, STRs, and other matters.	1.30	200.00	-	\$260.00
09-05-24	RGK	Email Correspondence: Email to Amber Brown RE: Emergency Meeting Ordinance	0.10	200.00	100.00%	\$0.00
09-05-24	RGK	Email Correspondence: Emails with Mayor Dennington and Jennifer Kerr RE: Confidential HR Investigation, grievance and complaint - advice sought re discrimination, retaliation and obstruction ongoing	0.60	200.00	-	\$120.00
09-06-24	RGK	Email Correspondence: Email from Amber Brown Re Monthly Reports and Agenda Items are Due Wednesday, September 11th	0.10	200.00	-	\$20.00

09-06-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Confidential HR Investigation, grievance and complaint - advice sought re discrimination, retaliation and obstruction ongoing	0.10	200.00	-	\$20.00
09-06-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Budget	0.10	200.00	-	\$20.00
09-06-24	RGK	Review FY 2025 Budget, Resolution 2024-06, and Resolution 2024-07.	0.60	200.00	-	\$120.00
09-06-24	RGK	Prepare for and attend commission special meetings.	2.40	200.00	-	\$480.00
09-07-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Invoices and Certificates	0.20	200.00	-	\$40.00
09-08-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Tom Davis social media and see prior email re same	0.20	200.00	-	\$40.00
09-08-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Comm Walker is posting and advocating people try ATT. - Not sure that's proper?	0.20	200.00	-	\$40.00
09-08-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-08-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Email to Jennifer Kerr RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Tom Davis social media and see prior email re same	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Email to Jennifer Kerr RE: Invoices and Certificates	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00

09-09-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: Invoices and Certificates	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Certificates and Invoices	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Potentially Privileged/Sensitive/Confidential Re: 5th request for Comp time records (first 2 were oral/during meetings)	0.30	200.00	-	\$60.00
09-09-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: CONFIDENTIAL RECORDS ENCLOSED - Re: Certificates and Invoices	0.10	200.00	-	\$20.00
09-09-24	RGK	Email Correspondence: Emails with Jennifer Kerr Re: CONFIDENTIAL RECORDS ENCLOSED - Re: Certificates and Invoices	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: Phone number	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Funoe v Town Resolution Proposal	0.20	200.00	-	\$40.00
09-09-24	RGK	Email Correspondence: Emails with Claudia Pastorius RE: Funoe v Town Resolution Proposal	0.20	200.00	-	\$40.00
09-10-24	RGK	Email Correspondence: Email from Mayor Dennington Fwd: Town of Melbourne Beach - Public Records Request PRR-2024-113: Confirmation	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Commissioner Runte Re: Confidential HR Investigation, grievance and complaint - advice sought re discrimination, retaliation and obstruction ongoing	0.20	200.00	-	\$40.00
09-10-24	RGK	Email Correspondence: Email from Mayor Dennington Fwd: History Town Sloppy P&P tracking/custody/control - Current P&Ps unknown/subject to doubt - wrong policies manual - bad record keeping Fwd: Employee Manual, Procedures Manual, Safety Manual	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Commissioner Quarrie Re RTCM Sept 18th Agenda Item	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Emails with Claudia Pastorius Re: Funoe v Town Resolution Proposal	0.20	200.00	-	\$40.00

09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORDS: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORDS: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr CONFIDENTIAL RECORDS: ROBERT BITGOOD BOAF CONFERENCE	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORDS: ROBERT BITGOOD Mileage Increase	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD - CERTIFICATE	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re CONFIDENTIAL RECORD: ROBERT BITGOOD	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re ROBERT BITGOOD STORMWATER CERTIFICATE	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re FEMA IS-00100.b - Robert Bitgood	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re FEMA IS-00200.b	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re FEMA IS-00559 - Robert Bitgood	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re FEMA IS-00700.a - Robert Bitgood	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Hostile Workplace Prevention - Robert Bitgood	0.10	200.00	-	\$20.00

09-10-24	RGK	Email Correspondence: Email from Jennifer Kerr Re Violence in the Workplace-Active Shooter - Robert Bitgood	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Elizabeth Mascaro FW: Requesting all Public Records from Commissioners	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Amber Brown RE: Town Commission Meetings Next Week	0.10	200.00	-	\$20.00
09-10-24	RGK	Phone conference with Elizabeth Harris re proposed judgment and settlement addendum.	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Tmb P&P dates - need packets and minutes please	0.10	200.00	-	\$20.00
09-10-24	RGK	Email Correspondence: Email from Elizabeth Harris Re: Funoe v Town Resolution Proposal	0.10	200.00	-	\$20.00
09-10-24	RGK	Phone conference with Mayor Dennington re agenda items and records request.	0.50	200.00	-	\$100.00
09-11-24	RGK	Review Status Report and Motion to Relinquish Jurisdiction.	0.20	200.00	-	\$40.00
09-11-24	RGK	Email Correspondence: Email from Amber Brown RE: Tmb P&P dates - need packets and minutes please	0.10	200.00	-	\$20.00
09-11-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Comp report	0.10	200.00	-	\$20.00
09-11-24	RGK	Email Correspondence: Email from Mayor Dennington Re Minutes - can I get hard copy of all minutes prepared instead of a ton of emails	0.10	200.00	-	\$20.00
09-11-24	RGK	Email Correspondence: Email from Claudia Pastorius Re: Funoe v Town Resolution Proposal	0.10	200.00	-	\$20.00
09-11-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Sept 18th Commissioner Vacancy Voting	0.20	200.00	-	\$40.00
09-11-24	RGK	Email Correspondence: Email from Jennifer Kerr with attachment Re Comp report	0.20	200.00	-	\$40.00
09-11-24	RGK	Phone conference with Elizabeth Mascaro re Code Enforcement and September 18 agenda items.	0.50	200.00	-	\$100.00
09-11-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Comp report	0.10	200.00	-	\$20.00
09-11-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: STR status Question - do you have any STR materials for Sept Meeting	0.20	200.00	-	\$40.00

09-12-24	RGK	Email Correspondence: Email from Amber Brown RE: Special Magistrate Minutes and Order 204 Cherry - Aug 29, 2024	0.10	200.00	-	\$20.00
09-12-24	RGK	Email Correspondence: Email from Mayor Dennington Re Special Magistrate Minutes and Order 204 Cherry - Aug 29, 2024	0.10	200.00	-	\$20.00
09-12-24	RGK	Email Correspondence: Email from Mayor Dennington Re Bitgood - various Records of contacts by/between Building or code and 205 Cherry	0.10	200.00	-	\$20.00
09-12-24	RGK	Phone conference with Amber Brown re agenda items for 9/18 commission meeting.	0.30	200.00	-	\$60.00
09-12-24	RGK	Draft Code Enforcement Process and memorandum.	1.30	200.00	-	\$260.00
09-12-24	RGK	Email Correspondence: Email to Elizabeth Mascaro Re Code Enforcement Memo	0.10	200.00	-	\$20.00
09-12-24	RGK	Phone conference with Elizabeth Mascaro re 204 Cherry Street update.	0.30	200.00	-	\$60.00
09-12-24	RGK	Email Correspondence: Email to Elizabeth Mascaro RE: Code Enforcement Memo	0.10	200.00	-	\$20.00
09-13-24	RGK	Review Response to Appellees Motion for Order of Dismissal with Exhibits (Funoe v. Town).	0.30	200.00	-	\$60.00
09-13-24	RGK	Phone conference with Amber Brown re special meeting for candidate discussion.	0.20	200.00	-	\$40.00
09-13-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Meeting to review submissions for the vacant Commission seat	0.20	200.00	-	\$40.00
09-13-24	RGK	Research Florida Election Code re city owned property used for campaign events and candidates.	0.90	200.00	-	\$180.00
09-13-24	RGK	Research re retaliation and hostile work claims case law and AGOs against elected officials.	0.90	200.00	-	\$180.00
09-15-24	RGK	Review Appellant's Response in Opposition to Appellee's Motion to Strike Amended Initial Brief (Funoe v. Town).	0.30	200.00	-	\$60.00
09-15-24	RGK	Email Correspondence: Email from Amber Brown Re STCM Agenda Packets and RTCM Agenda	0.10	200.00	-	\$20.00

Services Subtotal: \$15,507.50

Expenses

08-30-24	ER	RGK-Travel Mileage Melbourne Bch 8/21/24 3 meetings	1.00	111.22	-	\$111.22
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09-03-24	ER	RGK Travel, Mileage Melbourne \$111.22 8/29/24	1.00	111.22	-	\$111.22
09-09-24	ER	RGK-Travel Mileage, Melbourne Beach mtg 9/6/24	1.00	111.22	-	\$111.22

Expenses Subtotal: \$333.66

Discount	\$20.00
Subtotal	\$15,841.16
Total	\$15,841.16
Payment	\$0.00
Balance Owing	\$15,841.16

Trust Account Balance \$0.00

Total Matter Balance \$15,841.16

Tax ID #32-0242557

Payable upon receipt. Please remit payment to: Shepard, Smith, Kohlmyer & Hand, PA. To pay by credit card, debit card or eCheck please use the link below.

<https://secure.lawpay.com/pages/shepardfirm/operating>

AUTHORIZATION

GL # 001-14-510.31.00
 DEPT HEAD _____
 FINANCE Jennifer Kline
 TOWN MGR Jennifer Kline



SHEPARD, SMITH, HAND & BRACKINS, P.A.
ATTORNEYS & COUNSELORS AT LAW

INVOICE

Shepard, Smith, Hand & Brackins, P.A.
2300 Maitland Center Parkway, Suite 100
Maitland, FL 32751

Invoice #: 23735
Date: 10-15-2024

Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, FL 32951

Matter Number:240013 - Town of Melbourne Beach - General
Matter Name:General

Services

Date	Atty	Description	Quantity	Rate	Total
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town of Melbourne Beach - Public Records Request PRR-2024-27: Complete	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town of Melbourne Beach - Public Records Request PRR-2024-27: Confirmation - Key Fobs and Town policy and Police Chief Griswald	0.10	200.00	\$20.00
09-16-24	RGK	Review of regular Commission meeting agenda and all attachments in preparation for meeting on 9/18.	1.60	200.00	\$320.00
09-16-24	RGK	Review Employee Manual provided by Mayor Dennington and compare with current Employee Manual for any changes or additions.	0.40	200.00	\$80.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Roof leak Current and Records situation at history center - roof starting leaking	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Emails with Amber Brown RE: Availability in October to Reschedule the Regular Commission Meeting	0.10	200.00	\$20.00

09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Jim Simon's - on BOA - see screenshot of message today	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Notice of Litigation hold and request Screenshots of emails going out to employees, and Town Boards - entire history center board from BOA member, Simmons and TC Walker	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Amber Brown Re September RTCM Agenda Packet	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Still outstanding - update requested	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Still outstanding - update requested	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Mount Dora case and Report - conclusion TM violated many policies and Reccd fire for cause -Independent internal investigator recommends the termination of Mount Dora Cit	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Mount Dora case and Report - conclusion TM violated many policies and Reccd fire for cause -Independent internal investigator recommends the termination of Mount Dora Cit	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re Employee manual with signature page as first sheet - passed originally 1995, 2000, 2017	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Still outstanding - update requested	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Amber Brown RE: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Amber Brown Re Clarification Regarding the STCM on Wednesday	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Voting Conflicts.	0.20	200.00	\$40.00
09-16-24	RGK	Email Correspondence: Email from Amber Brown RE: Roof leak Current and Records situation at history center - roof starting leaking	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Amber Brown RE: Clarification Regarding the STCM on Wednesday	0.10	200.00	\$20.00
09-16-24	RGK	Email Correspondence: Email from Vice-Mayor Quarrie Re: Clarification Regarding the STCM on Wednesday	0.10	200.00	\$20.00

09-16-24	RGK	Email Correspondence: Email to Elizabeth Mascaro RE: FOX 35 Interview Request for MONDAY -- Mayor's Concerns about Town Business	0.10	200.00	\$20.00
09-16-24	RGK	Phone conferences with Elizabeth Mascaro re records request and agenda items for 9/18 special meeting and regular meeting.	0.60	200.00	\$120.00
09-16-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Town Commissioner position	0.20	200.00	\$40.00
09-16-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Still outstanding - update requested	0.10	200.00	\$20.00
09-17-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Email saying request is complete - It is NOT	0.10	200.00	\$20.00
09-17-24	RGK	Email Correspondence: Email from Mayor Dennington with attachments Fwd: Grievance filed by Tom Davis	0.30	200.00	\$60.00
09-17-24	RGK	Email Correspondence: Email from Amber Brown RE: Town of Melbourne Beach - Public Records Request PRR-2024-27: Confirmation - Key Fobs and Town policy and Police Chief Griswald	0.10	200.00	\$20.00
09-17-24	RGK	Email Correspondence: Email from Amber Brown RE: Email saying request is complete - It is NOT	0.10	200.00	\$20.00
09-17-24	RGK	Review of special meeting agenda and attachments for meeting on 9/18.	0.20	200.00	\$40.00
09-17-24	RGK	Review FLSA overtime rule defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees; review new threshold requirements for EAP exempt employees.	0.60	200.00	\$120.00
09-17-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: New Overtime Rule	0.20	200.00	\$40.00
09-17-24	RGK	Phone conference with Corey Runte re procedure for Commission appointment.	0.30	200.00	\$60.00
09-17-24	RGK	Research Florida anti-nepotism statutes and whether conflict of interest would arise if family member were appointed to commission.	0.80	200.00	\$160.00
09-17-24	RGK	Phone conference with Elizabeth Mascaro re fob access records and anti-nepotism provisions under Florida statutes.	0.50	200.00	\$100.00
09-17-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: Code Enforcement process	0.20	200.00	\$40.00
09-18-24	RGK	Prepare for and attend special meeting and commission meeting	7.50	200.00	\$1,500.00
09-18-24	RGK	Email Correspondence: Email from Mayor Dennington Re June 19 Minutes	0.10	200.00	\$20.00

09-18-24	RGK	Email Correspondence: Email from Amber Brown RE: June 19 Minutes	0.10	200.00	\$20.00
09-18-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Notice of Litigation hold and request Screenshots of emails going out to employees, and Town Boards - entire history center board from BOA member, Simmons and TC Walker	0.20	200.00	\$40.00
09-18-24	RGK	Email Correspondence: Email to Elizabeth Mascaro and Amber Brown FW: Notice of Litigation hold and request Screenshots of emails going out to employees, and Town Boards - entire history center board from BOA member, Simmons and TC Walker	0.20	200.00	\$40.00
09-18-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Notice of Litigation hold and request Screenshots of emails going out to employees, and Town Boards - entire history center board from BOA member, Simmons and TC Walker	0.10	200.00	\$20.00
09-18-24	RGK	Email Correspondence: Emails with Elizabeth Harris RE: Code Enforcement Process and Funoe timeline	0.30	200.00	\$60.00
09-18-24	RGK	Phone conference with Marivi Walker re litigation hold.	0.10	200.00	\$20.00
09-18-24	RGK	Email Correspondence: Email to Commissioner Walker Re Litigation Hold to Preserve Documents and Emails	0.20	200.00	\$40.00
09-18-24	RGK	Email Correspondence: Email to Jim Simmons Re Litigation Hold to Preserve Documents and Emails	0.20	200.00	\$40.00
09-18-24	RGK	Review Town's Response to Motion to Vacate (Funoe v. Town).	0.20	200.00	\$40.00
09-18-24	RGK	Confer with DAS re employment attorney.	0.20	200.00	\$40.00
09-18-24	RGK	Phone conference with Marivi Walker re litigation hold request	0.20	200.00	\$40.00
09-19-24	RGK	Review AGOs and case law re causes of action for defamation of public officials, absolute immunity, and reimbursement of litigation fees in defending public officials	3.30	200.00	\$660.00
09-19-24	RGK	Phone conference with BOA member Jim Simmons re request for litigation hold and public record documents.	0.50	200.00	\$100.00
09-19-24	RGK	Review code of ordinances for structurally unsound buildings, attractive nuisance conditions, and enforcement procedure for attractive nuisance conditions remedied by Town	0.50	200.00	\$100.00
09-20-24	PAB	Confer with Ryan Knight re scope of representation and response to correspondence from Mayor	0.20	225.00	\$45.00
09-20-24	RGK	Email Correspondence: Emails with Amber Brown RE: Question about Minutes	0.20	200.00	\$40.00
09-20-24	RGK	Email Correspondence: Email from Amber Brown RE: Minutes - can I get hard copy of all minutes prepared instead of a ton of emails	0.10	200.00	\$20.00

09-20-24	RGK	Email Correspondence: Email from Mayor Dennington Re Requesting private legal counsel	0.10	200.00	\$20.00
09-20-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting private legal counsel	0.10	200.00	\$20.00
09-20-24	RGK	Email Correspondence: Email to Mayor Dennington Re: Requesting private legal counsel	0.10	200.00	\$20.00
09-20-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting private legal counsel	0.20	200.00	\$40.00
09-20-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting private legal counsel	0.20	200.00	\$40.00
09-20-24	RGK	Phone conference with Elizabeth Mascaro re request for outside legal counsel by Mayor	0.20	200.00	\$40.00
09-20-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Requesting private legal counsel	0.90	200.00	\$180.00
09-22-24	RGK	Review appeal decision and lower court opinion in Quintero v. Diaz re defamation and absolute immunity.	0.40	200.00	\$80.00
09-22-24	RGK	Email Correspondence: Email from Mayor Dennington Re Case Bitgood and the witch hunt	0.10	200.00	\$20.00
09-22-24	RGK	Email Correspondence: Email from Mayor Dennington Re Bitgood witch hunt case - with footnotes on stipulations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Invoice: 240013 - Town of Melbourne Beach - General	0.10	200.00	\$20.00
09-23-24	RGK	Review email correspondences from Mayor Dennington Re defamation and libel claims	0.80	200.00	\$160.00
09-23-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Requesting private legal counsel	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Email to Elizabeth Mascaro FW: Requesting private legal counsel	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Email to Commissioner Runte FW: Requesting private legal counsel	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re Anonymous witch-hunt cases	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Email from Marivi Walker Re: From Commission Meeting/ Budget Vote	0.20	200.00	\$40.00
09-23-24	RGK	Phone conference with Elizabeth Mascaro re Mayor's request for retraction	0.30	200.00	\$60.00

09-23-24	RGK	Email Correspondence: Emails with Robert Bitgood and Jennifer Kerr RE: Litigation Hold	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Request copies of past grievances, resignations	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Requesting private legal counsel	0.20	200.00	\$40.00
09-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Commissioner Runte Re: Requesting private legal counsel	0.20	200.00	\$40.00
09-23-24	RGK	Phone conference with Corey Runte re Mayor's request for retraction	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Please se attached - highlighted sections, page 29-30	0.60	200.00	\$120.00
09-23-24	RGK	Email Correspondence: Email with attachments Fwd: 05-CA-2020-044953 - non-party Motion to Intervene and objection - Griswold case before Judge Jacobis - non-party objection to any motion for protective order in this case on grounds of public interest and accountability	0.80	200.00	\$160.00
09-23-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Request copies of past grievances, resignations	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Tim Zander RE: Updated Timeline	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Updated Timeline	0.10	200.00	\$20.00
09-23-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Please se attached - highlighted sections, page 29-30	0.30	200.00	\$60.00
09-24-24	RGK	Email Correspondence: Email to Elizabeth Mascaro Re Executive Order - State of Emergency	0.10	200.00	\$20.00
09-24-24	RGK	Phone conference with Elizabeth Mascaro re litigation hold and public records request	0.30	200.00	\$60.00
09-24-24	RGK	Email Correspondence: Email from Mayor Dennington Re See pic - Update on Candidate Forum to be held - Any steps taken?	0.10	200.00	\$20.00

09-24-24	RGK	Email Correspondence: Email from Mayor Dennington Fwd: Thank for the data today on vacancy rates	0.20	200.00	\$40.00
09-24-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Updated Timeline	0.20	200.00	\$40.00
09-24-24	RGK	Email Correspondence: Email to Mayor Dennington FW: Litigation Hold	0.20	200.00	\$40.00
09-25-24	RGK	Email Correspondence: Email from Amber Brown RE: See pic - Update on Candidate Forum to be held - Any steps taken?	0.10	200.00	\$20.00
09-25-24	RGK	Email Correspondence: Emails with Mayor Dennington Re: Litigation Hold	0.20	200.00	\$40.00
09-25-24	RGK	Research case law re defamation causes of action against public officials; providing legal defense to public officials; and Code requirements for legal defense.	3.10	200.00	\$620.00
09-26-24	RGK	Draft Parks Board Resolution Re Hometown Heroes	1.40	200.00	\$280.00
09-26-24	RGK	Draft Parks Board Resolution Re Veterans Park	1.40	200.00	\$280.00
09-26-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Litigation Hold	0.20	200.00	\$40.00
09-27-24	RGK	Draft Revisions to Short Term Rental Ordinance.	4.10	200.00	\$820.00
09-27-24	RGK	Email Correspondence: Email from Mayor Dennington Re Seriously? Re: New website and just foia Archive search questions	0.10	200.00	\$20.00
09-27-24	RGK	Email Correspondence: Email from Mayor Dennington Re New website and just foia Archive search questions	0.10	200.00	\$20.00
09-27-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Attorneys	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Emails with Vice-Mayor Quarrie RE: Resolution to Censure Mayor Dennington	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Email from Elizabeth Mascaro Re Bitgood Rescinds Resignation	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
09-27-24	RGK	Email Correspondence: Email from Mayor Dennington Re Website - Still old minutes and agendas and documents from completed scanning not showing online	0.20	200.00	\$40.00
09-27-24	RGK	Phone conference with Mayor Dennington Re new Town website and public records search	0.20	200.00	\$40.00

09-27-24	RGK	Phone conference with Elizabeth Mascaro Re new website and searchable FOIA requests	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Website - Still old minutes and agendas and documents from completed scanning not showing online	0.20	200.00	\$40.00
09-27-24	RGK	Phone conference with Vice-Mayor Quarrie Re Resolution 2023-02 and meeting rules of debate.	0.30	200.00	\$60.00
09-27-24	RGK	Phone conference with Amber Brown Re new website and searchable FOIA requests.	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Email to Vice-Mayor Quarrie Re Resolution 2023-02	0.10	200.00	\$20.00
09-27-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Website - Still old minutes and agendas and documents from completed scanning not showing online	0.30	200.00	\$60.00
09-27-24	RGK	Email Correspondence: Emails with Vice-Mayor Quarrie RE: Resolution to Censure Mayor Dennington	0.20	200.00	\$40.00
09-27-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
09-30-24	RGK	Review Fla. Stat 337.401 re right of way use for utilities; review Code for provisions related to right of way use and permit requirements.	0.90	200.00	\$180.00
09-30-24	RGK	Email Correspondence: Email Re: Emails disappeared from my saved archived - see pic - emails prior to June ?? [#144731]	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Volunteer Program	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Volunteer Program	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re Emails disappeared from my saved archived - see pic - emails prior to June ??	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re Question - since the Town paid for these books and materials - I'm assuming The Town Kept them as property?	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: new Power poles, easements, 5g, and permits/info as to the same	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: new Power poles, easements, 5g, and permits/info as to the same	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: new Power poles, easements, 5g, and permits/info as to the same	0.10	200.00	\$20.00

09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Volunteer Program	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email from Amber Brown RE: Website - Still old minutes and agendas and documents from completed scanning not showing online	0.10	200.00	\$20.00
09-30-24	RGK	Email Correspondence: Email to Mayor Dennington RE: new Power poles, easements, 5g, and permits/info as to the same	0.10	200.00	\$20.00
09-30-24	RGK	Phone conference with Robert Bitgood re power pole replacement	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Website - Still old minutes and agendas and documents from completed scanning not showing online	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Email to Robert Bitgood Re Installation of Power Poles	0.10	200.00	\$20.00
09-30-24	RGK	Phone conference with Dale Dettmer re amended binding lot agreement (Djon's)	0.20	200.00	\$40.00
09-30-24	RGK	Review of DCH submittals and Amended Binding Lot Agreement to determine outstanding issues and status of agreement.	0.80	200.00	\$160.00
09-30-24	RGK	Phone conference with Amber Brown re campaign finance reports	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Website, Cherry Picked PRR and policy AND creation of a record - 2024-6, defamation, discriminate application of policy, arbitrarily ignoring or applying - Still old minutes and agendas and documents from completed scanning not showing online	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Website, Cherry Picked PRR and policy AND creation of a record - 2024-6, defamation, discriminate application of policy, arbitrarily ignoring or applying - Still old minutes and agendas and documents from completed scanning not showing online	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re Prior PRR - held in abeyance - revoke the abeyance	0.20	200.00	\$40.00
09-30-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Prior PRR - held in abeyance - revoke the abeyance	0.20	200.00	\$40.00
09-30-24	RGK	Review Settlement Agreement and Mutual Release between Town, Mayor, and Funoe, LLC Re outstanding public records request	0.40	200.00	\$80.00
09-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Prior PRR - held in abeyance - revoke the abeyance	0.20	200.00	\$40.00

09-30-24	RGK	Review meeting minutes and recordings Re public records requests and settlement agreement for past records request	1.20	200.00	\$240.00
10-01-24	RGK	Phone conference with Elizabeth Mascaro re public records request received by Town	0.50	200.00	\$100.00
10-01-24	RGK	Email Correspondence: Email from Amber Brown w/Attachments FW: S-26 Supplement to Melbourne Beach Code - DRAFT	0.20	200.00	\$40.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington w/Attachment Re Minutes Nov 2021 Runte - bullying re Al Dennington blog posts - criticizing citizens free speech - animus goes way back	0.20	200.00	\$40.00
10-01-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Bitgood Rescinds Resignation	0.50	200.00	\$100.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: LITIGATION HOLD, request for records, and investigation and other matters related to the Town Of Melbourne Beach	0.40	200.00	\$80.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: Scott glaubitz and BSE records - Phil Archsr SA office - re confidential source of witness in active investigation -Fw: Public records requests -Town of melbourne beach	0.40	200.00	\$80.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: Tm admits past denials inspect historical records and PRr taking too long to respond - PRR for Town of Melbourne Beach - prior outstanding request Final request to permit inspection before instituting legal proceedings	0.40	200.00	\$80.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Re Runte history of bullying and dislike of public records request - esp when for consultant - engineer records or law firm	0.30	200.00	\$60.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: Fwd: to pdf - long history and summary and details re various exchanges with commissioners, etc	0.50	200.00	\$100.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Re Runte - Fwd: re October 14, 2020 Public Records Request re Town of Melbourne Beach	0.30	200.00	\$60.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Fw: Town of Melbourne Beach - Public Records Request PRR-2023-11: Confirmation	0.10	200.00	\$20.00
10-01-24	RGK	Email Correspondence: Emails with Cliff Repperger RE: Prior PRR - held in abeyance - revoke the abeyance	0.20	200.00	\$40.00
10-01-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Town Manager Evaluation	0.10	200.00	\$20.00

10-01-24	RGK	Phone conference with Cliff Repperger Re Settlement Agreement and outstanding public records requests	0.80	200.00	\$160.00
10-01-24	RGK	Email Correspondence: Email from Jennifer Kerr RE: Town Manager Evaluation	0.10	200.00	\$20.00
10-01-24	RGK	Email Correspondence: Email from Elizabeth Mascaro Re Magistrate Hearing	0.10	200.00	\$20.00
10-02-24	RGK	Phone conference with Elizabeth Mascaro re sand tennis request	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Emails with Robert Bitgood RE: Job offer	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Email from Robert Bitgood Re Bureau Veritas	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Question - Town Signs	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Question - Town Signs	0.10	200.00	\$20.00
10-02-24	RGK	Review resignation letter of Commissioner Runte	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Question - Town Signs	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Public Records Request and Board of Adjustment Complaints	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Question	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Magistrate Hearing	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Letter of Resignation	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Email to Amber Brown and Elizabeth Mascaro Re Robert Baldwin Email	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Email to Town Commissioners Re Resignation of Commissioner Runte and Vacancy on the Commission	0.40	200.00	\$80.00
10-02-24	RGK	Email Correspondence: Email from Amber Brown RE: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Emails with Mayor Dennington Re: Rude behavior by the Town Manager Elizabeth	0.20	200.00	\$40.00

10-02-24	RGK	Email Correspondence: Emails from Elizabeth Mascaro and Mayor Dennington FW: Rude behavior by the Town Manager Elizabeth	0.20	200.00	\$40.00
10-02-24	RGK	Email Correspondence: Email from Paul Gougelman RE: Magistrate Hearing	0.10	200.00	\$20.00
10-02-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Bitgood Rescinds Resignation	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Cyd Cardwell Re Commissioner Mailboxes	0.10	200.00	\$20.00
10-03-24	RGK	Phone conference with Elizabeth Mascaro re public records request to MC Innovations	0.20	200.00	\$40.00
10-03-24	RGK	Email Correspondence: Email from Vice-Mayor Quarrie Re Special Meeting for Commission Vacancy	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re Can some explain WHY the scanned archive documents are STILL not on the new website?	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re Requesting records, emails, communications, calendar notices related to scanning documents project	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Amber Brown RE: Requesting records, emails, communications, calendar notices related to scanning documents project	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Amber Brown RE: Can some explain WHY the scanned archive documents are STILL not on the new website?	0.10	200.00	\$20.00
10-03-24	RGK	Phone conference with Amber Brown Re special meeting and outstanding public records requests	0.20	200.00	\$40.00
10-03-24	RGK	Phone conference with Amber Brown Re special meeting and outstanding public records requests	0.20	200.00	\$40.00
10-03-24	RGK	Email Correspondence: Emails with Amber Brown Re: Scheduling a Town Commission Meeting	0.20	200.00	\$40.00
10-03-24	RGK	Email Correspondence: Email from Amber Brown RE: Special Meeting for Commission Vacancy	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Requesting records, emails, communications, calendar notices related to scanning documents project	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Emails with Commissioner Baldwin RE: Resignation of Commissioner Runte and Vacancy on the Commission	0.20	200.00	\$40.00
10-03-24	RGK	Review of Mayor Dennington's public records request to MCC Innovations	0.30	200.00	\$60.00

