



# **TOWN OF MELBOURNE BEACH**

**REGULAR TOWN COMMISSION MEETING**

**NOVEMBER 20, 2024**

**AGENDA PACKET**

**TABLE OF CONTENTS**  
**AGENDA NOVEMBER 20, 2024**

**ADMINISTRATION OF THE OATH OF OFFICE – Page 3**

---

**MEETING AGENDA – ADDITIONS/DELETIONS/CHANGES – Pages 4-6**

---

**CONSENT AGENDA**

---

- A. Approval of the Regular Town Commission Meeting minutes August 21, 2024 – Pages 7-23
- B. Approval of the Town Commission Workshop minutes August 29, 2024 – Pages 24-31
- C. Approval of the Special Town Commission Meeting minutes October 16, 2024 – Pages 32-36
- D. Approval of the Special Town Commission Meeting minutes October 23, 2024 – Pages 37-42
- E. Approval of the Regular Town Commission Meeting minutes October 23, 2024 – Pages 43-64
- F. Approval of the Town Commission Workshop minutes November 6, 2024 – Pages 65-70
- G. Appointment of Betsy Baird as a board member to the History Center Board – Pages 71-72
- H. Reappointment of Heidi Brewer as a board member to the Parks Board – Pages 73-74

**PROCLAMATIONS/PRESENTATIONS/AWARDS**

---

- A. Proclamation recognizing former Vice Mayor Sherri Quarrie for her many years of service to the Town of Melbourne Beach – Page 75
- B. Proclamation recognizing November as National American Indian Heritage Month – Page 76
- C. Recognition of Boy Scout Owen Addington for the completion of his Eagle Scout Project – Installation of a US Flag collection box for retired American flags at the Fire Station – Pages 77-78

**FINANCE/BUDGET REPORT – Pages 79-112**

---

**DEPARTMENT AND BOARD/COMMITTEE REPORTS**

---

- A. Public Works Department – Pages 113-114
- B. Building Department – Pages 115-124
- C. Code Enforcement – Pages 125-128
- D. Fire Department – Pages 129-135
- E. Police Department – Pages 136-137
- F. Town Clerk – Page 138

**UNFINISHED BUSINESS**

---

- A. Approval of the Regular Town Commission Meeting minutes June 19, 2024 – Pages 139-149
- B. Approval of the Regular Town Commission Meeting minutes July 17, 2024 – Pages 150-162
- C. Approval of the Regular Town Commission Meeting minutes September 18, 2024 – Pages 163-183
- D. Discussion on the proposed Vacation Rental Ordinance changes – Pages 184-205
- E. Discussion on the proposed Noise Ordinance changes – Pages 206-215
- F. Discussion and consideration on creating a Charter Review Committee – Pages 216-220

**NEW BUSINESS**

---

- A. Appointment of the Vice Mayor – Page 221
- B. Appointment of the Voting Delegate for the South Beaches Coalition – Pages 222-234
- C. Appointment of the Voting Delegate and an Alternate for the Space Coast League of Cities – Pages 234-235
- D. Consideration of Resolution 2024-12 – Fiscal Year 2024 Budget Amendment – Pages 236-242
- E. Consideration of Resolution 2024-13 – Fiscal Year 2025 Budget Amendment – Pages 243-245
- F. Discussion on the Basin Map – Stormwater Design for the entire town – Pages 246-247
- G. Consideration on adding a General Provisions section to the Policies and Procedures Manual – Pages 248-254

**ADMINISTRATIVE REPORTS**

---

- A. Town manager – Pages 255-256

**TASK LIST – Page 257**

---

## Town Commission Meeting

**Section:** Administration of the Oath of Office

**Meeting Date:** November 20, 2024

**From:** Amber Brown, Town Clerk

**Subject:** Administration of the Oath of Office

### Background Information:

Having been duly certified:

- Anna Butler will be sworn in as a Commissioner for the Town of Melbourne Beach for a (3) year term.
- Tim Reed will be sworn in as a Commissioner for the Town of Melbourne Beach for a (3) year term.

# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING Wednesday, November 20, 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, November 20, 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  
Commissioner Dawn Barlow

**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. **Administration of the Oath of Office – Reception to follow**
  - A. Anna Butler – Commissioner
  - B. Tim Reed - Commissioner
5. **Meeting Agenda – Additions/Deletions/Changes**
6. **Consent Agenda**
  - A. Approval of the Regular Town Commission Meeting minutes August 21, 2024
  - B. Approval of the Town Commission Workshop minutes August 29, 2024
  - C. Approval of the Special Town Commission Meeting minutes October 16, 2024
  - D. Approval of the Special Town Commission Meeting minutes October 23, 2024
  - E. Approval of the Regular Town Commission Meeting minutes October 23, 2024
  - F. Approval of the Town Commission Workshop minutes November 6, 2024
  - G. Appointment of Betsy Baird as a board member to the History Center Board
  - H. Reappointment of Heidi Brewer as a board member to the Parks Board
7. **Proclamations/Presentations/Awards**
  - A. Proclamation recognizing former Vice Mayor Sherri Quarrie for her many years of service to the Town of Melbourne Beach
  - B. Proclamation recognizing November as National American Indian Heritage Month
  - C. Recognition of Boy Scout Owen Addington for the completion of his Eagle Scout Project – Installation of a US Flag collection box for retired American flags at the Fire Station
8. **Finance/Budget Report**
9. **Department and Board/Committee Reports**
  - A. Public Works Department
  - B. Building Department
  - C. Code Enforcement
  - D. Fire Department
  - E. Police Department
  - F. Town Clerk
10. **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.

**11. Public Hearings/Special Orders**

**12. Unfinished Business**

- 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 Regular Town Commission Meeting minutes September 18, 2024
- D. Discussion on the proposed Vacation Rental Ordinance changes – Town Attorney Ryan Knight
- E. Discussion on the proposed Noise Ordinance changes – Town Attorney Ryan Knight
- F. Discussion and consideration on creating a Charter Review Committee – Mayor Alison Dennington

**13. New Business**

- A. Appointment of the Vice Mayor
- B. Appointment of the Voting Delegate for the South Beaches Coalition
- C. Appointment of the Voting Delegate and an Alternate for the Space Coast League of Cities
- D. Consideration of Resolution 2024-12 – Fiscal Year 2024 Budget Amendment – Finance Manager Jennifer Kerr  
**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, FLORIDA, APPROVING THE FINAL BUDGET AMENDMENTS FOR THE FISCAL YEAR 2023/2024 ANNUAL BUDGET; PROVIDING AN EFFECTIVE DATE.**
- E. Consideration of Resolution 2024-13 – Fiscal Year 2025 Budget Amendment – Finance Manager Jennifer Kerr  
**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR (FY) 2024-2025; AMENDING RESOLUTION NO 2024-09 RELATED TO THE USE OF ALL CARRYFORWARDS AND TRANSFERS FOR ALL FUNDS INCLUDING THE GENERAL FUND; ESTABLISHING AUTHORITY FOR THE TOWN MANAGER TO IMPLEMENT THE BUDGET; AND PROVIDING FOR ADOPTION.**
- F. Discussion on the Basin Map – Stormwater Design for the entire town – Town Manager Elizabeth Mascaro
- G. Consideration on adding a General Provisions section to the Policies and Procedures Manual – Town Manager Elizabeth Mascaro

**14. Administrative Reports**

- A. Town Attorney
- B. Town Manager

**15. Commission Reports**

**16. Task List**

**17. Public Comment**

**18. Adjournment**

# Town of Melbourne Beach

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

### MINUTES

#### Commission Members:

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

#### Staff Members:

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

#### 1. Call to Order

Mayor Alison Dennington called the meeting to order at 6:00 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

#### Commissioner Members 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 have the agenda with the changes as discussed approved; 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

Mayor Alison Dennington spoke about Town Clerk Amber Brown has been doing a lot of training, has been working really hard, and has earned her Certified Municipal Clerk designation. She came on as the Interim Clerk, was thrown into the position, and has done an amazing job.

Florida Association of City Clerks Central East District Director Gwen Peirce – Clerk for Satellite Beach introduced attendees Sue Frank – Clerk for Indian Harbour Beach, Pat Burke – President of the FACC and Town Clerk/Town Manager for Palm Shores, and Mollie Carr – Clerk for Indialantic. Gwen Peirce spoke about the Municipal Clerks



Institute Program includes 120 hours of in depth coursework in leadership, management skills, and technical training. In addition to exhibiting experience and leadership in local government and attending conferences, meetings, seminars, and webinars. Presented Town Clerk Amber Brown with her Certified Municipal Clerk designation.

Mayor Alison Dennington spoke about Town Clerk Amber Brown being really good, doing a lot of work and trainings, also attending all of the events, and volunteering.

Commissioner Corey Runte thanked Town Clerk Amber Brown for all of her hard work, and being able to see her grow into the Town Clerk she is.

Vice Mayor Sherri Quarrie congratulated Town Clerk Amber Brown, and spoke about her growth and achievements is inspiring.

Commissioner Marivi Walker congratulated Town Clerk Amber Brown.

Town Clerk Amber Brown thanked the Commission, staff, fellow clerks, and residents.

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**

Mayor Alison Dennington asked if the Camry was sold yet and if so for how much.

Town Manager Elizabeth Mascaro spoke about it sold for the amount required by the Commission. Believes it was \$6,000.00.

**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

Parks Board Chairperson Dawn Barlow spoke about the Parks Board working on a few key projects, and will possibly present on them next month.

B. Public Works Department – 23:50

Mayor Alison Dennington spoke about contacting DOT about not installing a crosswalk at Cherry and they will do a traffic study.

Town Manager Elizabeth Mascaro spoke about needing to prove there is enough traffic to need the turn signal which has now been done, so hopefully within a year there will be a turn arrow to go north from the west side at the traffic light.

C. Building Department – 30:11

Mayor Alison Dennington spoke about someone potentially removing mangroves, and asked if there is a policy for notifying DEP.

Town Manager Elizabeth Mascaro spoke about DEP knew before the Town did.

D. Code Enforcement – 33:48

Mayor Alison Dennington asked about the 204 Cherry code case.

Town Manager Elizabeth Mascaro spoke about it going to the Special Magistrate next week. Fritz is the new Code Enforcement Officer.

E. Fire Department – 37:22

Mayor Alison Dennington spoke about the Fire Department putting in for a grant and was awarded \$40,950.00.

F. Police Department – 38:21

Mayor Alison Dennington spoke about the police are writing more written warnings, but she would like to see it increase even more.

G. Town Clerk – 42:02

Mayor Alison Dennington asked for an update on the scanning project.

Town Clerk Amber Brown spoke about the scanning has been completed. There was an issue with the naming convention, which is being worked on right now, and then the documents can be released.

**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 and include total compensation including benefits.

**Bruce Larson – 1507 Pine St** – Provided handouts and spoke about vacation rental ordinances and enforcement is inadequate, and the problem is much larger.

Town Manager Elizabeth Mascaro spoke about how Code Enforcement is no longer under the Building Official it is under the Town Manager, and the handout will be helpful to the Code Enforcement Officer.

Mayor Alison Dennington spoke about getting a policy on code enforcement and short term rentals.

**JoAnn Degel – 217 Second Ave** – Spoke about there being more short term rentals.

**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 having over 1000 strangers 25 feet from their bedroom window and having 3 short term rentals surrounding her home. Did not move here to live next to hotels. Asked the Commission to make the management of short term rentals a priority.

**Mark McBride – 310 Second Ave** – Spoke about ongoing issues with vacation rentals and the lack of action being done. Asked Commissioner Marivi Walker to make a motion to direct the Town Manager to meeting with Bruce Larson this week to discuss the data he presented and to take immediate corrective actions.

**Gail Gowdy – 215 Ash Ave** – Spoke about residential is not a business, and a home is not a hotel. This is critical and effecting the residents.

**Ken Lebrato – 213 Cherry Drive** – Spoke about the need to enforce the present ordinances. Why is the Commission not interested when there are twice as many illegal establishments?

**Bruce Larson – 1507 Pine St** – Spoke about the ordinance requires vacation rental operators to notify the Police Department within 48 hours of guests arriving who are sex offenders. It is likely that there have been a fair amount of sex offenders in Town due to illegal vacation rentals.

## 10. Public Hearings/Special Orders

### 11. Unfinished Business –

#### A. Approval of the Town Commission Workshop final minutes March 6, 2024 – 1:20:59

Mayor Alison Dennington spoke about the last sentence on page 82 is not correct. The Town Clerk is swamped and needs help.

Town Attorney Ryan Knight asked if there was something specific to be changed.  
Mayor Alison Dennington spoke about there being too many things.

**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 2 Commission seats up for election this year have rarely spoken tonight, so the Mayor’s comment insinuating those two are why meetings go long is wrong and should be retracted.*

*Gail Gowdy – 215 Ash Ave – Spoke about not understanding action minutes and final minutes. Direct the Town Clerk to only provide final minutes.*

*Mark McBride – 310 Second - Spoke about mismanagement and getting minutes timely.*

Mayor Alison Dennington asked Town Manager Elizabeth Mascaro if we could get the Town Clerk some help so the minutes can get totally caught up.

Town Manager Elizabeth Mascaro spoke about the first thing is to approve the minutes as a draft or subject to revisions. As far as the Town Clerk is concerned, we can work with her, but the Commission authorized a transcriptionist to do them.

Mayor Alison Dennington spoke about the minutes were not caught up within one month and they are not the quality of the minutes the Town Clerk does.

Town Manager Elizabeth Mascaro spoke about then this might not be the right solution.

Town Attorney Ryan Knight spoke about if there is one specific thing then identify it so it does not come back next month.

Commissioner Corey Runte asked if you cannot identify the issues now then why table them. Come to a meeting prepared with specifics.

Mayor Alison Dennington spoke about if she got the minutes a few weeks after the meeting she would be able to come prepared. Spoke about getting the Town Clerk help, but the Commission shut it down even though she needs it because she is swamped.

- B. Approval of the Regular Town Commission Meeting final minutes February 21, 2024 – 1:34:47

Commissioner Marivi Walker asked if there are specifics that need to be changed.

Mayor Alison Dennington spoke about not having any problems with this one.

**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 is an age-old problem, which is why the Town had a Deputy Clerk because the Town Clerk needs help. The draft minutes were done because even with the Deputy Clerk the minutes were not being done in time. Put the Deputy Clerk back. The Town Clerk needs help, why won't you help her.*

- C. Consideration to renew the South Beaches Coalition Interlocal Agreement – Town Manager Elizabeth Mascaro – 1:38:44

Town Manager Elizabeth Mascaro spoke about this is a renewal for the South Beaches Coalition which is an Interlocal agreement that allows participation with the other cities on the barrier island as far as representation at the Space Coast Transportation Planning Organization.

**Commissioner Corey Runte made a motion to approve Resolution 2024-04 Fee Schedule as presented; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.**

Town Clerk Amber Brown spoke about the motion made was for the fee schedule not for the South Beaches Coalition Interlocal Agreement.

**Commissioner Corey Runte corrected the motion to approve the South Beaches Coalition Interlocal Agreement as presented not the fee schedule; 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.**

Vice Mayor Sherri Quarrie spoke about not renting out the Community Center and removing it from the Fee Schedule. The building had issues including mold mitigation, a fridge door was left open and the floor bubbled up, needed a new condenser for the air conditioner, and now there is the new audio equipment. The room was only rented out 4 times. The pavilions were rented twice as much.

Mayor Alison Dennington spoke about the damages might not be from the people that rent it, and that is why there is a damage deposit and policies and procedures.

Vice Mayor Sherri Quarrie spoke about the doors being left open when the air conditioning was running.

Town Manager Elizabeth Mascaro spoke about not wanting to rent the room out for many reasons. This is no longer the right facility for rentals. There is new expensive audio equipment, tables, chairs, and video equipment. Renters want to move everything around. The room was rented out to students who caused the mold issues. Very few residents rent the room.

Commissioner Corey Runte spoke about always being in favor of renting it out, but to protect the Town's investment it should be kept for Town business only. What other municipality rents out the council chambers?

