

Town of Melbourne Beach

SPECIAL TOWN COMMISSION MEETING October 16, 2024 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

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

1. Call to Order

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

2. Roll Call

Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Alison Dennington - Late

Vice Mayor Sherri Quarrie

Commissioner Marivi Walker

Commissioner Robert Baldwin

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 – 1:45

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.

Daniel Chang - 1630 Pine St – Thanked the Town for their help during the hurricane. Spoke about needing the new website fully functional, suggested having the meetings on Zoom and allowing public comment. Providing information packets 7 days in advance of meetings is crucial. Commission meetings can become very unprofessional. Follow Robert's Rules of Order, model courtesy and respect, and insist others do the same. This is a great Town and outside observers should not see Town leadership act this way.

Tim Reed – 302 Fourth Ave – Spoke about Palm Bay having a large sewage discharge into the Indian River Lagoon. Requested having the Town Manager direct the Public Works Director to provide an assessment of the Town's vulnerabilities.

Mayor Alison Dennington came in at 6:05 pm

Break at 6:06 pm – 6:08 pm

Town Clerk Amber Brown conducted roll call

Commission Members Present

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

Staff Members Present

Town Manager Elizabeth Mascaro
Town Clerk Amber Brown

5. New Business - 8:00

- A. Discussion and Consideration on how to fill the Town Commission seat vacated by Commissioner Corey Runte

Mayor Alison Dennington spoke about speaking with the Supervisor of Elections and they updated the estimate of a special election to about \$23,000.00. Said the Vacancy provision was passed in '73, was amended in '86 and '89, and does not have access to referendums. Believes the Town should have an special election, position will be held for 13 months.

Daniel Chang - 1630 Pine St – Recommends having an election to fill the vacant commission seat. It gives the residents the opportunity to decide. Believes that with a 4.9 million dollar budget there has to be projects and requirements that are no longer needed. There are only 2 months left in the year so check the budget to see.

Tina Coppock – 505 Avenue B – Spoke about not wanting a special election because they do not have as much voter turnout, and asked why pay for a special election when there is going to be an election next year anyway. Suggested running two seats at that election.

Kate Wilborn – 502 Second Ave – Thanked the Town for all the work that was done before the hurricane. Spoke about backing Bruce Larson for the appointment and to consider his veteran status and understanding of hydraulics.

Tim Reed – 302 Fourth Ave – Spoke about the Town being in uncharted territory having to reseat four of the Commission seats. Acknowledges the time and money that goes into an election but believes the citizens should have a say. Not in favor of an appointment.

Mark McBride – 312 Second Ave – Spoke about not liking short term rentals. Has not seen Robert Baldwin at the meetings before. Short term rentals have only been on the agenda twice, and nothing has been done. He does not want to continue to attend meetings, but he will if the Commission appoints someone who is going to go against the Mayor. Would like to be able to vote for the position.

Anna Butler – 312 Avenue A – Spoke about last night at the candidate forum it was discussed how to engage people. Give them a chance to have a voice.

Steve Walters – 416 Sixth Ave – Spoke about being on the fence because that is a lot of money, but if the Commission chooses to appoint, then remember they already have a list of applicants that he would be happy with. He does not feel it is necessary to waste time and money unless there is someone you already have in mind who did not apply.

Mayor Alison Dennington spoke about the appointment section of the Charter which states such appointed person shall be a qualified elector and shall serve until the next general municipal election. The next general election is in November 2024, so both seats should go to a special election then anyway. - 23:00

Commissioner Robert Baldwin spoke about looking at it as an election process.

Mayor Alison Dennington spoke about going to file a declaratory judgment so the court can provide an opinion.

Bruce Larson – 1507 Pine St – Spoke about how the Town Attorney already had some discussion on this. There was some weakness in the Charter language, but that we would move forward treating the election as a cycle process. The Town deserves a full and functioning Commission so there is progress and not deadlock votes. Thinks it should go to a special election, but the Town deserves a full Commission. The special election might take until February.

Vice Mayor Sherri Quarrie spoke about going to a special election to fill the seat for about 8 months.

Mayor Alison Dennington said imagine if a court were to decide the Town has to go to a special election to fill both positions, as a citizen she can file a declaratory judgment.

Town Manager Elizabeth Mascaro read an email from Town Attorney Ryan Knight which read: Technically the general election is this November, but no candidate can get on the ballot for November and there can be no election to the seat in November because they cannot qualify under the code and the timelines. The next general election for appointment purposes is in 2025.

Daniel Chang - 1630 Pine St – Spoke about this is exactly what he was talking about with Robert’s Rules of Order. This is supposed to be public comment. This is so chaotic and crazy.

Mayor Alison Dennington passed the gavel.

Mayor Alison Dennington made a motion to go to a special election instead of doing an appointment.

Failed for a lack of a second.

Commissioner Robert Baldwin made a motion to appoint at the next Town Council meeting and choose from the slate of individuals from the last appointment; Mayor Alison Dennington seconded.

Tina Coppock – 505 Avenue B – Spoke about agreeing with that, but before you pass it, get a legal interpretation if that is allowed. We need to get away from lawsuits.

Kate Wilborn - 502 Second Ave – Spoke about it being a reasonable compromise to wait until after the election. Mentions her support for Bruce Larson.

Mayor Alison Dennington spoke about if there is an appointment it must be within 30 days, so the Commission would have to appoint by November 2nd.

Daniel Chang - 1630 Pine St – Spoke about why not use the same process as when Robert Baldwin was appointed. Don’t reinvent it, but you have to open it up to everyone in case there are other people that want to apply.

Town Manager Elizabeth Mascaro read a response from the Town Attorney who advised to open it up for new candidates and use the same procedures as they did the last time.

Kari Ross – 206 Flamingo – Spoke about being approached by several people who were not aware of the open appointment previously, so open it back up. Asked why the Mayor is questioning the Town Attorney's advice. If the Town Attorney says the Commission ought to do something, but it is not a legal requirement then is the Mayor not wanting to do it? What she is hearing is that the Mayor does not want to.

Commissioner Robert Baldwin mentioned wanting to amend his motion as he was not aware there are additional people that are interested. Asked if there is a process for allowing people to submit additional resumes before next week’s meeting. Suggested following the same procedure that was used previously.

Mayor Alison Dennington asked about the amount of time new candidates are given to submit applications.

Town Manager Elizabeth Mascaro said last time they gave one week.

Commissioner Robert Baldwin withdrew the original motion.

Commissioner Robert Baldwin made a motion that we follow the same process that we did last time, allow for new interested candidates to submit their qualifications and that we have a meeting before the next Town Council meeting to get to meet the newly interested candidates and those who are still interested in running for the position that we're on the last slate. And then that we vote on that person as an appointee at the next meeting, that we not go through the special election process; Vice Mayor Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.

6. Adjournment


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

Meeting adjourned at 6:50 pm.



Alison Dennington
Mayor

ATTEST:



Rachel Pembrook (Oct 29, 2024 15:08 EDT)
Rachel Pembrook
Transcriptionist