10-03-24	RGK	Email Correspondence: Email from Fritz Reiser Re Citations in lieu of NOVs/NOHs	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Emails with Chief Zander and Elizabeth Mascaro RE: Vacation Rentals- Citations in lieu of NOVs/NOHs	0.30	200.00	\$60.00
10-03-24	RGK	Phone conference with Amber Brown re special meeting	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Vacation Rentals- Citations in lieu of NOVs/NOHs	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Amber Brown Re Special Town Commission Meeting Monday, October 7th	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email from Brock Magruder Re Town of Melbourne Beach	0.10	200.00	\$20.00
10-03-24	RGK	Email Correspondence: Email to Brock Magruder RE: Town of Melbourne Beach	0.20	200.00	\$40.00
10-04-24	RGK	Email Correspondence: Email from Elizabeth Mascaro Re MCCI Agreement	0.10	200.00	\$20.00
10-04-24	RGK	Email Correspondence: Email from Brock Magruder Re: Town of Melbourne Beach	0.10	200.00	\$20.00
10-04-24	RGK	Phone conference with Brock Magruder Re representation of Mayor Dennington	0.30	200.00	\$60.00
10-04-24	RGK	Phone conference with Elizabeth Mascaro Re special meeting	0.20	200.00	\$40.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Emails disappeared from my saved archived - see pic - emails prior to June ?? [#144731]	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Availability Next Week to Schedule a STCM	0.20	200.00	\$40.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6; revise emergency declaration to incorporate Mayor's provisions	0.30	200.00	\$60.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6	0.10	200.00	\$20.00
10-07-24	RGK	Phone conference with Mayor Dennington Re state of emergency and special meeting	0.20	200.00	\$40.00
10-07-24	RGK	Phone conference with Elizabeth Mascaro re state of emergency and county declaration of state of emergency	0.20	200.00	\$40.00

10-07-24	RGK	Phone conference with Mayor Dennington Re proclamation	0.20	200.00	\$40.00
10-07-24	RGK	Phone conference with Mayor Dennington Re Emergency Proclamation	0.20	200.00	\$40.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Ex Order 24-214 and Town Charter emergency proclamation	0.30	200.00	\$60.00
10-07-24	RGK	Phone conference with Elizabeth Mascaro Re Emergency Proclamation	0.20	200.00	\$40.00
10-07-24	RGK	Phone conference with Mayor Dennington Re Emergency Proclamation	0.50	200.00	\$100.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Special Town Commission Meeting Monday, October 7th	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Advise requestedFw: safety/ emergency management briefings?	0.40	200.00	\$80.00
10-07-24	RGK	Email Correspondence: Email from Tim Bove Re: Oct 7 special meeting	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Email from Mayor Dennington Re: Advise requestedFw: safety/ emergency management briefings?	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Email from Amber Brown RE: Req copy of Town's Emergency Management Plan -and County	0.10	200.00	\$20.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: Advise requestedFw: safety/ emergency management briefings?	0.20	200.00	\$40.00
10-07-24	RGK	Review Executive Orders 24-214 and 24-215, Town Code, and Florida Statutes and draft Proclamation Declaring Local State of Emergency Re Civil Emergency Order	1.60	200.00	\$320.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6	0.20	200.00	\$40.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6	0.20	200.00	\$40.00
10-07-24	RGK	Review Town's Emergency Management Plan	0.40	200.00	\$80.00
10-07-24	RGK	Email Correspondence: Email to Mayor Dennington Re Sample Resolution - State of Emergency	0.20	200.00	\$40.00
10-07-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: see Fla Emergency plan - specifically mentions Mayor and duration of emergency after EO- 7 days says 6	0.20	200.00	\$40.00

10-07-24	RGK	Email Correspondence: Email to Mayor and Commissioners Re Local State of Emergency Proclamation	0.40	200.00	\$80.00
10-07-24	RGK	Email Correspondence: Emails from Elizabeth Mascaro RE: Availability Next Week to Schedule a STCM	0.20	200.00	\$40.00
10-08-24	RGK	Multiple phone conferences with Elizabeth Mascaro Re emergency declaration and special meeting	0.50	200.00	\$100.00
10-08-24	RGK	Email Correspondence: Emails from Chief Zander and Mayor Dennington Re: Urgent - Meeting tomorrow after the 10 am conference call pursuant yo the Town's Emergency Management Plan - reauesting meeting	0.20	200.00	\$40.00
10-08-24	RGK	Email Correspondence: Email from Mayor Dennington Re Important - Posting and notification Fla 252/46(3) please update the website Nd link tonproperly comply with 252.46(3)	0.20	200.00	\$40.00
10-08-24	RGK	Email Correspondence: Email from Mayor Dennington Re Urgent - Meeting tomorrow after the 10 am conference call pursuant yo the Town's Emergency Management Plan - reauesting meeting	0.20	200.00	\$40.00
10-08-24	RGK	Email Correspondence: Email from Amber Brown RE: Important - Posting and notification Fla 252/46(3) please update the website Nd link tonproperly comply with 252.46(3)	0.10	200.00	\$20.00
10-08-24	RGK	Email Correspondence: Emails with Amber Brown RE: Important - Posting and notification Fla 252/46(3) please update the website Nd link tonproperly comply with 252.46(3)	0.20	200.00	\$40.00
10-08-24	RGK	Draft Emergency Resolution for state of emergency	1.50	200.00	\$300.00
10-08-24	RGK	Phone conference with Vice-Mayor Quarrie Re Emergency Proclamation	0.20	200.00	\$40.00
10-08-24	RGK	Phone conference with Elizabeth Mascaro Re Emergency Management Plan	0.30	200.00	\$60.00
10-08-24	RGK	Phone conference with Amber Brown Re emergency meeting ordinance	0.10	200.00	\$20.00
10-08-24	RGK	Email Correspondence: Emails with Commissioner Walker RE: Local State of Emergency Proclamation	0.20	200.00	\$40.00
10-08-24	RGK	Email Correspondence: Email from Amber Brown Re Availability to Reschedule the Special Town Commission Meeting	0.10	200.00	\$20.00
10-08-24	RGK	Email Correspondence: Emails with Commissioner Walker RE: Local State of Emergency Proclamation	0.20	200.00	\$40.00
10-11-24	RGK	Draft Resolution for STR fee update	1.40	200.00	\$280.00
10-11-24	RGK	Phone conference with Elizabeth Mascaro Re Hurricane Milton	0.40	200.00	\$80.00
10-15-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: EM Team, p. 9-10 of Town EMP	0.20	200.00	\$40.00

10-15-24	RGK	Phone conference with Elizabeth Mascaro Re Agenda Items for 10/23 meeting	0.10	200.00	\$20.00
10-15-24	RGK	Phone conferences with American Legal Publishing Re past ordinances and information sent for codification	0.40	200.00	\$80.00
10-15-24	RGK	Email Correspondence: Email to Shilo Newby at American Legal Publishing Re Town of Melbourne Beach Ordinances	0.20	200.00	\$40.00
10-15-24	RGK	Phone conference with Elizabeth Mascaro Re Emergency Response	0.10	200.00	\$20.00
10-15-24	RGK	Email Correspondence: Email from Elizabeth Mascaro FW: EM Team, p. 9-10 of Town EMP	0.20	200.00	\$40.00
10-15-24	RGK	Email Correspondence: Email from Elizabeth Mascaro RE: Volunteer Program	0.10	200.00	\$20.00

Services Subtotal: \$15,525.00

Expenses

09-24-24	ER	RGK Travel Mileage: Melbourne 9/19	1.00	111.22	\$111.22
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Expenses Subtotal: \$111.22

Subtotal	\$15,636.22
Total	\$15,636.22
Payment	\$0.00
Balance Owing	\$15,636.22

Trust Account Balance \$0.00

Total Matter Balance \$15,636.22

Tax ID #32-0242557

Payable upon receipt. Please remit payment to: Shepard, Smith, Hand & Brackins, P.A.. To pay by credit card, debit card or eCheck please use the link below.

<https://secure.lawpay.com/pages/shepardfirm/operating>

Public Works Activities

September 2024

Installed new street signs and poles from Ocean Avenue thru Magnolia both sides

Checked reported street curb cut corner of 2nd ave. and Pine-to Brevard County

Installed new flashing safety light on mower

Installed mailboxes in lobby

Worked on repaint black backs on stop signs – **company will be replacing no cost**

Repaired stormwater drain cover Rosewood and Cherry

Large debris clean up in all parks post storms X 2

Discovered Melbourne water pipe leak 508 Magnolia ref. to Melbourne

Responded to report of free flowing well Banyan way – broken pipe to SJWM

Transported chairs to OTH and recovered same

Responded to call from resident ref. suspicious line on ground ID'd as cable

Met with roofing contractor ref. OTH roof

Painted baseboard for the Masny Room

Repaired urinal FD upstairs

Generator quarterly maintenance completed

Repaired broken bench in Ocean Park

Constructed 24 x 40 deck Ryckman Park area

Inspected stormwater baffle boxes pre storm X2

Monitored and took various actions to clear streets of downed trees and clear stormwater inlet during the storms.



TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Building Department Report

SEPTEMBER 2024

- permits issued 41
- Construction value of the \$873,490.40 permits totaled \$14,943.82
- Total permit fees \$14,943.82
- Inspections completed 116
- Plans reviewed 41
- Site plan review for P&Z 0
- Vacation rental inspections 1
- New home 0
- Stop work order 0

Monthly Permit List

10/03/2024 122

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Electrical

Permit #	Applicant	Address	Fee Total	Const. Value
PE24-0045	LINWOOD W CHERRY	204 FIRST AVE	\$79.00	\$1850.00
Work Description: Exterior service replacement				
PE24-0046	Peter J Grandinetti	504 COLONY ST	\$79.00	\$872.00
Work Description: Disconnect current 30 amp circuit to water heater. Provide and install two (2) 240v 40amp circuits for new tankless water heater				
PE24-0048	SCHULTZ, CHRISTOPHER E	315 HIBISCUS TRL	\$79.00	\$2500.00
Work Description: Install new exterior receptacle boxes, light boxes, pool panel and receptacles/lights				
PE24-0047	JAMES DELANO	1806 PINE ST	\$79.00	\$1900.00
Work Description: Replace rusted down pipe only "Existing" SPO to remain, new sch for pvc pipe				

Total Permits For Type: 4
Total Fees For Type: \$316.00
Total Const. Value For Type: \$7122.00

Fence

Permit #	Applicant	Address	Fee Total	Const. Value
PF24-0029	FENCE OUTLET INC	325 BANYAN WAY	\$79.00	\$2070.00
Work Description: Install 65' of 6' H PVC fence with no gates				
PF24-0028	FENCE OUTLET INC	1101 PINE ST	\$249.29	\$8107.00
Work Description: INSTALL 287' OF 6' H PVC FENCE WITH 2 4'W GATES AND 1 5'W GATE				

Total Permits For Type: 2
Total Fees For Type: \$328.29
Total Const. Value For Type: \$10177.00

Marine - Docks/Boathouses

Permit #	Applicant	Address	Fee Total	Const. Value
PMD24-0001	BAKER MARINE CONSTRUCTION	450 SANDY KY	\$492.00	\$28000.00
Work Description: New Dock				

Total Permits For Type: 1
Total Fees For Type: \$492.00
Total Const. Value For Type: \$28000.00

Mechanical

Permit #	Applicant	Address	Fee Total	Const. Value
PM24-0081	Ralph W Durham	209 4TH AVE	\$337.45	\$12922.00
Work Description: Exact replacement of 3.5 ton AC system w/10KW heat				

PM24-0078	Gene B Reynolds	1606 ATLANTIC ST 4	\$233.16	\$7582.50	123
	Work Description: HVAC changeout no duct work, same size				
PM24-0074	TIMOTHY BARKER	606 HIBISCUS TRL	\$325.00	\$11706.81	
	Work Description: Air conditioning system replavement, exact, no ductwork				
PM24-0075	WHITLOCK, GARY	1901 NEPTUNE DR	\$389.41	\$17991.00	
	Work Description: CHANGE OUT AC WITH 3 TON CARRIER SYSTEM AND A DUCTLESS SYSTEM				
PM24-0076	WHITLOCK, GARY	2010 OAK ST	\$518.85	\$30620.00	
	Work Description: change out ac with 10 ton carrier system				
PM24-0079	David Mastrotonardo	1201 PINE ST	\$256.48	\$8341.00	
	Work Description: Replace existing A/C system				
PM24-0080	Ralph W Durham	402 RIVERSIDE DR	\$331.92	\$12382.00	
	Work Description: exact replacement 3-ton AC system 10kw electric heat				

Total Permits For Type: 7
Total Fees For Type: \$2392.27
Total Const. Value For Type: \$101545.31

Miscellaneous

Permit #	Applicant	Address	Fee Total	Const. Value
PMC24-0008	SUNCITY RESCREENING AND HOME IMPROVEMENT LLC	307 SECOND AVE	\$575.03	\$36100.00
	Work Description: new screen enclosure on existing deck			
PMC24-0015	HOBGOOD, CORTNEY	200 SIXTH AVE	\$124.00	\$4000.00
	Work Description: New Dry wall through out			
PMC24-0014	UGRYUMOV, VLADIMIR	315 HIBISCUS TRL	\$478.79	\$26711.20
	Work Description: Old sheating and siding removal and replacement			

Total Permits For Type: 3
Total Fees For Type: \$1177.82
Total Const. Value For Type: \$66811.20

Paver, Concrete, & Deck

Permit #	Applicant	Address	Fee Total	Const. Value
PCD24-0023	ELITE PAVERS & PRICE RITE PAINTING INC	608 CITRUS CT	\$410.00	\$20000.00
	Work Description: Replace current driveway with brick pavers.			

Total Permits For Type: 1
Total Fees For Type: \$410.00
Total Const. Value For Type: \$20000.00

Plumbing

Permit #	Applicant	Address	Fee Total	Const. Value
PP24-0025	CORDELL, STEPHEN/MARGARET	432 RIVER VIEW LN	\$262.41	\$8533.80

Total Permits For Type: 1
Total Fees For Type: \$262.41
Total Const. Value For Type: \$8533.80

Propane

Permit #	Applicant	Address	Fee Total	Const. Value
PRO24-0005	DIRTYWORK ENVIRONMENTAL SERVICE LLC	1508 PINE ST	\$215.25	\$7000.00
Work Description: Install 500 gallon propane tank and line				

Total Permits For Type: 1
Total Fees For Type: \$215.25
Total Const. Value For Type: \$7000.00

Reroof

Permit #	Applicant	Address	Fee Total	Const. Value
PRR24-0044	Sal Vitale The Roof Doctor	1606 ATLANTIC ST 3	\$327.87	\$11987.00
Work Description: Re-Roof				
PRR24-0045	Florida Native Roofing Inc	204 CHERRY DR	\$941.57	\$71860.00
Work Description: .032 Aluminum Standing Seam Reroof 50q, 6/12				
PRR24-0043	DC ROOFING	410 RIVERSIDE DR	\$621.10	\$40595.00
Work Description: Shingle Re-roof				

Total Permits For Type: 3
Total Fees For Type: \$1890.54
Total Const. Value For Type: \$124442.00

Res Building

Permit #	Applicant	Address	Fee Total	Const. Value
PRB24-0020	DON BO, INC.	1607 ATLANTIC ST	\$1254.14	\$104710.00
Work Description: Over garage addition				
PRB24-0029	Jparker Contracting LLC	209 BIRCH AVE	\$1742.50	\$200000.00
Work Description: Interior and exterior improvements				
PRB24-0027	George Construction	511 HIBISCUS TRL	\$358.75	\$15000.00
Work Description: Laundry Room Renovation				

Total Permits For Type: 3
Total Fees For Type: \$3355.39
Total Const. Value For Type: \$319710.00

Shed

Permit #	Applicant	Address	Fee Total	Const. Value
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Work Description: Construction of concrete pad, pergola and shed

Total Permits For Type: 1
Total Fees For Type: \$410.00
Total Const. Value For Type: \$20000.00

Solar

Permit #	Applicant	Address	Fee Total	Const. Value
PSL24-0006	MARK WASMILLER SUNERGY SOLAR LLC	610 CITRUS CT	\$495.59	\$28350.00
Work Description: install 11.34 kw roof mounted solar panel system/Derate main breaker from 200a rated to 175a				

Total Permits For Type: 1
Total Fees For Type: \$495.59
Total Const. Value For Type: \$28350.00

Window, Door, and Shutter Permit

Permit #	Applicant	Address	Fee Total	Const. Value
PWS24-0089	OVERHEAD DOOR OF AMERICA	301 FIRST AVE	\$205.41	\$6680.00
Work Description: Garage door replacement 1(16x8) 4310 w6, 1(9x8) 4310 w6 size for size				
PWS24-0087	AFFORABLE GLASS PROTECTION	210 3RD AVE	\$240.15	\$7810.00
Work Description: Install Hurricane Shutters				
PWS24-0084	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	218 SIXTH AVE	\$405.59	\$19569.09
Work Description: installation of windows and doors				
PWS24-0079	ALL GUARD STORM SHUTTERS	318 AVENUE B	\$79.00	\$2400.00
Work Description: Installation of Hurricane Shutter; FL16893				
PWS24-0088	AFFORABLE GLASS PROTECTION	513 BANYAN WAY	\$79.00	\$1550.00
Work Description: Install Hurricane Shutters				
PWS24-0082	LOWES Home Centers	211 CHERRY DR	\$324.85	\$11693.00
Work Description: 3 Replacement Sliding Glass Doors				
PWS24-0086	WALLABY WINDOWS OF BREVARD	315 HIBISCUS TRL	\$603.73	\$38900.00
Work Description: Replacing 16 windows, 1 sgd and 4 entry doors.				
PWS24-0093	HANSEN'S HANDYMAN SERVICES	322 HIBISCUS TRL	\$148.16	\$4800.00
Work Description: window install				
PWS24-0090	All Pro Garage Doors Inc	511 MAGNOLIA AVE	\$100.00	\$3200.00
Work Description: Install garage door				
PWS24-0083	LOWE'S HOME CENTERS, LLC	301 OAK ST	\$343.34	\$13497.00

PWS24-0080	Lowe's Home Centers	1501 OAK ST	\$267.53	\$8700.00
	Work Description: Replacement front door			
PWS24-0092	COLON, TESSA	447 SANDY KY	\$307.50	\$10000.00
	Work Description: Replace 14 exterior non-impact aluminum windows with vinyl impact windows. Replace (1) exterior non impact aluminum door with vinyl impact door.			
PWS24-0085	PORTER, BENJAMIN CORY AND PORTER, ANNA NEVIUS	536 SUNSET BLVD	\$94.00	\$3000.00
	Work Description: Raised front door 6" and install impact shutters on front door and 4 windows			

Total Permits For Type:	13
Total Fees For Type:	\$3198.26
Total Const. Value For Type:	\$131799.09

Grand Total Fees:	\$14,943.82
Grand Total Permits:	41.00
Grand Total Const. Value:	\$873490.40

Permit List

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10/03/2024
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Permit	Type	Address	Applicant	Issued	Expired	Paid
PE24-0045	Electrical	204 FIRST AVE	LINWOOD W CHERRY	09/04/202	03/03/202	\$79.00
PWS24-0089	Window, Door, and Shutter Permit	301 FIRST AVE	OVERHEAD DOOR OF AMERICA	09/17/202	03/16/202	\$205.41
PMC24-0008	Miscellaneous	307 SECOND AVE	SUNCITY RESCREENING AND HOME IMPROVEMENT LLC	09/24/202	03/31/202	\$575.03
PWS24-0087	Window, Door, and Shutter Permit	210 3RD AVE	AFFORABLE GLASS PROTECTION	09/18/202	03/17/202	\$240.15
PM24-0081	Mechanical	209 4TH AVE	Ralph w Durham	09/24/202	03/23/202	\$337.45
PMC24-0015	Miscellaneous	200 SIXTH AVE	HOBGOOD, CORTNEY	09/17/202	03/19/202	\$124.00
PWS24-0084	Window, Door, and Shutter Permit	218 SIXTH AVE	SUNSET VIEW WINDOWS AND DOORS RYAN BITGOOD	09/10/202	03/09/202	\$405.59
PRR24-0044	Reroof	1606 ATLANTIC ST 3	Sal Vitale The Roof Doctor	09/10/202	03/19/202	\$327.87
PM24-0078	Mechanical	1606 ATLANTIC ST 4	Gene B Reynolds	09/17/202	03/16/202	\$233.16
PRB24-0020	Res Building	1607 ATLANTIC ST	DON BO, INC.	09/25/202	03/24/202	\$1254.14
PSH24-0009	Shed	314 AVENUE B	HARRIS, MATTHEW	09/19/202	03/19/202	\$410.00
PWS24-0079	Window, Door, and Shutter Permit	318 AVENUE B	ALL GUARD STORM SHUTTERS	09/18/202	03/19/202	\$79.00
PF24-0029	Fence	325 BANYAN WAY	FENCE OUTLET INC	09/10/202	03/16/202	\$79.00
PWS24-0088	Window, Door, and Shutter Permit	513 BANYAN WAY	AFFORABLE GLASS PROTECTION	09/18/202	03/17/202	\$79.00
PRB24-0029	Res Building	209 BIRCH AVE	Jparker Contracting LLC	09/17/202	03/16/202	\$1742.50
PWS24-0082	Window, Door, and Shutter Permit	211 CHERRY DR	LOWES Home Centers	09/04/202	03/03/202	\$324.85
PRR24-0045	Reroof	204 CHERRY DR	Florida Native Roofing Inc	09/16/202	03/15/202	\$941.57
PCD24-0023	Paver, Concrete, & Deck	608 CITRUS CT	ELITE PAVERS & PRICE RITE PAINTING INC	09/09/202	03/16/202	\$410.00
PSL24-0006	Solar	610 CITRUS CT	MARK WASMILLER SUNERGY SOLAR LLC	09/04/202	03/03/202	\$495.59
PE24-0046	Electrical	504 COLONY ST	Peter J Grandinetti	09/04/202	03/24/202	\$79.00
PWS24-0086	Window, Door, and Shutter Permit	315 HIBISCUS TRL	WALLABY WINDOWS OF BREVARD	09/06/202	03/05/202	\$603.73
PMC24-0014	Miscellaneous	315 HIBISCUS TRL	UGRYUMOV, VLADIMIR	09/18/202	04/01/202	\$478.79
PE24-0048	Electrical	315 HIBISCUS TRL	SCHULTZ, CHRISTOPHER E	09/20/202	03/24/202	\$79.00
PRB24-0027	Res Building	511 HIBISCUS TRL	George Construction	09/03/202	03/23/202	\$358.75
PM24-0074	Mechanical	606 HIBISCUS TRL	TIMOTHY BARKER	09/05/202	03/04/202	\$325.00
PWS24-0093	Window, Door, and Shutter Permit	322 HIBISCUS TRL	HANSEN'S HANDYMAN SERVICES	09/24/202	03/29/202	\$148.16
PWS24-0090	Window, Door, and Shutter Permit	511 MAGNOLIA AVE	All Pro Garage Doors Inc	09/23/202	03/22/202	\$100.00
PM24-0075	Mechanical	1901 NEPTUNE DR	WHITLOCK, GARY	09/04/202	03/23/202	\$389.41
PWS24-0083	Window, Door, and Shutter Permit	301 OAK ST	LOWE'S HOME CENTERS, LLC	09/04/202	04/01/202	\$343.34

Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PWS24-0080	Window, Door, and Shutter Permit	1501 OAK ST	Lowe's Home Centers	09/03/202	03/30/202	\$267.53
PM24-0076	Mechanical	2010 OAK ST	WHITLOCK, GARY	09/06/202	03/05/202	\$518.85
PF24-0028	Fence	1101 PINE ST	FENCE OUTLET INC	09/10/202	03/24/202	\$249.29
PM24-0079	Mechanical	1201 PINE ST	David Mastrotonardo	09/20/202	03/30/202	\$256.48
PRO24-0005	Propane	1508 PINE ST	DIRTYWORK ENVIRONMENTAL SERVICE LLC	09/10/202	03/10/202	\$215.25
PE24-0047	Electrical	1806 PINE ST	JAMES DELANO	09/10/202	03/12/202	\$79.00
PP24-0025	Plumbing	432 RIVER VIEW LN	CORDELL, STEPHEN/MARGARET	09/25/202	03/24/202	\$262.41
PM24-0080	Mechanical	402 RIVERSIDE DR	Ralph W Durham	09/24/202	03/31/202	\$331.92
PRR24-0043	Reroof	410 RIVERSIDE DR	DC ROOFING	09/12/202	03/24/202	\$621.10
PWS24-0092	Window, Door, and Shutter Permit	447 SANDY KY	COLON, TESSA	09/24/202	03/23/202	\$307.50
PMD24-0001	Marine - Docks/Boathouses	450 SANDY KY	BAKER MARINE CONSTRUCTION	09/24/202	03/23/202	\$492.00
PWS24-0085	Window, Door, and Shutter Permit	536 SUNSET BLVD	PORTER, BENJAMIN CORY AND PORTER, ANNA NEVIUS	09/09/202	03/30/202	\$94.00

Total Permits: 41

Total Paid: \$14943.82

Inspection Totals

10/03/2024¹²⁹
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BTR FIRE	9
Column & Tie Beam	4
Dry Final	2
Dry 'Wall	1
Dry-In	1
Electric Final	1
Electrical	3
Final	4
Final	5
Final Building	8
Final Electrical	1
Final Fence	6
Final Mechanical	6
Final Miscellaneous	1
Final Paver, Concrete, & Deck	3
Final Plumbing	2
Final Pool	2
Final Window, Door, & Shutter	6
Footer	2
Framing	2

Inspection Totals

10/03/2024¹³⁰
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IN - PROGRESS	2
In Progress	2
In-Progress	3
In-Progress	2
Lentil	2
Lintel	1
LINTEL	1
Open Hole	1
Pre Pour	1
PRE POUR	1
Pre Power	1
Pressure Test	1
Rough - Electric	2
Rough Electrical	6
Rough Mechanical	3
Rough Miscellaneous	2
Rough Plumbing	8
Rough Plumbing	1
Screw	1
Sewer Connect	1

Inspection Totals

Stem wall Block	1
Temp Power	2
WALL SHEATING	2

Total # of Inspections: 116

Enforcement List

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE24-0229	416 THIRD AVE	Lawns - Overgrowth	Closed - Complied		09/03/24	09/19/24
ECE24-0230	308 ORANGE ST	Lawns - Overgrowth	Closed - Complied	Public - Phone	09/04/24	09/19/24
ECE24-0234	210 4TH AVE	Lawns - Overgrowth	Closed - Complied		09/05/24	09/19/24
ECE24-0236	1505 ORANGE ST	Lawns - Overgrowth	Closed - Complied	Staff	09/06/24	10/03/24
ECE24-0238	608 MANGO DR	Short Term Rental Violations	Closed - Complied	Public - walk In	09/10/24	09/12/24
ECE24-0240	800 PINE ST	Lawns - Overgrowth	Closed - Complied	Staff	09/17/24	10/01/24
ECE24-0241	512 SUNSET BLVD	Lawns - Overgrowth	Closed - Complied	Public - Phone	09/17/24	10/01/24
ECE24-0243	200 SHANNON AVE	Multiple Violations	Closed - Complied	Public - Phone	09/18/24	10/16/24
ECE24-0239	402 SUNSET BLVD	Short Term Rental Violations	Closed - No Violations Found		09/12/24	09/13/24
ECE24-0231	302 5TH AVE	Short Term Rental Violations	Open - First Letter Sent	Public - walk In	09/05/24	
ECE24-0233	322 HIBISCUS TRL	Short Term Rental Violations	Open - First Letter Sent	Staff	09/05/24	
ECE24-0237	302 5TH AVE	Short Term Rental Violations	Open - First Letter Sent	Staff	09/06/24	
ECE24-0242	411 ATLANTIC ST	Trees and Landscaping	Open - First Letter Sent	Staff	09/18/24	
ECE24-0232	401 HIBISCUS TRL	Short Term Rental Violations	Open - Verbal Warning		09/05/24	
ECE24-0235	206 4TH AVE	Lawns - Overgrowth	Open - Verbal Warning	Staff	09/05/24	