Mayor Alison Dennington spoke about when the building was built wasn't it meant to be for the community. If there are challenges after a rental increase the cost to cover everything.

Commissioner Marivi Walker spoke about not understanding raising the price so much so people will not want to rent it.

Mayor Alison Dennington spoke about making a list of all of the issues that can go wrong and create a pricing list

Commissioner Marivi Walker spoke about everything takes time and we do not have that many employees. Agrees with what is being said, but it will take time away from other important projects.

***Gail Gowdy – 215 Ash Ave – Spoke about there being history to this Town and this building. Would hate to eliminate the ability for residents to use this building. If there are issues increase the deposit and make them get insurance.***

Commissioner Corey Runte spoke about wanting to keep it open to the public.

***Frank LaGrassa – 412 First Ave – Spoke about owning rentals and it was a headache. How much would you have to charge for enough accountability? Focus on Airbnbs.***

***Steve Walters – 416 Sixth Ave – Spoke about the damages are not from renters. This is the communities building it 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 3-1 with Vice Mayor Sherri Quarrie dissenting.**

Mayor Alison Dennington spoke about having a \$1,500 deposit.

***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. Respect the community's assets. Proposed at least a \$7,000 deposit.***

Commissioner Corey Runte spoke about \$7,000 is a crazy amount.

Mayor Alison Dennington spoke about having a \$2,500 deposit and if there are a large amount of people then \$5,000.

Commissioner Corey Runte spoke about the City of Melbourne charges a \$500 deposit for Front Street.

*Tim Reed – 302 Fourth Ave – Spoke about the fee schedule and why are vacation rental fees on their own fee schedule and when are we going to talk about those fees.*

Mayor Alison Dennington spoke about the vacation rental fee schedule is completely separate and the Commission will be looking at changing it next week.

Commissioner Corey Runte spoke about not renting it out hourly. Keep the current fees, but have the minimum rental be 6 hours.

**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 six hours at the current 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 – 2:17:14

Mayor Alison Dennington spoke about this was presented at a workshop.

Commissioner Corey Runte spoke about not being in favor of it. There are vacancies on the current Boards that need to be filled and there are more important things to focus on.

Mayor Alison Dennington spoke about the Board would be able to vet things.

Vice Mayor Sherri Quarrie spoke about not being in favor of it at this point in time.

*Bruce Larson – 1507 Pine St – Spoke about there only being one vacancy on any of the Boards, and this could address any Town issue.*

### **Failed for a lack of motion**

F. Consideration on creating a Municipal Citizens Academy – Mayor Alison Dennington – 2:22:50

Mayor Alison Dennington spoke about a lot of other municipalities have this. Proposed having a six month program for two hours each. This would educate the public on how government works. Limited to 15-20 people. Each module would have a different topic.

Commissioner Corey Runte spoke about being in favor of it, but he is not prepared to approve it without more information such as the costs and an outline of the program.

Commissioner Marivi Walker spoke about being in favor of it.

*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 to understand government.*

**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

**Commissioner Marivi Walker made a motion to direct the Town Manager to meet with Mr. Larson this week to discuss the information he presented and 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 – 2:33:23

Town Manager Elizabeth Mascaro spoke about having a small staff and each person being the only one that performs their job. Due to that, a lot of staff is never able to take their full vacation time. It turns into a use it or lose it proposition. We would like to increase the amount of time that they are allowed to accrue so they might actually be able to take the time that is available to them. Emergency personnel have a different schedule than any other employee and that is from the US Department of Labor so theirs is considerably higher. Fire and Police personnel would get 380 hours whereas all other employees would get 240 hours before it would roll off.

Mayor Alison Dennington asked about the current policy for comp time.

Vice Mayor Sherri Quarrie spoke about it being in Chapter 9 and it is on page 143.

Commissioner Marivi Walker verified this would be to max out employees at either 240 or 480 depending on the type of employee and it mimics the Fair Labor Standards Act and Department of Labor.

Town Manager Elizabeth Mascaro spoke about this is just to allow employees to not lose earned vacation time and earned comp time because they are capping out and are not able to take vacation because we just don't have the coverage.

Commissioner Corey Runte spoke about it is recommended to follow the US Department of Labor, Wage, and Division and we are currently not even close. He will vote to do what we should be doing legally because this could open us up to liability.

Mayor Alison Dennington spoke about residents and her going into Town Hall or calling and being told people are on vacation. She has been told if someone works late then they can take that time off later, so they are taking vacation.

Town Manager Elizabeth Mascaro spoke about employees will take a day or two, but rarely do they ever take a week or more at a time. This would allow them to accrue more time to try to flex it in smaller increments. It is not fair to the employees.

Commissioner Corey Runte spoke about needing to follow the US Department of Labor, Wage, and Division.

Mayor Alison Dennington spoke about expenses in salary, comp time, and overtime is ballooning.



Commissioner Marivi Walker spoke about right now at 96 hours if someone does not take 12 days of vacation at some point that's it they're done.

Town Manager Elizabeth Mascaro spoke about 96 hours is the compensatory time. For example for the Town Clerk who attends meetings she either has to come in late or earns compensatory time, but she doesn't get to take it because she will cap out sooner with all of the meetings than she is able to take.

Mayor Alison Dennington spoke about this will increase the cost.

Town Manager Elizabeth Mascaro spoke about the cost would decrease because people will be able to take time off instead of creating overtime.

Mayor Alison Dennington spoke about being against it.

Commissioner Corey Runte spoke about being in favor of it.

Commissioner Marivi Walker spoke about employees are entitled to take two weeks off, but with the staff we have it is impossible.

Mayor Alison Dennington spoke about hiring a company to cover when the Building Official takes vacation.

**Frank LaGrassa – 412 First Ave** – *Asked if any employees would leave if this is not implemented. There are great benefits to be an employee here. Watch the bottom line and if people start leaving then do what we can to keep them. His experience is that government employees are compensated lavishly.*

**Steve Walters – 416 Sixth Ave** – *Spoke about the policy now is due to the auditors. Comp time is voluntary. You either get overtime or earn comp time. Does not see a problem with what the Town Manager wants because in the long run it will save the Town money because employees will opt to earn comp time instead of being paid overtime.*

Mayor Alison Dennington spoke about employees could accrue time and then in the future get paid at a higher salary.

**Ken Lebrato – 213 Cherry Drive** – *Spoke about most companies do not pay out comp time, and have a time limit of how soon you have to use it. You gave the whole Town a week off last year for free. Manage the Town properly.*

Town Manager Elizabeth Mascaro spoke about the employees had to use their vacation time or comp time for the three days.

Mayor Alison Dennington spoke about being against it because it is way too much, and we are in the middle of the budget where there is a huge increase to police and yet we need to be funding the Town Clerk for some help. At least wait until after the budget.

Vice Mayor Sherri Quarrie spoke about the only concern is on the fact sheet under the Fair Labor Standards Act quotes the exact change that is being requested. Seems the Department of Labor page is what we are supposed to be doing not what we have been doing. Asked the Town Attorney for his opinion.

Mayor Alison Dennington spoke about it being a guideline that is not mandatory.

Town Attorney Ryan Knight spoke about not being a labor attorney. It would not be required if you look at page 152 those are other cities that follow it such as Satellite Beach.

Commissioner Corey Runte spoke about recommending it be tabled until November, December, or January and get an opinion from an employment attorney.

The Commission agreed to table the item.

- B. Consideration of recognition of Olympic gold medal winner Carline Marks – Commissioner Corey Runte – 3:02:00

Commissioner Corey Runte spoke about knowing Caroline Marks and her family personally. She recently won a gold medal at the Olympics and lived here for a long time. She attended Grace Lutheran preschool and Gemini elementary. Melbourne Beach got international recognition that day. Would like to rename Ocean Park to Caroline Marks Park. The current name has no historical significance. Her family is very excited about the idea. Kristen is here who is a very close family friend to the Marks family.

***Kristen – 408 Surf** – Spoke about being very close with Caroline Marks and the family. Spoke with them today and they are open to anything. Her schedule is very busy, but if a celebration fits into her schedule she would come.*

Commissioner Corey Runte spoke about a lot of people and groups that are interested in helping out.

***Gail Gowdy – 215 Ash Ave** – Spoke about it 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 a potential celebration; Commissioner Corey Runte seconded; Motion carried 4-0.**

- ~~C. Consideration on leasing the Community Center – Vice Mayor Sherri Quarrie – Combined this agenda item with Unfinished Business Item D.~~
- D. Consideration on providing direction to the Planning and Zoning Board – Mayor Alison Dennington – 3:10:09

Mayor Alison Dennington spoke about this request coming from a resident.

**Bruce Larson – 1507 Pine St** – Spoke about there being a Planning and Zoning meeting and there was discussion on height restrictions and vegetation issues, and that they can only review changes to the code by direction of the Commission. The next Commission meeting the Commission gave direction to the Planning and Zoning Board to make recommendations. The next month the Planning and Zoning Board did not have a meeting.

Mayor Alison Dennington spoke about the minutes need to come out on time per the code.

Town Clerk Amber Brown spoke about the minutes are not the issue. The items were on the agenda. The only thing the minutes would say is the Commission directed Planning and Zoning to review a code.

Commissioner Corey Runte read a memo that was sent to the Commission by Planning and Zoning Board Member Dan Harper. The memo was on behalf of himself and his individual opinion in which he does not agree with this agenda item.

Mayor Alison Dennington spoke about removing this item from the agenda, but there needs to be a clearer process.

Commissioner Marivi Walker asked the Town Clerk to explain the process of putting something on the Planning and Zoning Board's agenda.

Town Clerk Amber Brown spoke about when the Commission provides direction of what they would like the Planning and Zoning Board to discuss; it gets put on their agenda. Sometimes the Board does not meet because no one provided any feedback or supporting documents or the Board has not had enough time to research a topic then the topics get pushed to the next meeting. The Board did not meet in August because they did not have time to review the code before the meeting. They will meet in September because supporting documents have been received related to the agenda items for the tree ordinance and accessory structures.

Commissioner Marivi Walker verified when the Commission directs then the Town Clerk puts it on the agenda.

Mayor Alison Dennington spoke about wanting to receive what the Planning and Zoning Board receives.

**Todd Albert – 1807 Pine St** – Spoke about being on the Planning and Zoning Board and the items that have come from the Commission are questions about vegetation issues, parking, height of buildings, and sheds. When the Town Clerk says she puts items on the agenda she does, but all the Board gets it a statement saying the Commission wants the Board to look at an item. Communication is everything and they are not getting the reasons why they are looking at the items.

Town Clerk Amber Brown spoke about how there has not been much communication because the Commission has not come up with any topics. The items that have been put on the agenda have not come from the Commission. Which is why there is no direction from

the Commission on what to look at. Two of the items were requested from a Planning and Zoning Board Member and the third item came from the Building Department. There was no specific direction from the Commission because they did not come up with the ideas.

Commissioner Corey Runte left at 9:35 pm.

### **Failed for a 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 – 3:31:17

Mayor Alison Dennington spoke about the program and that she got the idea from Coral Springs.

### **Commissioner Marivi Walker made a motion 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 – 3:34:18

Mayor Alison Dennington asked resident Steve Walters to speak about this agenda item.

***Steve Walters - 416 Sixth Ave** - Spoke about meeting with residents to discuss height limits that were passed in 2004. It is supposed to be 18 inches from the crown of the road then 28 feet from there. Reaffirm the building height is 28 feet without any ambiguity.*

Mayor Alison Dennington spoke about it being too late for a referendum this year, but would like to give direction to the Planning and Zoning Board.

Town Manager Elizabeth Mascaro spoke about the Commission already directed the Town Attorney to review this section of the code. This is first a legal interpretation issue.

Mayor Alison Dennington spoke about this being a loophole if people can just keep bringing in fill dirt in anticipation of a future building.

Vice Mayor Sherri Quarrie spoke about adding a maximum. The 28 foot starts at the base. Currently there is a minimum of 18 inches from the crown of the road, but there is not a maximum. Have the Planner work with the Attorney put together the language for a maximum then it can go to Planning and Zoning Board.

Mayor Alison Dennington spoke about agreeing with the Vice Mayor.

### **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 -3:48:37

Mayor Alison Dennington spoke about her general objection overall is there is context that is left out. One item the recusal is left out. Another item is that it says non certified short term rental when it should be unregistered.

Town Clerk Amber Brown asked about what pages have the changes. This agenda item is pages 14-21.

Mayor Alison Dennington spoke about page 17 the discussion of the size of accessory structures was much longer.

Town Manager Elizabeth Mascaro spoke about the minutes are not verbatim they are summary minutes.

Mayor Alison Dennington spoke about having an understanding of the issues to provide enough context. The transcriptionist does not do anywhere near as well as the Town Clerk does. The Town Clerk does a really good job of condensing what is said but keeping the context there.

Vice Mayor Sherri Quarrie spoke about trying to get an accuracy of what is written.

Mayor Alison Dennington spoke about there is not enough context throughout on the important issues.

Town Clerk Amber Brown spoke about if there are specific issues provide them and the Town Clerk will go back and listen to those sections. From the Town Clerk's review, the transcriptionist has been overly detailed and was asked to cut back on the detail.

Mayor Alison Dennington spoke about some topics have a lot of details and other topics do not.

Town Clerk Amber Brown spoke about topics being discussed at multiple meetings, so we might be confusing what discussions are done during each meeting. Asked to start with the first set of minutes on pages 14-21.

Mayor Alison Dennington spoke about page 24 says non certified vacation rental. Page 18 number 11 there is no discussion of the recusal. The recusal needs to be written at the beginning.

Town Attorney Ryan Knight spoke about the motion says the Mayor abstained from the vote. Then it says the mayor was advised to submit a Form 8B.

Mayor Alison Dennington spoke about the beginning of the minutes need to say she recused herself.

Vice Mayor Sherri Quarrie confirmed adding Mayor Alison Dennington recused herself would meet that criteria.

Mayor Alison Dennington spoke about New Business A has a motion and no discussion.

Vice Mayor Sherri Quarrie spoke about that is what was done. The discussion was at a previous meeting.

Mayor Alison Dennington spoke about that being the only issue. It is not acceptable to not get minutes for 6 months. Asked the Town Manager to recognize that the Town Clerk needs help and if it is okay not getting minutes for 6 months. We are never going to get caught up. Things are always going to come up.

Town Manager Elizabeth Mascaro spoke about the intent when this person was hired was that she would be able to do it more quickly, so maybe this is not the right person to do it.

Mayor Alison Dennington spoke about going into triage and having the Town Clerk only work on minutes.

Vice Mayor Sherri Quarrie spoke about not being able to do that during budget and an election year.

Town Attorney Ryan Knight spoke about these minutes need to be voted on. Recommended approving the minutes with the provision that Mayor Alison Dennington recused herself underneath 11A.

**Vice Mayor Sherri Quarrie made a motion to approve the minutes with the provision that Mayor Alison Dennington recused herself underneath 11A; 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

Mayor Alison Dennington spoke about page 24 says non certified vacation rental when it should say unregistered. Just approve them its fine.

**Vice Mayor Sherri Quarrie made a motion to approve the minutes from March 20, 2024; Commissioner Marivi Walker seconded; Motion carried 3-0.**

### **13. Administrative Reports – 4:03:16**

#### A. Town Attorney

Town Attorney Ryan Knight spoke about sending out the materials on Friday or Monday for the short term rental workshop, and the 204 Cherry hearing is on Thursday next week.

#### B. Town Manager

Town Manager Elizabeth Mascaro spoke about the paving on Riverside will begin in about 3 weeks.

***Bruce Larson – 1507 Pine St*** – Spoke about the most current plans show a sidewalk that goes through an oak tree. Asked where the agenda packet it for the meeting tomorrow.

Commissioner Marivi Walker spoke about there is not a sidewalk being installed.

Town Manager Elizabeth Mascaro spoke about the budget has not changed, so it is the same packet as the previous meeting.

#### **14. Commission Reports**

#### **15. Task List**

Mayor Alison Dennington spoke about there not being new things added to the task list.

Town Manager Elizabeth Mascaro spoke about the Commission adds things to the task list and items that are already put on the agenda as items are not put on the task list.

Mayor Alison Dennington spoke about until the minutes are done timely create a list as work in progress on the Manager's report.

#### **16. Public Comment**

#### **17. Adjournment**

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

Meeting adjourned at 10:21 p.m.

**ATTEST:**

---

**Alison Dennington**  
Mayor

---

**Amber Brown, CMC**  
Town Clerk

# Town of Melbourne Beach

## TOWN COMMISSION WORKSHOP August 29, 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 6:01 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

#### Commission Members Absent

Commissioner Corey Runte

#### Staff Members Present

Town Manager Elizabeth Mascaro  
Town Attorney Ryan Knight  
Code Enforcement Officer Fritz Reiser  
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

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 on short term rentals - 5:52

Town Attorney Ryan Knight spoke about reviewing and providing information and sample ordinances from other municipalities that relate to short term rentals regarding noise control, parking restrictions, maximum occupancy, sexual offenders, registration process, and what can be added or amended to the code that would be enforceable. The current noise ordinance has subjective language. For the noise control he provided a sample ordinance from Flagler Beach. It would require the Town to purchase noise devices and provide training.

Commissioner Marivi Walker asked about the process to suspend a vacation rental.

Town Attorney Ryan Knight spoke about how there would need to be a provision in the ordinance that states how many violations within a period of time then it would go through the Code Enforcement Magistrate process where the rental can be suspended for up to 180 days by the final order.

Mayor Alison Dennington spoke about wanting an internal policy or guidance for how to deal with violations so they are not given extra time for anything. This is capable of repeating itself, yet evading review.

Town Attorney Ryan Knight spoke about how owners are required to post the noise ordinance within the residence. Other municipalities have included a provision as part of their noise ordinance for outdoor activities such as basketball and swimming pools.

Mayor Alison Dennington spoke about being fine with neighbor kids playing outside, but not people that are renting a house. Can you make a distinction between them?

Town Attorney Ryan Knight said that you probably could as long as there is an owner occupied provision. Recommends getting rid of the current noise ordinance and getting a new one. Spoke about the parking ordinance and recommended amending it so all renter vehicles and visitors must be parked in the driveway. The next thing is occupancy. Some municipalities have a set amount such as 8 whereas most others including Melbourne Beach has 2 people per bedroom plus two for a maximum of 12 residents. Could add a provision about having gatherings at the homes, but it would be difficult to enforce it.

Commissioner Marivi Walker verified that currently if a home had 8 bedrooms they could still only have a maximum of 12 people.

Mayor Alison Dennington spoke about an exception should be a family with a lot of kids.

Town Attorney Ryan Knight spoke about how some places have a provision that kids under a certain age are not included in the maximum occupancy. Some places allow a max of 1 ½ times the occupancy including visitors.

Mayor Alison Dennington spoke about liking the number 8 and limiting the number of occupancy will make enforcement easier.

Commissioner Marivi Walker spoke about not allowing any additional people on the property.

Vice Mayor Sherri Quarrie spoke about most houses having 3 or 4 bedrooms.

Mayor Alison Dennington spoke about taking out the common area, allowing 2 per bedroom with a maximum of 8 people.

Vice Mayor Sherri Quarrie asked how the process will work regarding the noise ordinance when the renters change and the time between repeat violations.

Town Attorney Ryan Knight spoke about how typically it is 3 violations within a certain amount of time which on average is 6 months. There would have to be 3 separate cases that go in front of the Special Magistrate. The Code does provide specific criteria for the Special Magistrate to consider. Start with having a new noise ordinance then have a separate provision within the short term rental ordinance that outlines how a noise violation is addressed.

The Town Commission was in consensus with amending the noise ordinance.

Town Attorney Ryan Knight spoke about there being a couple sections of the Code that reference sexual offenders. The short term rental ordinance references Florida State Statute 712 which states 1000 feet. One section of the Town Code has the distance as 2000 feet. Since the Town Code is more restrictive, remove the reference to Florida State Statute and reference the Town Code provision that provides the distance as 2000 feet.

Deputy Police Chief Matthew Smith spoke about 16 counties in Florida that have started passing a distance of 2500 feet. If the Commission decided to go with the 2500 feet it would then cover everywhere in Town.

Mayor Alison Dennington spoke about having wonderful protections in the State of Florida for sex offenders, but it is just paper if no one is actually checking. Owners need to know it is their responsibility to do the background checks because AirBnB does not do them.

Commissioner Marivi Walker asked how can the Town enforce the background checks.

Town Attorney Ryan Knight spoke about it being difficult to enforce. Spoke about a provision in Fort Lauderdale's ordinance C23-34 Section 15-275 (6) which requires the responsible party to keep a register of all guests, which shall be open to inspection by authorized personnel of the City at all times.

Mayor Alison Dennington spoke about adding that provision and include as part of the yearly renewal they sign a sworn statement certifying that they do background checks.

Vice Mayor Sherri Quarrie spoke about if the owners provided a log of all guests it might help if damage is done around Town during that time it could come back to those renters.

Mayor Alison Dennington spoke about having vacation rentals certify that they have done the background check or have a fee that they pay the Town to have the Police Department do the background checks.

Town Attorney Ryan Knight spoke about needing to look very closely into that because government entities have to have specific reasons to run background checks.

Deputy Police Chief Matthew Smith spoke about how anyone can pay to do a background check through FDLE, but the Police Department cannot do random background checks beyond doing a Google search.

Mayor Alison Dennington asked if something happened like someone exposed themselves, then would the police department have the ability to run a check?

Deputy Police Chief Matthew Smith spoke about when there is an accusation like that, the Police Department would do a full investigation and make arrests accordingly.

Commissioner Marivi Walker asked right now how the Town can make sure owners are doing the background checks.

Town Attorney Ryan Knight spoke about how the current Code says the vacation rental owner or responsible party shall inquire prior to check in if any guests at the vacation rental is a sexual offender predator as defined in Florida Statutes. Then if any guest is a sexual offender or predator then the operator shall immediately notify the Melbourne Beach Police.

Commissioner Marivi Walker said we have the provision, but currently there is no way to verify it is being done, so we could make them certify that they are doing them.

Mayor Alison Dennington spoke about an option is having each owner provide a compliance statement for every booking for doing a background check.

***Bruce Larson – 1507 Pine St - 1:13:20 – Provided a handout and spoke about 1000 feet would not cover the entire Town so have it 2000 feet. Missing the language on sexual predators, State Statute says 16 years old, and we have 17 years old, State Statute does not include libraries or places where children congregate, but our Code does. Amend Town Code to require vacation rentals shall certify in writing that they have done the background check and shall notify the Town and Sheriff if a guest is a sex offender. Get a software for reporting issues, and collecting documents from owners. The Town should not have the names of the individuals. Have an online tool for owners to certify there were 3 renters and they did background checks on all of them. Any costs should be substantially covered by the vacation rental operators. Some municipalities have registration fees of \$1,000.00. All***

*for parking restrictions. The priority is the sexual offender stuff. All unregistered vacation rentals are irreparable harm and should immediately go to an emergency Code enforcement hearing because of the sex offender issues. No matter what their current registration status is, start now to make them certify.*

Town Attorney Ryan Knight spoke about there would not be enough evidence for an emergency hearing and based on the potential of there being a sexual predator is not sufficient. If there is proof that there is a sexual predator staying there then you could. There just needs to be proof.

Mayor Alison Dennington spoke about doing a lot of research on this and there is no case that says you cannot do it. It is justifiable and if there is no case on point then we could try.

Town Attorney Ryan Knight spoke about how you could try, but you could also be on the hook for \$100,000 in legal fees. There is no liability on the Town because the Town would not know about it. We cannot perform the background checks, so the Town would not know. The liability is on the owner to perform the background check and notify the Town.

Vice Mayor Sherri Quarrie asked about the process to have Code Enforcement prove you are operating an unregistered rental in order to go to the Special Magistrate.

Town Attorney Ryan Knight spoke about an advertisement of a vacation rental is considered hearsay, so you would need more for the Magistrate to assess fines. You need staff testimony, photos, and neighbor testimony as evidence.

Mayor Alison Dennington spoke about it not being illegal to advertise a rental, it is illegal to rent an unregistered property. We need procedures written up for residents to testify for Special Magistrate Hearings. Figure out if there is a case on point where you can deem an unregistered vacation rental irreparable harm.

***Mark McBride – 310 Second Ave - 1:43:35*** – Spoke about experiencing noise nuisances from vacation rentals around him. Recommended including Cocoa Beach’s noise ordinance language “noise clearly audible with windows and doors closed.” Played a couple videos taken from his house with noise. Change the quiet hours to 9pm-7am. Likes the proposed parking requirements. Recommends limiting it to three vehicles, and no outdoor music. Limit occupancy to 8. Give the officers a listing of all of the AirBnBs with the requirements. Increase fees and add an occupancy certificate fee.

Vice Mayor Sherri Quarrie spoke about there needing to be some logic between the number of people and the number of vehicles.

Town Attorney Ryan Knight spoke about how you can have the noise ordinance different for the weekends versus the weekdays.

Mayor Alison Dennington spoke about making it single family only not multiple families. Having a maximum occupancy of 8, and a maximum of 2 visitors.

Vice Mayor Sherri Quarrie spoke about being fine with residential Monday through Friday 8-8 does not have an opinion for commercial. Does not want to prohibit outdoor music.

Mayor Alison Dennington spoke about being in favor of no outdoor music.

Mayor Alison Dennington, Commissioner Marivi Walker, and Vice Mayor Sherri Quarrie were in favor of only allowing 2 per bedroom with a maximum of 8 people.

Town Attorney Ryan Knight spoke about recommending the Town look at the application and increase the registration and renewal fees.

Vice Mayor Sherri Quarrie asked if you can increase the late fee from \$200 and penalty fee from \$250.

Town Attorney Ryan Knight spoke about not being able to change the penalty for operating without because that is by State Statute, but you can change the late fee. Spoke about presenting a draft ordinance prior to the first reading. Some other municipalities have a GIS map on their website for residents or police to look at. When a notice of violation is found, a hearing needs to be set even if the owner advises they are in the process of applying, unless they become registered.

Mayor Alison Dennington discussed if being an unregistered short term rental could be considered incurable so the owners could be fined to which the Town Attorney said no. Asked if the service of process by email was taken out. Can we put in our Town Code that as part of the registration process the owner or registered owner needs to provide an email address and accept service of process by that email?

Town Attorney Ryan Knight spoke about that you would not be able to do that because although you could use email as a courtesy copy, email is not included in how those must be sent out, you would need to follow certified mail return receipt.

***Sue Martin – Rosewood Drive - 2:27:20*** – Spoke about how sound devices is money, quiet hours from 8-8 except extending it by an hour, maximum occupancy of 8, owners are required to do background checks and extend that to 16, if we went to a data processing software make sure those costs are paid by the vacation rental owners. Increase registration and renewal fees. The Town of Melbourne Beach does not want short term rentals. We cannot remove them, but we can make it difficult for them. Do not have any exemptions for owner occupied rentals.

Vice Mayor Sherri Quarrie spoke about being in favor of the maximum occupancy of 8, unsure how the costs for the devices would be passed onto the vacation rentals, believes it would just be put in the budget, in favor of the noise ordinance language, and requiring the owners to do a background check.

***Ken Lebrato – 213 Cherry Drive - 2:36:10*** – Spoke about the noise ordinance and that he is not in favor of the decibel readers because there is required training, costs, and what happens if the other officer has it on the other end of Town. State Statute allows laymen to provide testimony on offensive/loud noise. Make it decibel reader or neighbor testimony.

*Make the owners do the same as what motels have to do: fill out paperwork every single day. Make vacation rentals require the garage to allow a vehicle. The Town should not have anything to do with doing the background checks, but require them to certify they have done the background checks. There is an exception to the hearsay rule since there is an intent to violate the code. Regarding the Magistrate Hearing today, the enforcement today was non-existent. These people operated a vacation rental for 2 years. Why weren't fines accruing for the entire time? Has anyone considered a hotline for complaints instead of calling the non-emergency police line?*

Town Attorney Ryan Knight spoke about the Magistrate imposing a fine if they do not come into compliance, if a lien was filed then an order was done, and advertisement can be used, but it cannot be used exclusively. The Town requested 7 days to come into compliance then a \$250 fine per day after that. The Special Magistrate found that the rental needs to complete the process and have a certificate within 14 days then a \$150 fine per day starts.

Town Manager Elizabeth Mascaro addressed being able to work well with the new Code Officer because he has a set schedule. In the past it was more difficult to work with the previous Code Officer because of his erratic schedule which led to the Town not knowing if there was an issue.

Mayor Alison Dennington liked the idea of the hotline and suggested starting to reach out to companies to get an idea of pricing.

Recess at 9:01pm – 9:08pm

Town Clerk Amber Brown conducted roll call

**Commission Members Present**

Mayor Alison Dennington  
Vice Mayor Sherri Quarrie  
Commissioner Marivi Walker

**Commission Members Absent**

Commissioner Corey Runte

**Staff Members Present**

Town Manager Elizabeth Mascaro  
Town Attorney Ryan Knight  
Code Enforcement Officer Fritz Reiser  
Deputy Police Chief Matthew Smith  
Town Clerk Amber Brown

Mayor Alison Dennington said that Commissioner Adam Meyer has resigned effective immediately. The Town Attorney will present something to the public to explain the situation at a special meeting.

***AnneMarie – 310 Second*** – *This has been the longest 11 months since coming here. Thankful for something finally being done. Very concerned with amplified music outside, and outdoor games. Limit the number of cars to 3. Vacation rental renters do not take the trash out or bring them back in for weeks. There is something about selling your home and the transfer of the vacation rental.*

Mayor Alison Dennington spoke about how SB280 had a provision for the registration to be transferred.

Town Manager Elizabeth Mascaro spoke about how the Town's ordinance does not allow for the transfer of the registration.

Town Attorney Ryan Knight read the section that requires for a new registration when a home is sold.

***Gail Gowdy – 215 Ash Ave – Asked if the Magistrates costs are captured somehow. The cost should be forwarded to the violator.***

Town Attorney Ryan Knight spoke about normally when the violator complies then there are no fees, but moving forward with unregistered vacation rentals there will be administrative fees.

## 6. Adjournment

**Commissioner Marivi Walker moved to adjourn; Vice Mayor Sherri Quarrie seconded; Motion carried 3-0.**

Meeting adjourned at 9:18 pm.

**ATTEST:**

---

**Alison Dennington**  
Mayor

---

**Rachel Pembroke**  
Transcriptionist

# 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 unchartered 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 2<sup>nd</sup>.

***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.

ATTEST:

---

Alison Dennington  
Mayor

---

Rachel Pembroke  
Transcriptionist

# Town of Melbourne Beach

## SPECIAL TOWN COMMISSION MEETING October 23, 2024 at 5:00 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 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 Marivi Walker

Commissioner Robert Baldwin

#### 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 – 2:25

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.

**Mike Bove – 216 Ash Ave** – Spoke about being on the Code Enforcement Board and how there was a clause in the Town Code that did not allow short term rentals for less than 30 days.

Mayor Alison Dennington said the Town Attorney is working on tracing the changes.

#### 5. New Business

A. Review and discuss the submissions to fill the vacant Commission seat – 4:30

**Tina Bove – 216 Ash Ave** - Listened to public comment about the process and the majority spoke for other candidates. Seems like the Commission is being stacked by appointments. Need to have a special election. Read that an appointee is only until the next general election which is on November 5<sup>th</sup>.

Mayor Alison Dennington spoke about a Charter provision that says appointees are only until the next general election and is waiting on information from the Town Attorney about what has been done in other Towns. She then introduced the candidates to come up to speak for five minutes.

Dawn Barlow spoke about being born and raised in Melbourne Beach and being the current Chairperson for the Parks Board. Said she appreciated the Commission for raising some big issues going on in the Town, and spoke about the importance of getting Commission items to the finish line. Said her parents gave back to the Town and she would be honored to be the next generation giving back to the Town.