Total # of Enforcements: 15

Enforcement List

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE24-0226	209 CHERRY DR	Lawns - Overgrowth	Closed - Complied		08/23/24	09/03/24
ECE24-0227	504 SHANNON AVE	Lawns - Overgrowth	Closed - Complied		08/26/24	09/06/24
ECE24-0229	416 THIRD AVE	Lawns - Overgrowth	Closed - Complied		09/03/24	09/19/24
ECE24-0230	308 ORANGE ST	Lawns - Overgrowth	Closed - Complied	Public - Phone	09/04/24	09/19/24
ECE24-0234	210 4TH AVE	Lawns - Overgrowth	Closed - Complied		09/05/24	09/19/24
ECE24-0238	608 MANGO DR	Short Term Rental Violations	Closed - Complied	Public - walk In	09/10/24	09/12/24
ECE24-0239	402 SUNSET BLVD	Short Term Rental Violations	Closed - No Violations Found		09/12/24	09/13/24
ECE23-0179	204 CHERRY DR	Short Term Rental Violations	OPEN - Magistrate ruled violation(s)	Staff	07/31/23	09/27/24

Total # of Enforcements: 8

Certificate List

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
CVR23-0021	317 FIRST AVE	Vacation Rental	LESINSKI, ZACH	Issued	10/24/2023	10/24/2024	\$0.00
CVR23-0019	228 6TH AVE	Vacation Rental	WELLENS, DOUGLAS M	Issued	10/26/2023	10/26/2024	\$0.00
CVR23-0020	212 DOGWOOD AVE	Vacation Rental	DEAN LAGALA	Issued	10/27/2023	10/27/2024	\$0.00
CVR23-0022	1905 REDWOOD AVE	Vacation Rental	ATLANTIC SURFSIDE, LLC	Issued	10/30/2023	10/30/2024	\$0.00
CVR23-0024	315 AVENUE B	Vacation Rental	KOGOK, RONALD C, JR	Issued	11/06/2023	11/06/2024	\$0.00
CVR23-0015	527 AVENUE B	Vacation Rental	SEIDEL, BRIAN R	Issued	11/08/2023	11/08/2024	\$0.00
CVR23-0023	411 OAK ST	Vacation Rental	MOLINA OAK LLC	Issued	11/14/2023	11/14/2024	\$0.00
CVR23-0025	2201 REDWOOD AVE	Vacation Rental	NEWTON, SHEILA D	Issued	11/21/2023	11/21/2024	\$0.00
CVR24-0001	308 SECOND AVE	Owner Occupied Exempt	NOBLE, LINDA S	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0002	311 FIRST AVE	Owner Occupied Exempt	JEPPSON, RICHARD C	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0003	322 3RD AVE	Owner Occupied Exempt	BARTON, JOYCE	Issued	01/10/2024	12/31/2024	\$0.00
CVR23-0003	304 FOURTH AVE	Vacation Rental	SAMMELMAN, MARK T	Issued	01/11/2024	01/11/2025	\$0.00
CVR24-0007	320 2ND AVE	Vacation Rental	WAGNER, CHRISTOPHER WAGNER, KIM	Issued	02/27/2024	02/27/2025	\$0.00
CVR24-0005	312 SECOND AVE	Vacation Rental	HENSEL, VANITA	Issued	03/01/2024	03/01/2025	\$0.00
CVR24-0006	209 FIRST AVE	Vacation Rental	KERR, HOWARD, DIANE	Issued	03/04/2024	03/04/2025	\$0.00
CVR24-0004	205 SURF RD	Vacation Rental	BLESSED IN THE SON LLC	Issued	03/12/2024	03/12/2025	\$0.00
CVR24-0008	301 OAK ST	Vacation Rental	BOCA COVE HIGHLAND BEACH LLC	Issued	04/23/2024	04/23/2025	\$0.00
CVR24-0009	300 THIRD AVE	Vacation Rental	GNK PROPERTIES	Issued	04/18/2024	06/05/2025	\$0.00
CVR24-0010	405 FIFTH AVE	Vacation Rental	GNK PROPERTIES LLC	Issued	04/18/2024	06/05/2025	\$0.00
CVR24-0015	311 AVENUE A	Vacation Rental	K5 INVESTMENT GROUP LLC	Issued	05/21/2024	06/09/2025	\$0.00
CVR24-0014	415 HIBISCUS TRL	Vacation Rental	GOSSSELIN, JAKE	Issued	05/29/2024	06/12/2025	\$0.00
CVR24-0016	211 CHERRY DR	Vacation Rental	BEACH HOST, LLC SEDENO, SELENE	Issued	07/03/2024	07/03/2025	\$0.00
CVR24-0013	406 HIBISCUS TRL	Vacation Rental	PETERS, ERIC RYAN	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0019	208 CHERRY DR	Vacation Rental	DALTON, BRITTANY	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0011	608 MANGO DR	Vacation Rental	COMPO, DEVIN	Issued	09/12/2024	09/12/2025	\$0.00
CVR24-0018	401 SECOND AVE	Vacation Rental	JUSTIN ARMOUR	Issued	09/12/2024	09/12/2025	\$0.00

Total # of Certificates: 26

Total Amount Due: \$0.00

Certificate List

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
CVR22-0008	202 SURF RD	Vacation Rental	SURF202 LLC	Expired	10/05/2021	10/05/2022	\$0.00
CVR22-0011	1205 ATLANTIC ST	Vacation Rental	HUNT BROS INC	Expired	11/17/2021	11/17/2022	\$0.00
CVR22-0012	205 SURF RD	Vacation Rental	BLESSED IN THE SON LLC	Expired	11/19/2021	11/19/2022	\$0.00
CVR22-0005	304 FOURTH AVE	Vacation Rental	SAMMELMAN, MARK T	Expired	05/27/2021	04/26/2023	\$0.00
CVR22-0002	206 FIR AVE	Vacation Rental	HARRIS, CHARLES M	Expired	06/08/2022	06/08/2023	\$0.00
CVR22-0017	1103 ATLANTIC ST	Vacation Rental	SORGENFREI, JOHN R	Expired	07/12/2022	07/12/2023	\$0.00
CVR22-0022	510 BANYAN WAY	Vacation Rental	MCGRATH, JEFFREY	Expired	07/18/2022	07/18/2023	\$0.00
CVR23-0002	501 POINSETTIA RD	Vacation Rental	GENNA, PETE	Expired	07/06/2023	07/06/2024	\$0.00
CVR22-0044	224 FIFTH AVE	Vacation Rental	POVICH, ROBYN S	Expired	07/07/2023	07/07/2024	\$0.00
CVR23-0007	510 BANYAN WAY	Vacation Rental	MCGRATH, JEFFREY	Expired	08/02/2023	08/02/2024	\$0.00
CVR23-0011	400 AVENUE B	Vacation Rental	KERR, JOHN	Expired	08/31/2023	08/31/2024	\$0.00
CVR23-0016	217 FOURTH AVE	Vacation Rental	FOURTH AVENUE LLC	Expired	10/17/2023	10/17/2024	\$0.00

Total # of Certificates: 12

Total Amount Due: \$0.00



Town of Melbourne Beach



Fire Department

MONTHLY REPORT – September 2024

Incident Response

For the month of September 2024, the Melbourne Beach Volunteer Fire Department responded to 12 calls for service. The average number of responding volunteer personnel per paged out call for the month was 10.

Breakdown:

- 9 Fire/Rescue 911 Calls (Paged out)
- 1 Public Service (Fire Drill Standby)
- 1 Life Ring Deployment Investigation (False Alarm)
- 1 Enforce Codes (Fire Sprinkler System)

Department Membership

- 1 Fire Chief (*Full-Time*)
- 1 Maintenance Technician (*Part-Time*)
- 18 Certified Volunteer Firefighters
- 4 Support Services Volunteers
- 8 Probationary Volunteer Members
- 4 Administrative Volunteers
- 1 Volunteer Fire Chaplain

Incidents

- 9/4/2024 – Fire sprinkler backflow valve burst in 1000 block of Atlantic Street. System shut down and secured until repair contractor arrival.
- 9/8/2024 – Vehicle Accident with injuries in 500 block of Ocean Avenue. E-258, S-58, D-58, and MB-Fire1 responded along with MBPD & BCFR. 1 victim in stable condition transported to local area trauma center by BCFR.

Volunteer Recruitment

The Melbourne Beach Volunteer Fire Department is continuously recruiting local men and women who have a desire to serve their community. No experience is needed and all training will be provided. The next new recruit orientation is scheduled for February of 2025. For more information, visit MBVFD.com/recruitment or email us at FireTraining@MelbourneBeachFL.org.

Community Updates

Fire Drill at Gemini Elementary - Safety Officer Micka (Ret. Chief) attended the fire drill at Gemini Elementary school and provided observation and advice to school administrators regarding fire safety best practices for student evacuations. The drill was completed successfully with no deficiencies noted.

Emergency Medical Responder Program - Chief Brown (EMT), Vol. Battalion Chief J. Turner (Paramedic/RN), Vol. FF/Paramedic K. Connole (APRN), Vol. FF/EMT M. Dean, and Vol. FF/EMT T. Wood all completed their EMR Instructor qualifications and are working with the State of Florida to become an approved Emergency Medical Responder Training Site. The 56 hour program provides a basic level of emergency medical training, and the plan is to bring all MBVFD volunteers up from the current First Aid Provider/First Responder level to the nationally recognized EMR level over the next year.

Florida Wildland Firefighter Training Program – Department Fire Instructors hosted and taught a 40 hour Basic Wildland Firefighting training program for the volunteer members of Melbourne Beach, Indian River, and Indian Harbour Beach.

Automatic Aid Agreement Investigation – Chief Brown continues to investigate the possibility of establishing an Automatic Aid Agreement with Indian Harbour Beach Fire Department. An automatic aid agreement immediately notifies the other agency when there is a report of a structure fire or other major incident that would require assistance from outside resources, which would allow our respective agencies, that rely on volunteer response, more time to assemble a crew and get additional staffing to the scene faster rather than waiting for the first unit to get on scene to confirm an emergency exists. Discussions are still underway at this time.

Upcoming Events – The Fire Department, in cooperation with the Melbourne Beach Volunteer Firefighters Association prepared for Fire Prevention Week (October 6-12) and the Haunted House event (October 18 & 19).



Melbourne Beach Police Department

Chief Zander's Monthly Report

September 2024



Operations:

In September 2024, the department handled 1431 calls for service.

Activity:

- 60 Citations/ 150 Written Warning
- 255 Traffic Stops
- 181 Traffic Enforcement Details
- 4 Traffic Complaint
- 3 Parking Citations

PD News

- Coordinated a Beachside Wellness meeting with Beachside Police Departments
- Attended Gemini Donut Event
- Attended International Coastal Beach Clean up
- Attended Brevard Police Chiefs Luncheon
- PPO Edgar Rivera completed Phase 3 of Field Training. Currently in Phase IV
- The Police Department Volunteers completed 51 total hours of volunteer service.
 - Helping out with Front Desk Coverage/Admin and with House Checks

CRIME Update:

- Encountered 3 firearms during calls for service or traffic stops.
- Volunteers completed 385 House Checks
- Several Disturbance Calls
- Several Drug investigations
- 5 arrests/13 Suspicious Incidents/8 Suspicious Vehicles – Drugs, Traffic, Warrants
- 10 Assist other Law enforcement agencies

Town of Melbourne Beach

Town Clerk Monthly Report September 2024

Public Records Requests –

- Received – 27 (8 of the requests were received on 9/30/2024, so they were not completed until October)
- Completed – 19

Business Tax Receipts – 171 Businesses have been renewed.

Records Management Project/ Scanning Project – Phase 1 of the scanning project is complete. The next step is importing the documents into the records management software. Since this is the first time importing documents into our newly built records management software the documents will have to be verified to make sure they were named and filed properly. The next step is assigning the documents to the public portal, so they will be accessible on the Town website.

New Town Website Project – In order to avoid paying for 2 websites for the year the new website had to go live before October 1st. The website was not finished when it went live, so it is continually being worked on. The new website project is connected to the records management software project and the scanning project to access digitized records such as agenda packets, minutes, ordinances, and resolutions, etc. Since the records management project and the scanning project are not finished some of the records are not on the new website yet.

Meetings – Had several meetings and trainings with Granicus about the new town website. Met with MCCi regarding the records management and scanning project.

Town Meetings – Prepared agendas, packets, and minutes, and attended 5 Commission Meetings and the Planning and Zoning meeting. Created the agenda and prepared for the Environmental Advisory Board, Parks Board Meeting, History Center Board, Historical Preservation and Awareness Board, and the Police Pension Board.

Elections – The Town of Melbourne Beach will conduct a Municipal Election in conjunction with the November 5th General Election for the purpose of electing two at-large Commissioners for a three-year term.

There are four candidates:

- Joyce Barton
- Anna Butler
- Tim Reed
- Marivi Walker

Town Commission Meeting

Section: Unfinished Business
Meeting Date: October 23, 2024
From: Town Manager, Elizabeth Mascaro
Re: Candidate's Submissions for Vacant Commission Seat

Background:

Commissioner Corey Runte vacated his seat on the Town Commission of Melbourne Beach. The Town Commission voted during a Special Meeting on 10/16/2024 to allow an appointment to the Commission seat in lieu of a Special Election.

Recommendation:

Consider a candidate to fill the vacant commission seat.

Attachments:

None

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING September 6, 2024 at 6:30 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

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 6:38 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Attorney Ryan Knight

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

4. Public Comments – 2:13

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.

Gail Gowdy – 215 Ash – Congratulated the Mayor on the announcement today from the League of Cities.

Jean Lewis – 506 Hibiscus Trail – Congratulated the Mayor.

Mayor Alison Dennington spoke about being appointed to the legislative advocacy committee for the League of Cities and being elected to the Board of Directors for the League of Mayors.

5. New Business

- A. Discussion and Consideration on how to fill the Town Commission seat vacated by Commissioner Adam Meyer – 3:37

Town Attorney Ryan Knight spoke about Commission vacancies are governed by Section 2.04 of the Town Charter. The Commission has two options. One option is to appoint a qualified elector of the Town within 30 days, which in this case is by September 27th. The appointment would be for one year until the November 2025 election. Since there are four Commissioners, it would require an affirmative vote of three Commissioners. The second option is to have a special election and the Town would have to pay for that since it is not part of the general election. Those are the two choices. The Commission needs to decide which course of action you'd like to take. The second issue to consider is the cutoff date for any interested qualified electors to submit their name for consideration for appointment, if the Commission chooses to go that route.

Mayor Alison Dennington spoke about the Commission is deciding if they would like to do it at all and if so decide on the procedure.

Town Attorney Ryan Knight spoke about if people want to submit their names for consideration, then set a cutoff date for that. You could have a cutoff date of next Friday, then hold a special meeting if you would like to speak with the individuals at a public hearing, or push it to the Regular Town Commission Meeting to make a decision on an appointment at that time.

Mayor Alison Dennington spoke about if they open the process for appointment and people apply that meet the minimum qualifications, but nobody likes anybody then it leaves it open, so it is not clear. Would prefer to vote on the process, get applications from that process, as long as one or more applicants meet the minimum qualifications then there is already a vote that someone is going to be chosen from that group. It would be more fair to agree ahead of time before you start receiving applications.

Town Attorney Ryan Knight spoke about if there is no appointment within 30 days then it has to go to a special election.

Commissioner Marivi Walker spoke about appointing someone because a special election is too expensive and not necessary. Interested citizens should submit their resume by next Friday, and then vote on it on September 18th.

Commissioner Corey Runte spoke about agreeing with Commissioner Marivi Walker. Cannot agree to the unknown of an appointment regardless of who submits. If only one person applies and the Commission does not feel it is a good fit then the Commission can proceed in a different direction. Have a deadline of next Friday and vote at the Regular Town Commission Meeting.

Town Manager Elizabeth Mascaro asked about holding a Special Meeting before the Regular Commission Meeting to appoint someone.

The Commission agreed to have a Special Commission Meeting at 5:00 pm.

Gail Gowdy – 215 Ash Ave – Asked if the person is being appointed until November 2025. The Charter says until the next general election.

Town Attorney Ryan Knight spoke about the qualifying for this year's election has already passed, so it is too late to do it on this election. In order to get on the ballot, there is a qualifying period that has passed. Since you cannot get on the ballot for this upcoming election in November 2024 the only alternative would be through a special election.

Pat Scordino – 500 Harland Ave – Spoke about being confused and asked if you appoint someone how long would they be in the seat, and does the Commission have someone in mind yet?

Mayor Alison Dennington spoke about receiving emails from a couple of residents who are interested. The Commission has to appoint someone within 30 days otherwise they can no longer appoint someone and then it has to go to a special election.

Commissioner Corey Runte spoke about anyone can apply until next Friday.

Town Manager Elizabeth Mascaro spoke about the Town had to wait to update the residents on this until the Commission decided how to proceed. Now that they have, the Town will notify the residents, and anyone can apply by sending an email of intent, a resume would be great to her or the Town Clerk.

Dawn Barlow – 1710 Pine St – Asked for clarification can any of the current candidates fill the seat.

Mayor Alison Dennington spoke about the candidates can apply, but they might have to withdraw from running in the election.

Town Attorney Ryan Knight spoke about if a candidate was appointed they could not be elected in November because you cannot hold two seats at once.

Tim Reed – 302 Fourth Ave – Asked about the criteria for the people who apply for the appointment. Will it be similar to what the candidates have to do? Spoke about the Code says until the next general municipal election.

Commissioner Corey Runte spoke about they have to have the same qualifications, but they do not need to do the campaign documents.

Mayor Alison Dennington spoke about if there is a referendum between now and November 2025 would that end the term of the appointed Commissioner, and wanting the Town Attorney to go through the provisions to make it more clear.

Tina Bove – 216 Ash Ave – Asked for clarification on how many candidates are running and about one of them filling the vacancy. Let the residents vote do not appoint someone. Let the residents put forth people then the Commission votes.

Mayor Alison Dennington spoke about how before Commissioner Adam Meyer resigned there were two seats up for this election and there are 4 candidates. If the Commission decides to appoint then a list of interested people would be posted and then it would go to a meeting. Spoke about having interested people go out and get signatures like they are a candidate.

Commissioner Corey Runte spoke about being fine with that.

Commissioner Marivi Walker spoke about how we have never done that previously, and it is a volunteer position for one year.

Commissioner Corey Runte spoke about how there is only one week to complete this. Thinks the signatures are a bad idea because people might be out of Town or unavailable to get signatures in that timeframe. Would be fine with a special election if it were not so expensive.

Commissioner Corey Runte left at 7:15 pm.

Frank LaGrassa - 412 First Ave – Spoke about Commissioner Corey Runte being concerned about the cost of a special election, but approved the budget.

Mayor Alison Dennington spoke about not voting for it unless the signatures are required.

Town Attorney Ryan Knight spoke about the vote to appoint someone would take a majority of the Commission.

Mike Bove – 216 Ash Ave – Urged the Commission to do an election and not do an appointment. Charge the residents to cover the cost of a special election.

Commissioner Corey Runte returned at 7:20 pm.

Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

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

Erika Orriss – 263 Loggerhead Drive – Spoke about other places that have had people apply, then do a speech, and allow the public to comment. 25 signatures is reasonable.

Jean Lewis – 506 Hibiscus – Spoke about being concerned about the obvious fighting going on up there. Would rather see the residents vote even at \$20,000 if it will avoid the fighting.

Commissioner Corey Runte made a motion to proceed with the appointment process in lieu of a special election with the following conditions all applicants shall submit some form of application or resume and shall meet all qualification requirements set forth by our Charter due by Friday close of business the 13th of September and it will be voted on with applicants or not at the Regular Town Commission Meeting September 18th with no signature requirement due to extenuating circumstances; Commissioner Marivi Walker seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

Mayor Alison Dennington spoke about voting against it because the cost of an election wasn't too much, and not having the requirement of at least 25 signatures.

Commissioner Corey Runte left at 7:26.

6. Adjournment

Vice Mayor Sherri Quarrie moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 3-0.

Meeting adjourned at 7:26 pm.

ATTEST:

Alison Dennington
 Mayor

Amber Brown, CMC
 Town Clerk

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING September 6, 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

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 6:00 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

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

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments – 1:23

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.

5. Public Hearings – 2:52

A. Public Hearing on the Town’s Fiscal Year 2024/2025 (FY25) Millage Rate and Annual Budget – Town Manager Elizabeth Mascaro

Town Manager Elizabeth Mascaro spoke about being here tonight to vote on the tentative mileage rate and annual budget.

Mayor Alison Dennington spoke about getting the budget yesterday and wanting a document detailing the changes.

Town Manager Elizabeth Mascaro spoke about the changes that were made were at the direction of the Commission. They included the reduction of one police officer, moving the other police officer to be paid out of Ocean Park, addition of software for code enforcement, the addition of another part-time code enforcement officer, reduction of the millage which constituted a reduction in other line items to accommodate that, and eliminated the contingency.

Mayor Alison Dennington asked about where money was taken from.

Town Manager Elizabeth Mascaro spoke about money was taken from several different places including the Fire Department, Law Enforcement, contingency, grounds keeping, reduced one officer and moved the other out of the Law Enforcement budget. Added money to legal fees, planning fees, and magistrate fees. Spoke about the Commission approved the Town Manager taking money from places to make the changes the Commission requested.

Mayor Alison Dennington spoke about how hiring an additional officer might violate the Charter. Read and spoke about provision 3.06A of the Town Charter. Adding or removing positions changes the arrangement or potentially which the Charter says you have to go to referendum.

Town Attorney Ryan Knight spoke about the key provision of 3.06A is materially change. His interpretation of that would not be that the addition or deletion of a paid police officer would materially change the existing arrangement of law enforcement. Thinks what this is referring to is if the police force disbanded, or if the powers of the police shifted to the Sheriff’s office through an arrangement. Does not interpret staffing to be a material change to the police department.

Mayor Alison Dennington spoke about not agreeing because of the second provision. Town Attorney Ryan Knight spoke about staffing decisions would not need to go to the people through referendum. Staffing decisions are vested with the Town Commission to

add or get rid of a police officer. Staffing is under 3.01B Powers of the Commission. Does not think it would be a violation of the Charter and believes any court would agree with his interpretation.

Mayor Alison Dennington spoke about disagreeing.

Barbara Struttman – 802 Pine St – Spoke about being against the Town raising property taxes. Against the 11% tax increase and anyone who supports it. Requested the Resolutions not be signed.

Tim Reed – 302 Fourth Ave – Spoke about during the July 3rd Budget Workshop the 3 Commissioners did not request any changes. The 5% pay raise across the board is very generous of that a flat 2% merit raise is unfair to the higher-performing employees. Using Ocean Park funds for a police officer is risky because the State might take the Park back.

Bruce Larson – 1507 Pine – Spoke about echoing some of what Mr. Reed said. Does not think the current documents fully represent what was discussed at the last budget workshop. Due to the timeliness it is difficult to review and comment.

Mayor Alison Dennington spoke about the document implies a decrease, but by State Law it is a tax increase.

Town Manager Elizabeth Mascaro spoke about the millage rate went down. The Town is earning more money in ad valorem taxes because of new construction.

Commissioner Corey Runte spoke about without a referendum, the Commission can increase up to 10%. The millage rate was reduced, but there is a 4.608% increase over last year.

Jean Lewis – 506 Hibiscus Trail – Spoke about reading it on Nextdoor and thought it was a tax decrease because of the millage rate going down.

Gail Gowdy – 215 Ash Ave – Spoke about the budget coming out so late and the misunderstanding that decreasing the millage means decreased taxes. Decrease it more.

6. New Business

- A. Resolution 2024-06, Adopting the Tentative Millage Rate for the Fiscal Year 2024-2025 – Town Manager Elizabeth Mascaro – 32:27

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2024/2025; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Corey Runte moved to adopt Resolution 2024-06 setting the tentative operating millage rate for fiscal year 2024-2025 at 4.4770 mills, which is greater than the rollback rate of 4.2798 by 4.608%, and setting the tentative debt service millage rate at .2350 mills.;

Roll Call Vote by Town Clerk

Mayor Alison Dennington – Nay
 Vice Mayor Sherri Quarrie – Aye
 Commissioner Corey Runte – Aye
 Commissioner Marivi Walker – Aye

Resolution 2024-06 carried by a vote of 3-0

- B. Resolution 2024-07, Adopting the Tentative Budget for the Fiscal Year 2024-2025 – Town Manager Elizabeth Mascaro – 35:17

A RESOLUTION OF THE TOWN OF MELBOURNE BEACH OF BREVARD COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2024/2025; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Corey Runte moved to adopt Resolution 2024-07 setting forth the appropriations and revenue estimate for the tentative budget for fiscal year 2024-2025 in the amount of \$4,582,113;

Roll Call Vote by Town Clerk

Mayor Alison Dennington – Nay
 Vice Mayor Sherri Quarrie – Aye
 Commissioner Corey Runte – Aye
 Commissioner Marivi Walker – Aye

Resolution 2024-07 carried by a vote of 3-0

Mayor Alison Dennington spoke about voting no because she believes this violates the Town Charter because any additions or deletions of positions for the police have to go to referendum. That money is the cause for the tax increase.

7. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 4-0.

Meeting adjourned at 6:37 pm.

ATTEST:

Alison Dennington
 Mayor

Amber Brown, CMC
 Town Clerk

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP August 27, 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 6:02 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro

Police Chief Tim Zander

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

Town Manager Elizabeth Mascaro spoke about the supporting documents that were provided including a comparison of all positions with salaries from Melbourne Beach, Indialantic, and Satellite Beach, the second document is a quote from Garber for a police vehicle, and the third document is a list of the police department employees that were hired and left within the year's time.

4. Public Comments -

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.

Gail Gowdy – 215 Ash Ave – Asked about the recording and the capturing of the audio. Can that help to do the minutes?

Town Clerk Amber Brown spoke about the software does capture the audio, however, it is not completely accurate, it does not capture names, and it does not capture if someone's microphone is off. She has spoken with other clerks around the State and no one has a perfect software to capture audio. Plus we do not do verbatim minutes, so parts would need to be deleted. She does not think technology is there quite yet.

5. New Business

A. Discussion regarding the FY 2024-2025 budget

Town Manager Elizabeth Mascaro spoke about suggestions from the last Budget workshop was to add a Deputy Town Clerk, increase the Code Enforcement Officer to full-time or hire a second part-time, reduce or eliminate a position the Police Department is asking for, and review the flat pay increase for the Police Department. She provided salary data from Satellite and Indialantic and reviewed the provided document.

Commissioner Corey Runte spoke about having enough information to make a decision, and thinks the best comparable is Indialantic. The questions to answer, are we adding employees if so one or two, and what salary modifications.

Mayor Alison Dennington spoke about wanting to reallocate some money to where it's needed, have a moderate raise, and lower taxes. There are years that it will need to be raised, so when it can be lowered it should be. There has not been a large increase in population or crime. Does not think this amount of raise will make a big change in what officers we will get. Would like to see an organization chart, listing of all benefits by department or employee, and a list of the positions in the police department and how long they were empty.

Police Chief Tim Zander spoke about not being able to compete with other county's, but we need to compete within our county. Not asking to be in the top, just don't allow us to be the bottom. This agency has been behind on officer safety for a really long time. Next year we will be in the same position like every other agency and position, but hopefully, the request will be for less.

Mayor Alison Dennington spoke about Melbourne Beach's budget is a little less than 5 million and Indialantic's is 9.44 million.

Commissioner Adam Meyer spoke about understanding being proportional based on revenue, but if you have one community with rich people and one community with poor people it doesn't mean the poor people need fewer police officers. There are several factors. We need to 100% be able to compete with other Towns in our County. Whatever the amount is to be able to compete either \$7,200 or \$7,000. If we don't deal with it now, next year we will still be in last and push the issue down the road. It needs to be dealt with at some point. It is concerning having an officer out on the road on their own without having any backup. However, the amount of increase in the budget is also a concern. There are a lot of places in the budget that can be adjusted to fund the officers, and not increase the budget. Could some parking funds cover part of an officer? Public safety is very important and there are a lot more people coming through Town.

Vice Mayor Sherri Quarrie spoke about retention is important, and a part of that is environment, safety, and pay. We need to have at least two officers that are capable of protecting our citizens at any time. Perhaps we could push the capital projects like a police vehicle over one year, if it will make a difference in the budget. Another item that might be able to be adjusted is gas and oil for all of the departments. Look at the current years budget and how much has been spent and perhaps those numbers for all departments can be increased. Perhaps equipment maintenance across the board could be slightly reduced. Is in favor of the increase because we cannot lose our safety.

Town Manager Elizabeth Mascaro spoke about Fund 351 Land and Road Improvement will have a substantial amount of money left in the current budget, so we can remove the \$40,000. All of the money in this fund is from Ryckman Park parking fees.

Commissioner Adam Meyer spoke about if you use parking fees then they have to be used every year because the position is not going to go away.

Commissioner Corey Runte spoke about agreeing with increasing the salaries and thinks we need more officers, and thinks we can afford one. Does not want to start gutting the parking funds to fund other things. The original intent for the parking fees is for beautification of the parks and to keep the money in the parks.

Commissioner Marivi walker spoke about agreeing with what the Police Chief is requesting. Spoke with 24 residents, 17 said increase the pay but not add officers. They thought doing all of the requests in one year was too much. In favor of the salary increase, but not adding 2 officers, unless the money comes from somewhere else.

Mayor Alison Dennington spoke about agreeing with having a competitive salary. The question is how much should the pay raise be. Asked for the data of the vacancy rate. She is against adding 2 officers. If it is truly about safety pull the money from fluff places. Suggested only doing the pay raise, and track the vacancy rate until next year to see if salary makes a difference. Regarding overtime, after a large pay raise the overtime is going to be higher. Spoke with the Police Chief and he is not going to force officers to come in when someone calls out sick, so no matter how many officers there are, if no one volunteers to come in then the officer is on their own anyway.

Recess 7:15 – 7:20

Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
 Police Chief Tim Zander
 Town Clerk Amber Brown

Mayor Alison Dennington asked for data on the vacancy rate. If we don't have a policy or train officers on what needs to be enforced it does not matter how many officers there are. She asked how much is the gas and oil expenses for the marine rescue units.

Commissioner Corey Runte spoke about being here to decide if the Commission wants 0, 1, or 2 officers and the pay raise.

Vice Mayor Sherri Quarrie spoke about there should be a portion of the parking funds going to the Police Department in order for their presence and patrols for safety.

Commissioner Corey Runte spoke about being in favor of one additional officer, and the \$7,200 raise to get the starting salary to \$50,000.

Commissioner Marivi Walker spoke about being in favor of the full pay raise. Hold off until next year on the additional officers.

Vice Mayor Sherri Quarrie spoke about being good with the pay raise and the 2 additional officers.

Commissioner Corey Runte spoke about being in favor of the balance budget which had the two officers and the pay raise.

Commissioner Adam Meyer spoke about being in favor of the \$7,200 pay raise and one additional officer with the majority (\$40,000) of the funds coming from parking funds every year.

Mayor Alison Dennington spoke about being in favor of a pay raise between \$3,500-\$5,000 without any additional information. With more data she might be okay with a higher raise. Not in favor of additional officers. If the Commission approves additional officers then take the money from the parking funds, so if the money goes away so does the position.

Vice Mayor Sherri Quarrie spoke about the money should be taken from both parks and disagrees with tying the position to parking funds.

Anna Butler – 312 Avenue A – Spoke about having a background in corporate recruiting. Anytime someone addressed staffing then data was required.

Mark McBride – 310 Second Ave – Asked what is going to be done about the short term rental situation. What has been allocated for enforcement of short term rentals? You cannot change anything that does not have a budget.

Marivi Walker spoke about adding a 20-hour part-time Code Enforcement Officer or having a full-time Code Enforcement Officer.

Mayor Alison Dennington spoke about having a \$3,500-\$5,000 raise, no additional officers, and adding a second part-time Code Enforcement Officer.

Vice Mayor Sherri Quarrie spoke about the Police Department needs to be involved in the code enforcement process.

AnneMarie McBride – 312 Second – Spoke about being tired with the fighting and the Commission not listening to what the residents want. We do not need extra police officers.

Commissioner Corey Runte spoke about being in favor of adding one 20-hour Code Enforcement Officer, and only one additional Police Officer.

Commissioner Adam Meyer spoke about being in favor of an additional 20-hour Code Enforcement Officer and one additional Police Officer.

Gail Gowdy – 215 Ash Ave – Asked if the Commission is in favor of keeping the millage rate the same. Times are tough and these are the years where you can roll back.

Mayor Alison Dennington spoke about wanting to lower it.

Commissioner Adam Meyer spoke about with the reductions that have been discussed he would expect the millage rate to be reduced.

Tim Reed – 302 Fourth Ave – Spoke about the County taxes are reducing, but Melbourne Beach is not. There are two ways to adjust the budget reduce spending or increase revenue. He is in favor of an appropriate pay raise, but not in favor of adding 2 additional police officers because there has not been sufficient justification.

Frank LaGrassa – 412 First Ave – Spoke about the town needs to be run like a business. Things are too loose. Government inherently runs things defectively. Postpone any pay hick and make the pay retroactive pending more data.

Town Manager Elizabeth Mascaro recapped:

- Police Pay Raise - 3 in favor of \$7,200, 1 in favor of \$5,000, 1 in favor of \$3,500-\$5,000
- Additional Officers – 1 in favor of 2 officers, 1 in favor of 0 officers, 2 in favor of 1 officer
- Code Enforcement 4 in favor of adding a 20-hour Code Enforcement Officer

Steve Walters – 416 Sixth Ave – Asked how we got 17% behind on pay raises. There were 9 officers when he was in the department and 10 for 3 years and there were always 2 people on. Pay is one thing that you should keep as average. Are you going to give the new staff members the same raise as well to be fair?

Frank LaGrassa – 412 First Ave – Why not go by the rule of thumb of doing what it takes to get the job filled? Don't compare to other governments that is how the country has gone bankrupt.

Bruce Larson – 1507 Pine St – Spoke about we need to pay them what is fair. There needs to be a lot of data for staffing. Our revenue has gone down, but our taxes have gone up. It is unacceptable to have an officer working on their own and Indialantic is too far to respond when you need help now. The numbers in the summary sheet do not make sense. A starting salary of \$50,000 seems low.

6. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 5-0.

Meeting adjourned at 8:34 pm.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP August 22, 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 6:02 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Clerk Amber Brown

Commission Members Absent

Commissioner Corey Runte

Commissioner Adam Meyer

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments

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.

5. New Business

A. Discussion regarding the FY 2024-2025 budget

Mayor Alison Dennington spoke about being against the amount of the police department raise but agrees that there needs to be some type of raise. Would like to see the data on overtime and the percentage of when the department is understaffed to see if there is a correlation. The overtime does not seem like a huge expense compared to the cost of increasing everyone's salary by \$7,500 plus benefits. Would like to see a list of all of the benefits staff get and a comparison to other municipalities that are comparable.

Town Manager Elizabeth Mascaro spoke about having salary surveys of current and proposed within Brevard County, and Melbourne Beach is always near or at the bottom along with Indialantic. This is why the Police Chief would like to increase the starting wage which would require everyone else's pay to increase as well. Just because we are small does not mean the risk is not there. The current starting wage is \$42,800 and the proposed is \$50,000.

Mayor Alison Dennington spoke about getting a comparison statewide with other small coastal communities to figure out how much the raise should be, and compare the benefits as well because we might have better benefits.

Town Manager Elizabeth Mascaro spoke about offering the least amount of benefits as well, and reviewed the numbers on page 20.

Commissioner Marivi Walker asked about the police being salary versus hourly, and spoke about the proposed wage would be above the new fair labor threshold for overtime which is around \$48,000.00.

Town Manager Elizabeth Mascaro spoke about officers are hourly, and there is certain criteria to be considered an exempt employee.

Mayor Alison Dennington spoke about other municipalities have more detailed budgets including comparisons, lists of all benefits, and a breakdown so residents can understand it more easily. Recommended having the page updated to show how hiring additional officers will affect other items such as purchasing guns, but that the department will stay within the current budget for those additional expenses.

Town Manager Elizabeth Mascaro spoke about once the budget is approved then the department has to stay within it.

Mayor Alison Dennington spoke about wanting to see all of the additional compensation and be able to compare the starting salary current and proposed and all of the additional compensation.

Town Manager Elizabeth Mascaro spoke about how we do not have a lot of additional compensation. The health insurance is worse than an HMO because we have under 50 people. Even Indialantic has significantly better insurance because they have enough employees to go to the next tier. Some employees pay out of pocket as if they do not have insurance at all because it is cheaper since the deductible is so high. We do not offer vision or dental. Spoke about having the salary information that can be sent out now, and next week will send out the additional data on benefits.

Mayor Alison Dennington spoke about overtime should go down by about \$10,000 with additional officers, but the cost of the overtime will increase due to the salary raise.

Town Manager Elizabeth Mascaro spoke about needing to have two people on and there are only a few people that can come in, so the same people are asked to come in and it can erode morale, but they do it because that is the structure of the department. A lot of times they take comp time instead of overtime. One employee who has been with the department for almost 20 years has only been home on Christmas 3 times, which is unacceptable. If fully staffed there would be other employees that could come in instead of there only being a few that can come in.

Mayor Alison Dennington spoke about the department adding days for training would decrease their days off, and just because there are more people does not mean those people will come in.

Steve Walters – 416 Sixth Ave – Spoke about there being 10 officers when he was in the Police Department. The Police Chief just came on 90 days ago and now he says he needs 2 more officers. Regarding the raise what about the rest of the staff?

Mayor Alison Dennington spoke about having a new Police Chief, a \$7,200 proposed raise, plus 2 additional officers just seems like a lot. Spoke about how the budget for Satellite Beach is wonderful.

Vice Mayor Sherri Quarrie spoke about one of the current officers is an School Resource Officer and the County pays for it, and how each department is very committed to their budget.

Mayor Alison Dennington spoke about the Police Department is asking for the largest increase in this budget, and that the budget is lacking detail. She spoke about how the Town Clerk needs help, but we are going to hire additional police. Do the comparison places have deputy clerks? There is an actual defined need for why we need a deputy clerk even if it is a part-time or contracted position. We need more than a part-time 20

hour Code Enforcement Officer. Would be more willing to the Police Department requests if more traffic stops received tickets. Thinks some of the money should be transferred from the Police Department to have a full-time Code Enforcement Officer and a Deputy Clerk.

Steve Walters – 416 Sixth Ave – Spoke about the clerks at the meeting last night are the Town Clerk's friends and they are going to poach her. Town Clerks work all the time and still don't get caught up because there is a lot of work. Confident that she needs help, you can't keep putting this pressure on her.

Mayor Alison Dennington spoke about the Town Clerk needs to be able to go on vacation or go to training. Went in when the Clerk was gone, and was told you cannot see anything until the Clerk is back. It is becoming more apparent that we need a Deputy Clerk. Give the police a moderate increase, but not the 2 additional officers. Then transfer some of the money to get a Deputy Clerk and a full-time Code Enforcement Officer and then decrease taxes.

Town Manager Elizabeth Mascaro spoke about how she had a meeting today with the Town Clerk and will meet tomorrow with HR to discuss in more detail about the Clerk's duties and what would be taken on by a Deputy Clerk. Believes it is very important that the Police Department get at least one new officer and the \$7,200 increase. There is the potential to have the Code Enforcement position be full-time, however, she is unsure if the current employee would want to be full-time. Also, does not think that needs to be budgeted this year. Another option is having a second part-time Code Officer. We are going to lose Officers if we are working them to death, or if they can go to another close municipality for \$10,000-\$15,000 more.

Mayor Alison Dennington spoke about needing the comparison data to prove the increase is needed then she would vote for it. If you want to challenge something, the timeframe is based on when the minutes are signed.

Town Manager Elizabeth Mascaro spoke about we can drop an Officer to get a Deputy Town Clerk, but it would not be in the best interest of the community to drop both Officers.

Mayor Alison Dennington spoke about if the Town is going to update the code on short term rentals, and get strict on them, then one part-time Code Officer is not going to be able to keep up.

Commissioner Marivi Walker spoke about a starting salary of \$50,000 is \$24.00 per hour for a Police Officer.

Frank LaGrassa – 412 First Ave – Spoke about wanting a budget that is easy to understand. These jobs could be filled in a heart beat. How many cops do you think will walk away if they don't get that much of a raise? Is turn over something we have always dealt with. Questions the need for a white glove service. Why compare to other Towns; instead see what it will take to get the job filled. Get someone in here that really knows how to recruit because it is a great job. Wants to see all of the benefits and salary.

Town Manager Elizabeth Mascaro spoke about officers have left for other agencies. Our benefits and compensation are really low, so it makes it difficult to recruit even individuals right out of the academy.

Mayor Alison Dennington spoke about getting another employee when the cost of overtime covers the cost of the additional employee and asked for staffing data to compare each position per year. If there hasn't been an issue with staffing the current positions, then why add additional?

Town Manager Elizabeth Mascaro spoke about how staffing is currently at the bare minimum, and residents expect what resident LaGrassa called white glove service. Indialantic's budget is over 6 million dollars, which is about 2 million dollars more than Melbourne Beach, which has a very limited income.

Mayor Alison Dennington spoke about wanting a table of contents, an organizational chart plus additional pages with more information.

Town Manager Elizabeth Mascaro spoke about this being only the budget workbook, and those additional pages will be included.

Commissioner Marivi Walker spoke about how people cannot make a living off of a \$42,000 salary. Does not want to pay more in taxes, but she is thinking of the working people.

Bruce Larson – 1507 Pine St – Spoke about when doing comparisons one of the most important parts is similar revenue. Then go into geographical things and crime rate, size, etc. Thought the fiscal year 25 budget was done pretty well and well thought through. You need to have data to show a reason for things.

Town Manager Elizabeth Mascaro spoke about the 2 budget meetings in September are hearings to vote on the millage and budget, so the budget needs to be set before those meetings.

Mayor Alison Dennington spoke about the Town Manager asking her if there were any projects she would like to budget for, and she said nothing, she does not want to do anything other than reduce taxes and put 10-15% of the budget towards stormwater. Would like a policy on comp time where the salary is locked into the salary at the time it was earned not when it is used. Spoke about and asked questions related to the budget for Planning and Zoning, the Board of Adjustment, and the Town Planner.

Town Manager Elizabeth Mascaro spoke about on page 15. The cost for the Town Planner is never fully used, so it was reduced. Increased legal to cover the special magistrate hearings. Spoke about page 5 is revenues, and to go to the Board of Adjustment it is really expensive with a \$5,000 deposit. Planning and Zoning reduced because we are now following the Code more closely which only requires multi-family and commercial go to the Board. In the past everything was going to Planning and Zoning Board even when it was not required by our Code.

Mayor Alison Dennington spoke about wanting to keep the legal for Code Enforcement at \$26,000 and tightening the budget elsewhere to transfer to other places such as a Deputy Clerk and additional Code Enforcement. Would like to keep the Special Magistrate, but also have a Code Enforcement Board. Have the easier cases such as mowing the grass and unregistered vacation rentals go to the Code Enforcement Board to lower the costs and streamline things.

Town Manager Elizabeth Mascaro asked if the Commission would be willing to allow her to figure out where to pull money from in order to budget for the things they requested.

Bruce Larson – 1507 Pine – Spoke about there being enough funds for 10-15 magistrate cases. You are about 25% funded to handle all of the code enforcement cases. There will never be enough resources with what is currently budgeted. The upcoming short term rental magistrate case is the first one the Town has done, so let's get through one and see how it goes but the budget needs to be doubled, tripled, or quadrupled. We are running out of time, so focus on the big-ticket items in the budget.

Town Manager Elizabeth Mascaro spoke about only convening the Special Magistrate once a month to hear all of the cases.

Mayor Alison Dennington spoke about the police can have cards to complete while they drive around Town, to document any needed maintenance such as lights out, and also track any code violations for evidence for a case.

Town Manager Elizabeth Mascaro spoke about how the police can occasionally assist, but they cannot be dedicated Code Officers.

Mayor Alison Dennington spoke about wanting to see global totals for items that are in multiple different departments. Asked for an email of all of the items that have been discussed so far.

Town Manager Elizabeth Mascaro spoke about allowing her to figure out how to budget to add a Deputy Clerk, and add an additional part-time or full-time Code Enforcement Officer.

Frank LaGrassa – 412 First Ave – Spoke about not needing to worry about Officers not doing their job because of low morale because they did not get a record breaking pay raise or having to work overtime because that is just part of the job.

Mayor Alison Dennington asked for the expenses related to the Volunteers in the Fire Department, and the cost of gas for the marine rescue program.

Town Manager Elizabeth Mascaro spoke about the only expense for Volunteers is the stipend.

Bruce Larson – 1507 Pine St – Spoke about focusing on the big-ticket items such as Airbnbs that have homestead exemptions.

6. Adjournment

Commissioner Marivi Walker moved to adjourn; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

Meeting adjourned at 8:33 pm.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING August 21, 2024 at 5:00 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 5:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Staff Members Present

Town Manager Elizabeth Mascaro

Town Attorney Ryan Knight

Town Clerk Amber Brown

Commission Members Absent

Commissioner Adam Meyer

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Public Comments – 1:24

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.

5. New Business – 1:56

- A. Confirm Qualified Commission Candidates and order names to be printed on the November 5, 2024 Municipal Election Ballot

Mayor Alison Dennington introduced the candidate packet for Joyce Barton.

Tina Coppick – 505 Avenue B – Spoke about candidate Joyce Barton and what she has done for the Town, and about someone being afraid to allow her to run. Allow the public to choose with their vote.

Mayor Alison Dennington spoke about some citizens' questioning if Joyce Barton could run because of a provision in the Code. The Mayor sent it to the Town Attorney who wrote an opinion on it. She agreed with the Town Attorney's opinion that there is no reason Joyce Barton cannot run.

Commissioner Corey Runte moved to approve Joyce Barton as a qualified candidate for Commissioner-at-large 2024 as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

Mayor Alison Dennington introduced the candidate packet for Anna Butler.

Vice Mayor Sherri Quarrie made a motion to accept Anna Elizabeth Butler's application for Commissioner-at-large; Commissioner Marivi Walker seconded; Motion carried 4-0.

Mayor Alison Dennington introduced the candidate packet for Tim Reed.

Commissioner Corey Runte made a motion to approve Tim Reed for candidate for Commissioner-at-large for the Town of Melbourne Beach 2024 election; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

Mayor Alison Dennington introduced the candidate packet for Marivi Walker.

Commissioner Marivi Walker recused herself from the vote for herself.

Town Clerk Amber Brown reminded Commissioner Marivi Walker to file a Form 8b.

Vice Mayor Sherri Quarrie made a motion to accept Marivi Walker’s application for Commissioner-at-large; Commissioner Corey Runte seconded; Motion carried 3-0 with Commissioner Marivi Walker abstaining from the vote.

The Commission allowed each candidate to briefly address the public.

Candidate Joyce Barton spoke about who she is and her vision for the Town.

Candidate Anna Butler spoke about who she is, why she is running, and her vision for the Town.

Candidate Tim Reed spoke about who he is and being open to listening to the residents.

Candidate Marivi Walker spoke about who she is and her vision for the Town.

6. Adjournment

Commissioner Corey Runte moved to adjourn; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

Meeting adjourned at 5:24 pm.

ATTEST:

Alison Dennington
Mayor

Amber Brown, CMC
Town Clerk

Town of Melbourne Beach

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

ACTION 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 6:00 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

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

Staff Members Present

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

Absent

Commissioner Adam Meyer

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Meeting Agenda – Additions/Deletions/Changes – 2:18

Vice Mayor Sherri Quarrie spoke about Unfinished Business Item D - Fee Schedule is related to New Business Item C.

New Business Item C was moved up under Unfinished Business Item D.

Mayor Alison Dennington removed New Business Item E.

Vice Mayor Sherri Quarrie made a motion to approve the agenda with the changes as discussed; Commissioner Marivi Walker seconded; Motion carried 4-0.

5. Consent Agenda – 5:17

- A. Approval of the Regular Town Commission Meeting action minutes July 17, 2024
- B. Approval of the Regular Town Commission Meeting final minutes April 17, 2024
- C. Approval of the Regular Town Commission Meeting final minutes March 20, 2024
- D. Reappointment of Planning and Zoning Board Member Kurt Belsten

Mayor Alison Dennington spoke about being fine with Items A and D but has issues with Items B and C. Pulled Consent Agenda Items B and C and put them at the end of New Business.

Vice Mayor Sherri Quarrie made a motion to move Consent Agenda Items B and C to New Business G and H; Commissioner Marivi Walker seconded; Motion carried 4-0.

Commissioner Corey Runte made a motion to approve the Consent Agenda as amended removing Items B and C; Commissioner Marivi Walker seconded; Motion carried 4-0.

6. Proclamations/Presentations/Awards – 8:34

- A. Proclamation recognizing the month of September 2024 as National Suicide Prevention Month

Mayor Alison Dennington Presented a proclamation recognizing the month of September 2024 as National Suicide Prevention Month.

- B. Presentation of Certified Municipal Clerk designation to Town Clerk Amber Brown – 11:50

FACC Central East District Director Gwen Peirce presented Town Clerk Amber Brown with her Certified Municipal Clerk designation.

Recess 6:18-6:26

Town Clerk Amber Brown conducted a roll call

Commission Members Present

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

Staff Members Present

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

Absent

Commissioner Adam Meyer

7. Finance/Budget Report – 19:33

Commissioner Corey Runte made a motion to approve the Finance Report as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

8. Department and Board/Committee Reports

- A. Parks Board – 22:08
- B. Public Works Department – 23:50
- C. Building Department – 30:11
- D. Code Enforcement – 33:48
- E. Fire Department – 37:22
- F. Police Department – 38:21
- G. Town Clerk – 42:02

9. Public Comment (Non-Agenda Items) – 43:25

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 LaGrassa – 412 First Ave – Spoke about budget transparency and having a budget that is easier to understand.

Bruce Larson – 1507 Pine St – Provided handouts and spoke about vacation rentals.

JoAnn Degel – 217 Second Ave – Spoke about there being more short term rentals than what has been identified.

Anna Butler – 312 Avenue A – Spoke about Indian Harbour Beach recently hired a company for short term rentals.

AnneMarie McBride – 310 Second Ave – Spoke about ongoing issues with vacation rentals and asked what is being done.

Mark McBride – 310 Second Ave – Spoke about ongoing issues with vacation rentals and asked what is being done.

Gail Gowdy – 215 Ash Ave – Spoke about residential is not a business, and a home is not a hotel.

Ken Lebrato – 213 Cherry Drive – Spoke about needing to enforce the present ordinances that are not being enforced.

10. Public Hearings/Special Orders

11. Unfinished Business

- A. Approval of the Town Commission Workshop final minutes March 6, 2024 – 1:20:59

Vice Mayor Sherri Quarrie made a motion to table the minutes; Commissioner Corey Runte seconded; Motion carried 4-0.

Tina Coppock – 505 Avenue B – Spoke about the Mayor’s comment about there being two Commission seats up this year, so maybe the meetings will be shorter then is uncalled for.

Gail Gowdy – 215 Ash Ave – Spoke about not understanding action minutes and final minutes.

Mark McBride – 310 Second Ave – Spoke about mismanagement and not getting minutes in a timely fashion.

- B. Approval of the Regular Town Commission Meeting final minutes February 21, 2024 – 1:34:47

Commissioner Corey Runte made a motion to approve Item B Unfinished Business approval of Regular Town Commission minutes for February as presented no changes; Commissioner Marivi Walker seconded, Motion carried 4-0.

Steve Walters – 416 Sixth Ave – Spoke about the minutes being an age-old problem which is why the Town had a Deputy Clerk because the Town Clerk needs help. Put the Deputy Clerk back.

- C. Consideration to renew the South Beaches Coalition Interlocal Agreement – Town Manager Elizabeth Mascaro – 1:38:44

Commissioner Corey Runte moved to approve the South Beaches Coalition Interlocal Agreement as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.

- D. Resolution 2024-04 Fee Schedule – Town Manager Elizabeth Mascaro – 1:41:00
Also added was New Business Item C – Consideration on leasing the Community Center
A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE TOWN FEE SCHEDULE; AMENDING TOWN RESOLUTION 2022-05 TOWN FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Gail Gowdy – 215 Ash Ave – Spoke about there being history to this Town and this building, and would hate to eliminate the ability for residents to use this building.

Frank LaGrassa – 212 First Ave – Spoke about rentals and accountability and does not want the government to do more than is required.

Steve Walters – 416 Sixth Ave – Spoke about the damages are not from renters. This is the Community Center and belongs to the Town. You cannot take it away from them.

Commissioner Corey Runte made a motion to keep the leasing of the Community Center open to the public; Commissioner Marivi Walker seconded; Motion carried 4-1 with Vice Mayor Sherri Quarrie dissenting.

Frank LaGrassa – 412 First Ave – Asked if this was your building with all of the equipment and everything inside would you feel comfortable renting it out with that low of a deposit? Proposed at least \$7,000.00 deposit.

Tim Reed – 302 Fourth Ave – Spoke about the fee schedule and asked why vacation rental fees are on their own fee schedule.

Commissioner Corey Runte made a motion to approve the proposed fee schedule with the following changes: to change the hourly rate to a lump sum based on 6 hours at the current hourly rate, with a refundable security deposit of \$2,500.00; Commissioner Marivi Walker seconded; Motion carried 4-0.

E. Consideration on creating a Citizen Advisory Board – Mayor Alison Dennington – 2:17:04

Bruce Larson – 1507 Pine – Spoke about there only being one vacancy on any of the Boards, and thinks it would be important to have this Board.

Failed for a lack of motion

F. Consideration on creating a Municipal Citizens Academy – Mayor Alison Dennington – 2:23:36

Gail Gowdy – 215 Ash Ave – Spoke about when she moved into Town she took an 8 week course from the County and it was a wonderful opportunity.

Commissioner Corey Runte made a motion to approve proceeding with the Municipal Citizens Academy concept subject to further information such as a framework for scheduling, costs and responsibilities; Commissioner Marivi Walker seconded; Motion carried 4-0.

12. New Business – 2:30:34

At the request of Mr. McBride Commissioner Marivi Walker made a motion.

Commissioner Marivi Walker made a motion to direct the Town Manager to meet with Mr. Larson this week to discuss the information and data he presented to see about taking immediate corrective actions against illegal STRs; Commissioner Corey Runte seconded; Motion carried 4-0.

- A. Consideration to increase the amounts of accrued annual leave and compensatory time caps – Finance Manager Jennifer Kerr – 2:33:15

Frank LaGrassa – 412 First Ave – Spoke about government employees being compensated lavishly. Keep the bottom line in mind.

Steve Walters – 416 Sixth Ave – Spoke about the policy now is due to the auditors. Does not see a problem with what the request because in the long run, it will save money because employees will opt to earn comp time instead of being paid overtime.

Ken Lebrato – 213 Cherry Drive – Spoke about most companies do not pay out comp time, and have a time limit of when you have to use it. Manage the Town properly.

Failed for a lack of motion

- B. Consideration of recognition of Olympic gold medal winner Caroline Marks – Commissioner Corey Runte – 3:01:48

Kristen Brunosson – 408 Surf Rd – Spoke about being very close with Caroline Marks and the family, and they are open to anything the Town would like to do.

Gail Gowdy – 215 Ash Ave – Spoke about this being a good idea.

Commissioner Marivi Walker made a motion to recognize Olympic gold medal winner Caroline Marks as renaming Ocean Park and work on the potential of a celebration; Commissioner Corey Runte seconded; Motion carried 4-0.

- ~~C. Consideration on leasing the Community Center – Vice Mayor Sherri Quarrie – Moved up to Unfinished Business to be combined with Item D.~~

- D. Consideration on providing direction to the Planning and Zoning Board – Mayor Alison Dennington – 3:10:28

Bruce Larson – 1507 Pine St – Spoke about after the Commission voted to have PNZ review the Code the PNZ Board did not meet the following month. Give the Planning and Zoning Board direction to review the entire Code.

Commissioner Corey Runte read a memo from resident Dan Harper who is a member of the Planning and Zoning Board who does not agree with reviewing the entire Code without any direction or specifics.

Todd Albert – 1710 Pine St – Spoke about communication is everything and they are not getting the why they are looking at something, and the items the Planning and Zoning Board has looked at.

Commisisoner Runte left at 9:35 pm.

Failed for lack of motion

~~E. Discuss the Mayors' Fitness Challenge hosted by the United Way of Brevard – Mayor Alison Dennington – Mayor Alison Dennington pulled this item from the agenda.~~

F. Consideration of establishing a Youth Mayor for a Day program – Mayor Alison Dennington – 3:31:01

Commissioner Marivi Walker moved to establish a Youth Mayor for a Day program; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

G. Consideration of amending building height restrictions – Mayor Alison Dennington – 3:34:04

Steve Walters – 416 Sixth Ave – Spoke about this being put on a referendum in 2004 and was approved. Reaffirm the building height is 28 feet, without any gimmicks to take out the ambiguity.

Vice Mayor Sherri Quarrie made a motion to have the Town Planner work with the Town Attorney on the maximum height; Commissioner Marivi Walker seconded; Motion carried 3-0.

H. Consent Agenda Item B Approval of the Regular Town Commission Meeting final minutes April 17, 2024 - 3:48:23

Vice Mayor Sherri Quarrie made a motion to approve the minutes with the provision that Mayor Alison Dennington recused herself underneath 11 A; Commissioner Marivi Walker seconded; Motion carried 3-0.

I. Consent Agenda Item C Approval of the Regular Town Commission Meeting final minutes March 20, 2024 – 4:01:43

Vice Mayor Sherri Quarrie made a motion to approve the minutes from March 20th; Commissioner Marivi Walker seconded; Motion carried 3-0.

13. Administrative Reports – 4:02:56

- A. Town Attorney
- B. Town Manager

Bruce Larson – 1507 Pine St – Spoke about the most current plans show a sidewalk that goes through an oak tree.

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Commissioner Marivi Walker moved to adjourn; Vice Mayor Sherri Quarrie seconded, Motion carried 3-0.

Meeting adjourned at 10:21 p.m.

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP July 3, 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

Vice Mayor Sherri Quarrie called the meeting to order at 6:01 p.m.

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Vice Mayor Sherri Quarrie

Commissioner Corey Runte

Commissioner Marivi Walker

Commission Members Absent

Mayor Alison Dennington

Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro

Police Chief Tim Zander

Building Official Robert Bitgood

Fire Chief Gavin Brown

Finance Manager Jennifer Kerr

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Vice Mayor Sherri Quarrie led the Pledge of Allegiance.