Carl “Will” Brunosson mentioned enjoying growing up in the area and spoke about how he is happy to be able to see this Town grow and progress from improving stormwater to the Parks. This place is important to him and his family. He wants to help promote change, he is not in favor of anything, but agrees with 90% of the public on how he wants the Town to go. Because of his knowledge of the inner workings of a city, he has a good understanding of fundamental things like height restrictions, zoning, regulations, rentals, fire safety, etc. Melbourne Beach is a really good place to live.

Bruce Larson spoke about growing up in Melbourne Beach. Said he is deeply committed to the Town’s core values and wants to make this place an exceptional place to live. This Town is more than a place on a map, it’s a way of life, it draws you back. A small Town like this needs leaders that understand the delicate balance between progress and preservation. Together we can protect this Town. The current ordinances and procedures need immediate attention. Said he is seeing progress forward, and thanked the Commissioners. Spoke about serving as a Navy Seal. Touched on his extensive professional experience and gave examples including how he managed multi million dollar

infrastructure projects and safeguarded millions of customers as CSO of a Fortune 1000 company. Most recently worked for L3Harris and was responsible for generating over 1 billion dollars in revenue. Says his career has been defined by leadership, accountability and achieving results. Aims to bring transparent leadership and managed growth to the Town and preserve its unique character.

Vice Mayor Sherri Quarrie asked Will about his knowledge on construction like roadways and stormwater management. - 23:30

Will Brunosson spoke about his work involving spec constructions, having experience with construction of roads and stormwater issues. Also mentioned that stormwater management is something that needs to be done gradually. Said the stormwater from hurricane Nicole affected his house to where he needed to tear it down and build new.

Commissioner Marivi Walker asked what one thing made Will come forward.

Will Brunosson mentioned again the importance of the stormwater issue and how it affected his home and needed to tear it down. Said it is important to regulate rentals appropriately and that he has heard how the meetings go and would like to bring a level head to it.

Commissioner Marivi Walker asked Bruce Larson what the Commission has done wrong to bring people together in this Town and what could be done differently. What would he do differently if he were on the Commission?

Bruce Larson spoke about progress is the right thing, that is what people want. The Commission did not divide the Town, but the Commission has not brought people back together. People want progress and that is what will bring people together. The character of the Town is important to everyone and how to get back there is what is missing.

Commissioner Marivi Walker spoke about people wanting different things and gave the example of the splash pad. Said they have some residents that do not want change and younger residents that want change. Asked Dawn Barlow what can be done to bring people together and make them all happy.

Dawn Barlow spoke about how residents that grew up here are coming back because of the charm of the Town. You have to be holistic in the approach. You cannot please everyone, but listen to everyone and be empathetic. We are not always going to agree, but we can respect someone's view.

Commissioner Robert Baldwin asked all three candidates, if the term is for one meeting or one year, what is your vision for the Town. - 36:45

Bruce Larson spoke about how change has to happen deliberately and with intention. Velocity is important, showing progress and delivering results. How do you get 5 people to vote and move forward? Consensus is not everyone agrees, but how to move forward. Must be operating in a different manner within one year, moving from feeling like we are always catching up to progressing forward. How can we accomplish each milestone

moving forward in a way that feels more transparent to the residents and that they know the direction, reasoning and how their tax dollars are being spent?

Will Brunosson spoke about implementation is a big thing. There are great ideas that come up, but they are taking a long time to be implemented. The focus should not be on the differences. Setting goals and timelines to complete them. Represent all age groups and demographics better, and treat it like a job and not focus on the politics that come with it.

Dawn Barlow spoke about how some key topics have been brought up as it relates to short term rentals, stormwater retention, and P&Z, but there has not been enough forward momentum for the residents to feel they have been heard. There might be work being done on them, but it is not being communicated to the residents. Prioritizing items and showing forward progress shows that the Commission is listening to the community.

Mayor Alison Dennington is a little concerned with Mr. Brunosson not attending any meetings. Would make a great addition to the P&Z board with his background and knowledge. Town Government is a huge learning process. Has seen Dawn and Bruce attending meetings. Is also concerned about the potential for conflicts of interest because he is a contractor that does work in Town. Asked Will if he has considered a position on the P&Z Board.

Will Brunosson spoke about not attending the meetings, but he has watched them on YouTube. He has a full-time job and a family, but if he is more involved things would change. Disagrees with the concern about conflicts. His career does not cause a conflict of interest. He only wants to continue the progress of the Town. It is not a detriment to be able to explain and get people to understand things. His career is a benefit, not a conflict because he understands all of the background. Said he decided to run when he heard Commissioner Corey Runte had dropped out. It is not something he would normally do but feels he is capable and wants to be more involved.

Mayor Alison Dennington asked if Will Brunosson had any short term rentals.

Will Brunosson said he did not have any short term rentals. Wants to build homes people can live in and raise their families, not short term rentals.

Mayor Alison Dennington asked how many meetings Dawn and Bruce have been to in the past year.

Dawn Barlow spoke about not having an exact number, but comes fairly frequently and reads the minutes.

Bruce Larson spoke about not having an exact number, has only missed a handful in the last two years, but is very active in attending the Commission and other Board meetings.

Mayor Alison Dennington asked Will Brunosson if he would like to get rid of the stormwater swales.



Will Brunosson spoke about how they are important and necessary, but being able to be open to new ways.

Mayor Alison Dennington asked Will Brunosson if he is a civil engineer.

Will Brunosson spoke about being a general contractor and went to Florida Tech for business.

Mayor Alison Dennington asked if we have procedures that are not being followed, what would be your response to those not being followed, but also not being brought to the Commission to be updated.

Will Brunosson spoke about how procedures should always be followed. Sometimes there are going to be interpretations and handholding that will need to be done to understand things that might have been written 50 years ago and are no longer applicable. We need to assist people through interpreting the language and if a question arises multiple times, look into changing the wording.

Mayor Alison Dennington spoke about pushing things forward, but is being met with resistance. If the Code is being updated there might be a lot more meetings. She expressed concern if Will would be able to commit to all of that.

Will Brunosson spoke about having a wife that holds down the fort, and he can make time for what he finds important and he does find this important. He will be able to make it early mornings, late nights, weekends, etc.

**Mike Bove – 216 Ash Ave** – *When he hears the word change it really scares him. What does change and progress mean to Will because that scares him. He does not want a lot of restaurants here.*

Will Brunosson spoke about wanting to adapt to the residents that are here, and wanting to change for the better and fix things that are broken.

**Tina Coppock – 505 Avenue B** – *Spoke about being impressed with all three candidates. Asked if each candidate were in the position, what would you do to quell the passive aggressive comments, name calling, specifically on Nextdoor.*

Dawn Barlow spoke about having a personal Facebook account to post pictures of sunsets and her dogs. She is not out there to comment about Town issues. There might be an opportunity to have a face-to-face discussion with individuals. Not going to join the banter.

Will Brunosson spoke about not really having social media other than for his business. You kind of have to ignore it or brush it off.

Bruce Larson spoke about leading by example. Stressed the importance of having open topic discussions. Having meetings not Commission run, but just open discussions. We all

want a nice, safe, calm, and change for the better. You cannot deny freedom of speech, but you can have open topic discussions.

**Steve Walters – 416 Sixth Ave** – *Asked Will Brunosson if he builds hotels and works with Certified General Contractors.*

Will Brunosson spoke about previously being involved in building hotels, but that is not what he currently does. About 5-6 years ago he did work at CGC.

## 6. Adjournment

**Vice Mayor Sherri Quarrie moved to adjourn; Commissioner Robert Baldwin seconded; Motion carried 4-0.**

Meeting adjourned at 6:15 pm.

ATTEST:

---

**Alison Dennington**  
Mayor

---

**Rachel Pembroke**  
Transcriptionist

# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING October 23, 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 6:27 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 Robert Baldwin

#### 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. Meeting Agenda – Additions/Deletions/Changes – 1:50

Mayor Alison Dennington said that the three candidates that applied for the Commissioner position submitted their paperwork by today.

Town Clerk Amber Brown mentioned there were typo corrections for two sets of minutes.

Mayor Alison Dennington spoke about the League of Mayors essay contest that they have every year for 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> graders.

Town Attorney Ryan Knight spoke about how Agenda Item 6A should be moved down to New Business.

Mayor Alison Dennington passed the gavel.

**Mayor Alison Dennington made a motion to move item 6A to New Business Item F; Commissioner Robert Baldwin seconded; Motion carried 4-0.**

#### 5. Consent Agenda – 7:00

- 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~~

Mayor Alison Dennington spoke about pulling item A, B, and F off the consent agenda. Is fine with C, D, and E.

Consent Agenda Items A, B, and F were moved to New Business Items G, H, and I.

**Commissioner Marivi Walker made a motion to approve items C, D, and E on the consent agenda, Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.**

#### ~~6. Proclamations/Presentations/Awards~~ – Moved to New Business Item F

- 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 – 9:50

Mayor Alison Dennington spoke about this being the last closing month for last fiscal year.

Town Manager Elizabeth Mascaro spoke about how there will be budget amendments through November, or any final invoices, but this is the last major one.

Vice Mayor Sherri Quarrie spoke about legal being over budget, and the past couple of months have been almost double. Asked Town Attorney Ryan Knight what is that attributed to. Also asked who Brock Magruder and Claudia Pastorius are. Asked about Ms. Harris and said she was paid \$15,000 and \$1,600 on top of that.

Town Attorney Ryan Knight spoke about how the costs are out of the ordinary to what they normally would be and that has to do with short term rentals mostly, and vacancies. Said that Brock Magruder is the Mayor's individual attorney, and Claudia Pastorius is the Mayor's counsel for the shed case. Said he spoke with Ms. Harris about an appellate case regarding settlement to come to a resolution.

Vice Mayor Sherri Quarrie spoke about other than legal, everything is around 82%. Parking fees are down from 2023. Said that money is used for the parks and the new police officer.

Mayor Alison Dennington mentioned to keep the issue of parking fees going down in mind when considering dropping the guest pass prices. Also spoke about wanting comp time information. Spoke with the Town Attorney and the auditors about it.

Town Attorney Ryan Knight said it has not been resolved yet, but he did speak with Finance Manager Jennifer Kerr about it, who gave him someone to contact.

Town Manager Elizabeth Mascaro spoke about how the policy has not changed. If an employee has hit the max, but they have vacation scheduled in the next couple of weeks then they are allowed to spend it.

Mayor Alison Dennington asked if the policy has been or is being amended to allow for some discretion.

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

**8. Department and Board/Committee Reports**

A. Public Works Department – 23:25

Vice Mayor Sherri Quarrie asked if there had been a date set for the camera review for the tree streets that had an issue.

Town Manager Elizabeth Mascaro spoke about meeting with the Town Engineer to start the process to cam two areas.

Vice Mayor Sherri Quarrie asked to post online the date when the pipes are going to be camed.

Commissioner Marivi Walker asked if there is any recourse and if there are any issues with the work that was originally done on Cherry.

Town Manager Elizabeth Mascaro spoke about how she would have to get the Town Attorney's opinion, but the work was done over 10 years ago so she doubts it.

Town Attorney Ryan Knight said there is a construction repose of 7 years.

Mayor Alison Dennington mentioned possibly keeping a list of any materials used in case there was a recall. One suggestion is when there are new projects to get a list of all of the products used as part of the final. Could Tom include it on his report anytime he does the baffle boxes?

Town Manager Elizabeth Mascaro said before every storm every baffle box is cleaned.

Mayor Alison Dennington asked about the free-flowing well on Banyan Way.

Town Manager Elizabeth Mascaro said St. Johns capped it.

B. Building Department – 29:20

Mayor Alison Dennington asked what the address for the vacation rental inspection was, and asked for an update on adding more categories to the reports. Suggested leaving the code officer position open to part-time or full-time.

Town Manager Elizabeth Mascaro spoke about it being from 322 Hibiscus, the categories have been added and next month the report will have more details, the current code officer has put in his notice due to personal issues that have come up, no one has applied for the added part-time position, so now it can be advertised as a full-time position to see if people will apply.

C. Code Enforcement – 35:30

No additions.

D. Fire Department – 35:40

Mayor Alison Dennington spoke about going to the Haunted House and said it was amazing. Thanked the Fire Department.

Town Manager Elizabeth Mascaro said there would be more details about the hurricane next month but that there were two down power lines and that the Fire Department stood guard and commended how they handled the situation.

E. Police Department – 38:55

Vice Mayor Sherri Quarrie expressed her concern for encountering three firearms during traffic stops and has not seen that in a report before. Asked about having the police keep an eye on dark tint on the windows.

Town Manager Elizabeth Mascaro said it is not normally reported and she has now requested to have that reported. Said the officers are trained to notice the dark tint, but can ask them how they handle that.

Mayor Alison Dennington asked about including more details for gun issues, was curious if the guns were registered or not to which the Town Manager said she did not know.

Commissioner Marivi Walker said she believes things need to be reported, but asked if they could only include bad gun issues, and not include legal transporting of guns.

Town Manager Elizabeth Mascaro said they currently have four volunteers.

Mayor Alison Dennington spoke about doing something at the end of the year as a thank you to the volunteers.

#### F. Town Clerk – 43:55

Mayor Alison Dennington said the scanning project is complete but there was no date about when that would be on the website.

Town Clerk Amber Brown said she was prioritizing the minutes and could not give an estimated date for that project.

Mayor Alison Dennington spoke about hiring someone part time to assist the Town Clerk even for a couple weeks.

Town Manager Elizabeth Mascaro said she could meet with the Town Clerk but part of the issue was the website was not working.

Vice Mayor Sherri Quarrie pointed out that there is an election coming up so that will be taking up a lot of people's time.

Town Clerk Amber Brown said no one can know how long the scanning project will take.

Commissioner Robert Baldwin got clarification that everything would have to be uploaded at once, it cannot be uploaded in different sections.

Mayor Alison Dennington asked the Town Clerk about how extensive the training was for the scanning program and suggested maybe training Cyd or the Finance Clerk on it.

Town Manager Elizabeth Mascaro suggested using an intern to do the upload.

Town Clerk Amber Brown mentioned that the new website is not complete but she did not want to pay for two websites for a year, so she had to have the new website go live before October 1st. Said there is a disclaimer saying it is under construction.

Mayor Alison Dennington said if you want alerts, you must sign up on the new website.

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

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.

**Dawn Barlow – Parks Board Chairperson** – *Thanked the Town for the fall festival. The Parks Board's next event is Veterans Day on November 11<sup>th</sup>. Spoke about speaking with Joyce Barton about the water feature and she spoke with some of the Garden Club members and they mentioned they might be interested in a paved pathway. Looking at focusing on playground equipment in the coming months.*

**Todd Albert – 1710 Pine St** – *Asked where things were at with the building height issue. Suggested giving it to P&Z.*

Town Attorney Ryan Knight spoke about not having it on his list, but he can add it as a priority.

**Commissioner Marivi Walker made a motion to request that the Town Manager request P&Z look at the fill and height of the buildings; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.**

**Frank LaGrassa – 412 First Ave** – *Asked if the Town has looked at hiring 4 firemen.*

Mayor Alison Dennington said it had been discussed, but the Fire Chief said it does not need to be done now but may need to in the future. The reason has to do with changes in State Legislation and current firefighters retiring.

Commissioner Marivi Walker mentioned a grant being available so the cost would not be on the Town.

Town Manager Elizabeth Mascaro said that several years ago when the stipend was discussed, you could pay the volunteers to stay, go to the county or go to a paid fire service.

**Lauren Hardman – 320 Second Ave** – *More police patrols need to be done. The development down south has quadrupled and a lot of them are rentals. There is no way 2 officers, especially when they need time off, will be able to cover the whole Town with all of the commercial vehicles going down south. Transparency is a buzzword and it can't be any clearer. Asked if the Mayor wants to dissolve the Fire Department, Police Department, and fire the staff and Town Manager.*

Mayor Alison Dennington said she did not want to fire anyone or dissolve departments.

**Steve Walters – 416 Sixth Ave** – *Spoke about how the Fire Department was discussed similar to Malabar, one option was a fire tax, go back to the minutes, they discussed up to 4 firemen full time. Has no issue with the Fire Chief or Fire Department.*

Mayor Alison Dennington said that the Fire Chief provided information about the marine expenses.



## 10. Public Hearings/Special Orders

### 11. Unfinished Business

- A. Consideration on filling the Town Commission seat vacated by Commissioner Corey Runte – 1:13:45

Vice Mayor Sherri Quarrie spoke about being surprised by the questions to the new applicant and pleasantly surprised by the answers. Feels confident there will be no collusion. Is thrilled with Dawn being on the Parks Board and would hate to lose her on that Board. Likes Bruce Larson and he has done a remarkable job with what he has done for short term rentals, hopes he stays active in that. Likes the freshness of Will so that is her recommendation.

Commissioner Marivi Walker spoke about liking the freshness of Will. Does not think just because you have not been to the meetings does not mean you cannot serve. Likes Will's background.

Commissioner Robert Baldwin spoke about how all three candidates would make good Commissioners. Agrees with the Mayor that P&Z could make a good fit for Will if he was willing to consider that. Appreciates Bruce Larson's work with short term rentals. Worked with Dawn at Harris and has a lot of respect for her. Appreciates all three candidates.

Mayor Alison Dennington spoke about how this should be a special election. Will would be great on P&Z and he is very busy with his job and family. Thinks Dawn and Bruce would make a better option.

**Tina Coppock – Avenue B** – Spoke about how there is a candidate that has experience with stormwater and building issues, which are topics that have been brought up. Believes this would be valuable and mentioned that there has never been a requirement to serve on a board before running for office.

**Steve Walters – 416 Sixth Ave** – Spoke about picking Dawn Barlow or Bruce Larson. Would like to see Will get on a Town Board to learn government. To serve the Town best would be someone who understands Town Government.

**Bryan Troy – 509 Hibiscus** – Spoke about finding it peculiar how many times the Mayor asked Will how many meetings he has been to. Asked if there is a requirement to attend the meetings to run for the Commission. Does not think the fact that Will is a builder is a conflict of interest, believes it would be a benefit to the Town.

Mayor Alison Dennington said before running for Mayor she attended meetings for three years. Said there is no requirement for running for the Commission.

**Gabor Kishegyi – Surf Rd** – Spoke about it doesn't seem right to appoint someone who did not apply the first time.

**Jennifer Ottomanelli – 510 Avenue A** – Spoke about how Dawn Barlow has impressed her over the years.

**Frank LaGrassa – 412 First Ave** – A good test is to ask if the candidates have the courage to stand up. Supports Bruce Larson, who believes in a budget that is easy to read, a budget that has total employee compensation.

**Tina Bove – 216 Ash Ave** – Spoke about already going through this process. You have candidates who applied last time and had a lot of support. The previous candidates are overlooked for new candidates. Stop pretending, residents have asked for a special election. No one is innocent in the division of the Town.

**Will Brunosson – 217 Fifth Ave** – Spoke about all three candidates would be a good fit. Having someone who can see the problem at hand is the important part. People are frustrated with the division in the Town and it is unnecessary. Regardless of who wins, it will be in a good direction for everyone.

**Lauren Hardman – 320 Sixth Ave** – Spoke about Robert’s Rules of Order. Study it and would like the Commission to follow it.

**Vice Mayor Sherri Quarrie made a motion for Carl Will Brunosson for appointment to the vacant Commission seat; Commissioner Marivi Walker seconded; Motion failed 2-2 with Mayor Alison Dennington and Commissioner Robert Baldwin dissenting.**

**Commissioner Robert Baldwin made a motion to appoint Dawn Barlow to replace Corey Runte as the Commissioner at large; Commissioner Marivi Walker seconded; Motion carried 4-0.**

Town Clerk Amber Brown administered the Oath of Office for Commissioner Dawn Barlow

Recess 8:07pm – 8:19pm

Town Clerk Amber Brown conducted a roll call.

**Commission Members Present**

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

**Staff Members Present**

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

- B. Approval of the Special Town Commission Meeting final minutes September 6, 2024 – 1:54:00

**Vice Mayor Sherri Quarrie spoke about approving Unfinished Business Items B through Unfinished Business Item J; Commissioner Marivi Walker seconded; Motion carried 5-0.**

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

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

Approved as part of the motion from Unfinished Business Item 11B.

- K. Consideration to offer reduced pricing on non-resident parking passes – Town Manager Elizabeth Mascaro – 1:57:30

Town Manager Elizabeth Mascaro spoke about the loss of revenue due to bad weather in the Spring. That is usually a time for high parking revenue, but there was a lot of rain which means they have been behind on revenue projections since then. As far as the passes go, there are many left. If sold at a reduced rate, it would cover the cost of producing those passes. Doesn't know if charging \$25 for a pass or \$2.50 to park would make much difference.

Mayor Alison Dennington spoke about how originally there weren't any guest parking passes. When it got brought up, it was supposed to be a limited number, first come first served. Says personal preference would be to have a small number, but if that does not

cover the cost then we could just do away with them altogether. Says resident and guest passes look similar.

Town Manager Elizabeth Mascaro said resident passes have an R, guest passes have a G.

Vice Mayor Sherri Quarrie asked how much the guest passes are. Also asked how many have sold and have we paid for the guest passes that have been printed. Would recommend sticking with the original price.

Town Manager Elizabeth Mascaro said a guest pass is \$100. Said 33 have been sold and that has paid for the printing costs. Said in January, the sticker will look different.

Commissioner Marivi Walker spoke about being against it.

Commissioner Robert Baldwin spoke about being in favor of two tiers of pricing.

Commissioner Dawn Barlow spoke about going with a two-tier approach.

***Tina Coppock – Avenue B – Spoke about not thinking the Town should have to renew them every year. There is a lot of administrative work and cost that goes into this. Maybe change it to every two or so years. Doesn't want to have to renew it every year.***

***Ted Funkhouser – 509 Banyan Way – Spoke about not being in favor of having to renew it every year. It's a cost that the Town does not have to have.***

Commissioner Robert Baldwin asked about having a yearly guest pass but having resident stickers longer.

Town Manager Elizabeth Mascaro mentioned that is how it used to be, but it ended up being more administrative work because people sell their cars with the stickers or move away, but still have the sticker.

Mayor Alison Dennington spoke about it being a pain but if people move, they could still use their resident sticker for as long as it is good for and that takes away from the current residents.

Town Manager Elizabeth Mascaro said there is no limit to the number of passes, just has to be the amount of cars registered to the address.

***Lauren Hardman – 320 Sixth Ave – Spoke about those that are renting their homes are being taped on, so they are not being used how they should be. Food for thought.***

### **Failed for a lack of motion.**

- L. Consideration on the lifeguard contract for the 2025 season – Town Manager Elizabeth Mascaro – 2:10:55

Town Manager Elizabeth Mascaro spoke about how this has been brought to the Commission two other times. Options are a seasonal lifeguard or full time lifeguard in Ocean Park. The County Commission came back with an offer asking for \$21,583.45 for a seasonal lifeguard. This current year, the Town paid \$20,729.40 so this would be an increase of \$854.05. This would cover 2 seasonal lifeguards.

Mayor Alison Dennington spoke about appreciating the County coming back with this offer, wants to pinch pennies, but feels the County has really worked to come back with a better offer. Feels the need to compromise. Asked why this cost has come down so significantly.

Town Manager Elizabeth Mascaro said they brought it back down to around what the Town has always paid.

Commissioner Dawn Barlow asked if this was part of the budget.

Town Manager Elizabeth Mascaro spoke about it not being budgeted, but there is money that will be rolled into this year that will cover the cost.

***Gail Gowdy – 215 Ash Ave – Spoke about how it is good to have a lifeguard.***

***Lauren Hardman – 320 Sixth Ave – Said it is a fantastic idea, and it is not so much our residents, but the visitors to the area.***

Town Manager Elizabeth Mascaro said this would be for a seasonal lifeguard. Starts the week of spring break (Feb/March) and then in April it starts on weekends. In May, once school gets out it is every day through when they go back to school in August. And then it is weekends again through the end of October.

Mayor Alison Dennington asked how we can get a lifeguard training program on the south end of the county.

**Commissioner Marivi Walker made a motion to approve the lifeguard contract for 2025 as presented; Commissioner Dawn Barlow seconded; Motion carried 5-0.**

## **12. New Business**

### **A. Consideration on selling old used street signs – Town Manager Elizabeth Mascaro - 2:20:00**

Town Manager Elizabeth Mascaro spoke about the Town having a lot of signs and said they could sell them or auction them off at Founder's Day. Said these are damaged signs.

Mayor Alison Dennington spoke about auctioning off the signs and splitting the money between the boards.

Vice Mayor Sherri Quarrie asked how much to charge.

Mayor Alison Dennington spoke about doing an auction for them.

Commissioner Robert Baldwin asked if it would be an online auction and asked if the signs are normally scrapped and the Town gets the cost of the metal.

Town Manager Elizabeth Mascaro said it could be an auction during Founder's Day and assumes they just get the cost of the metal for the signs but does not know.

***Ted Funkhouser – 509 Banyan Way** – Spoke about the street sign at South Palm and Banyan Way only has one bulb and is banging around and going to fall.*

**Commissioner Dawn Barlow made a motion that we consider the sale of old used street signs for the benefit of the Town and split the money between the Town Boards; Commissioner Marivi Walker seconded; Motion carried 5-0.**

- B. Consideration on scheduling ongoing stormwater runoff workshops – Commissioner Marivi Walker - 2:24:50

Commissioner Marivi Walker spoke about how this idea came about from hearing that residents are asking questions about whether or not there is a plan, what is the cost, how is money being raised, taxes, grants, etc. Believes monthly workshops where people bring their ideas would help there be awareness among the residents.

Mayor Alison Dennington spoke about her original thought was to schedule workshops by basin and prioritize the critical areas. Mentioned wanting to get the Town Engineer involved.

Town Manager Elizabeth Mascaro spoke about meeting with the Town Engineer and they will have the drawings for basin 1 done by the end of the year. The guestimate is \$4.2 million, and then the project on Cedar will be done. There is about \$1.5 million so far.

Mayor Alison Dennington spoke about wanting a monthly report for stormwater by basin.

Town Manager Elizabeth Mascaro spoke about how Cherry and Cedar would be prioritized over South Palm because houses were jeopardized due to flooding, whereas South Palm there was a lot of flooding, but no houses were in jeopardy.

Mayor Alison Dennington spoke about getting a monthly report and scheduling the meetings, but they do not have to be Commission meetings.

***Lauren Hardman – 320 Sixth Ave** – Spoke about obviously we do not have the funds and we are wanting to bring the millage down. We are trying to catch something that can never be caught. When we have large ticket items, you can't keep bringing millage down and taxes down and then not have the money to get this done.*

**Commissioner Dawn Barlow made a motion that the Town Manager take the steps to schedule meetings around stormwater runoff, they can be non-Town Commission workshops; Commissioner Robert Baldwin seconded; Motion passed 5-0.**

C. Discuss proposed Vacation Rental Ordinance changes – Town Attorney Ryan Knight - 2:36:20

Town Attorney Ryan Knight said that this is a proposal for changes to the short term rental ordinance that was based on the workshop and comments. The idea is to understand if the Commission does or does not like the provision, and what they would want to see changed. Is essentially seeking direction to draft the ordinance for a first reading.

Mayor Alison Dennington spoke about page 207 transient public lodging establishments and how it seems like you can rely on an advertisement to say they are in violation.

Town Attorney Ryan Knight spoke about how the Special Magistrate cannot write an order based solely on an advertisement. There would need to be additional evidence. Look at it from a code enforcement lens, not just from the code.

Mayor Alison Dennington spoke about how you can ask the person under oath if they advertised the rental, and unless they lie they would say yes. That is enough to prove they are in violation.

Town Attorney Ryan Knight spoke about going through the booking process and that being something to show other than just an advertisement.

Commissioner Robert Baldwin asked if they send letters to units rented who are not registered that say they are on notice and the Town knows what they're doing.

Town Attorney Ryan Knight said there are letters that are sent out that usually say the person would have 14 days to comply and then if they still have not complied they would be issued a notice to come before the Special Magistrate.

Mayor Alison Dennington wants to know what legal extent the Town can go to. Asked if advertising when you are not registered is a violation.

Town Attorney Ryan Knight said the advertisement itself would not be sufficient.

Town Attorney Ryan Knight spoke about the changes. – 2:44:15

- Page 210 – Every day of operation shall constitute a separate violation
- Page 213 – Obtain a photo ID for every occupant who is 18 years of age or older prior to check-in.
- Page 215 – Limiting the maximum occupancy to 8.
- Page 216 – Related to parking limited to 3 vehicles.
- Page 217 – Noise regulations, if there is something that is clearly audible they could be potentially cited or brought to the Special Magistrate.
- Page 219 – Registration suspension.

Commissioner Robert Baldwin asked how the days would be calculated. Would it be only days it is occupied.

Town Attorney Ryan Knight said it would be every day after they have been found in violation whether it is occupied or not.

Mayor Alison Dennington clarified that owner occupied homes are exempt, but that the language could be changed to take away the owner occupied exemption.

Commissioner Marivi Walker mentioned not all sites collect photo IDs. Can we require everyone to provide an ID? For large homes with 6 bedrooms, is there anything they can do to come after the Town when they can only have 8 occupants?

Town Attorney Ryan Knight said any stays on the books would not be affected but anything new coming in would have to abide by the 8-person max occupancy. If it is in the Town Code they would not be successful objecting to it.

Mayor Alison Dennington spoke about wanting vehicles to only be parked in the driveway.

Commissioner Robert Baldwin spoke about how there already has to be a plan posted in each rental where parking spots are identified. Is that up to the owner/host where the official parking is?

Town Attorney Ryan Knight said section 74-38 says they must be parked in a driveway, there shall be no sidewalk, on-street, right-of-way or grass parking.

Mayor Alison Dennington clarified that if there are multiple cars parked on the street at a rental, the police could be called and give tickets or the owner could get a violation.

Commissioner Marivi Walker asked if anything was added to prevent exterior speakers.

Town Attorney Ryan Knight said there is nothing to prevent putting up equipment, but that the short term rentals would be subject to following the noise ordinance regulations and the clearly audible standard. If property is classified as a noise nuisance property by the Special Magistrate, then they would have a fee and on top of that they would charge an additional \$500 fee and let the occupant know that will be charged if there is a noise complaint. If there are 3 noise violations over a period of 12 months, the Special Magistrate could classify the property as a noise nuisance property.

Commissioner Robert Baldwin clarified that the clearly audible violation applies to anytime of the day. If a neighbor can hear noise inside their home, it does not matter the time. Said that if the owner did not collect the \$500, they would still have to pay the fine.

Town Manager Elizabeth Mascaro asked if the Town could collect the \$500.

Town Attorney Ryan Knight spoke about how it would still have to go to the Special Magistrate, and part of it is to put the owner on notice.

Vice Mayor Sherri Quarrie asked if there is more than one violation can the \$500 escalate?



Town Attorney Ryan Knight spoke about that could be considered a repeat offender and the Special Magistrate could impose additional fines. Florida Statute has Code Enforcement Fines.

Mayor Alison Dennington spoke about the provisions in the Statute that can enhance the violation. Can our registration process include the name they advertise the property as?

Town Attorney Ryan Knight spoke about how that can be included in the application. The violations would be attached to the property, not the owner.

**Lauren Hardman – 320 Sixth Ave (3:14:40)** – Spoke about having a concern with sex offenders. How do you incorporate that in this? It is the owner's responsibility to check for sex offenders. There are loopholes. Recommends getting things in writing.

Commissioner Marivi Walker spoke about how she spoke with someone from Airbnb, and they said when IDs are uploaded to Airbnb and VRBO, they are checking those IDs for felons which includes sexual predators. Felons aren't allowed to rent on those sites.

Commissioner Robert Baldwin asked about multiple adults as guests, are we requiring background checks for everyone?

Mayor Alison Dennington said FL State Law requires background checks for anyone that stays there, and Airbnb says on their website that they are not responsible for doing background checks.

**Mark McBride - 310 Second Ave** – Spoke about how Airbnb does not require you to provide all of the names of the occupants. Clarified that the parking restrictions would include all vehicles, guests and occupants. Can you enforce the \$500 deposit?