4. Public Comments - 1:15

After being acknowledged by the Vice 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.

Kate Wilborn – 502 Second Ave – Spoke about stormwater issues on Second Ave.

5. New Business

A. Discussion regarding the FY 2024-2025 budget – 5:02

Town Manager Elizabeth Mascaro said the millage is the same as last year, 4.570. The millage rate for stormwater is .2350, which will pay off in full in 2026. Revenue expenses for Fiscal Year 2025 are less than Fiscal Year 2024. Said they are finally at a point where they are not in need of any more large capital items. Spoke about certain events/activities that are now being paid for through fund 107 which is the Parks Board fund and parking. The Parks Board funds have received grant money, general funds will give them \$2,500. Said Police Chief Tim Zander has requested 2 more officers with starting pay at \$50,000 plus benefits. Also requested an adjustment for all officers of \$7,200 to stay competitive in the marketplace. The Police and Fire departments have a one-time payment of \$18,572 to pay to Brevard County. Said that they have known radios are going to be changing, and they set money aside every year for that.

Fire Chief Gavin Brown said the \$18,572 is to upgrade the towers that the radios communicate to.

Town Manager Elizabeth Mascaro said the expenditures in general government have decreased year over year by 13.57% (12:25). These departments include legislative which is the Town Clerk, Executive which is the Town Manager, Finance which is Jennifer Kerr, Comprehensive Planning which is the Town Planner, legal, general services where bills of the Town are paid and Public Works and grounds keeping. Expenditures in public safety, which are Law Enforcement, Fire, Building and Code Enforcement, had an increase of 13.76%. Primarily due to an increase in the Police budget. Remaining departments had 4.1% increase, that was for Fire for the towers. Capital spend has lowered by 70.23%. Able to put \$500,000 in storm water this year.

Vice Mayor Sherri Quarrie asked about the miscellaneous income, the 20,000 that's in interest on investments and the Town Manager said the market has been up.

Town Manager Elizabeth Mascaro discussed salaries, asking for a 3% cost of living increase and 2% merit increase.

Commissioner Corey Runte and Commissioner Marivi Walker said they both are in support of the additional police officers and the salary increases.

Town Manager Elizabeth Mascaro discussed the budgets of each department (25:00), and the year-over-year budget for the most part seems to be trending down in each department. Added Code Enforcement Attorney and Code Enforcement Magistrate for \$10,000 each. The Commission touched on restructuring where these funds are coming from, but not making any monetary changes. Insurances varied, some went up, and some went down. Workers comp went up substantially.

Vice Mayor Sherri Quarrie asked about the transfer of long-term capital (39:00) and Town Manager Elizabeth Mascaro said that is for the fire alarm, the old Town Hall roof, and computer replacement.

Police Chief Tim Zander spoke about the budget (41:35). Spoke about the pay increase of \$7,200 to get to starting pay of \$50,000. The Town has been in last place in the county for pay, so they want to increase it to be more competitive, get good people, and retain them. The police on average handle 50 things per day for the Town. Spoke about getting 2 extra officers, they would be primarily traffic officers and would take some load off the current officers.

Commissioner Marivi Walker touched on the fact that there is no back up if it is needed when someone is sick or can't make it to work and is in support of the additional officers.

Commissioner Corey Runte mentioned that the additional pay is not considering the increases the other towns will be making as well, so they would likely still be towards the bottom in the county. Also spoke about how the lack of lifeguards will fall on the Police and Fire departments.

Vice Mayor Sherri Quarrie is also in support. Asked if the Police department needed any new equipment.

Police Chief Tim Zander said they had it within their own budget.

Fire Chief Gavin Brown spoke about the budget with not much changing (57:00). Said they got a grant funded extractor washing machine. The surrounding beach towns use it and split the costs. Also touched on the difference between the Fire department and the Fire corporation, a non-profit whose official name is the Melbourne Beach Volunteer Firefighter's Association.

Town Manager Elizabeth Mascaro said Code Enforcement had not changed (1:08:45). Public Works was able to reduce landscaping expenses, decreased budget 9.35%.

Commissioner Corey Runte said the town looked great except for Oak St from Surf to the end of town limits and the Commission was in agreement.

Town Manager Elizabeth Mascaro said the Parks and Rec fund is closing after FY24 (1:16:30). Spoke about estimates for costs/donations. The fire donation fund estimates

\$5,900 in donations, possibly spend \$3,050 in expenses. The Environmental Advisory Board, the general fund transferred \$6,500 into their department. New Parks and Rec fund, going to fund them \$2,500 for events in the parks. Police education fund, paid for by fines and forfeitures for tickets written. Building department education fund, state required fund, 10%, funded through permits through DBPR. Building fund was funded by the general fund and the Town Manager believes they need more time before paying the general fund back.

Building Official Robert Bitgood spoke about how things will pick up after the election year and when interest rates are better (1:25:45). Also spoke about inspection rates.

Town Manager Elizabeth Mascaro spoke about the utility fee for stormwater which is \$36 per home (1:31:10). The Ocean Park revenue fund is down, hoping to redo the parking lot soon.

Vice Mayor Sherri Quarrie asked about ADA ramp funding and for the sketch.

Commissioner Corey Runte said there should be money put in for playground equipment and Town Manager Elizabeth Mascaro said \$10,000 per year is being put in. Commissioner Corey Runte said he did not believe that would be enough, suggesting \$25,000 a year. Also mentioned putting in a barrier between the parking and the park on Ocean Ave.

Vice Mayor Sherri Quarrie requested that the power line come down over the jungle gym.

Town Manager Elizabeth Mascaro transferred \$116,114 from the general fund, had \$2,300 leftover from last year (1:43:30). Spoke about various funds including the stormwater bond fund which would be paid off early. The Commission also discussed the Town logo.

6. Adjournment

Commissioner Marivi Walker moved to adjourn; Commissioner Corey Runte seconded; Motion carried 3-0.

Meeting adjourned at 7:55 pm.

ATTEST:

Alison Dennington, Mayor

Rachel Pembroke, Transcriptionist

Town of Melbourne Beach

TOWN COMMISSION WORKSHOP June 18, 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 6:00 p.m.

2. Roll Call

Town Clerk Amber Brown conducted 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

Police Chief Tim Zander

Building Official Robert Bitgood

Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. New Business

A. Discussion on short term rentals – 3:58

Town Attorney Ryan Knight presented an appellate opinion, he spoke about code issues and enforcement. He specifically mentioned the 4th amendment which guarantees all persons the right to be secure from unreasonable government intrusion. And the 5th amendment, the right to due process. He is also going to cover a bill analysis on SB 280 all related to short term rentals.

Mayor Alison Dennington asked about not being allowed to enter because of technical codes versus health and safety issues.

Town Attorney Ryan Knight explained that a code enforcement officer would have to believe there was an issue of safety or health, i.e. they are standing in a place they are allowed to be and could clearly see a wall falling down, a portion of roof that is missing etc. The Town Attorney spoke about anonymous complaints, saying the legislature made it so that people need to give their name and contact info to file a complaint. If there is an anonymous complaint, an inspector cannot start an inspection based on that complaint, however they can pass by the house and if they see it for themselves they can report it.

Annemarie McBride - 310 Second Ave (14:10) – Asked if the individual that files a code complaint is protected from public record.

Town Attorney Ryan Knight spoke about how the individuals' information would not be protected from public records, mentioning Florida Sunshine Law.

Town Attorney Ryan Knight spoke about parking (15:30). Recommends putting all parking citations under the Special Magistrate, prudent to list the exact number of vehicles that are allowed to park at a vacation rental, owners should notify renters of Town Codes. Believes it would be a combination of code and the police department dealing with parking issues. If a car is parked on your personal property, you can call and have the car towed or have a citation written.

Mayor Alison Dennington spoke about a case in Tampa and asked how they obtained the records. Asked about parking issues on personal property.

Vice Mayor Sherri Quarrie asked if one short term rental host has multiple issues with parking, would code or the police department address that.

John Butler – 312 Avenue B (38:30) - Asked if the issue here is that the officers have no way of knowing if it's a short term rental so it cant be enforced?

Mayor Alison Dennington suggested having the officers carry the list of short term rentals so they know where they can give citations for parking.

Town Attorney Ryan Knight said it would be a notice of violation through code enforcement, and the disconnect is that one is governed by the Special Magistrate and one is governed by just writing a ticket.

Mark McBride - 310 Second Ave (41:15) – Spoke about a gender reveal party that had cars parked all over the street. What can be done, and why can't the police go to the door and tell them they cannot do that?

Mayor Alison Dennington said that police officers are unclear on when they are and are not allowed to write tickets. Also asked if there could be one citation for the person parked and one for the owner of the short term rental for the same incident.

Police Chief Tim Zander spoke about giving people the benefit of the doubt if they are parked illegally. The police would go to the individuals and give them the opportunity to move their vehicle first. Said there could be two citations for the same incident.

Town Attorney Ryan Knight spoke about Town codes related to noise and short term rentals (47:00). Said the penalty is to be punished by fine not to exceed \$200. Said he has not spoken with Chief Zander about this yet. Believes he could figure out how that would affect the Magistrate budget by looking at other cities.

Vice Mayor Sherri Quarrie asked the Town Attorney if he had figured out with Chief Zander how officers would write tickets after hours, what would go to what department. Asked about the \$10,000 budget for the Magistrate, and if they would be able to figure out what that increase would be.

Mayor Alison Dennington suggested taking different provisions and creating forms for officers and code enforcement on these issues.

Carol Crispen - 205 Elm Ave (56:22) – Asked why we are discussing how the Town is going to cover the budget for these issues. Why shouldn't the Airbnb owner incur those costs instead of the taxpayers? Can't you increase the registration fee?

Mayor Alison Dennington said the Special Magistrate is a cost but when you go through procedure, they have to pay that back. Spoke about SB 280 if signed will remove the Town's registration process.

Town Attorney Ryan Knight spoke about noise regulation (59:28). As of now it is 11:00 PM for the town, but he believes it could be changed to 9:00 PM for weekdays, 10:00 PM for weekends. Says loud is subjective but should not need a decibel level. There's a code that says if the short term rental owner is notified of noise they must solve that issue within an hour.

Mayor Alison Dennington asked Police Chief Tim Zander if officers have a list of short term rentals and their owners so they can notify the owners of any issues. Police Chief Tim Zander said they do not currently have that list but will work on it.

Town Attorney Ryan Knight mentioned noise sensors that some short term rental owners have that help with this issue. Some towns have implemented a 24 hour hotline to call if there are noise issues. For code enforcement, the neighbors have to give testimonies so they do not rely on hearsay for evidence. Touched on unregistered short term rentals and how to deal with that. Had some recommendations (1:26:42) which include creating a

policy for notifying owners, limiting the number of vehicles at short term rentals (have a specific number), limiting the amount of people between certain hours, establishing a way for residents to report issues after hours.

Mayor Alison Dennington referenced a code from the 1970s that had a duration for rentals, i.e. one week or more, one month or more. Wants to know when those were removed or if that was an error.

Town Attorney Ryan Knight said in December of 2017 the one week or more was taken out. It would have had to have been voted out by P&Z and the Commission.

Building Official Robert Bitgood said that building permit fees cannot be used for code enforcement, that's why it would fall on the taxpayers.

Commissioner Marivi Walker mentioned how this is going to increase costs and how to budget for it.

Mayor Alison Dennington said a realtor had published on a listing that the Town was lenient on short term rentals, and wants to change that opinion.

Annemarie McBride – 310 Second Ave (1:48:30) – Does not want this to happen to our community. Was told there is nothing you can do.

Mayor Alison Dennington said if this is important to the Town, a fund should be set up to put money aside for issues like this so they can be addressed quickly.

Vice Mayor Sherri Quarrie said the Commission needs an estimate and to know what they are looking at realistically to make a budget.

Ken Lebrato – 213 Cherry Dr (1:57:45) – One of the most important things from this meeting was the ordinance from December of 2017. What did it change? Asked the Town to find the money to get it done. What happens if owners do not notify tenants. How many cases has the Special Magistrate heard in the last 6 months(calendar year)? Do not wait for SB 280 to be signed. Enact something now.

Town Attorney Ryan Knight spoke about an ordinance in 2017 that changed the definition of the dwelling unit and removed the 7 day minimum requirement.

Mayor Alison Dennington said she wanted to put on the agenda a request to have this be investigated, could potentially be in July. Asked what kinds of certifications that could be required of the renter of a short term rental.

Building Official Robert Bitgood spoke about part of the inspection is to have the documents posted in the house. Said they've taken about 5 cases in the last year, none having to do with short term rentals.

Bruce Larson - 1507 Pine St (2:17:40) – SB 280 will be either signed or not signed by July 1st. Add something to the Regular Town Commission Meeting agenda tomorrow.

Mark McBride - 310 Second Ave (2:21:35) – Asked the police to knock on the door when vehicles are parked all over the road. When there are 20 vehicles outside and 35 people outside could they be requested to leave because they are violating the ordinance. Says the Town is fortunate that they can call the police if there is a noise issue.

Police Chief Tim Zander spoke about if vehicles are illegally parked then the officer would knock on the door and ask for the vehicles to be moved. Said if a resident does not get an answer from a police officer that they agree with they can always call and speak with a supervisor.

Town Attorney Ryan Knight spoke about if vehicles are parked illegally then the police should handle it. The definition of occupant is someone who is spending the night.

Mayor Alison Dennington said the Town could add more restrictions in case SB 280 does not pass, including trying to change the definition of an occupant not necessarily being overnight.

Charles Leps - 212 Cherry Dr (2:32:12) – Would the Special Magistrate accept testimony from another resident that would be willing to take photos and testify?

Town Attorney Ryan Knight spoke about as long as it is not hearsay. If the resident who saw the violation, took the pictures, and testified then yes the Special Magistrate would accept it, no matter if they are a next door neighbors or live across town.

5. Public Comments

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.

6. Adjournment

Vice Mayor Sherri Quarrie moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 4-0.

Meeting adjourned at 8:38 pm.

ATTEST:

Alison Dennington
Mayor

Rachel Pembrook
Transcriptionist

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING May 15, 2024 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

ACTION 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 6:03 p.m.

2. Roll Call

Town Clerk Amber Brown conducted a roll call

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte

Commission Members Absent

Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Tim Zander
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 – 3:17

Commissioner Corey Runte moved to approve the agenda as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

5. Consent Agenda – 3:46

- A. Approval of the Regular Town Commission Meeting action minutes April 17, 2024
- B. Appointment of Edilene Johansson as an Alternate to the Parks Board

Vice Mayor Sherri Quarrie made a motion to approve the Consent Agenda; Commissioner Corey Runte seconded; Motion carried 3-0.

6. Proclamations/Presentations/Awards

- A. Presentation of a proclamation recognizing May 18th through May 24th, 2024 as National Safe Boating Week – 5:20

A member of the Coast Guard spoke about the Coast Guard being a group of volunteers, they provide educational classes, etc, which helps to fund them. Coast Guard and the Town have the same mission, to keep people safe and to have fun in a safe way.

Commissioner Corey Runte thanked the Coast Guard and told the people of the Town to take advantage of the services they provide.

Mayor Alison Dennington read the proclamation that declared May 18th to May 24th, 2024 National Safe Boating Week in the Town of Melbourne Beach and encouraged citizens to acquire skills/knowledge to practice safe boating.

- B. Presentation by Town Attorney Ryan Knight – 12:19

Town Attorney Ryan Knight explained the difference between legislative hearings and quasi-judicial hearings. Touched on the fact that legislative hearings create general rules or policies for a group of people, and spoke in more detail about quasi-judicial hearings, which are applied to more specific situations. He said you're essentially taking an ordinance or regulation and applying it to one property, one person or one development instead of a group.

Mayor Alison Dennington mentioned there will be a workshop to deal with issues about short term rentals and Town Attorney Ryan Knight said it would mostly cover enforcement.

7. Finance/Budget Report – 26:24

Commissioner Corey Runte made a motion to approve the finance report as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

8. Department and Board/Committee Reports – 27:38

A. Public Works Department

Commissioner Corey Runte spoke about receiving an email about tree trimming and wants Public Works Director Tom Davis to look into the timing for that.

Public Works Director Tom Davis said they already trimmed the trees. He also said the sign at Loggerhead Park has been removed and a new sign has arrived.

Mayor Alison Dennington asked about the broken sign at Loggerhead Park.

B. Building Department

Vice Mayor Sherri Quarrie asked about the reasoning for removing the oak trees on Sunset Blvd.

Building Official Robert Bitgood said the permit was applied for by the owner as the trees were posing a threat to a wall. Also says they are a small municipality so he is the one doing the inspecting, and the town manager is made aware of any conflict of interest.

Mayor Alison Dennington asked about how conflicts of interest are addressed.

C. Code Enforcement

Commissioner Corey Runte acknowledges there's only two active cases/violations, the fewest number he's ever seen.

Building Official Robert Bitgood says they have been doing a good job keeping an eye on everything, making sure it is resolved. Believes it would be beneficial to have body cams.

Mayor Alison Dennington mentioned getting body cameras for code inspectors. Also asked some questions about enforcement for short term rentals.

Vice Mayor Sherri Quarrie asked if the cameras would come out of the building fund.

Town Manager Elizabeth Mascaro said it would come out of the building department, also they call the officers if there is an issue.

D. Fire Department

Mayor Alison Dennington mentioned there were two fires in town, but everything is okay. She mentioned that a boat was purchased with donations to the Firefighters Association. Also asked about paying firefighters instead of having them all be volunteers.

Vice Mayor Sherri Quarrie asked if they dropped the idea of renovating the pier.

Fire Chief Gavin Brown said they did drop renovating the pier, but are having an engineer do a sketch for a garage. He said that volunteer firefighters are in decline, places are even having trouble finding paid firefighters, might need to investigate paying them, hoping they could look at the SAFER grant.

E. Police Department

Police Chief Tim Zander said they have accomplished a lot in his first six weeks, specifically writing tickets, and made some clarifications about parking.

Vice Mayor Sherri Quarrie asked for clarification about certain numbers.

F. Town Clerk

Town Clerk Amber Brown said Computer Experts were working on the equipment, but it will be working for the next meeting. Said the cost for the business license portal was included in the BSA software. Said the election packet was about half done, just updating some dates.

Mayor Alison Dennington mentioned businesses being able to do more online and asked about the cost of that. Also asked about when the election packet would be ready.

9. Public Comment (Non-Agenda Items) – 57:32

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 LaGrassa – 412 First Ave – Frank Lagrassa held his comment until the parking restrictions agenda item.

10. Public Hearings/Special Orders - 59:30

A. Ordinance 2024-02 Repealing Ordinance 2023-02 Second Kitchens – Second reading

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, REPEALING ORDINANCE 2023-02 IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Corey Runte moved to approve Ordinance 2024-02 repealing Ordinance 2023-02 Second Kitchens as presented second and final reading; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

11. Unfinished Business

A. Consideration of replacing all of the curbing on Riverside Dr as part of the repaving project – Town Manager Elizabeth Mascaro – 1:00:48

Town Manager Elizabeth Mascaro said to consider how much curbing needs to be replaced in order to get the cost. They are using a county contract which is the lowest price for the process. Suggests doing it all regardless of the condition so it won't have to be done again.

Mayor Alison Dennington says it's \$500,000 and expressed her questions and concerns with the lack of information.

Recess from 7:20 p.m. until 7:25 p.m.

Town Clerk Amber Brown conducted a roll call - 1:17:50

Commission Members Present

Mayor Alison Dennington
Vice Mayor Sherri Quarrie
Commissioner Corey Runte

Commission Members Absent

Commissioner Marivi Walker
Commissioner Adam Meyer

Staff Members Present

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

The Commission discussed their issues about curbing replacement and getting more information.

Failed for a lack of motion

12. New Business

A. Consideration of changes to 7A-50 Off-Street Parking – 1:23:30

Town Manager Elizabeth Mascaro spoke about parking requirements for businesses.

Building Official Robert Bitgood said there are places to park that would be walkable from the businesses, so requiring less parking might make sense.

Mayor Alison Dennington said she is against it. Fears self regulation by the businesses. Suggests waiting to make changes until specific businesses say they need the changes.

Vice Mayor Sherri Quarrie spoke about offloading requirements and also said she was opposed. Said to send this back to Planning and Zoning for them to review suggestions.

Commissioner Corey Runte spoke about the importance of salvaging what little green space there is left in the Town and helping save the lagoon. Believes a blanket change is not the way to go but thinks some updates are appropriate. Suggests putting in golf cart parking to save space.

Mark McBride – 310 Second Ave – Spoke about decorum and not being in favor of anything that develops the Town more.

John Butler – 312 Avenue A – Spoke about being uncomfortable with development and had a few questions.

Frank LaGrassa – 412 First – Spoke about not wanting to see anything else on Ocean Ave.

Mike Krajic – 2103 Neptune – Said a prayer and spoke about how businesses should have to apply for a variance.

Failed for a lack of motion

B. Ordinance 2024-01 Sheds – First reading – 2:15:35

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-57 RELATING TO UTILITY SHEDS AND SETBACK REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Ryan Knight spoke about adding a clause to grandfather sheds in. The changes being made are that the sheds may not be larger than 160 sq. ft., 11.6 feet in height, foundation is being struck through, also clarifies that it should be a 2 ft. setback.

Matt Harris – 314 Avenue B – Asked what the changes are.

Commissioner Corey Runte moved to table Item B under New Business Ordinance 2024-01 Sheds; Vice Mayor Sherri Quarrie seconded; Motion failed for a lack of quorum 2-0 with Mayor Alison Dennington abstaining from the vote.

Town Clerk Amber Brown reminded Mayor Alison Dennington to submit a Form 8B.

C. Ordinance 2024-03 Camping Prohibited – First reading 2:21:35

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73-20, “CAMPING PROHIBITED,” IN THE CODE OF ORDINANCES; PROVIDING FOR DEFINITIONS AND EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Alison Dennington wanted clarification about why the Town would allow camping for 72 hours, fears this will invite short term renters to camp in people’s yards.

Town Attorney Ryan Knight said he left the 72 hours in so that people’s kids could camp in their backyard, but it can be removed.

Commissioner Corey Runte made a motion to approve this Ordinance with one correction of zero hours allowed versus the 72 hours currently in the language;

Commissioner Corey Runte amended his motion to approve as presented with Section B removing all words after Town limits; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

D. Ordinance 2024-04 Prohibit Smoking – First reading – 2:27:10

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, CREATING CHAPTER 73, ARTICLE VI, “PARKS AND BEACHES” IN THE CODE OF ORDINANCES TO PROHIBIT SMOKING IN TOWN PARKS AND PUBLIC BEACHES; PROVIDING FOR DEFINITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Ryan Knight spoke about vaping and e-cigarettes and banning them in public parks, but not being able to for public beaches. Also spoke about fines typically being from \$25-\$100.

Vice Mayor Sherri Quarrie asked if marijuana should be included in the language for this and the Town Attorney said that would need to wait.

Commissioner Corey Runte made a motion to approve Ordinance 2024-04 as presented with one change adding the restriction of vaping, adding the word vaping to section 73-60 within the public parks section; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

E. Consideration of transcription services for the Town Clerk – Town Manager Elizabeth Mascaro- 2:33:05

Town Manager Elizabeth Mascaro discussed outsourcing the transcription services. The individual would charge \$20 per hour of their work, and would take typically 3 times the length of the meeting to complete. Funds would come from the Mayor’s donated salary.

Vice Mayor Sherri Quarrie asked if it would be by contract.

Mayor Alison Dennington asked about using AI transcription services.

Town Clerk Amber Brown said no one could recommend a good AI service.

Commissioner Corey Runte moved to approve transcription services for the Town Clerk with the following conditions: 1. Not to exceed an amount of roughly 3-4 thousand dollars whatever the factual amount is on record from the Mayor’s donation 2. Satisfactory review and execution of the

contract presented by the service to the Town Manager and only the Town Manager; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.

F. Consideration of purchasing a truck for the Building Department – 2:40:31

Town Manager Elizabeth Mascaro spoke about the need for having a truck to carry ladders etc, so proposed selling the 2012 Camry then buy a truck.

Mayor Alison Dennington asked about the mileage on the Camry which was 144,000.

Building Official Robert Bitgood said it would be about \$4,000-5,000 and the money would come out of the building funds so it is not a cost to the citizens.

Vice Mayor Sherri Quarrie made a motion to approve the request for the building department truck for the funds to come out of the enterprise fund of the building department offset by the sale of the Camry; Commissioner Corey Runte seconded; Motion carried 3-0.

13. Administrative Reports – 2:53:10

- A. Town Attorney
- B. Town Manager

Town Manager Elizabeth Mascaro said she got a letter from the Town of Indialantic that they are not participating/contributing to the lifeguard contract.

Building Official Robert Bitgood spoke about inspections and who does them when he is gone.

14. Commission Reports

15. Task List

16. Public Comment

17. Adjournment

Commissioner Corey Runte moved to adjourn; Vice Mayor Sherri Quarrie seconded, Motion carried 3-0.

Meeting adjourned at 9:08 p.m.

ATTEST:

Alison Dennington
Mayor

Rachel Pembrook
Transcriptionist

Town Commission Meeting

Section: Old Business
Meeting Date: **October 23, 2024** and September 18, 2024
From: Elizabeth Mascaro, Town Manager
Re: Offer Reduced Pricing on Non-resident parking passes

Background:

During the September 20, 2023, regular Town Commission meeting there was a discussion about reducing the cost of the non-resident annual parking pass. A final decision was not recommended.

This past month several people (@11) have asked to purchase the pass, however the cost is prohibitive with only a few months remaining in this calendar year.

The Town Commission requested the number of guest stickers sold to date in 2024: 33

The guest stickers are limited to 50 per the Town Commission.

Recommendation:

Consider pro rating guest stickers.

\$100.00 for annual parking pass January 1st through June 30th

\$50.00 annual parking pass July 1st through August 31st.

\$25.00 annual parking pass September 1st through December 31st.

Attachments: None

Town Commission Meeting

Section: Old Business
Meeting Date: October 23, 2024
From: Town Manager, Elizabeth Mascaro
Re: Lifeguard Contract 2025 Seasonal

Background:

In January 2024, Brevard County asked the Town to contribute \$127,934 for a seasonal lifeguards at Ocean Park in 2025.

The Town Commission voted to offer a reduced amount to fund the lifeguards. The County rejected that offer and again asked the Town to participate in funding the lifeguards.

On June 20, 2024, I sent a letter to Frank Abbate, Brevard County Commissioner on behalf of the Town Commission indicating the Town decided to opt out of having lifeguards in 2025 at Ocean Park.

During a Brevard County Commission meeting on September 17, 2024, the County submitted and approved a new proposal for the 2025 season. The cost to Melbourne Beach for two (2) seasonal lifeguards for the 2025 season would be \$21,583.45, an increase of \$854.05 over the 2024 cost of \$20,729.40.

Recommendation:

Please consider the proposal made by the Brevard County Commission to the Town, for the 2025 Lifeguard Season of \$21,582.45.

Attachments:

September 17, 2024 proposal

Letter to Frank Abate 6/30/2024

Original proposal for seasonal guards 1/2024

**OCEAN RESCUE LIFEGUARD FUNDING OPTIONS
COUNTY AND MUNICIPALITY COVERAGE**

Prepared 9/17/2024

Area of Operation	Towers	
	Seasonal	FT
Municipal	6	4
County	5	3

FY 25 Projected Program Cost		
County	\$ 1,640,299	43.83%
Municipal	\$ 2,101,776	56.17%
TOTAL	\$ 3,742,075	

Tentative FY 25 Lifeguard Budget*	
\$	1,941,068

*note this cost is higher than the \$1.64M County cost due to the advantage of scale for overhead costs with additional municipal towers

Cost Per Tower	
Type	Cost
Seasonal	\$ 127,934.17
Full-Time	\$ 333,542.66

	FY25 Tentative	Option 1	%	Option 2	%	Option 3	%	Option 4	%	Option 5	%
Tourism	\$ -	\$ 1,950,319	52.12%	\$ 975,159	26.06%	\$ 975,159	26.06%	\$ 899,431	24.04%	\$ 1,871,037	50.00%
County General Fund	\$ 1,941,068	\$ 1,640,299	43.83%	\$ 2,615,458	69.89%	\$ 1,640,299	43.83%	\$ 2,691,187	71.92%	\$ 1,345,593	35.96%
Municipal	\$ -	\$ 151,457	4.05%	\$ 151,457	4.05%	\$ 1,126,616	30.11%	\$ 151,457	4.05%	\$ 525,444	14.04%
TOTAL	\$ 1,941,068	\$ 3,742,075		\$ 3,742,075		\$ 3,742,075		\$ 3,742,075		\$ 3,742,075	

- FY24-25 Tentative Budget is based on County General Fund paying for unincorporated cost only (8 towers).
- Option 1 - Municipalities pay their historical cost with a CPI multiplier (7.25% of total municipal tower cost) for FY25, County General Fund will pay the unincorporated cost, and Tourism will pay the remaining balance of the total program cost.
- Option 2 - Municipalities pay their historical cost with a CPI multiplier (7.25% of total municipal tower cost) for FY25; County General Fund will pay the unincorporated cost, and Tourism and County General Fund will equally pay the remaining balance of the total program cost.
- Option 3 - Municipalities pay their historical cost with a CPI multiplier for FY25, County General Fund will pay the unincorporated cost, and Tourism and municipalities will equally pay the remaining balance of the total program cost. In this option, municipalities pay 53.6% of total municipal tower cost.
- Option 4 - Municipalities pay their historical cost with a CPI multiplier (7.25% of total municipal tower cost) for FY25, County General Fund will pay the unincorporated cost and 50% of the municipality cost, and Tourism will pay the remaining balance of the total program cost.
- Option 5 - Tourism pays 50% of the total program cost, municipalities will pay 25% municipal cost, and the County General Fund will pay 25% municipal and remaining program cost.