Town Attorney Ryan Knight spoke about if the property is deemed as a noise nuisance property, then the rental would have to communicate that to guests.

**Mark Codgen – 102 Oak St** - Spoke about just going through an 11 month litigation. One question to pose is have you engaged any of the local hosts? Encourage room for dialogue on the front end to avoid issues in the future.

Mayor Alison Dennington spoke about scheduling a workshop to discuss with hosts. Asked if anyone is in favor of repealing the owner occupied exemption.

Commissioner Marivi Walker spoke about not being ready to repeal it yet because there is something about owner occupied that is very different.

Commissioner Dawn Barlow asked what percentage of rentals are owner occupied and how have other municipalities dealt with owner occupied vs full home rentals?

Town Attorney Ryan Knight said most Towns do have owner occupied exemptions.

*Ken Lebrato – Cherry Drive – Page 215, was not a change but addressed that the grandfather clause is for ten years, believes that is too long. Page 217, noise, why does it only apply to RS1, single family, why not RS2, RS3? Page 220 item B, time for multiple violations. The last violation regarding short term rentals took two years to come to the Special Magistrate. Suggested adding that a violation must be heard by the Special Magistrate within a short period of time.*

Commissioner Robert Baldwin spoke about if you can point back to the notice of violation.

Town Attorney Ryan Knight said that an order can contain several different violations.

Mayor Alison Dennington said the Commission could set a policy that says to bring a hearing within a certain period of time. The Town Manager is the department head of Code Enforcement. Can we put a disclaimer that says that this ordinance in no way changes prior ordinances that have been lawfully passed?

Town Attorney Ryan Knight said it would have to be a Code Enforcement policy and that it would be unnecessary to have something in writing every 30 days with the other changes in place. The issue of RS1, cannot include others. Technically could put in that disclaimer but does not see the point.

D. Discuss proposed Noise Ordinance changes – Town Attorney Ryan Knight - 3:41:00

Town Attorney Ryan Knight said that this was in regards to the noise control device that would allow the police to have data. Plans on including an exemption for generators.

E. Consideration on Resolution 2024-11 – Vacation Rental Fee Schedule – Town Attorney Ryan Knight - 3:42:25

**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**

Town Attorney Ryan Knight said he needs to know if the Commission would like to increase the fees or keep them as they are. Said that \$850-1,000 is on the more expensive side for the state of Florida, most are around \$500.

Commissioner Marivi Walker asked about fees around the State and would this make more people not want to register.

Vice Mayor Sherri Quarrie spoke about how these people are making a lot of money. They can afford it.

Commissioner Dawn Barlow spoke about the fees will probably be passed onto the renter.

*Tim Reed – 302 Fourth Ave – Spoke about being glad to see the fees increase. Why do we need to follow and be like the others? Go higher on the fees. This is an opportunity to raise and be tough on the fees.*

Mayor Alison Dennington spoke about how a concern is if the fees are too high, then the legislature might come down on that as well.

**Commissioner Robert Baldwin made a motion that we accept the vacation rental fee schedule as presented with the corrected higher fees; Commissioner Dawn Barlow seconded; Motion carried 5-0.**

- F. Originally Proclamations/Presentations/Awards Item A - Consideration on Resolution 2024-10 – Censuring Mayor Alison Dennington – Vice Mayor Sherri Quarrie – 3:49:40

**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.**

Vice Mayor Sherri Quarrie spoke about being disappointed with how recent meetings were run. The Mayor's inability to hold herself in a higher manner. Censure is not silencing someone's ability to talk. The reason for this is for things to improve. This is the most professional way to get professional conduct and have the meetings run shorter. Went through the minutes and videos and documented the ways to improve the meetings.

Town Attorney Ryan Knight read Resolution 2024-10. - 3:53:40

Mayor Alison Dennington asked the Town Attorney if he had drafted it, would he have done anything differently?

Town Attorney Ryan Knight said dates could be included.

Mayor Alison Dennington asked Vice Mayor Sherri Quarrie what was the section about medical issues.

Vice Mayor Sherri Quarrie spoke about a medical issue with her hearing and the Mayor made comments about it not being true.

Mayor Alison Dennington spoke about the Vice Mayor wanting to censure her for things she is allowed to do. She is allowed to pull items from the Consent Agenda, and ask for information. She has not done anything wrong to ask for information.

Town Attorney Ryan Knight said that one person is allowed to pull items from the consent agenda. Read section 3.03B, so there is an exception for inquiries and investigations.

Mayor Alison Dennington said if the Vice Mayor does not like the way she has gone about things that's one thing, but she is doing things she's allowed to do.

Vice Mayor Sherri Quarrie spoke about how the Mayor has requested individual staff for reports from the dais. It needs to come from the Commission, not from an individual. This

evening the Mayor constantly argued with the Town Attorney. It is a waste of time and it does not follow the guidelines. It's not about what Corey Runte did that was out of order. Wants the Mayor to do better and follow the rules, because this was happening the Mayor held a better meeting tonight. This is a polite way for the Mayor to grow.

Mayor Alison Dennington spoke about how what one person thinks is arguing is her asking for clarification. This is a very subjective non specific attack.

**Mark Formica – 215 Birch** – Spoke about a lot of people in this Town elected the Mayor for a reason, to offer as much transparency as possible. Found out there are special meetings. It is getting better. The bullying with the Mayor is so obvious and disgusting. Today was better. When people gang up on you, it is hard to function and not be combative. The timing of this is bad. The last meeting was orchestrated. Wants the Mayor to be fiscally responsible and act as a CEO and ask questions. He recommends dropping this.

**Pat Reilly - 1985 Howell Lane** – Town of Malabar Mayor, grew up in Satellite Beach and has a lot of friends in Melbourne Beach who are concerned. Has been going to meetings for 57 years and has never seen such bad meetings, after attending a meeting he met with the Mayor, and the following meetings were not improved, the Mayor's function is to facilitate the meeting not be a dictator and speak 99% of the time, the Mayor is just one vote. All of the Mayors he has spoken with would recommend approving this resolution.

**Steve Walters – 416 Sixth Ave** – Spoke about how people tried to do it to him. It doesn't matter because of First Amendment rights. Happy there is finally someone up there doing oversight. Corey Runte interrupted the mayor 26 times in one meeting. The Town's policy and the civility policy has been violated tonight. The Mayor's social media is none of anyone's business, it is your constitutional right.

**Tina Coppock – 505 Avenue B** – Spoke about if you are concerned about fiscal responsibility then you should be concerned about the Town Attorney bills because of the Mayor constantly emailing the Town Attorney for things that she should not be doing. The additional length of meeting times is costing the Town money. The Mayor is big on making others follow requirements, but she does not follow them.

**Lauren Hardman – 320 Sixth Ave** – Spoke about how this declaration is in Robert's Rules of Order to help get things back on track. It is not to get rid of someone, it is to help. Today's meeting was much better. The last attorney bill, the Mayor contacted the Town Attorney 106 times, which is over \$2,000.

**Frank LaGrassa – 412 First Ave** – Spoke about how both sides are blind. When the Mayor was elected he was afraid she was going to be ganged up on. He supports Marivi because she is such a lady up there and does not participate in ganging up. Get back to speaking factually, take the judgment out. Forgive and forget.

**Jeanne Lewis – 506 Hibiscus Trail** – Was at the September meeting when Corey told the Mayor she was too far into the weeds. She voted for the Mayor because she wants someone to get into the weeds. The Commission has oversight and directs the Town

*Manager. The Town Manager has oversight and directs the employees. Now there is a Mayor that is actually doing the job and she is being sabotaged. Not answering questions, sending the information, and not being helpful, hoping the Mayor will resign. Power is hard to give up when you have had it for so long. Believes the Town will benefit from more oversight. Hopes after the election the atmosphere will rectify itself.*

**Mark McBride – 310 Second Ave** – *Spoke about how tonight's meeting was better, and the Commission is changing. The Mayor processes things in ways that can be frustrating, but is the only one that has listened to him. The other Commissioners have never questioned the Town Manager once. The Mayor can be frustrating sometimes, but she will listen to you. The makeup of the Commission is changing.*

**Gail Gowdy – 215 Ash Ave** – *Spoke about not knowing where to go after tonight, does not think it is right, you have sabotaged the Mayor for a year, Corey destroyed her at every meeting and no one ever stood up.*

Vice Mayor Sherri Quarrie spoke about how the censure is to make someone better. Saying things behind someone's back is not professional. This is the professional way to make improvements. This is not disparaging. This is an action that she believes needs to be improved. This is a request to improve. The Commissioners have to be responsible for what they put on social media because it is public comment. We all have to read the minutes, have to be prepared for the meetings, have a life, speak with staff to be educated. This is not to gang up on anyone. This is to point out things the Mayor can improve on.

Commissioner Robert Baldwin spoke about this being a tough thing to evaluate. In the business world, this would not happen. You would have a private meeting and evaluation. Sorry for that fact now, but the Mayor did not do that in private to Robert Bitgood when she could have. Does not necessarily agree with everything in the censure. Has heard in recent meetings and the Mayor has threatened lawsuits and that really turns people off. Encourages the Mayor to not wield that as much. This meeting was really good, and he would like to see that continue. If he voted for the censure it would only be to say some of these things need to stop. Listening to the other side and not interrupting. Everyone has to do better on not interrupting. Give people the benefit of the doubt and don't prejudice people. We all need to be polite.

Commissioner Marivi Walker spoke about there being a learning curve to every new job. The only difference between the Commissioners is the Mayor is here to facilitate the meetings. The Mayor is incredibly smart, but sometimes the way you go about things makes you your own worst enemy. Sees this as an improvement plan. When you communicate with staff try to be more concise because sometimes the emails can be very confusing. Have to get the meetings on the right track.

Commissioner Dawn Barlow spoke about how there is no doubt the Mayor is passionate about the Town. The Mayor has been able to listen to the resident's and be able to prioritize items. The consistency with due process of meetings needs to be adhered to. Sometimes the Mayor's body language can make the topic seem less important and that is

not fair. Thinks the adversarial personalities are behind us. Being able to work together and move forward and finish things.

Mayor Alison Dennington spoke about taking these things to heart and appreciates that she is not perfect. Some of the stuff is not specific and feels it is defamatory.

**Vice Mayor Sherri Quarrie made a motion to pass and adopt the centure as printed; Commissioner Robert Baldwin seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.**

- G. Originally Consent Agenda Item A - Approval of the Regular Town Commission Meeting minutes June 19, 2024 – 4:55:30

**Vice Mayor Sherri Quarrie made a motion to approve those minutes subject to the changes that will be presented.**

**Vice Mayor Sherri Quarrie withdrew her motion.**

**Vice Mayor Sherri Quarrie made a motion to table Consent Agenda Item A, B, and F to the November Regular Town Commission meeting; Commissioner Robert Baldwin seconded; Motion carried 5-0.**

- H. Originally Consent Agenda Item B - Approval of the Regular Town Commission Meeting minutes July 17, 2024

Tabled as part of the motion from New Business Item 12G.

- I. Originally Consent Agenda Item F - Approval of the Regular Town Commission Meeting minutes September 18, 2024

Tabled as part of the motion from New Business Item 12G.

### **13. Administrative Reports**

- A. Town Attorney

No additions.

- B. Town Manager – 4:58:50

Town Manager Elizabeth Mascaro spoke about Waste Pro, provided updated information on storm clean up and it was significantly higher than expected, \$23,000. Said FEMA usually reimburses 90%.

Commissioner Dawn Barlow asked if basins and flooding would qualify for reimbursement.

Town Manager Elizabeth Mascaro said that if flood waters affected the pipe, there would be the ability to submit for refunding. Her feeling is that the flooding situation will not be considered the main root causing the problem.

Mayor Alison Dennington asked if there were any legal requirements related to Robert Bitgood rescinding his resignation.

Town Attorney Ryan Knight said no, you don't have to hold interviews or anything like that.

Vice Mayor Sherri Quarrie asked if there would be issues declaring the State of Emergency before the County.

Town Manager Elizabeth Mascaro spoke about not declaring until after the County due to funding, but it was declared too early. There is no reason to declare early. As the Town Manager she can determine when to start paying staff for emergencies.

Mayor Alison Dennington spoke about canceling the meeting because the building was boarded up, and residents were complaining because they needed to prepare for the hurricane and the Town had a meeting scheduled. The Mayor has the ability to declare an emergency. Had differing opinions than the Town Manager.

Commissioner Marivi Walker spoke about this not being the first hurricane and was surprised how early things shut down, there is a good plan in place.

Mayor Alison Dennington spoke about either changing the charter, doing a referendum. Or the Commission could come up with a policy that if the governor declares a state of emergency, there would not be meetings unless the meeting is an emergency.

Commissioner Dawn Barlow spoke about reviewing the procedures well in advance of hurricane season so everyone is aware, and if needed, revise them.

Commissioner Robert Baldwin asked if there was anything learned from the hurricane.

Town Manager Elizabeth Mascaro spoke about nothing learned, same process as several previous hurricanes.

Mayor Alison Dennington spoke about scheduling a workshop yearly to review procedures.

Town Manager Elizabeth Mascaro spoke about how the policies and procedures are not for public consumption because the general public does not understand how the government works.

Mayor Alison Dennington spoke about how other municipalities have their policies and procedures online including West Melbourne and Brevard County. That would help with transparency.

#### **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 11:41 p.m.

**ATTEST:**

\_\_\_\_\_  
**Alison Dennington**  
**Mayor**

\_\_\_\_\_  
**Rachel Pembroke**  
**Transcriptionist**



# Town of Melbourne Beach

## TOWN COMMISSION WORKSHOP November 6, 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

Commissioner Dawn Barlow

#### **Staff Members:**

Town Manager Elizabeth Mascaro

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

Vice Mayor Sherri Quarrie

Commissioner Robert Baldwin

Commissioner Dawn Barlow

#### **Staff Members Present**

Town Manager Elizabeth Mascaro

Town Clerk Amber Brown

#### **Commission Members Absent**

Commissioner Marivi Walker

### 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 on beach tennis proposal – 4:50

Guest speaker Essy Dariarow spoke about beach tennis and asked to utilize one of the volleyball courts that's not being used for beach tennis. He is part of a group of approximately 100 families that get together to play. Played a short video.

Mayor Alison Dennington asked about the equipment needed, time for a game, liability, and the need to reserve the courts. Also mentioned having to fix the already broken poles anyways and what that would require to be adaptable to the tennis nets.

Essy Dariarow spoke about how they would provide all of the equipment, and nothing would be permanent. The volleyball net would be removed and a PVC pipe would go around the pole and they would attach the net to the PVC pole. One set takes about 20 minutes. Other towns basically say they are not responsible for anything.

Commissioner Robert Baldwin mentioned that it does not matter what kind of poles there are, they can adapt their tennis net system to it.

Vice Mayor Sherri Quarrie asked what exactly he was looking for. Is he looking for permission to put the net up to play?

Essy Dariarow spoke about seeing the sign for only volleyball and wanted to do it legally.

Commissioner Dawn Barlow said that those 2 courts are designated for volleyball courts and the volleyball nets are typically installed as a permanent fixture, and putting them up and down might add to maintenance issues. Asked what locations in addition to Indialantic can they play at.

Essy Dariarow spoke about how Satellite Beach and Indialantic have courts.

Town Manager Elizabeth Mascaro mentioned that there can be no monetary transactions on the property.

Mayor Alison Dennington spoke about their being a special event process, depending on the number of people and type of activity, that would determine if police need to be

there, what the bathroom situation would be etc. It is a process but it is possible in order to have events (this was in reference to speaking about holding events for autistic kids.)

Essy Dariarow said the events are not all day events, usually half an hour just to help the kids and then they go. Played another short video.

**Livia Tivron - 53:10** - Spoke about how 8 women are playing this Friday at Nance Park. Spoke about using PVC to make moving the net easier.

**Time Reed – 302 Fourth Ave** – Spoke about how it would be great to see if there is a resident sponsor. Contact other municipalities with it to see if they have had any problems. They could also speak with the County about Paradise Park as they have several courts.

Mayor Alison Dennington spoke about there being a court on the beach in front of Sand on the Beach that might work as well, so they could speak with Djon.

**Bruce Larson – 1507 Pine St** – Asked about having the net on a ratchet strap to move the volleyball net down, so it is not taken up and down. Can the Town take up a donation to cover the cost? He would be willing to sponsor it.

B. Discussion on creating a charter review committee – Time 1:01:30

Mayor Alison Dennington spoke about how many municipalities have a Charter Review Board, and the Town has had a Charter Review Board in the past.

Town Manager Elizabeth Mascaro spoke about how the Town Charter is the first 8-10 pages of the Code of Ordinances. Clarified this would only be to amend the Charter which would then go to an election.

Mayor Alison Dennington agreed with the Town Manager that it would only be the Charter, and spoke about how the Town Attorney has mentioned certain provisions could be worded better.

Town Manager Elizabeth Mascaro said the last time there was a referendum was when the Town Clerk was reporting to the Town Manager instead of the Commission which would have been roughly in 2016.

Commissioner Dawn Barlow asked if people would be able to be on more than one Board, and if there would be any costs associated with this like legal fees.

Mayor Alison Dennington said she thought you could not be on two Boards but was not sure. Spoke about having the Town Attorney help in some capacity but not have him sit through each meeting so you could limit those costs.

Commissioner Robert Baldwin says he likes the idea of the Town Attorney saying what his specific issues are ahead of time for the Board to go over in the meeting. Asked if it requires 60% approval.

Mayor Alison Dennington said the 60% approval is for the Florida State Constitution, believes this might just be a majority vote.

Commissioner Robert Baldwin suggests putting this item on the agenda, can table it if needed.

*Tim Reed – 302 Fourth Ave – Asked if there are any other issues other than ones that have been discussed, it would be responsible to have some type of cost associated with this, suggests having a fixed time frame for the Board.*

C. Discussion on organized holiday caroling and themed book readings – 1:25:30

Mayor Alison Dennington spoke about how the Police Department and the Fire Department do great events during the holidays. This would bring joy and caroling to older residents. It does not need to be very formalized. Reached out to Rock Harbour and they are on board. Host themed book readings in the park. Possibly turn it over to the Parks Board.

Commissioner Dawn Barlow said that this did get brought up at a Parks Board meeting, and they were not against it but did not want to take away from the other events. There is a lot going on during that time of year, and it is usually the same people putting the events together and it is during the holidays. Supportive of the idea, but recommended getting a sponsor for it.

Mayor Alison Dennington spoke about reaching out to different churches to help.

Commissioner Dawn Barlow spoke about communicating with the Parks Board in case they have anything else going on so they can help, just keep that communication open.

D. Discussion on proposal for a Citizens Academy – 1:35:35

Mayor Alison Dennington spoke about getting materials from another municipality, so it would not be as much work to create the materials. Thinks it would be a good opportunity to teach the residents about the Town government. Would be first come, first served and limited to 15-20 residents only.

Commissioner Dawn Barlow asked if any residents have asked for this.

Mayor Alison Dennington spoke about how a lot of residents are interested in it. The modules could include field trips to see things around Town.

Commissioner Robert Baldwin asked who would be responsible for it.

Mayor Alison Dennington spoke about how each module is for a different department, so they would create the material and the Town Manager and Town Attorney would have the final approval. Said the only real costs are printing the materials.

Commissioner Dawn Barlow spoke about how she generally likes the idea. Asked where this was going to be in the list of priorities. There are essentially 4 new Commissioners coming on. There are efforts with short term rentals, ordinance updates, stormwater, long term and short term planning. To her, those items take priority.

Mayor Alison Dennington spoke about how you can do many things at once. Nothing ever gets done until you start doing it. Most people do 6 courses, but we could cut it down to 4 courses, so it is less work. Thinks there are a lot of people that want this information.

Commissioner Robert Baldwin asked if the committee chairs have been asked if they have the bandwidth and are on board.

Mayor Alison Dennington spoke about not approaching anyone yet, but the Town Manager could approach the staff. It is a little bit of a burden, but it is worth it.

Commissioner Robert Baldwin asked the Town Manager if this would be overwhelming.

Town Manager Elizabeth Mascaro spoke about how it does not seem too much yet, but there is going to be a lot of learning coming up for the Commission as the new Commission as a whole does not have much experience in government.

Mayor Alison Dennington spoke about putting together a handbook for newly elected officials that will be helpful. The Florida League of Cities hosts trainings and has committees that elected officials can join. Asked the Town Manager to reach out to the staff and the Board to get feedback. Spoke about the idea of starting with only working on one module such as understanding budgets.

Commissioner Dawn Barlow spoke about a possibility of doing it during a workshop for efficiency and also attendance.

***Bruce Larson – 1507 Pine – 1:58:05 – Said there is a lot on our plate and the workload is concerning. There would be 10 hours of prep time before. Perfect time would be to start it after the Charter Review finishes. For continuity, suggests having a champion.***

***Michelle Jackson – 1908 Cedar Lane – Spoke about being involved with the chamber of commerce down south and that they had a similar program with lots of community engagement.***

***Tim Reed – 302 Fourth Ave – Spoke about it being premature to involve the staff before ascertaining the interest in it from the residents. Believes the people that would attend are the people that would already be involved and get the information. Does not want to water down the other projects. Get the costs associated with it. There needs to be a single point of contact. Biggest concern is the number of things already being worked on.***

***Anna Butler – 312 Avenue A – Spoke about doing a survey to see what the interest is, and there will need to be education for all of the new commissioners.***

Mayor Alison Dennington spoke about pulling this indefinitely because there are a lot of important things that need to be worked on and loves the idea of doing each topic at a Commission Workshop abbreviated.

**Mark Emerson – 512 Ocean Ave** – Spoke about very rarely coming here because the room is always so full of anger. Asked if the last short term rental workshop is the last time before the ordinances will go for a first reading and second reading. When will he have the opportunity to chime in prior to the first reading?

Mayor Alison Dennington spoke about how they are not to the first reading yet, but they are getting close. Suggested if there is something specific then send it to the Commission and to the Town Manager.

Town Clerk Amber Brown asked for clarification on if the Commission was wanting a draft or a first reading presented at the Commission meeting for short term rental ordinances.

Commissioner Robert Baldwin suggested just a draft.

**Bruce Larson – 1507 Pine St** – Said having another workshop prior to is critical. Has a list of 75 other things in that code that need to be fixed. Have an inclusive ordinance with all of the updates.

Commissioner Dawn Barlow spoke about how the task list has not been utilized. Thinks the Commission should go through each item that needs to be worked on and put it on the task list to be able to get updates and track everything.

Commissioner Dawn Barlow proposed December 16<sup>th</sup> for an STR workshop to which the Commission agreed.

## 6. Adjournment

**Commissioner Robert Baldwin moved to adjourn; Vice Mayor Sherri Quarrie seconded; Motion carried 4-0.**

Meeting adjourned at 8:29 pm.

ATTEST:

---

**Alison Dennington**  
Mayor

---

**Rachel Pembroke**  
Transcriptionist



### TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: Betsy Baird Home Phone: 321 724 6173
2. Home Address: 1111 River Rd Melb Bch 32951
3. Mobile Phone: \_\_\_\_\_ E-mail address: betsyjancs@gmail.com
4. Business Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_
5. Resume or Education & Experience: I was previously a member of board and would like to reapply.  
(Use additional sheets if necessary or submit resume)
6. Date of birth: 01 13 46 (to verify voter registration) like to reapply.  
(optional)
7. Are you a qualified elector of the town?  YES  NO
8. Are you a resident of the town?  YES  NO
9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO
10. Do you hold a public office?  YES  NO
11. Do you currently serve on a Town board?  YES  NO  
If yes, which board? —
12. Please check the board(s) you are interested in serving on:
 

<input type="checkbox"/> Audit Committee	<input checked="" type="checkbox"/> History Center Board
<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> History Preservation and Awareness
<input type="checkbox"/> Civil Service Board	<input type="checkbox"/> Parks Board
<input type="checkbox"/> Code Enforcement Board	<input type="checkbox"/> Planning and Zoning Board
<input type="checkbox"/> Environmental Advisory Board	<input type="checkbox"/> Police Pension Fund Board of Trustees
13. Why do you think you are qualified to serve on this board? I have been an upstanding board member in the past.
14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: Betsy Baird

Date: 10/18/24

Please see attached

Betsy Baird - applicant for position  
on History Center Board.

I was involved with the History Center Board from its very beginning. Sheryl Alberga marshalled us to victory! Through fundraisers, work parties... donations, etc. the History Center rose from the dereliction that it was. Now it is a classically beautiful example of original Florida architecture.

I want to continue my association with the Board. I had my break and now am ready to get back on board.

In addition to the building housing the history of our town there is a native garden that is on exhibit. Music on the front porch every other Saturday... come join the fun and enrichment! Occasional lectures and varying exhibits round things out.

Thank you for  
your consideration -  
Betsy Baird





**TOWN BOARD VOLUNTEER APPLICATION**  
**Town of Melbourne Beach**  
**507 Ocean Avenue**  
**Melbourne Beach, Florida 32951**  
**Phone: (321) 724-5860 Fax: (321) 984-8994**

1. Name: Heidi Brewer Home Phone: \_\_\_\_\_

2. Home Address: 206 Fir Avenue

3. Mobile Phone: (973) 879-1339 E-mail address: heidinaylorbrewer@gmail.com

4. Business Name: Heidi Brewer Photography Business Phone: \_\_\_\_\_

5. Resume or Education & Experience: \_\_\_\_\_  
 (Use additional sheets if necessary or submit resume)

6. Date of birth: 3/30/1989 (to verify voter registration)  
 (optional)

7. Are you a qualified elector of the town?  YES  NO

8. Are you a resident of the town?  YES  NO

9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO

10. Do you hold a public office?  YES  NO

11. Do you currently serve on a Town board?  YES  NO

If yes, which board? Parks Board

12. Please check the board(s) you are interested in serving on:

- |   |  |
|---|--|
| <input type="checkbox"/> Audit Committee              | <input type="checkbox"/> History Center Board                  |
| <input type="checkbox"/> Board of Adjustment          | <input type="checkbox"/> History Preservation and Awareness    |
| <input type="checkbox"/> Civil Service Board          | <input checked="" type="checkbox"/> Parks Board                |
| <input type="checkbox"/> Code Enforcement Board       | <input type="checkbox"/> Planning and Zoning Board             |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? I currently se  
I understand the importance of outdoor spaces on m

14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: Heidi Brewer Heidi Brewer Date: 11 / 1

# Heidi N. Brewer

*Licensed Marriage and Family Therapist*

heidinaylorbrewer@gmail.com » 973.879.1339

## EMPLOYMENT

### Owner

#### **Heidi Brewer Photography » May 2011 - present**

- Create unique imagery for families and couples
- Provide freelance photography services for various events
- Facilitate portrait shoots by engaging children and encouraging family interaction

### New Hope Counseling Center

#### **Licensed Marriage and Family Therapist » June 2020 - January 2022**

- Worked with individuals, couples, and families to increase well-being and establish systemic change
- Conducted evaluations, assessment, and treatment consistent with specific client needs
- Maintained professional communication with clients related to treatment goals and scheduling

### Outreach Specialist

#### **Circles of Care contracted at AMIKids, Melbourne, FL » January 2019 - March 2020**

- Worked with students to identify personal and professional goals, in addition to barriers to success
- Provided monthly family therapy sessions to help students foster connection and communication with family
- Completed intakes, comprehensive assessments, treatment plans and monthly reviews
- Facilitated Substance Abuse Skills Training, 7 Challenges, and Aggression Replacement Training groups

### Personal Counselor

#### **Christopher Newport University, Newport News, VA » January 2018 - October 2018**

- Assisted students in overcoming personal, educational or behavioral barriers inhibiting their well-being and success
- Conducted intake interviews to determine student clinical needs and establish goals for treatment
- Provided ongoing psychoeducation about self-care, conflict management and emotional regulation
- Completed all necessary clinical documentation in a timely, efficient, and accurate manner

---

## EDUCATION

#### **Master of Arts in Marriage and Family Therapy, August 2015**

Alliance Graduate School of Counseling, Nyack, NY

#### **Bachelor of Arts in English, May 2011**

Writing, Leadership Studies

Christopher Newport University, Newport News, VA

## Town Commission Meeting

**Section:** Proclamations/Presentations/Awards  
**Meeting Date:** November 20, 2024  
**From:** Town Manager, Elizabeth Mascaro  
**Re:** Proclamation recognizing former Vice Mayor Sherri Quarrie for her many years of service to the Town of Melbourne Beach

**Background:**

**Recommendation:**

**Attachments:**

# Official Proclamation

TOWN OF MELBOURNE BEACH, FLORIDA

## National American Indian Heritage Month November 2024

**WHEREAS**, the history and culture of our great nation have been significantly influenced by American Indians and Indigenous peoples; and

**WHEREAS**, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

**WHEREAS**, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

**WHEREAS**, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month;

**NOW, THEREFORE**, I, Alison Dennington, Mayor of the Town of Melbourne Beach, in the State of Florida, do hereby proclaim the month of November 2024 as:

## National American Indian Heritage Month

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the Town of Melbourne Beach to be affixed this Twentieth day of November Two Thousand Twenty-four.

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Town Clerk

<b>Attachments:</b>	Letter of Recognition
<b>Date Prepared:</b>	11/12/2024
<b>Prepared By:</b>	Fire Chief Gavin Brown
<b>Meeting Date:</b>	November 20, 2024

**Agenda Category:**

<b>X</b>	<b>Proclamations &amp; Awards</b>		<b>Public Hearings</b>
	<b>Presentations</b>		<b>Old Business</b>
	<b>Boards &amp; Committees</b>		<b>New Business</b>
	<b>Consent</b>		<b>Other:</b>

<b>Subject:</b>	Recognition of Boy Scout Owen Addington for the completion of his Eagle Scout Project – Installation of a United States Flag collection box for retired American flags at the Melbourne Beach Fire Station.
<b>Recommended Action:</b>	
<b>Background Information:</b>	<ol style="list-style-type: none"> <li>1. Local Boy Scout of America, Owen Addington, approached the Fire Department last month regarding a possible Eagle Scout project to purchase and install a United States Flag collection box to assist the community in properly disposing of their retired American flags. After developing a written proposal and project plan, Scout Addington obtained the necessary approvals, and raised the funding required to complete his project. Scout Addington coordinated the entire project, which consisted of product research, assembly and installation of the collection box, and coordination of a monthly collection schedule. In addition, Scout Addington taught a training class to a local Boy Scout of America troop regarding how to properly fold a United States Flag and conduct a respectful disposal ceremony based on guidance from the Department of Defense and U.S. Flag Code. Thank you to Scout Addington for completing this project and helping to continue a tradition of honoring our great nation's flag and everything that it represents!</li> </ol>



## TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY • ESTABLISHED 1883

November 20<sup>th</sup>, 2024

Owen Addington,

On behalf of the Town of Melbourne Beach, we would like to formally extend our thanks and recognize your contributions to the Town; specifically provided by your Eagle Scout Project of installing a United States Flag collection box to assist our community in properly disposing of their retired American Flags.

We appreciate the significant amount of time and planning that it took to complete this project, including product research, assembly and installation of the collection box, coordination of a monthly collection schedule, and teaching a local Boy Scout of America troop the proper procedure for folding a United States Flag and conducting a respectful disposal ceremony based on guidance from the U.S Department of Defense and U.S. Flag Code.

Thank you again for your above and beyond service to the Town of Melbourne Beach, and for helping to continue a tradition of honoring our great Nation's flag and everything that it represents!