Agency	FY2024	FY2025	Difference	Paid/BilledFY24	% Ch 1
Cocoa Beach City & Pier	\$ 83,156.41	\$ 86,582.45	\$ 2,565.26	NO	
City of Indialantic	\$ 41,578.36	\$ 43,291.39	\$ 1,713.03	YES	
City of Melbourne Beach	\$ 20,729.40	\$ 21,583.45	\$ 854.05	YES	
Totals	\$ 145,464.17	\$ 151,457.29	\$ 5,132.34		



Town of Melbourne Beach

June 20, 2024

Mr. Frank Abbate
 Brevard County Manager
 2725 Judge Fran Jamieson Way
 Building C, Room 301
 Viera, Florida 323940

Dear Mr. Abbate,

During the June 19th 2024, regular Town Commission meeting, the Town Commission has voted not to fund the grant program for the County Lifeguard Program for the 2024-2025 season.

This recommendation is based on their belief that the Tourist tax dollars should be used to fund the program since the Tourist Development Council advertises for visitors to come to our beaches. In addition, the residents of Melbourne Beach pay county taxes the same as residents in the unincorporated areas and as a result, the County should continue to provide two seasonal lifeguards at the Ocean Park location in Melbourne Beach.

Respectfully,

Elizabeth Mascaro
 Town Manager
townmanager@melbournebeachfl.org



507 Ocean Avenue Melbourne Beach Florida 32951

Brevard County's Oldest Beach Community * Established 1883

(321) 724-5860

Brevard County Ocean Rescue Services Seasonal Tower
Fiscal Year 2024-2025 Program Cost Estimate

Seasonal Tower Overview

Seasonal Towers operate 8 hours a day for 20 weeks or 140 days per year. This results in total operational Seasonal Tower hours of 1,120 per year for each tower. Each Seasonal Tower includes two lifeguards on duty during operating hours as well as supervisory oversight and roaming patrol coverage*. In addition to the personnel costs necessary to provide the level of service described above, the operation of this program includes capital infrastructure and equipment as well as operating expenses related to operating supplies, repair and maintenance, insurance, and other related operational expenses.

FY24/25 Service Estimate:

\$127,934.17 – Annual cost to operate and maintain

Annual Operational Seasonal Tower Hours:

Seasonal Tower (1,120 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 111,254.11
Operating Expenses	\$ 8.65	\$ 9,683.48
Infrastructure & Capital	\$ 6.25	\$ 6,996.58
Total Seasonal Tower		\$ 127,934.17

Response Model:

- Initial response accomplished by lifeguards on duty
- Patrols and follow on emergency response conducted by trucks, utility task vehicles (UTV) and personal rescue watercraft (PWRC)

Supervisor and Department Leadership:

- Each Seasonal Tower provides a portion of the Ocean Rescue's Chief and Deputy Chief's paid time.

*Roaming patrol coverage includes a proportionate share of the six countywide roaming patrol units. Each unit includes a supervisory position who is a certified Emergency Medical Technician (EMT), equipped with a UTV and first responder medical supplies.

Brevard County Ocean Rescue Services
Fiscal Year 2024-2025 Program Cost Estimate

	Towers	Days	Hours/Day	Total Annual Hours/Tower	Total Tower Hours	% of Tower Hours
Full Time Towers	7	365	8	2920	20,440	62.39%
Seasonal Towers	11	140	8	1120	12,320	37.61%
Total Tower Hours					32,760	100%

OCEAN RESCUE PROGRAM EXPENSES						
Compensation and Benefits						
Personnel Costs	Annualized Comp & Benefit	Positions		Annual Expense		Cost/Tower Hour
Ocean Lifeguard FT	\$ 66,862.69	10		\$ 668,626.89		
Ocean Lifeguard Captain - SR	\$ 79,510.88	7		\$ 556,576.14		
Ocean Lifeguard I	\$ 10,429.49	48		\$ 500,615.36		
Ocean Lifeguard II	\$ 10,840.04	20		\$ 216,800.89		
Ocean Lifeguard III	\$ 11,290.33	32		\$ 361,290.66		
Ocean Lifeguard Lieutenant SR	\$ 74,021.47	9		\$ 666,193.19		
Ocean Rescue Shift Supervisor SR	\$ 86,451.84	1		\$ 86,451.84		
Chief Ocean Lifeguard SR	\$ 102,860.68	1		\$ 102,860.68		
Assistant Chief Lifeguard SR	\$ 94,767.21	1		\$ 94,767.21		
Total Compensation & Benefits					\$ 3,254,183	\$ 99.33
Operating Expenses						
				Annual Expense		
Operating Supplies				\$ 129,547.95		
Repair & Maintenance				\$ 71,664.60		
Professional/Contracted Services				\$ 22,303.05		
Insurance				\$ 18,321.45		
Current Charges (Licenses/Indirect)				\$ 13,527.15		
Phones				\$ 11,340.00		
Electricity				\$ 6,930.00		
Other Operating Expenses				\$ 9,607.50		
Total Operating Expenses					\$ 283,242	\$ 8.65
Infrastructure & Capital Expenses						
	Amount	Useful Life	Count		Annual Expense	
Tower Unit	\$ 54,000.00	10	7	\$	37,800.00	
Watercraft c Sled	\$ 20,300.00	4	4	\$	20,300.00	
UTV 3-seater	\$ 18,000.00	3	9	\$	54,000.00	
ATV 1-seater	\$ 8,000.00	4	1	\$	2,000.00	
Storage Facilities	\$ 100,000.00	20	4	\$	20,000.00	
Trucks	\$ 70,000.00	5	4	\$	56,000.00	
Computers/ePCRs/Technologies	\$ 3,750.00	5	9	\$	6,750.00	
Enclosed Trailer	\$ 10,000.00	10	2	\$	2,000.00	
AEDs	\$ 3,500.00	10	10	\$	3,500.00	
Paddleboards	\$ 1,150.00	3	6	\$	2,300.00	
Total Infrastructure & Capital					\$ 204,650	\$ 6.25
TOTAL OCEAN RESCUE PROGRAM EXPENSES					\$ 3,742,075	\$ 114.23

Full Time Tower (2,920 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 290,055.37
Operating Expenses	\$ 8.65	\$ 25,246.21
Infrastructure & Capital	\$ 6.25	\$ 18,241.09
Total Full-Time Tower		\$ 333,542.66

Seasonal Tower (1,120 Hours)	Cost/Tower Hour	Total
Comp & Benefits	\$ 99.33	\$ 111,254.11
Operating Expenses	\$ 8.65	\$ 9,683.48
Infrastructure & Capital	\$ 6.25	\$ 6,996.58
Total Seasonal Tower		\$ 127,934.17

Town Commission Meeting

Section: New Business
Meeting Date: October 23. 2024
From: Town Manager, Elizabeth Mascaro on behalf of Mayor Dennington
Re: Auction or Sell Old Used Street Signs

Background:

The Mayor has suggest we auction off the old street signs with the revenue going to EAB, Parks, and both history boards. The signs could be auctioned off during Founders Day.

If any signs are left after the auction then they could be sold for a fee of \$5.00 or whatever fee the Commission decides.

Indialantic periodically sells their old, used street signs.

Recommendation:

Consider the sale of old, used street signs for the benefit of Town Boards.

Attachments:

None

Town Commission Meeting

Section:

Meeting Date: 10/23/24

From: Marivi Walker

RE: Schedule Ongoing Stormwater Runoff

Background Information:

Hurricane Milton caused significant flooding in the area of Basin 1, specifically at 302 S Palm as well as 305 Cherry on the corner with Oak, among other areas.

Recommendation:

Because residents would like to know.

- 1) how much we have in stormwater reserve?
- 2) what projects are underway and where are we with those underway?
- 3) What is the comprehensive stormwater plan for the town?
 - a. if not available, can we start working on one?
- 4) How will we raise the funds to cover all this?
 - a. How do we go about getting matching funds from the state or the federal level etc.?
 - b. Grant writers?

Set up ongoing workshop(s) invite residents, the town engineers, local resident engineers (civil etc), and others to start discussing step by step process to tackle all areas. Set up an order of priority by area and make this information readily available to residents (website, town flyer and on all other mediums) on an ongoing basis so residents know where we are in the overall process at any point. And finally get an overall monetary cost to what needs to be done so residents are aware of what all this will cost.

Attachments:

I have picture of the flooding on my phone – will try and print or forward to you to print.



Town Commission Meeting

Section: New Business

Meeting Date: 10/23/24

From: Town Attorney Ryan Knight

RE: Proposed Vacation Rental Ordinance Changes

Background Information:

The Town Commission directed the Town Attorney to draft proposed changes to the vacation rental ordinance.

Recommendation:

Discuss the proposed language changes for the vacation rental ordinance.

Attachments:

Draft of the vacation rental ordinance changes.

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, AMENDING CHAPTER 74, “VACATION RENTALS”; AMENDING PARKING REQUIREMENTS TO LIMIT AMOUNT OF VEHICLES AT VACATION RENTALS; AMENDING MAXIMUM OCCUPANCY CAPACITY; PROVIDING FOR NOISE REGULATIONS AND PENALTIES; PROVIDING FOR REGISTRATION SUSPENSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 20, 2020, the Town Commission of the Town of Melbourne Beach adopted Ordinance 2020-02 to provide for the regulation of vacation rentals; and

WHEREAS, the Town Commission has conducted workshops and has directed staff to review parking requirements, maximum occupancy levels, and enforcement provisions related to vacation rentals; and

WHEREAS, after hearing from the citizens of the Town of Melbourne Beach, many of whom are directly impacted by vacation rentals, and after review of Ordinance 2020-02, the Town Commission desires to modify the provisions of Ordinance 2020-02 related to parking requirements and maximum occupancy levels, and to provide for enforcement and penalties related to violations of the Town Code of Ordinances related to vacation rentals.

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

Section 1. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Commission pertaining to this Ordinance.

Section 2. Chapter 74, “Vacation Rentals,” of the Town of Melbourne Beach Code of Ordinances, shall be amended as follows (Note: additions indicated by underscore; deletions indicated by ~~striketrough~~; and text that shall remain unaltered that is not reproduced here is indicated by ellipses (***)):

Section 3. Chapter 74, “Vacation Rentals,” is hereby amended to read as follows:

ARTICLE I. GENERAL PROVISIONS

§ 74-1. AUTHORITY, SCOPE, AND PURPOSE.

(A) This chapter is enacted under the home rule authority and power of the Town of Melbourne Beach in the interest of the health, peace, safety and general welfare of the citizens of the Town of Melbourne Beach.

(B) Section 509.013, Florida Statutes, provides a distinction between "transient public lodging establishments," defined as dwelling units which are rented, advertised or held out for rental to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, and "nontransient public lodging establishments," defined as dwelling units which are rented, advertised or held out for rental to guests for periods of at least 30 days or one calendar month, whichever is less.

(C) Section 509.242(1)(c), Florida Statutes, further provides for a subset of transient public lodging establishments, classified as "vacation rental" which is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.

(D) It is the intent of this chapter to regulate vacation rental transient public lodging establishments as defined by Florida Statutes, which are located in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

(E) In 2011, the Florida Legislature passed House Bill 883 (Chapter 2011-119, Laws of Florida) amending Florida Statutes, § 509.032(7)(b) to provide that, "[a] local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011."

(F) In 2014, the Florida Legislature passed Senate Bill 356 (Chapter 2014-71, Laws of Florida) amending Florida Statutes, § 509.032(7)(b) to read, "[a] local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011."

(G) The official statement of legislative intent of Senate Bill 356 as reflected in the House of Representatives' Final Bill Analysis, dated June 19, 2014, states that the "Effect of the Bill" is as follows:

(1) The bill permits local governments to create regulation that distinguishes vacation rentals from other residential property. In the past, local government regulations have included noise, parking, registration, and signage requirements for vacation rentals.

(2) The bill does not allow local governments to create regulations that would prohibit vacation rentals or restrict the duration or frequency of vacation rentals. These types of regulation remain preempted to the state.

(3) The grandfather provision in existing law exempting any local law, ordinance, or regulation adopted on or before June 1, 2011, is maintained. Any local law, ordinance, or regulation passed before that date that prohibits or restricts vacation rentals based on the duration or frequency may continue to be enforced.

(H) This chapter does not prohibit vacation rentals, or the duration or frequency of vacation rentals, nor is it the intention of the Town of Melbourne Beach to do so, but rather, this chapter is intended to address life, safety, and compatibility concerns in the interests of the health, peace, safety, and general welfare of the citizens and visitors to the Town of Melbourne Beach.

§ 74-2. FINDINGS OF FACTS.

Based on information presented to the Town Commission Members by residents of Melbourne Beach and managers, owners, and operators of vacation rentals, the practical first-hand experience and observations of Town Commission Members, common sense deductions of Town Commission Members based on long-term experiences in Melbourne Beach and familiarity with the character of the town's residential zoning districts, information learned by Town of Melbourne Beach staff, information from the U.S. Census as well as evidence and testimony presented at public hearings before the Town Commission, and after consideration of the Short- Term Rental Housing Restrictions White Paper, prepared by Robinson & Cole, Attorneys at Law, in 2011, prepared for the National Association of Realtors®, the Town Commission finds:

(A) Residents residing within their residential dwelling units are inherently familiar with the local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from their residential dwellings, thereby minimizing potential risks to themselves and their families.

(B) In contrast, transient occupants of vacation rentals, due to their transient nature, are typically not familiar with local surroundings, local weather disturbances, local hurricane evacuation plans, and means of egress from the vacation rentals in which they are staying, thereby increasing potential risks to themselves and their families, and putting an additional burden on, and potentially putting at risk, emergency personnel in the event of an emergency situation.

(C) Certain vacation rentals may be presently located within the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

(D) Vacation rentals, left unregulated, can create negative impacts within residential neighborhoods due to excessive noise, parking and traffic problems, excessive use and impact on public services and public works, extreme size, and/or greater occupancy.

(E) Vacation rentals situated within residential neighborhoods can disturb the quiet nature and atmosphere of the residential neighborhoods and the quiet enjoyment of residents of such neighborhoods.

(F) Vacation rentals located within established residential neighborhoods can create negative compatibility impacts relating to extreme noise levels, late night activities, on-street parking issues, and traffic congestion.

(G) A residential dwelling is typically the single largest investment a family will make with the residents of the residential dwelling desiring the tranquility and peaceful enjoyment of their neighborhood without excessive noise and increased parking issues and traffic congestion caused by transient occupants of vacation rentals.

(H) According to the U.S. Census, (2010), the Town of Melbourne Beach has an average household size of 2.30 persons.

(I) According to the U.S. Census, (2010), the Town of Melbourne Beach has an average household size of owner-occupied units of 2.36 persons.

(J) According to the U.S. Census, (2010) the Town of Melbourne Beach has an average household size of renter-occupied units of 2.02 persons.

(K) Vacation rentals situated in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts can and do create a great disparity in occupancy.

(L) The town finds that such rentals increase the demands upon code enforcement, police, fire, and emergency services beyond those created by non- vacation rental residential dwelling units.

(M) Vacation rental use and longer-term residential use and ownership can be generally incompatible, due to rapid turnover associated with short-term vacation residential use and its potentially disruptive effect on the peaceful use and enjoyment of residential areas.

(N) The primary reasonable investment-backed expectation of owners of residential dwelling units in the town is that adjacent and surrounding residential dwelling units will be used as family occupied residential units and not vacation rentals.

(O) Vacation rentals are a use that is more similar to the character of the use of hotels, motels, and timeshares than to that of family-occupied residential units.

(P) The regulation of vacation rentals will contribute to the stability of existing residential neighborhoods.

(Q) The regulation of vacation rentals will protect visitors to the town by assuring that fire and safety inspections are periodically conducted, that they receive necessary information about the dwelling which they have rented, and notifying them of the owner of the dwelling's obligation to provide for their safety and welfare.

(R) The regulation of vacation rentals is necessary in order to protect the public health, safety and welfare of the town, its residents and its visitors.

§ 74-3. DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BEDROOM. Any room in a vacation rental which has a bed or other place for sleeping and a separate closet that is an integral part of the permanent construction within the bedroom or an ensuite bathroom, and complies with the Florida Fire Code and Florida Life Safety Code as a bedroom, but shall not include a bathroom, a kitchen, a dining room, or any main living area. If a room has been added, altered, or converted without any required building permit having been granted, such room shall not be deemed a bedroom. If a previously approved bedroom exists as of the effective date of this chapter and does not have a separate closet that is an integral part of the permanent construction of the structure, but rather utilizes an armoire or other furniture piece for clothing storage, the requirement for a closet to qualify as a bedroom is waived.

FAMILY. Shall be defined as provided in § 1A-3, Appendix A, Land Development Code.

LIVING AREA. The minimum floor area of a residential dwelling as measured by its outside dimensions exclusive of carports, porches, sheds and attached garages. As used in this chapter, the total living area shall be computed as follows: the exterior dimensions of all enclosed spaces within the framework of the dwelling unit (length and width) multiplied and totaled, as follows:

- (1) Any room or area accessible from any other room or area within the framework shall constitute living area.
- (2) A room or area must be totally enclosed by walls and covered by roofing.
- (3) A room or area must be protected from the elements.
- (4) A utility room within the framework of the residential dwelling and accessible within the main living area constitutes living area.

OCCUPANT. Any person who occupies a vacation rental overnight.

OWNER-OCCUPIED. The vacation rental is then occupied by person(s), at the vacation rental owner's consent, who do not pay rent for the occupancy of the vacation rental, when such persons are members of the family of the vacation rental owner.

PEER-TO-PEER PLATFORM/ENTITY. Any person, service, business, company, marketplace, or other entity that, for a fee or other consideration, provides property owners and responsible parties a platform or means to offer vacation rentals to transient occupant whether through the internet or other means.

RESPONSIBLE PARTY. The owner, or the person designated by the owner of a vacation rental to be called upon to answer for the maintenance of the vacation rental and the conduct and acts of the occupants of the vacation rental.

TOWN CODE. The Town of Melbourne Beach Code of Ordinances and Land Development Code, Appendix "A" to the Code of Ordinances, including, but not limited to, the Zoning Code of the Town of Melbourne Beach, Florida, the Comprehensive Plan, the Future Land Use Map, and any items incorporated by reference.

TRANSIENT PUBLIC LODGING ESTABLISHMENTS. Any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

VACATION RENTAL. Collectively a vacation rental as defined under Florida Statutes, and any transient public lodging establishment, which is operated in a dwelling unit or living unit as defined under § 1A-3, Appendix A, Land Development Code in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach.

VACATION RENTAL OWNER. The fee simple owner of the Vacation rental property, whether an individual, partnership, corporation, limited liability company, trust, or other entity. In the event the vacation rental owner is not an individual, the vacation rental owner shall designate a responsible natural person to perform the functions and duties of a vacation rental owner as provided in this chapter. The duties and functions of a vacation rental owner may, at the option of the vacation rental owner, be performed by an agent of the vacation rental owner, so long as the vacation rental owner notifies the town in writing, on a form provided by the town, of the identity and contact information of such agent, and the specific duties that the agent will be performing for the vacation rental owner. The vacation rental owner may change the designation of agent at any time through the filing of a new form and the payment of an administrative fee in an amount as set by the Town Commission. The vacation rental owner shall be held responsible for all actions of such designated agent with respect to the applicable vacation rental.

§ 74-4. ENFORCEMENT.

Violations of this chapter shall be enforced as code violations in accordance with the provisions of Florida Statutes, Chapter 162, and §§ 11-15 through 11-22 of the Town of Melbourne Beach Code of Ordinances.

§ 74-5. APPEALS.

Any decision of the Town Manager or his or her authorized designee relating to implementation of this chapter shall be rendered in writing in appealable form, and reviewed by the Town Attorney if a notice by the vacation rental owner or agent is filed with the Town Clerk within ten days after the action to be reviewed. The Town Clerk or designee shall place the matter on the agenda of the next available meeting of the Town Commission, but no later than 35 days

after the notice by the vacation rental owner or agent is filed, at which the matter will be reviewed. The decision of the Town Commission shall be final and shall be rendered in writing in appealable form. Such final decision may be reviewed as permitted under Florida law.

§ 74-6. CONSTRUCTION OF CHAPTER.

This chapter shall be liberally construed to accomplish its purpose of regulating vacation rentals, protecting the residential character of the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts of the Town of Melbourne Beach, the health, safety, and general welfare of its residents and visitors, and the quiet enjoyment by Melbourne Beach residents of their residential property located in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts.

§§ 74-7. – 74-14. RESERVED.

ARTICLE II. VACATION RENTAL REGISTRATION

§ 74-15. REGISTRATION REQUIRED.

As of August 1, 2020, a vacation rental registration shall be required to operate a vacation rental within the Town of Melbourne Beach in the 1-RS, 2-RS, 3-RS, 4-RM, 5-RMO, and 8-B zoning districts, utilizing forms promulgated by the town, electronically or in hard copy. The town may extend the date that such registration is required by notice on the town's website should the town not publish forms and fees for registration by July 1, 2020. Prior to the issuance of a vacation rental registration, the responsible party has the affirmative duty to ensure that the residential dwelling unit and property in or on which the vacation rental is or will be located, is in full compliance with the appropriate portions of Town of Melbourne Beach Code of Ordinances, the Florida Building Code, the Florida Administrative Code, and the Florida Fire Prevention Codes. A separate vacation rental registration shall be required for each separate residential dwelling unit constituting a vacation rental. The operation of a vacation rental without registration after the date registration is required shall be a violation of this chapter, except in the instance of providing accommodations to fulfill a pre-existing contract.

§ 74-16. VACATION RENTAL REGISTRATION.

(A) A vacation rental owner, agent, or responsible party, as applicable, registering a vacation rental with the town shall submit to the town a completed registration form, utilizing a form promulgated by the town, together with all applicable registration and inspection fees in the amount set by resolution of the Town Commission.

(B) A registration application shall include the following:

(1) Full address of the vacation rental property being registered, along with proof of ownership;

(2) Name, physical address, phone number, and e-mail, of the vacation rental owner;

(3) Name, physical address, e-mail, and emergency contact phone number of responsible party for the vacation rental, which shall be a 24-hour, seven days a week contact number;

(4) The vacation rental's current and active license number as a transient public lodging establishment issued by the Florida Department of Business and Professional Regulation (DBPR), if the registrant has such license;

(5) A copy of the vacation rental's current and active certificate of registration with the Florida Department of Revenue and Brevard County for sales and tourist development tax collection, respectively, if the registrant has such certificates or accounts; unless a peer-to-peer platform entity through which the vacation rental is booked will be remitting all such taxes associated with the vacation rental on the responsible party's behalf;

(6) Business tax receipt from the Town of Melbourne Beach, if applicable, in accordance with Chapter 65, Town of Melbourne Beach Code of Ordinances;

(7) Statement attesting to the number of bedrooms and paved off-street parking spaces available on the property demonstrating compliance with § 7A-50, Land Development Code regarding off-street parking and affirming that, "parking serving the vacation rental shall be in compliance with all town parking requirements;"

(8) Exterior site sketch. An exterior sketch of the vacation rental facility shall be provided. The sketch shall show and identify all structures, pools, spas, hot tubs, fencing, and uses, including areas provided for off-street parking. For purposes of the sketch, off-street parking spaces shall be delineated so as to enable a fixed count of the number of spaces provided. At the option of the vacation rental owner, such sketch may be hand drawn and need not be professionally prepared, but must be scaled, must show dimensions, and must show scale;

(9) Interior building sketch by floor. A building sketch by floor shall be provided, showing a floor layout identifying all bedrooms, other rooms, exits, hallways, stairways, and safety equipment as applicable. At The option of the vacation rental owner, such sketch may be hand drawn, and need not be professionally prepared, but must be scaled, must show dimensions, and must show scale;

(10) Acknowledgment signed by the vacation rental owner, agent, or designated responsible party, understanding and agreeing to initial and ongoing compliance with this chapter and all other applicable local, state, and federal laws, regulations, and standards; and

(11) The landline telephone number on the main level and in the common area at the vacation rental with the ability to call 911 as required by §§ 74-35 through 74-39.

(C) If a registration form is incomplete, the registrant will be notified of the deficiency, and be allowed 15 days to provide any missing information.

(D) The operation of a vacation rental without registration after the date registration is required shall be a violation of this Article. Every day of such operation without registration shall constitute a separate violation.

§ 74-17. MODIFICATION/CHANGE OF OWNERSHIP OF VACATION RENTAL REGISTRATION.

(A) An amendment of a vacation rental registration application and affidavit of compliance shall be required, with payment of the appropriate fee set by resolution, in the event that any of the following changes to the vacation rental are proposed:

- (1) An increase in the number of bedrooms in the vacation rental.
- (2) An increase or decrease in the number of parking spaces or a change in the location of parking spaces for the vacation rental.
- (3) A change in the designated responsible party,

(B) A change of ownership shall require a new application and all required documents including appropriate fees set by resolution.

§ 74-18. DURATION OF VACATION RENTAL REGISTRATION.

A vacation rental registration shall be valid for one year after the date of registration.

§ 74-19. RENEWAL OF VACATION RENTAL REGISTRATION.

A vacation rental owner must renew its registration annually prior to the expiration date of the previous vacation rental registration. At the time of said renewal, the vacation rental shall be subject to an annual inspection and applicable renewal fees shall apply.

§ 74-20. INSPECTION OF VACATION RENTALS.

(A) Inspection of a vacation rental to verify compliance with the Florida Building Code and the Florida Fire and Life Safety Codes, which governed at the time of completion of the construction of the subject residential dwelling unit, shall be required subsequent to the initial registration of the vacation rental and annually after each renewal. If instances of noncompliance are found, all such instances of noncompliance shall be handled as other violations of the Florida Building Code and Florida Fire and Life Safety Codes are otherwise handled in the town. Enforcement of violations of the Florida Building Code and Florida Fire and Life Safety Codes by the town shall not affect rental contracts that preexist the effective date of this chapter unless such violations present a heightened threat the public, health, safety, and welfare of the occupants of a vacation rental. This inspection fee shall be set by Resolution of the Town Commission.

(B) Annual inspections to verify compliance with the Florida Building Code and the Florida Fire and Life Safety Codes, and the posting of notice requirements required herein shall be made by the town or designated contractor through appointment with the vacation rental owner, agent, or responsible party, as applicable. The annual inspection fee shall be set by Resolution of the Town Commission. If a Town Inspector or designated contractor has made an appointment with vacation rental owner or agent, as applicable, for an inspection, and the Town Inspector or designated contractor is unable to complete the inspection as a result of an action or inaction of the vacation rental owner, agent, responsible party, or an occupant of the vacation rental, the vacation rental owner shall be charged a "re-inspection" fee in an amount set by resolution of the Town Commission to cover the inspection expense incurred. The re-inspection fee shall be paid prior to scheduling the re-inspection. In addition, failure of a vacation rental owner agent, or responsible party, as applicable, to make the vacation rental available for an inspection within 20 days after notification by the town in writing that the town is ready to conduct an annual inspection, shall be a violation of this chapter punishable by a fine as set by resolution by the Town Commission. Such violation shall continue until the inspection is accomplished. Each day that such violation continues shall be a separate violation. Such violation may be enforced in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.

§ 74-21. SALE OF VACATION RENTAL PROPERTY.

When the ownership of the vacation rental is sold or otherwise transferred, the new owner shall file a new registration with the town within 30 days from the date of the sale or transfer. Failing such application for registration, any Certificate of Compliance as to that Vacation Rental Property shall be null and void on the thirty-first day after such sale or transfer.

§ 74-22. VESTED RIGHTS/WAIVER/ESTOPPEL.

A vacation rental registration shall not be construed to establish any vested rights or entitle the registered vacation rental to any rights under the theory of estoppel. A vacation rental registration shall not be construed as a waiver of any other requirements contained within the Town of Melbourne Beach Code of Ordinances and is not an approval of any other Town Code requirement outside this chapter. The registration of a vacation rental is not an approval of a use or activity that would otherwise be illegal under Florida law, the Florida Building Code, the Florida Fire Code or Life Safety Code, or in violation of the Town of Melbourne Beach Code of Ordinances.

§ 74-23. FALSE INFORMATION.

It shall be unlawful for any person to give any false or misleading information in connection with any application for registration, modification, or renewal of a vacation rental as required by this chapter. Vacation rental applications shall be sworn to under penalty of perjury. Any false statements made in an application shall be a basis for the revocation of any license issued pursuant to such application. In addition, such violations shall be enforced as provided in § 74-4, Town of Melbourne Beach Code of Ordinances.

§ 74-24. EFFECTIVE DATE FOR EXISTING VACATION RENTALS.

The provisions of § 74-15 through § 74-23 will not become effective for existing vacation rental properties until August 1, 2020. If the registration forms to implement the required registration provisions of this chapter are not available on July 1, 2020, the town may extend the requirement to register vacation rental properties by notice on the town's website.

§ 74-25. DUTIES OF VACATION RENTAL OWNER OR RESPONSIBLE PARTY.

(A) Every vacation rental owner or responsible party, as applicable, shall be available by phone at the listed phone number 24-hours a day, seven days a week to respond to police, fire, or other emergency personnel requests. Otherwise, response to attempted contact by the town's vacation rental regulatory personnel shall be required only Monday through Friday, except holidays, from 9 a.m. to 5 p.m. Failure of the vacation rental owner or responsible party, as applicable, to fulfill this duty, shall constitute a violation of this chapter which shall be punished by fine in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.

(B) Responsible party. All vacation rental units, if not managed by the vacation rental owner, shall have a designated responsible party.

(1) The responsible party shall be available 24 hours per day, seven days a week, for the purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of these regulations. The responsible party must have authority to immediately address and take affirmative action, within one hour of notice from the town, on violations concerning life-safety, noise, and parking violations. A record shall be kept by the town of the complaint and the responsible party's response, as applicable.

(2) A vacation rental owner may change his or her designation of a responsible party temporarily, up to 30 cumulative days during any consecutive 12-month period, or permanently; however, there shall only be one designated responsible party for each vacation rental property at any given time. To change the designated agent or responsible party, the vacation rental owner shall notify the town in writing including all information required by § 74-16(B)(3) Town of Melbourne Beach Code of Ordinances, along with a signed affidavit from the new responsible party acknowledging and agreeing to serve in this capacity and perform the duties of this chapter. Any notice of violation or legal process which has been delivered or served upon the previous responsible party, prior to the town's receipt of notice of change of the responsible party, shall be deemed effective service.

(3) It shall be the sole responsibility of the vacation rental owner to appoint a reliable responsible party and to inform the town of his or her correct mailing address, telephone number, and email address. Failure to do so shall not be a defense to a violation of this section. Service of notice on the responsible party shall be deemed service of notice on the vacation rental owner, occupant, or violator.

(C) (1) A vacation rental owner or responsible party is responsible for ensuring sexual offenders/predators as defined in Florida Statutes § 775.21, § 943.0435, § 944.607, or § 985.4815 register at the Brevard County Sheriff's office and the Town of Melbourne Beach Police Department following the process set forth in § 775.21, 48 hours prior to arrival at a vacation rental, regardless of the length of stay.

(2) A vacation rental owner and/or responsible party shall comply with Florida Law, § 775.215, as amended from time to time, pertaining to the distance separation of homes with a sexual offender/predator residing within the vacation rental and any business, school, child care facility, park, playground, or other places where children regularly congregate.

(3) Failure to comply with this section shall constitute a violation of this chapter and shall result in the revocation of the business tax receipt, if applicable, and vacation rental registration for the vacation rental and other enforcement provisions outlined in § 74-4, Town of Melbourne Beach Code of Ordinances.

(D) The vacation rental owner or responsible party shall inquire prior to check-in if any guest of at the vacation rental is a sexual offender/predator as defined in § 775.21, § 943.0435, § 944.607, or § 985.4815. If any guest of a Vacation Rental is a sexual offender/predator as defined in § 775.21, § 943.0435, § 944.607, or § 985.4815, the operator shall immediately notify the Melbourne Beach Police Department. A vacation rental owner and/or responsible party shall obtain a copy of the photo identification of each vacation rental occupant who is 18 years of age or older prior to check-in, and shall maintain those records for a period of two years from the date of check-in and make such records available to the town upon request.

(E) The owner or responsible party shall provide the town, and post in a conspicuous place in the living area of the vacation rental, the name, address, and day/evening telephone numbers of the responsible party who shall be available 24 hours per day, seven days a week for the purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of these regulations. Any change in the responsible party shall require written notification to the town on forms provided by the town and in a manner promulgated by the town upon payment of the applicable fees.

(F) Complaints made to the responsible party concerning violations of this chapter by occupants of vacation rental shall be responded to within a reasonable time but in no instance greater than three hours. A record of the complaint and of the responsible party's response shall be maintained in the file for the registration of the vacation rental and shall be available for inspection of the public during business hours of the town in accordance with Florida's public record law.

(G) It shall be the sole responsibility of the vacation rental owner to appoint a reliable responsible party and to inform the responsible party of his or her correct contact information. Failure to do so shall not be a defense to the town's claim of delivery of notice of a violation of this chapter to the responsible party. No vacation rental owner shall designate as a responsible party any person who does not expressly comply with the provisions of this section. The vacation rental owner or the responsible party shall be deemed to be the "violation" of this chapter as the

term is used in Florida Statutes § 162.06. Service of notice on the responsible party shall be deemed service of notice on the vacation rental owner, occupant, or violator.

§§ 74-26. – 74-34. RESERVED.

ARTICLE III. STANDARDS AND REQUIREMENTS FOR VACATION RENTALS

§ 74-35. GENERALLY.

The standards and requirements set forth in this Article shall apply to the rental, use, and occupancy of vacation rentals in the Town of Melbourne Beach.

§ 74-36. MINIMUM LIFE/SAFETY AND OPERATIONAL REQUIREMENTS.

Vacation rentals in the Town of Melbourne Beach shall meet all applicable standards under the Florida Statutes, the Florida Building Code, the Florida Administrative Code, the Florida Swimming Pool Safety Act, and the Florida Fire Code and Life Safety Code. Each vacation rental shall also have the following:

(A) At least one landline telephone on the main level and in a common living area with the ability to call 911. The landline telephone number shall be registered at all times with Brevard County Emergency Management for the purpose of receiving emergency alerts for items including, but not limited to, mandatory evacuations for hurricanes and requests to limit utility usage. Additionally, the landline telephone number shall be registered at all times with the City of Melbourne, the water provider within the Town of Melbourne Beach, for the purposes of receiving boil water alerts and rescinding alerts.

(B) A swimming pool, spa, or hot tub shall comply with the current standards of Florida Statutes, Chapter 515, Residential Swimming Pool Safety Act.

(C) Smoke and carbon monoxide (CO) detection and notification system. There shall be a smoke and carbon monoxide detection system, installed and maintained in compliance with the requirements of Florida Building Code Residential, Sections R314 Smoke Alarms R315 Carbon Monoxide Alarms. Smoke and carbon monoxide detection systems shall have both audio and visual warning function capabilities.

(D) Fire extinguisher. On each floor there shall be available a portable, multi-purpose dry chemical 2A: 1 0B:C fire extinguisher, which shall be installed and maintained in compliance with NFPA 10.

(E) Battery powered emergency lighting. Battery powered emergency lighting, which illuminates automatically for at least one hour when electricity is interrupted, is required at each building exit.

§ 74-37. MAXIMUM OCCUPANCY BASED ON SITE CAPACITY/LIMITATIONS/GRANDFATHERING.

(A) The maximum occupancy of a vacation rental shall be stated in the vacation rental registration form and shall be limited to the lesser of: two occupants per bedroom plus two occupants in one common living area, with a maximum capacity of 12 persons in any vacation rental.

(1) Two (2) occupants per bedroom, plus two occupants in one common living area.

(2) A total of eight (8) occupants per vacation rental.

(B) The maximum occupancy restriction as set forth above shall not apply when the property serves as the primary residence of, and is occupied by, the vacation rental owner.

(C) Notwithstanding the above, residential dwelling unit that is being used as a vacation rental on of the effective date of this chapter, may apply for grandfathered status, which, if granted, allows operation of the grandfathered vacation rental at a capped occupancy rate higher than ~~12~~ 8 occupants for a period not to exceed ten years. Vacation rentals that have an occupancy of ~~12~~ 8 occupants or less do not require grandfathering to maintain that occupancy.

(1) A grandfathered vacation rental shall have its maximum occupancy based upon two persons per bedroom and two additional persons per one common living area being utilized for the occupants of the vacation rental at the time of application for grandfathered status. A change in the number of bedrooms at the vacation rental shall cause such vacation rental to lose its grandfathered status.

(2) The vacation rental owner, agent, or responsible party, as applicable, ("grandfathering applicant"), shall complete a grandfathering application as prescribed by the town, which shall be submitted under oath and upon penalty of perjury and shall provide verifiable written proof of the number of bedrooms and living areas as herein defined in the vacation rental.

(3) The grandfathering application and supporting proof shall be submitted to the town for review by town staff which shall make a written determination as to the maximum occupancy of the grandfathered vacation rental.

(4) If the town staff denies the requested occupancy level, the Town of Melbourne Beach shall notify the grandfathering applicant of the denial and shall provide the maximum approved occupancy level for the vacation rental in writing. Within 20 days after the service of the written notice, the grandfathering applicant may appeal the denial of the grandfathering application to the Town Commission by filing a written appeal with the Town Clerk. At the hearing on said appeal, the grandfathering applicant may present evidence supporting the requested occupancy. A final determination of occupancy by the Town Commission after the hearing of said appeal shall be final. Such final determination

may be reviewed as permitted under Florida law. If no written appeal is filed within the 20-day period stated herein, the occupancy determined by the town staff shall be final.

(5) An application for grandfathered status shall be submitted, no later than the time of initial registration of the vacation rental, along with fees established by the Town Commission by resolution. If the town extends the date that registration is required, the deadline for the submission of grandfathering applications shall also be extended to the same extended date. If a vacation rental has been registered, but a final determination as to the occupancy level based upon grandfathering has not yet been made, such vacation rental may allow occupancy up to the occupancy requested in the grandfathering application until such time as a final determination as to occupancy has been made.

(6) If it is reasonably determined by the town staff that any information supplied to the Town of Melbourne Beach in support of a grandfathering application was intentionally false or fraudulent, such action shall be deemed to be a violation of this chapter and may be enforced in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.

(7) If a vacation rental registration remains expired period in excess of 13 months, any grandfathering determination shall be deemed abandoned and shall no longer be applicable to the previously registered vacation rental.

§ 74-38. PARKING, SOLID WASTE DISPOSAL, LEGAL COMPLIANCE, EVACUATIONS, MISCELLANEOUS PROVISIONS.

(A) All vehicles associated with the vacation rental, including visitors not residing at the vacation rental, must be parked in compliance with §§ 30-41 through 30-48 of the Town of Melbourne Beach Code of Ordinances. All vehicles utilized by the occupants of the vacation rental must be parked within a driveway located on the subject property. There shall be no sidewalk, on street, right-of-way, or grass parking. The maximum collective number of automobiles, trucks, boats, motorcycles, and trailers shall be limited to a total of three (3) at any vacation rental. Violations of this section may be punished through town parking citations in accordance with section 30-44 of this code or ordinances, and vehicles parked in violation of the approved parking plan or which otherwise interfere with convenient vehicle access to and through the neighborhood are subject to being towed at the vehicle owner's expense.

(B) Parking of trailers, boats, and recreational vehicles at vacation rentals shall be in accordance with § 7A-57, Appendix "A," Land Development Code.

(C) Solid waste disposal (household garbage, recycling, and yard trash) at vacation rentals shall be in compliance with the solid waste franchise agreement adopted by the town.

(D) Vacation rental occupants are required to comply with all local, state, and federal laws at all times, including those related to illegal activities, local nuisance ordinances, and emergency management.

(E) Vacation rental occupants are required to participate in all mandatory evacuations due to hurricanes, tropical storms, or other threats to resident safety, as required by state and local laws.

(F) A vacation rental shall not be eligible for a special event permit under Chapter 52, Town of Melbourne Beach Code of Ordinances.

(G) No temporary storage containers may be stored on the vacation rental premises. The term "temporary storage container" shall mean any container, structure, box, cylinder, or crate made of any material not permanently affixed to real property, that is enclosed or capable of being enclosed on all sides, top and bottom, that is stored, placed, located or put on any real property within the town for the purpose of storing personal property, construction material, trash, refuse, garbage, debris, or other material or matter. Provided, however, with prior authorization from the Building Department a temporary storage container may be authorized during valid construction permit activity for this location.

(H) Except for dwelling and living unit structures that constitute nonconforming structures pursuant to § 7A-83, Appendix A, Land Development Code, no accessory structure, vehicle, recreational vehicle, trailer, camper, or similar apparatus shall be utilized, rented, or registered as a Vacation Rental.

§ 74.39. NOISE REGULATIONS; EXCEPTIONS.

No person located in or around a vacation rental at any time shall create, or cause to be created any noise or sound which is clearly audible within any other residence in the RS-1 single family residential district when the residence in which the noise or sound is clearly audible has its windows and doors closed. This shall not include cries for emergency assistance or warning calls, properly functioning HVAC systems, pool pumps, lawn mowers, leaf blowers, or fire alarms or burglar alarms prior to the giving of notice and a reasonable opportunity for the owner or tenant in possession of the vacation rental served by any such alarm to turn off the alarm. The provisions of this section are in addition to other noise regulations generally applicable in the town.

§ 74.40. NOISE REGULATIONS; PENALTIES.

- (a) Noise violations may be enforced utilizing any legal means, including, but not limited to, citations issued by code officers, police officers, or any other person designated by the Town Manager, arrest, actions before the special magistrate, or injunctive relief. Citations issued to renters shall be in amounts as set by resolution of the Town Commission.
- (b) If there are three (3) noise violations with citations (whether such violations are paid, or if they are challenged and the special magistrate upholds such citation), issued over a rolling period of twelve (12) months, the special magistrate, at the request of the town, may deem the property a "noise nuisance property" to be effective for a period of twelve (12) months from the later of the special magistrate order deeming the property a "noise nuisance property" or any citation for a noise violation as to such property, and may impose one (1) or more of the following orders:

- (1) Require that whenever in the twelve (12) months following the special magistrate order there is a change of occupancy of the property (i.e., new people staying in and/or renting the noise nuisance property) the property owner or responsible party must provide proof to the town that the property owner or responsible party has visited the property during the first day of the stay of the new tenants and delivered a copy of the town's noise ordinances to the new occupants of the property and explained the seriousness of the violations of such ordinances and the fines and penalties which are applicable. Failure to provide said notice shall constitute operating without registration and the vacation rental owner shall be subject to the applicable fine for operating without a registration.

- (2) Require that the owner of the noise nuisance property shall be required to impose for all future rentals of the noise nuisance property over the next twelve (12) months, an additional deposit in an amount no less than five hundred dollars (\$500.00), with the condition of the deposit being that it will be forfeited to the town if the renter or any occupant of the noise nuisance property receives a noise violation during the term of the rental agreement. All such renters and occupants shall be warned, by the property owner or responsible party, of such additional deposit and what would cause the forfeiture of such deposit prior to execution of the rental agreement. A prominent notice of the conditions of such deposit and the potential forfeiture of such deposit shall be posted in each and every noise nuisance property. Failure to require the additional deposit shall constitute a violation of town regulations and the property owner shall be subject to a penalty in the amount charged for operating without registration. Proof of the additional deposit must be provided to the town by the property owner or responsible party for each and every rental of the property as long as the property is designated a noise nuisance property.

§ 74-39 ~~41~~. REQUIRED POSTING OF LOCAL INFORMATION IN A VACATION RENTAL AND IN AGREEMENT.

(A) In each vacation rental, there shall be posted, in a prominent location on the inside of the vacation rental, the following written information:

- (1) The official street address and landline telephone phone number of the vacation rental.

- (2) The name, address, and phone number of the vacation rental owner or responsible party as applicable.

- (3) The maximum occupancy of the vacation rental.

- (4) A copy of a document to be supplied by the town which includes excerpts from Town of Melbourne Beach Code of Ordinances of general application relevant to vacation rentals, including, but not limited to, solid waste and recycling pick-up regulations and

days/times, regulations related to sea turtles and sea turtle lighting, parking, and noise regulations. Said document shall also be included as an addendum to each vacation rental agreement. The town will make available to vacation rental owners and agents a copy of such document in digital format upon request and the town will post such document on its website.

(5) The maximum number of vehicles that will be allowed to park at the vacation rental, along with a sketch of the location of the paved off-street parking and a notice that visitors to the vacation rental, must comply with §§ 30-41 through 30-48, Town of Melbourne Beach Code of Ordinances.

(6) Phone number and address of Holmes Regional Medical Center Melbourne and Health First Viera Hospital and directions from the vacation rental to the hospital.

(7) Emergency and nonemergency phone numbers for Melbourne Beach Police and Fire Departments.

(8) Emergency evacuation instructions.

(9) Rip currents are prevalent in the Atlantic Ocean here in Brevard County. Information from the National Weather Service, available via from <http://weather.gov/mlb> shall be provided to occupants on the dangers of rip currents that occur in the Atlantic Ocean shall be prominently displayed.

(10) Notice of the need for respect for the peace and quiet of neighborhood residents in compliance with Chapter 48, Town of Melbourne Beach Code of Ordinances. A statement shall specifically provide that occupants shall be prohibited from making excessive or boisterous noise in or about any residential dwelling unit at all times.

(11) In addition, there shall be posted, next to the interior door of each bedroom, and the exterior doors exiting the vacation rental a legible copy of a building evacuation map - minimum eight and one-half inches by 11 inches.

(12) A vacation rental agreement must include a list of occupant names and a record of the license plate numbers of vehicles used by occupants during any rental term or such information shall be provided in writing to the vacation rental owner prior to, or at the time of, the commencement of the rental term. This information shall be maintained by a vacation rental owner for no less than one year from the commencement of the rental term.

§ 74-41. REGISTRATION SUSPENSION

The code enforcement magistrate or court may, in addition to assessing code enforcement fines and orders requiring compliance, as provided for in Chapter 11, Article II of the town's code of ordinances and state law, as may be amended, may order that the vacation rental owner's

registration, and accompanying authorization to operate, may be suspended for the following reasons and for up to the corresponding suspension periods:

- (a) Knowingly submitting false information in support of a registration application as prohibited by section 74-23 for a period of up to one (1) year.
- (b) Three orders finding a violation of any provision of this article within a six-month period, where the orders finding violation have become final through any timely appeal, for a period of up to six (6) months.
- (c) Allowing a vacation rental to be rented by, and actually used by occupants, during a period of suspension, for a period of up to one (1) year.

§§ 74-402. – 74-49. RESERVED.

ARTICLE IV. EXEMPTIONS

§ 74-50. EXEMPTION FOR PRE- EXISTING RENTAL AGREEMENTS.

(A) Notwithstanding any other provision of this chapter, rental agreements with prospective occupants for vacations rentals that were pre-existing as of the effective date of this chapter (hereinafter "Pre-existing Agreements") are exempt from the provisions of this chapter.

(B) If a vacation rental owner is cited for a violation of noncompliance with this chapter, when the vacation rental is occupied under the terms of a pre-existing agreement, the vacation rental owner may defend such violation based on the fact that the vacation rental was exempt from this chapter due to it being occupied pursuant to a pre-existing agreement. Such defense shall be determined based upon the following information, and upon any additional information supplied by the vacation rental owner:

- (1) Copy of deposit or payment information evidencing a pre-existing agreement;
- (2) Copy of e-mail or other communication evidencing a binding pre-existing agreement;
- (3) Information from the occupant confirming that there was a binding preexisting agreement; or
- (4) Written vacation rental agreement dated prior to April 15, 2020.

(C) Any person who supplies false or fraudulent information supporting a pre-existing agreement shall be in violation of this chapter and shall be subject to enforcement in accordance with § 74-4, Town of Melbourne Beach Code of Ordinances.

(D) Determination of exemption of a pre-existing agreement for a vacation rental from the requirements of this chapter under this section shall not exempt the occupants of the vacation

rental from compliance with all other Town of Melbourne Beach Code of Ordinances requirements, including those related to noise, parking, nuisances.

§ 74-51. EXEMPTION FOR OWNER-OCCUPIED VACATION RENTALS.

The provisions of this chapter shall not apply to owner occupied vacation rentals or property which qualifies as homestead under the Florida Constitution and Florida law. Any person desiring to qualify for the exemption herein shall file an affidavit in substantially the following form:

"Affidavit of Exemption"

State of

County

Before me the undersigned authority personally appeared (hereinafter the "Owner") who upon oath deposes and states:

1. I am over the age of 18 and competent to make this Affidavit.

2. I own the following real property in the Town of Melbourne Beach, Brevard County, State of Florida:

(Legal description and Street Address)

3. Check one or both as applicable:

I currently occupy the property described in Paragraph 2 above and have resided on this property continuously and uninterruptedly from (date) to the date of this Affidavit.

Or

I have applied for and received the homestead tax exemption as to the above-described property, that is the tax identification parcel number of this property, and that the undersigned has resided on this property continuously and uninterruptedly from (date) to the date of this Affidavit.

4. The purpose of this Affidavit is to qualify for exemption from the Chapter 74 of the Town of Melbourne Beach Code of Ordinances regulating Vacation Rentals.

Sworn to (or affirmed) and subscribed before me by means of or online notarization, this day of (year) by "Notary".

Section 4. Codification. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the Town of Melbourne Beach, as additions or amendments thereto.

Section 5. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 6. Conflicting Ordinances. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Meeting

Section: New Business

Meeting Date: 10/23/24

From: Town Attorney Ryan Knight

RE: Proposed Noise Ordinance Changes

Background Information:

The Town Commission directed the Town Attorney to draft proposed changes to the noise ordinance.

Recommendation:

Discuss the proposed language changes for the noise ordinance.

Attachments:

Draft of the noise ordinance changes.

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, AMENDING CHAPTER 48, “NOISE CONTROL,” RELATING TO NOISE REGULATIONS; AMENDING REGULATIONS, DEFINITIONS, AND TESTING PROTOCOLS RELATED TO NOISE RESTRICTIONS; PROVIDING MAXIMUM PERMISSIBLE SOUND LEVELS IN RESIDENTIAL USE CATEGORY; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SPECIAL PERMITS AND LICENSE; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Florida Constitution and Laws of Florida authorize the Town of Melbourne Beach to adopt ordinances regulating, restricting, or prohibiting the production or emission of noises that tend to annoy, disturb, or frighten its citizens; and

WHEREAS, the measurement of noise level presents unique challenges, particularly along busy roadways; and

WHEREAS, the Town Commission finds the reliance upon a “reasonable person” standard in cases where it is impractical to perform a noise level reading due to ambient noise levels injects and undue amount of subjectivity into the process of determining noise levels; and

WHEREAS, the Town Commission finds it to be more reasonable and effective to use the ambient noise level as the maximum noise level in circumstances when ambient noise meets or exceeds the maximum noise level allowed by the Code; and

WHEREAS, it is the policy and intent of the Town of Melbourne Beach to protect the health, safety, and welfare of its citizens and to promote an environment free from sound and noise disruptive of peace and good order.

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

Section 1. Chapter 48, “Noise Control,” of the Town of Melbourne Beach Code of Ordinances, shall be amended as follows (Note: additions indicated by underscore; deletions indicated by ~~strikethrough~~; and text that shall remain unaltered that is not reproduced here is indicated by ellipses (***)):

Section 2. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Commission pertaining to this Ordinance.

Section 3. Chapter 48, “Noise Control,” is hereby amended to read as follows:

CHAPTER 48: NOISE CONTROL

§ 48-1. UNUSUAL AND LOUD NOISE PROHIBITED.

~~—(a) It shall be unlawful, for any person, firm or corporation to create or assist in creating any unreasonably loud and disturbing noise in the town. Noise of such character, intensity and duration as to be detrimental to the public health, welfare and peace is prohibited. except as expressly permitted in this article, to make, cause or allow the making of any noise or sound in such a manner as to create a noise disturbance.~~

~~—(b) The following acts, among others, are declared to be loud and disturbing noises in violation of this section, but this enumeration shall not be deemed to be exclusive:~~

~~—(1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound or the sounding of such device for an unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle.~~

~~—(2) The playing of any radio (except in a motor vehicle as defined in Section 316.003, Florida Statutes), phonograph, or other musical instrument in a manner or with such volume, particularly during hours between 11:00 p.m. and 7:00 a.m. as to annoy or disturb the quiet, comfort, or repose of any person in any dwelling, hotel or other type of residence.~~

~~—(3) The keeping of any animal or bird which, by causing frequent or long continued noise, shall disturb the comfort and repose of any person in the vicinity.~~

~~—(4) The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in a manner as to create loud grating, grinding, rattling or other noise.~~

~~—(5) The blowing of any steam whistle attached to any stationary boiler or engine, except to give notice of the time to begin or stop work or as a warning of danger.~~

~~—(6) The sounding of any bell or gong (except emergency equipment) attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof.~~

~~—(7) The conducting, operating or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or on Sundays.~~

~~—(8) The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same are in session, or within 150 feet of any hospital, which unreasonably interferes with the working of those institutions, provided conspicuous signs are displayed in those streets indicating that the area is a school, court or hospital area.~~

~~—(9) The creation of any excessive noise on Sundays on any street adjacent to any church, provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street.~~

~~—(10) The erection (including excavation), demolition, alteration, or repair in the event that such alteration or repair creates noise of such character, intensity and duration as to be detrimental to public health, welfare, and peace, of any building in a residential or business district other than~~

~~between the hours of 7:00 a.m. and 6:00 p.m., on weekdays, except in the case of urgent necessity in the interest of public safety and then only with a permit from the Building Inspector, which permit may be renewed for a period of three days or less while the emergency continues.~~

~~—(11) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced.~~

~~—(12) The shouting and crying of peddlers, barkers, hawkers and vendors which disturbs the quiet and peace of the neighborhood.~~

~~—(13) The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show, or sale or display of merchandise.~~

~~—(14) The use of any mechanical loud speakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes except where specific license is received from the Town Commission.~~

~~—(15) The operation of a radio, tape player or other mechanical sound-making device or instrument from a motor vehicle, as defined in Section 316.003, Florida Statutes, on a street or highway by any person operating or occupying said motor vehicle, so that the sound is plainly audible at a distance of 100 feet or more from the motor vehicle or is louder than necessary for the convenient hearing by persons inside the motor vehicle in areas adjoining churches, schools, or hospitals. This provision shall not apply to circumstances as described in Section 316.3045, Florida Statutes.~~

§ 48-2. 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. All terminology used in this article which is not defined below, shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighted network. The level so read is designated dBA.

Ambient noise means the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources.

Building line means an imaginary line extending at a ninety-degree angle from the right-of-way to the nearest corner of a building.

Town Manager means the town manager of the Town of Melbourne Beach or the manager's designee.

C-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the C-weighted network. The level so read is designated dBC.

Decibel means a unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micrometers per square meter.

Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage threatened or caused by an existing or eminent peril.

Noise disturbance means any sound which:

- (1) Endangers or injures the safety or health of humans or animals; or
- (2) Annoys or disturbs a reasonable person of normal sensitivities; or
- (3) Endangers or injures personal or real property.

For purposes of this definition, any sound that exceeds the maximum permissible sound levels set forth in section 48-4 of this article shall constitute a noise disturbance per se. It is the intent and purpose of this definition that sounds that either meet the aforesaid criteria or exceed the sound levels in section 48-4 shall constitute a violation of this article.

Originating property means the property from which any sound originates.

Receiving property means property into which any sound is projected other than the originating property.

Sound level means the weighted sound pressure level obtained by the use of a metering characteristic and weighting A, B, or C as specified in American National Standards Institute specifications for sound level meters, ANSI S1.4-1983, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

Sound level meter means an instrument, which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter, and weighing networks used to measure sound pressure levels. The output meter reads sound pressure levels when properly calibrated, and the instrument is to type 2 or better, as specified in the American National Standards Institute Publications, S1.4-1983, or its successor publications.

Sound pressure level means twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure level to the reference of twenty (20) micronewtons per square meter.

Testing protocol shall be at least two (2) fifteen (15) second readings taken from a receiving property as provided herein. In cases where the city has received a complaint regarding sound levels, the readings shall be taken from the property from which the complaint is made, if known. In cases where the city has received no complaint or where the location of the complainant is not known, the readings shall be taken from the right-of-way adjacent to the nearest developed receiving property to the originating property from approximately the point at which the building line nearest to the originating property intersects the right-of-way.

§ 48-3. MEASUREMENT OF SOUND.

Standards, instrumentation, measurement procedures, and instrumentation maintenance used in the measurement of sound shall be in accordance with ANSI S1.4-1983 or its successor publications. Town personnel that will be taking sound level measurements shall be trained to use sound testing devices.

§ 48-4. MAXIMUM PERMISSIBLE SOUND LEVELS IN RESIDENTIAL USE CATEGORY.

No person shall cause, suffer, allow or permit the operation of any source of sound in such a manner as to create a sound level that exceeds the sound level limits listed in table 1 when measured beyond the originating property's property line. Sound or noise projecting from one zoning district into another zoning district with a different decibel level limit shall not exceed the limits of the zoning district into which the noise is projected when measured from within such receiving zoning district. Sound pressure levels in excess of those established in table 1 shall constitute prima facie evidence that such sound is in violation of this article. The sound shall be measured using the "A" and "C" scale in slow time constant. In circumstances where the ambient noise level is equal to or exceeds the sound pressure levels established in table 1, the ambient noise level shall represent the maximum sound pressure level for purposes of performing the measurement provided for herein.

TABLE 1
MAXIMUM SOUND LEVELS FOR
RESIDENTIAL USE CATEGORY

<u>Use Occupancy Category</u>	<u>Time</u>	<u>Maximum Sound Level Limit—dBA</u>	<u>Maximum Sound Level Limit—dBC</u>
<u>Residential¹</u>	<u>8:00 a.m.—8:00 p.m.</u>	<u>60</u>	<u>65</u>
	<u>8:00 p.m.—8:00 a.m.</u>	<u>55</u>	<u>60</u>

§ 48-5. NOISE LEVEL EXEMPTIONS.

The following uses and activities shall be exempt from this article's noise level regulations except as listed in table 1.

- (1) Air conditioners when functioning in accord with the manufacturers' [specifications], standard mufflers and noise-reducing equipment in use and in proper operating condition according to standards promulgated by the American Refrigeration Institute. The same exception shall apply to lawn mowers and agricultural equipment during daylight hours.
- (2) Non-amplified crowd noises resulting from activities such as those planned by student, governmental or community groups.
- (3) Construction operations for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturers'

¹ The Town's zoning map shall be relied upon for purposes of defining residential use properties.

- specifications and with all standard equipment, mufflers and noise-reducing equipment in use and in proper operating condition.
- (4) Noises of safety signals, warning devices, emergency pressure relief valves and bells and chimes of churches.
- (5) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency.
- (6) Noises resulting from emergency work.
- (7) Any other noise resulting from activities of a temporary duration permitted by law and for which a permit therefor has been granted by the city in accordance with this article. Regulation of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained in this article.
- (8) Noises made by persons having obtained a permit to use the streets.
- (9) All noises coming from the normal operations of aircraft (not including scale model aircraft).
- (10) Motor vehicles defined in F.S. Ch. 316.
- (11) All noises generated by the Town and its agents and/or from Town sponsored events.
- (12) All noises generated during the July 4th holiday.

§ 48-6. OTHER NOISE.

- (a) Some sounds may be such that they are not measurable or may not exceed the limits but they may be excessive, unnatural, prolonged, and unusual and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the Town.
- (b) With the exception of those exemptions provided by state law, noises prohibited by this section are unlawful, notwithstanding the fact that no violation of section 48-4 is involved, and notwithstanding the fact that the activity complained about is exempted in section 48-5.
- (c) Thus, the following acts are declared to be loud, disturbing and unnecessary noises in violation of this article:
- (1) The sounding of any horn or signaling device on any automobile or other vehicle, except as a danger warning;
- (2) The creation by means of any signaling device of any unreasonably loud or harsh sound;
- (3) The sounding of any signaling device for any unnecessary or unreasonable period of time; and the unreasonable use of any signaling device.

§ 48-7. SPECIAL PERMITS FOR RELIEF OF MAXIMUM ALLOWABLE NOISE LEVELS.

- (a) Applications for a special permit for relief from the maximum allowable noise level limits designated in this article may be made in writing to the Town Manager. Any special permit

granted by the Town Manager hereunder must be in writing and shall contain all conditions upon which said special permit shall be effective.

(b) The Town Manager may grant the relief as applied for under the following conditions:

(1) The Town Manager may require the applicant to exhaust all technically reasonable abatement measures before a special permit is issued. These abatement measures shall be selected and installed by the applicant at his/her own risk.

(2) Special permits may be granted for the purpose of entertainment that exceeds the maximum allowable noise levels established in this article under the following conditions:

a. The function must be open to the public (admission may be charged).

b. The function must take place on public property.

c. The special permit will be given for only four (4) hours in one (1) twenty-four-hour day.

d. The function shall be staged between the hours of 8:00 a.m. and 8:00 p.m.

(3) Special permits for non-entertainment special purposes may be issued under any of the following conditions:

a. If the special purpose relates to the operation of a trade or business, that the special purpose not be in the ordinary course of that trade or business; or if the special purpose does not relate to the operation of a trade or business, that the special purpose not be an ordinary event in the affairs of the applicant.

b. If the special purpose is a recurring purpose, that it not recur more often than four (4) times each calendar year.

c. That the special purpose be absolutely necessary to the operation of the applicant's trade or business; or if the special purpose does not relate to the operation of the trade or business, that the special purpose be compatible with the ordinary activities of the neighborhood in which the special purpose is to occur.

d. Except in emergency situations, as determined by the Town Manager, the special permit may be issued only four (4) hours between 8:00 a.m. and 8:00 p.m. on weekdays.

e. Special permits may be issued for no longer than fifteen (15) consecutive days, renewable by further application to the Town Manager.

- (4) No special permit shall be issued to permit the use of any loudspeaker or sound-amplifying device on the exterior of any building, which at any time exceeds the sound level limits in table 1, except those used for emergency warnings.

§ 48-8. LICENSE FOR USE OF LOUDSPEAKERS OR PUBLIC ADDRESS SYSTEMS.

- (a) Loudspeakers or public address systems used to produce sound signals from any source for either advertising or other purposes shall not be operated on or over public property and public rights-of-way, unless a license has been issued by the Town Manager. Such systems may be used Monday through Saturday during daylight hours only. No such systems shall be used, except systems used by police officers and/or Town employees acting in an official capacity, systems approved in conjunction with special permits and special events approved by the Town Manager and special uses approved by the Town Commission.
- (b) Favorable recommendation of the police chief is required before issuance of a license. Such a recommendation must be given if the proposed activity will not violate any ordinance and will not endanger the public health and safety.
- (c) No loudspeakers or sound-amplifying devices shall be operated pursuant to this section within the hours of 8:00 p.m. and 8:00 a.m.
- (d) No loudspeakers or sound-amplifying devices shall be allowed to operate pursuant to this section during any hour of the day or night that exceeds the maximum permissible sound levels as described in section 48-4 unless a special permit for relief from the maximum allowable noise level limits established in this article has been approved by the Town Manager.

§ 48-2 9. PENALTIES.

~~Any person, firm, or corporation violating any provision of this chapter shall upon conviction be punished by a fine not to exceed \$200.~~

- (a) Each violation of this article shall carry the following civil penalties:
- (1) First violation within a one hundred eighty-day period, a written warning and notice to cure.
 - (2) Second violation within a one hundred eighty-day period, a citation in the amount of two hundred fifty dollars (\$250.00).
 - (3) Third and subsequent violations within a one hundred eighty-day period, a citation in the amount of five hundred dollars (\$500.00).

In the event that a person contests the citation issued him or her, or if he or she is convicted of the above charge, the court will set the fine in an amount not exceeding the statutory limits plus

any costs the court may impose. The Town may also seek payment of outstanding expenses as restitution.

§§ 48-3 10. – 48-99 RESERVED.

Section 4. Codification. The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the Town of Melbourne Beach, as additions or amendments thereto.

Section 5. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 6. Conflicting Ordinances. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2024, by the Town Commission of the Town of Melbourne Beach, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

TOWN OF MELBOURNE BEACH, FLORIDA

By: _____
ALISON DENNINGTON, Mayor

ATTEST:

(TOWN SEAL)

Amber Brown, Town Clerk

Town Commission Meeting

Section: New Business

Meeting Date: 10/23/24

From: Town Attorney Ryan Knight

RE: Resolution 2024-11 – Vacation Rental Fee Schedule

Background Information:

The Town Commission directed the Town Attorney to draft proposed changes to the vacation rental fee schedule.

Recommendation:

Consider approving Resolution 2024-11 – Vacation Rental Fee Schedule.

Attachments:

- Resolution 2024-11 – Vacation Rental Fee Schedule
- Vacation rental fee comparison

RESOLUTION NO. 2024-11

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FEE SCHEDULE FOR VACATION RENTAL REGISTRATION, RENEWAL OF VACATION RENTAL REGISTRATION, INITIAL AND ANNUAL INSPECTION FEES, AND LATE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town Commission of the Town of Melbourne Beach has determined the need to update and revise its vacation rental fee schedule; and

WHEREAS, Ordinance No. 2020-02 provides that the Town Commission may adopt fees for registering, renewing the registration annually, amending the named responsible party, the initial and annual inspection fees, and penalties for non-compliance; and

WHEREAS, the Town Commission of the Town of Melbourne Beach desires to amend the imposed fees and services previously adopted by Resolution No. 2020-06.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Amendment to the Town of Melbourne Beach Vacation Rental Fee Schedule.
The Town Commission hereby adopts the following fees associated with Vacation Rentals:

Vacation Rental Fee Schedule (Non-Refundable Fees)	
Vacation Rental Application and Registration Fee	\$500 <u>\$850</u>
Annual Renewal Vacation Rental Registration Fee	\$350 <u>\$600</u>
Initial and Annual Safety Inspection Fee	\$150 <u>\$200</u>
First Re-Inspection	\$85 <u>\$100</u>
Second and Each Subsequent Inspection	\$150 <u>\$200</u>
Change of Ownership Vacation Rental Application and Registration Fee (within 30 days)	\$500 <u>\$850</u>
Modification of Existing Vacation Rental Registration	\$250
Permanent Transfer of Responsible Party Fee	\$100
Temporary Transfer of Responsible Party Fee, Each Occurrence (30 days in any 12 month period)	\$25
Late Fee for Annual Registration Renewal	\$200 <u>\$250</u>
Penalty for Operating Without Registration, in Addition to Applicable Penalties Imposed Pursuant to Article II, Chapter 11 of the Town of Melbourne Beach Code of Ordinances	\$250

Section 2. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

Section 3. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 4. Effective Date. This Resolution shall become effective on October 23, 2024.

PASSED AND ADOPTED by the Town Commission of the Town of Melbourne Beach, Brevard County, Florida, at its regular meeting this 23rd day of October, 2024.

ATTEST:

TOWN OF MELBOURNE BEACH,
FLORIDA, a Florida Municipal Corporation

Amber Brown
Town Clerk

By: _____
Alison Dennington, Mayor

(TOWN SEAL)

Municipality	Registration Fee	Renewal Fee	Change of Ownership Fee	Inspection Fee	Late Fee	Annual Compliance Inspection	
Cooper City	\$750	\$350	\$139	\$260			
Anna Maria	\$93.93/occupant						
Cocoa Beach	\$525	\$325	\$525		\$250		
Davie	\$500	\$75			\$75		
Indian Harbour Beach	\$500	\$350	\$500		\$100		
Pinecrest	\$832	\$624				\$416	
Hollywood	\$850	\$600		\$400	\$250	\$150	
Redington Beach	\$850	\$850	\$100	\$200			
Pompano Beach	\$675	\$375					



Town Manager Report for October 2024

1. New Fiscal Year began 10/1/2024
2. Hurricane Milton Declaration signed 10/7/2024. Minimal impact to Town. Two power lines fell, one on Oak and one on Coral. Fire and Police blocked the roadway, keeping residents safe, until the lines were restored.

Town Hall had two, east facing windows leak, on the second floor along with two leaks in the fire bay ceiling. Synergy (from FMIT) came to inspect the building after the storm.

Mayor Dennington has mentioned on social media sites that I was not in Town for Hurricane Milton. The Town Manager is not the head of Emergency Operations for the Town. That is the job of the Police Chief assisted by the Fire Chief. I have attached correspondence from the Mayor and my reply, which was sent to me, Chief Zander and the Town Attorney. Also included is correspondence regarding the resignation Of former Commissioner Meyer and the process of appointing a replacement.

3. Requesting bids for roof screw replacement and roof sheathing for Town Hall. Once bids are received, I will present to the Commission for further consideration. The overall roof appears to be in good shape; however, we will have the roof inspected due to the leaks.
4. Waste Pro has added an additional truck to pick up debris from the hurricane. Had we signed the County Interlocal, the Town would be looking at pickup in @90 days. Pickup runs from Brevard County North to the South Beaches. In prior years, the residents have not found the County plan satisfactory.
5. The festivities in Ryckman Park on the Friday, October 18th and Saturday, October 19th include the Fire Department's annual Haunted House on both nights, Town Halls family fun on Saturday from 3:00pm-6:00pm and the Police Department's family movie, "Ghostbusters Frozen Empire" beginning at 7:00PM.
6. Building Official Robert Bitgood rescinded his prior resignation stating he wanted to remain in Melbourne Beach. Mr. Bitgood strongly believes his work helping the residents and builders in Town remains unfinished.

From: [Melbourne Beach Town Manager](#)
To: [Melbourne Beach Town Manager](#)
Subject: FW: EM Team, p. 9-10 of Town EMP
Date: Tuesday, October 15, 2024 2:39:57 PM

Please see my responses in red below.
I have not address every line item as there is much redundancy.

From: Alison Dennington <adennington@melbournebeachfl.org>
Sent: Wednesday, October 09, 2024 4:53 PM
To: Tim Zander <timz@melbournebeachfl.org>; Melbourne Beach Town Manager <TownManager@melbournebeachfl.org>
Cc: Ryan Knight <rknight@shepardfirm.com>
Subject: EM Team, p. 9-10 of Town EMP

mr. knight, PC, TM

Just letting yall know Im up here in the Masny room and was for this 330 EOC briefing. I came up at 100 because there was supposed to be a meeting . Chief Brown responded to my email when I asked if it had changed (it had moved to 330).

I would like a formally complain, on record, as this emergency storm approaches that the Manager is woefully and negligently failing to notify or contact or give me any info whatsoever. In violation of charter provisions, her contract and our OWN written 2020 Emergency management plan. **[Elizabeth] The Police Chief is the head of Emergency Operations for the Town. He acts in conjunction with the Fire Chief. Both department heads report directly to me. They act in my place, with my knowledge, during emergency operations. You were briefed by Chief Zander and Chief Brown on a regular basis. It was not necessary for me to discuss with you, what had already been covered by the Chief's.**

Its sad and par for the course that actual policies get just ignored - even in emergencies simply because of personal grudges and power-trips. **Your statement is woefully inaccurate. The Town does act in accordance with our policies. Our Operations Team has worked together during five (5) prior hurricanes and now Milton. We execute our tasks extremely well from preplanning through submission to FEMA. Milton was your first hurricane as a part of the Town Commission. As a Commissioner, you do not participate in the operations arena.**

P9-10 of Mel Beach Emergency plan says

"C. The Town Manager will be in direct contact with and has responsibility to inform the Mayor...of all conditions..."

NOT happening.

she is not informing me of ANYTHING at all. **My representatives and the head of the Town's emergency management operation, Chief Zander and Fire Chief Brown kept you informed.** She is Not even in contact.

No info. Im giving her info but nothing nada from her or police chief. Just mow the chief did

come over to soeak to me and we are now on the page. I told him my preference was that IF we had tornado touchdown - I would like to issue a curfew for safety re potential wires down and looting. I notified him I had driven arlund town today and people had boarded up well - BUT - i noticed 2 suspicious cars with oyt of state potentially plates casing the Atlantic (ocean/beach front houses) street houses. they drove by slowly and I saw the same 2 junky cars (1 was a small ue truck with a young white male and out of atatw plates) driveby the same houses, twice, slowly. perhaps nothing but it occurred to me he might be cases those big houses a few of which I know are 2nd homes and nit iften occupied.

If you had a concern about people or vehicles in the area, then you should have called 9-1-1 and reported your suspicions.

The other day the PC very reluctantly met with me yesterday and clearly didnt want to and I have gotten any other updates of any kind. I guve him credit though fir at least speaking to me and also because he actually has important stuff to do.

But the TM is not providing ANY info, no contact nothing. And specifically said she didnt want me involved - so its clear she is intentionally doing this. Again- My representatives and the head of the Town's emergency management operation, Chief Zander and Fire Chief Brown kept you informed. Chief Zander asked you if you wanted to speak with me and you said you didn't care. He asked you again for clarification and again you said you didn't care. Nothing intentional about the situation. We all were in the middle of emergency operations- you were briefed. Also, for future reference I will be unable to meet with you unless there is a third party present-just to keep the record true and correct.

Again- the policy says thus is NOT how it is supposed to be.

Ex. Zander said he has "no police radio" either so it doesnt matter what the lolicy says. Chief Zander does not have a police radio to give you. I don't even get a police radio. I dont doubt that is true but still it would be better for it be forthcoming from the TM, rather than me asking for a copy of the Plan, reading it myself and only then learning all this stuff and even then it not being adhered to or followed. The TM on her iwn should have given me that plan, and shoyld jeep me updated so I dont need to bother or ask the PC ir FC. The Police Chief gave you a phone and the Fire Chief gave you a radio.

I intend to writeup a complaint on this to the state officials as I think the TMs animosity and in-action and deliberate shutting out and refusal to notify me of ANYTHING whatsoever in an emergency are a disgrace and neglect of duty. Again- My representatives and the head of the Town's emergency management operation, Chief Zander and Fire Chief Brown kept you informed.

Perhaps she is ALSO doing nothing at all. Wrong, I was in Town Hall all day Wednesday and Friday. I was in touch with both Chief's on Thursday.

But that too is a defelection of duty.

The PC has said he will at leasr send me an email ever 6 hrs - hust letting me how things are gling, if all is well, if there are any issues or need to deviate from any plans or procedures etc. I am happy with that. I should not have to ask for it.

It should have been happening already since issuance of the Proclamation.

apparently the staff is being tomd to ignore me - perhaps indirectly and not directly - but they definitely are being that instruction by the TM. Alison, you really need to take a step back from all of your false allegations, false accusations, and misguided assertions.

On the policy - police radio - It's not that I need one (yet) and not for this storm either, and I likely wont need one----but the policy says one is to be provided.
Fix the policy going forward then follow it rather than be arbitrary and capricious about it and not follow it.

Chief Brown gave me a fire radio for emergencies though - so at least I do have one in case crazy stuff happens tonight with tornados or what not.

The only person who DOES respond to all questions or provides ANY info whatsoever is the Fire Chief (and the clerk).

They respond quickly, professionally, with relevant info, without complaint and without attitude, despite their being busy.

p9-10:

the "EMTeam" = 3 groups

1) a) Mayor and b) "Town Commission",

2), EM Staff (a)TM, (b)Chief, (c)FChief, (d)PW, (e)Building Depart, and (f)clerk

3)EM Operations Team = other designated personnel.

THAT is "the Emergency Management Team"

if it were just - the Commissioners it wouldnt separately say the Mayor. Numerous places in the Town EM plan explicitly use the Mayor. and for good reason - stste law and the charter and code DO prvide for certain powers exercisable in emergencies by "The Mayor"

Im glad for the PC to take the heat and issue a curfew if need be and Not have me do it.
But if he needs a signature - AND in times PAST suddenly - letters get shoved in my face for "The Mayor" to sign - like that JAG grant letter.**[Elizabeth] Another false statement. The Town Clerk sent you emails regarding that grant and told you to speak with the Police Chief about it, which you did not do. In the Town Commission meeting you created an unnecessary and embarrassing situation where Mr. Walter had to come forward and tell you to sign the document that the jail van was something we have used for years.**

Yet again - Im kept in the dark, deliberated exuded - EVEN in an emergency.

Brevard County activated Level 1 this morning.

NO notice given by the TM.

No call.

No info.

No meetings.

Nothing.

[Elizabeth] When you were in my office telling me the Governor had declared for Brevard County, I tried to explain to you that we wait for the County to Declare a State of Emergency as this is when our ability to bill FEMA begins. You also would not allow me to speak, when I asked you why you would cancel the Special Meeting set for that evening (Monday night) when it wasn't raining out and the hurricane wasn't schedule to make landfall until Thursday. You wanted to cancel that meeting

because you had the ability to do so. You were going to “show us” since you didn’t like the way the previous appointment was handled. You signing that Declaration had nothing to do with the impending emergency.

In addition, I told you once you sign the Declaration the clock begins for FEMA. This means our Emergency Employee Pay Schedule goes into effect. The Town does not declare immediately after the County. We wait until the Operations Team is ready to go to an Alpha-Bravo status-meaning Police, Fire and Public Works, essential personnel huddle in place at Town Hall and are paid accordingly-double time while on duty and time and half while sleeping. All other personnel receive time and a half while working but are not required to sleep on the premises. Had this been left to me and the Operations Team, the Town would have declared on Wednesday at 5:00pm, thus saving the Town from having un-necessary payroll costs.

Instead I have to ask the FC or the PC for info. She should be providing this info to me and to us without us having to ask so we dont need to bug them!

Page 18 says - "The Mayor must maintain communications with the Manager and other TC"

"The Mayor will be provided a police radio..."

"The mayor must notify the TM of location"

im in the masny room still and heading to 413 Surf now.

the PC asked me so he knows now.

But those above were supposed to be 24 hours ago BEFORE level Now we are imminent threat and beyond - p. 18, 19, 20.

After this storm - p. 20 and beyond is then implicated

But its NOT happening YET vis a vis me - all because the TM refuses to do her job without petty passive aggressive vindictiveness.

Pretty pathetic.

Great "Emergency Management TEAM" - very ironic.

Im definitely NOT treated like Im on the team. If it were the other way around - I would be handle it. Why cant she? Easy answer. Unprofessional, vindictive, petty, arbitrary power-tripping on her part. **Alison, this is how you carry yourself, not me.**

No need to respond.

Im good with Comms with the Police Chief and Fire Chief. They are doing their hobs and are communicating and informing me. They now have my cell phone and location if they need to reach me. They updated me on their respective tasks, and staff, etc in the next 8-12 hrs.

But the Manager is AWOL. **False, I was in constant communication with my team.**

Actively ignoring or obstructing the flow of info ir contact in an emergency. **False, no obstruction, no AWOL, no passive aggressive, no vindictiveness, no deflection of duty, no power-tripping NONE of the adjectives you have used to describe me. You don’t sound like someone who wants to be a teammate.**

No doubt she is talking to the other TCs, Im sure. Just not me. **No, Chief Zander and Chief Brown were in contact with the Commissioners, not me.**

This is my complaint to document this for later. I hope this doesnt get and her failures dont later cause some actual problems traceable to her refusal to follow the Town EM plan - but if so - at least this record will exist of whats happening and who did and who didnt keep me or others in loop and that at least protect them (PC, TClerk and FC).

[Elizabeth] In closing,

1. I have received a phone call from the Florida League of Cities, because you told them that there was damage I wasn't addressing and funds needed to be issue. That statement is categorical false. They will not be getting involved.
2. You called the head of the Emergency Operations Center for Brevard County during an active hurricane, John Scott, to complain about not being on the operations call. He told you elected officials are on the 3:30 call not the operations call. I heard you then demanded to have a copy of the Brevard Counties Emergency Operations sent to you, which was denied by Mr. Scott. I also heard and I don't know if you asked or demanded to be allowed to go the EOC site.
3. You getting on the Operations call, cutting in when it wasn't appropriate (it would never be appropriate) and talking about things not germane to the call (Do you remember them asking "Who Is This?") telling all of the Operations people that "we would be happy to help them" did you really just say that? You embarrassed the Town.
4. Also, I had the CEO of Just Foia call me earlier last week, since you had called them demanding access
5. to their system.
6. You are not part of the Town's operations. You are an elected official who should focus on the desires of the residents. Stop interfering with Town Hall business. Stop calling our vendors, our accountants, top lying, stop harassing and stop threatening the employees.

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: [Melbourne Beach Town Manager](#)
To: [Alison Dennington](#)
Cc: rknight@shepardfirm.com; [Melbourne Beach Town Clerk](#)
Subject: RE: Availability Next Week to Schedule a STCM
Date: Monday, October 7, 2024 5:15:00 PM

The Town Clerk sent me your email regarding the Special Town Commission meeting.

My responses are in red.

There is no conspiracy.

Elizabeth Mascaro
Town Manager
townmanager@melbournebeachfl.org
Direct: 321-396-7419
507 Ocean Ave., Melbourne Beach, FL 32951-2523
(321) 724-5860 Fax (321) 984-8994
www.melbournebeach

Town Logos All 3



Brevard County's Oldest Beach Community – Established 1883

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From: Melbourne Beach Town Clerk <TownClerk@melbournebeachfl.org>
Sent: Thursday, October 03, 2024 5:31 PM
To: Melbourne Beach Town Manager <TownManager@melbournebeachfl.org>
Subject: FW: Availability Next Week to Schedule a STCM

FYI

Amber Brown, CMC

Town Clerk
 Town of Melbourne Beach
 507 Ocean Avenue
 Melbourne Beach, FL 32951
 (321)724-5860

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From: Alison Dennington <adennington@melbournebeachfl.org>
Sent: Thursday, October 3, 2024 4:02 PM
To: Melbourne Beach Town Clerk <TownClerk@melbournebeachfl.org>
Cc: Ryan Knight <rknight@shepardfirm.com>
Subject: Re: Availability Next Week to Schedule a STCM

Mrs. Brown,

Can I ask who asked for this? [Elizabeth] The Town Attorney sent an email to the Commission on Wednesday, October 2nd at 4:50 pm to reiterate the process when a Commissioner resigns. Former Commissioner Runte's resignation letter was sent on October 2nd at 2:56pm. Vice Mayor Quarrie requested a Special meeting for Monday, October 7th in her email from Thursday, October 3rd at 10:11am. The process is still fresh in everyone's mind having made an appointment in September. Unlike when Commissioner Meyers resigned the process needed to be reviewed since it had been several years since a resignation.
 When I asked several times by email and called for a special meeting - my emails were ignored, NOT responded to nor even asking for potential dates of anyone
 But here - 24hrs later - someone asks for a special meeting and boom we do get a - is anyone not available on these dates.

Why is it that I asked specifically in writing - and called for a special meeting [Elizabeth] I believe you asked for an emergency meeting? A special meeting was already scheduled to vote the millage, so that was a logical date since all Commissioners agreed to be present. There wasn't a need for an emergency meeting. Mayor, you initially asked to coordinate a date for a special meeting between the Commissioners, which is what occurred. You then requested a special meeting on Labor Day, which was a holiday and couldn't be done. The Town

attorney was unavailable on Tuesday due to a scheduling conflict. The best date hold the special meeting was that Friday, since there was already a budget meeting scheduled and would ensure attendance by all Commissioners and there was nothing for days. I have at least 3 emails on different days asking for a meeting and nothing like this / like you are doing now - happened?

Is it because I asked and you were instructed to ignore [Elizabeth] Blatantly false as described above and not respond to my call for a special meeting and so you didn't but here - someone else other than me asked and you did not get that instruction or for whoever it was you decided here, unlike when I asked, to take these necessary steps but just didn't do so (when I asked several times over a 5 day period by email).

When you compare the way it was handled when I asked to now - it certainly adds credence to the idea that is some obstruction going on vis a vis me There is no credence to your comment. There is no obstruction. There is no obstruction. You asked us to schedule a special meeting and that is what we did after coordinating with the Commissioners and Town attorney - which is particularly bad when on the context of the charter right and explicit power of any commissioner or the mayor individually to call a special meeting and the clerk duty thereto - regardless of what the TM says. But even worse if the TM is instructing you to ignore special meeting calls by me [Elizabeth] Your statement is blatantly false but not by others This is

I suspect before - perhaps certain commissioners didn't have an appointee candidate "lined up" yet even though there were right away candidates who submitted interest in the position. [Elizabeth] Your statement is blatantly false

Maybe on this one - certain commissioners DO already have a candidate and that why there's a quick response because they asked for a special meeting.

These aren't just suspicions in the realm of possibility. But it does potentially explain the difference for how some things are treated - the same situation but 2 very different actions/reactions and timing, [Elizabeth] Yes, because a second Commissioner has resigned a month following the resignation of Commissioner Meyer and of course I was me asking for a special meeting whereas here some OTHER commissioner or the manager is asking and they get the Quock response treatment.

Sincerely,

Mrs. Alison Dennington
Mayor, Town of Melbourne Beach

(Please pardon any spelling errors; Sent from my iPhone)

From: Melbourne Beach Town Clerk <TownClerk@melbournebeachfl.org>
Sent: Thursday, October 3, 2024 2:51:40 PM
To: Alison Dennington <adennington@melbournebeachfl.org>
Subject: Availability Next Week to Schedule a STCM

Good Afternoon,

Please let me know your availability for the entire week of October 7th – 11th to schedule a Special Town Commission Meeting to address the vacated commissioner seat.

- Monday, October 7th at 6:00 p.m.
- Tuesday, October 8th at 6:00 p.m.
- Wednesday, October 9th at 6:00 p.m.
- Thursday, October 10th at 6:00 p.m.
- Friday, October 11th at 6:00 p.m.

Sincerely,

Amber Brown, CMC

Town Clerk
Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, FL 32951
(321)724-5860

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OCTOBER 2024 TASK LIST

ITEM	OPENED	DUE DATE	CLOSED	REQUESTOR	ASSIGNED TO
Sixth Ave boat ramp improvements	8/17/2022	12/18/2024		Commissioner Runte	Town Manager/ PW Director
DATE	DIRECTION/NOTES				
6/19/2024	Push to December after hurricane season.				
3/20/2024	Corey Runte- Pushed for 3 months				
8/16/2023	At the workshop next week.				
7/19/2023	Mayor – Neighboring property put in a taller dock that is getting destroyed, so if the Town put in a small dock it would not last long				
6/28/2023	Look into grant opportunities				
3/15/2023	Put on the Town Commission Workshop				
2/15/2023	Tom Davis- met with Bowman Engineering at Sixth Ave boat ramp to get them to draw something up				
1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking				
11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall				
9/21/2022	Discussed under new business agenda item D.				
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money				