Sincerely,

---

**Alison Dennington**  
Mayor

---

**Elizabeth Mascaro**  
Town Manager

---

**Gavin Brown**  
Fire Chief



---

# Memo

To: Mayor, Vice Mayor and Commissioners  
From: Jennifer Kerr, Finance Manager  
Date: November 13, 2024  
Re: October Fiscal Year 2025

---

We are in the first month of our fiscal year 2025. The target expenditure rate for October is 8.33%. 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 8.59%. The Departmental expenditure rate breakdown is as follows:

Legislative:	04.61%
Executive:	07.02%
Finance:	06.12%
Legal:	04.75%
Planning:	00.71%
General Services:	16.75%
Law Enforcement:	08.96%
Fire:	05.80%
Code:	01.37%
Public Works:	09.10%
Grounds Keeping:	00.61%

**Discussion Items:**

The Town received Parking Revenue for October FY2025 in the amount of \$7,841.11.  
Parking revenue for October FY2024 was \$9,940.01.

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



Town of Melbourne Beach  
Finance Department

Closeout of the FY2024 Budget:

The total General Fund expenditure rate, at close out of FY24 is 90.31%. The Departmental expenditure rate breakdown is as follows:

Legislative:	97.37%
Executive:	96.64%
Finance:	91.05%
Legal:	110.62%
Comp & Plan:	26.51%
General Services:	69.44%
Law Enforcement:	98.20%
Fire:	95.54%
Code:	67.52%
Public Works:	86.49%
Grounds Keeping:	53.16%
Parks:	85.08%

The Town has a balance of \$171,342.10 in the General Fund at close out of FY24. We are requesting the following transfers be made with the remaining balance:

\$20,817.13 Transfer In to the Building Fund (125) to bring the operating cash balance to \$0.00.

\$387.83 Transfer In to the Debt Service Fund (201) to cover the increase in principal payment.

\$100,000 Transfer In to the Stormwater Maintenance Fund (341).

\$12,100.00 Transfer In to the Old Town Hall Fund (391) to reimburse maintenance and pest control expenses from prior years.

Exhibit A of Resolution 2024-12 Final Budget Amendment identifies these transfers.

That will leave a balance of \$38,037.14 for any audit adjustments. Any remaining amount after the FY24 audit will be transferred in to reserves.



## REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH

**Balance As Of 10/31/2024**

Fund: 001 GENERAL FUND

Account Category: Revenues	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-00-311.00.00	AD VALOREM TAXES	2,830,233.00	2,830,233.00	0.00	2,830,218.09	0.00
001-00-312.41.00	LOCAL OPTION COUNTY GAS TAX	136,000.00	136,000.00	0.00	129,025.13	5.13
001-00-314.10.00	UTILITY SERVICES TAX FPL	285,000.00	285,000.00	0.00	253,466.38	11.06
001-00-314.30.00	UTILITY SERVICES TAX WATER	60,000.00	60,000.00	0.00	60,000.00	0.00
001-00-314.40.10	UTILTIY GAS TAX AMERIGAS	7,000.00	7,000.00	0.00	6,278.77	10.30
001-00-314.40.20	UTILITY GAS TAX SUBURBAN	1,000.00	1,000.00	0.00	1,000.00	0.00
001-00-314.40.30	UTILTIY GAS TAX FERRELL	3,000.00	3,000.00	0.00	2,703.94	9.87
001-00-314.40.40	UTILITY GAS TAX SAM'S GAS	300.00	300.00	0.00	300.00	0.00
001-00-315.00.00	COMMUNICATIONS SERVICE TAX	145,000.00	145,000.00	0.00	130,455.45	10.03
001-00-316.00.00	OCCP. LIC	16,000.00	16,000.00	0.00	6,124.50	61.72
001-00-323.10.00	FRANCHISE FEES FPL	216,000.00	216,000.00	0.00	190,772.92	11.68
001-00-323.70.00	FRANCHISE FEES SOLID WASTE	50,000.00	50,000.00	0.00	43,185.47	13.63
001-00-323.70.10	SOLID WASTE COMMERCIAL	16,000.00	16,000.00	0.00	14,150.27	11.56
001-00-329.20.00	BONFIRE PERMIT	900.00	900.00	0.00	850.00	5.56
001-00-329.50.00	LOW SPEED VEHICLE REGISTRATION	2,000.00	2,000.00	0.00	1,800.00	10.00
001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	13,000.00	13,000.00	0.00	12,900.00	0.77
001-00-334.40.00	FMIT SAFETY GRANT	5,000.00	5,000.00	0.00	5,000.00	0.00
001-00-335.12.00	STATE REVENUE SHARING PROCEEDS	106,000.00	106,000.00	0.00	97,242.11	8.26
001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	44,000.00	44,000.00	0.00	44,000.00	0.00
001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	230,000.00	230,000.00	0.00	230,000.00	0.00
001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	1,650.00	1,650.00	0.00	1,200.00	27.27
001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	2,500.00	2,500.00	0.00	1,900.00	24.00
001-00-345.10.00	VAC RENTAL APP FEE-INITIAL	5,500.00	5,500.00	0.00	4,000.00	27.27
001-00-345.10.10	VAC RENEWAL FEE - RENTALS	4,550.00	4,550.00	0.00	3,150.00	30.77
001-00-349.00.29	LIEN SEARCH REQUEST	1,260.00	1,260.00	0.00	960.00	23.81
001-00-361.10.00	INTEREST ON INVESTMENTS	23,000.00	23,000.00	0.00	20,716.73	9.93
001-00-369.00.00	MISCELLANEOUS REVENUE	3,200.00	3,200.00	0.00	3,200.00	0.00
001-00-369.00.49	INSURANCE RECOVERY	100.00	100.00	0.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	3,800.00	3,800.00	0.00	3,800.00	0.00

2.69

Department: 21 LAW ENFORCEMENT	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-21-312.52.00	INSURANCE PREMIUM TAX	52,500.00	52,500.00	0.00	52,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	72,000.00	72,000.00	0.00	36,000.00	50.00
001-21-337.90.01	OTHER GRANTS	5,000.00	5,000.00	0.00	5,000.00	0.00
001-21-347.90.01	SPECIAL EVENTS	1,000.00	1,000.00	0.00	1,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	5,000.00	0.00	4,134.45	17.31
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	183.00	8.50
001-21-369.00.00	MISCELLANEOUS REVENUE	0.00	0.00	0.00	(7.00)	100.00
						27.08
Department: 22 FIRE CONTROL						
001-22-322.30.00	FIRE PROTECTIVE SERVICES	4,500.00	4,500.00	0.00	4,330.00	3.78
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	300.00	300.00	0.00	300.00	0.00
						3.47
Department: 29 CODE ENFORCEMENT						
001-29-359.00.00	OTHER FINES AND FORFEITURES	300.00	300.00	0.00	300.00	0.00
						0.00
Department: 41 PUBLIC WORKS						
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	100.00	100.00	0.00	100.00	0.00
						0.00
Overall Revenue Rate:						3.46

**Account Category: Expenditures**

Department: 11 LEGISLATIVE						
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	16,200.00	0.00	15,166.68	6.38
001-11-500.12.00	REGULAR SALARIES	66,274.00	66,274.00	0.00	62,310.04	5.98
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	6,309.00	6,309.00	0.00	5,937.20	5.89
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	9,033.00	9,033.00	0.00	8,492.71	5.98
001-11-500.23.01	HEALTH INSURANCE	6,561.00	6,561.00	0.00	5,467.62	16.66
001-11-500.23.02	LIFE INSURANCE	70.00	70.00	0.00	58.74	16.09
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	99.00	99.00	0.00	92.97	6.09

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-11-510.31.00	PROFESSIONAL SERVICES	18,300.00	18,300.00	0.00	18,300.00	0.00
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	4,465.00	0.00	4,465.00	0.00
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	1,900.00	1,900.00	0.00	1,900.00	0.00
001-11-510.47.00	PRINTING	16,000.00	16,000.00	0.00	14,839.23	7.25
001-11-510.48.00	PROMOTIONAL ACTIVITIES	400.00	400.00	0.00	400.00	0.00
001-11-510.48.40	LEGAL NOTICES	5,000.00	5,000.00	0.00	5,000.00	0.00
001-11-510.49.50	ELECTION EXPENSE	2,000.00	2,000.00	0.00	2,000.00	0.00
001-11-510.54.00	DUES & SUBSCRIPTIONS	830.00	830.00	0.00	405.00	51.20
001-11-510.54.10	TRAINING & SCHOOLS	3,540.00	3,540.00	0.00	3,040.00	14.12
001-11-543.00.00	LICENSES & FEES	40,436.00	40,436.00	0.00	40,436.00	0.00
						4.61
Department: 12 EXECUTIVE						
001-12-500.12.00	REGULAR SALARIES	159,118.00	159,118.00	0.00	149,680.66	5.93
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	12,173.00	12,173.00	0.00	11,384.82	6.47
001-12-500.22.01	RETIREMENT - ICMA	21,592.00	21,592.00	0.00	20,622.97	4.49
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	5,445.00	5,445.00	0.00	5,121.88	5.93
001-12-500.23.01	HEALTH INSURANCE	16,212.00	16,212.00	0.00	13,510.08	16.67
001-12-500.23.02	LIFE INSURANCE	916.00	916.00	0.00	808.53	11.73
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	191.00	191.00	0.00	179.43	6.06
001-12-510.40.00	TRAVEL & MEETINGS	2,200.00	2,200.00	0.00	2,200.00	0.00
001-12-510.49.99	MISCELLANEOUS	400.00	400.00	0.00	400.00	0.00
001-12-510.52.50	GAS & OIL	2,400.00	2,400.00	0.00	2,200.00	8.33
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,430.00	3,430.00	0.00	2,178.67	36.48
001-12-510.54.10	TRAINING & SCHOOLS	1,000.00	1,000.00	0.00	1,000.00	0.00
						7.02
Department: 13 FINANCE						
001-13-500.12.00	REGULAR SALARIES	119,630.00	119,630.00	0.00	112,916.23	5.61
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	9,152.00	9,152.00	0.00	8,609.24	5.93
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	16,306.00	16,306.00	0.00	15,332.50	5.97
001-13-500.23.01	HEALTH INSURANCE	25,604.00	25,604.00	0.00	21,336.78	16.67
001-13-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	113.48	16.56
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	155.00	155.00	0.00	146.43	5.53
001-13-510.32.00	AUDITING SERVICES	37,500.00	37,500.00	0.00	37,500.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-13-510.32.90	BANKING FEES	10,540.00	10,540.00	0.00	9,019.47	14.43
001-13-510.40.00	TRAVEL & MEETINGS	1,550.00	1,550.00	0.00	1,550.00	0.00
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	900.00	900.00	0.00	900.00	0.00
001-13-543.00.00	LICENSES & FEES	7,785.00	7,785.00	0.00	7,785.00	0.00
						6.12
Department: 14 LEGAL COUNSEL						
001-14-510.31.00	PROFESSIONAL SERVICES	106,000.00	106,000.00	0.00	100,800.00	4.91
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	19,200.00	19,200.00	0.00	19,200.00	0.00
						4.15
Department: 15 PLANNING						
001-15-510.31.00	PROFESSIONAL SERVICES	35,000.00	35,000.00	0.00	34,750.00	0.71
						0.71
Department: 16 FEMA - HURRICANI						
001-16-520.52.20	TOOLS & HARDWARE	0.00	0.00	0.00	(90.00)	100.00
001-16-530.46.40	GROUNDS MAINTENANCE	0.00	0.00	0.00	(131.80)	100.00
						(221.80) 100.00
Department: 19 GENERAL SERVICES						
001-19-500.24.00	WORKERS COMPENSATION	400.00	400.00	0.00	400.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	3,920.00	3,920.00	0.00	3,593.75	8.32
001-19-510.31.11	SECURITY	411.00	411.00	0.00	411.00	0.00
001-19-510.34.10	JANITORIAL SERVICES	15,500.00	15,500.00	0.00	12,982.00	16.25
001-19-510.41.00	TELEPHONE	24,876.00	24,876.00	0.00	24,726.00	0.60
001-19-510.41.10	COMMUNICATION SERVICES	39,658.00	39,658.00	0.00	32,546.02	17.93
001-19-510.43.00	STREET LIGHTS	51,000.00	51,000.00	0.00	46,801.13	8.23
001-19-510.43.10	ELECTRICITY	28,000.00	28,000.00	0.00	25,248.53	9.83
001-19-510.43.20	WATER & SEWER	4,000.00	4,000.00	0.00	3,696.68	7.58
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	2,500.00	0.00	2,500.00	0.00
001-19-510.45.00	GENERAL LIABILITY INSURANCE	91,903.00	91,903.00	0.00	69,700.50	24.16
001-19-510.45.01	FLOOD INSURANCE	6,655.00	6,655.00	0.00	6,655.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-19-510.45.02	PROPERTY INSURANCE	124,200.00	124,200.00	0.00	89,531.25	27.91
001-19-510.45.03	AUTO INSURANCE	11,238.00	11,238.00	0.00	8,488.50	24.47
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	3,588.00	3,588.00	0.00	2,892.42	19.39
001-19-510.46.15	EQUIPMENT MAINTENANCE	20,000.00	20,000.00	0.00	19,974.72	0.13
001-19-510.46.36	PEST CONTROL	3,720.00	3,720.00	0.00	3,410.00	8.33
001-19-510.51.00	OFFICE SUPPLIES	3,500.00	3,500.00	0.00	3,287.42	6.07
001-19-510.51.10	POSTAGE	1,500.00	1,500.00	0.00	1,500.00	0.00
001-19-510.52.10	JANITORIAL SUPPLIES	6,000.00	6,000.00	0.00	5,579.86	7.00
001-19-510.54.00	DUES & SUBSCRIPTIONS	400.00	400.00	0.00	400.00	0.00
001-19-510.64.01	CAPITAL OUTLAY	30,000.00	30,000.00	0.00	30,000.00	0.00
001-19-543.00.00	LICENSES & FEES	22,277.00	22,277.00	0.00	16,707.92	25.00
001-19-581.00.00	TRANSFER OUT	7,500.00	7,500.00	0.00	7,500.00	0.00
						16.75
Department: 21 LAW ENFORCEMEN						
001-21-500.12.00	REGULAR SALARIES	739,793.00	739,793.00	0.00	700,625.11	5.29
001-21-500.12.50	HOLIDAY PAY	29,634.00	29,634.00	0.00	29,634.00	0.00
001-21-500.14.00	SALARIES OVERTIME	5,000.00	5,000.00	0.00	4,864.64	2.71
001-21-500.14.16	HURRICANE PAY	32,328.00	32,328.00	0.00	14,610.86	54.80
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,150.00	7,150.00	0.00	6,615.71	7.47
001-21-500.15.01	FIRST RESPONDER	6,000.00	6,000.00	0.00	5,567.86	7.20
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	62,723.00	62,723.00	0.00	58,423.49	6.85
001-21-500.22.02	POLICE PENSION	167,850.00	167,850.00	0.00	167,850.00	0.00
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,443.00	5,443.00	0.00	5,318.31	2.29
001-21-500.23.01	HEALTH INSURANCE	116,155.00	116,155.00	0.00	96,929.89	16.55
001-21-500.23.02	LIFE INSURANCE	2,766.00	2,766.00	0.00	2,342.61	15.31
001-21-500.23.10	STATUTORY AD&D	1,163.00	1,163.00	0.00	1,163.00	0.00
001-21-500.24.00	WORKERS COMPENSATION	9,398.00	9,398.00	0.00	9,398.00	0.00
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	984.00	984.00	0.00	914.49	7.06
001-21-520.31.00	PROFESSIONAL SERVICES	125.00	125.00	0.00	75.00	40.00
001-21-520.34.40	DISPATCHING SERVICES	19,510.00	19,510.00	0.00	(290.00)	101.49
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,200.00	1,200.00	0.00	1,200.00	0.00
001-21-520.40.00	TRAVEL & MEETINGS	1,892.00	1,892.00	0.00	1,892.00	0.00
001-21-520.41.10	COMMUNICATION SERVICES	6,972.00	6,972.00	0.00	5,745.00	17.60

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	200.00	200.00	0.00	200.00	0.00
001-21-520.46.15	EQUIPMENT	11,260.00	11,260.00	0.00	10,834.01	3.78
001-21-520.46.16	RADAR CALIBRATION	550.00	550.00	0.00	550.00	0.00
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	17,000.00	0.00	14,900.70	12.35
001-21-520.48.00	PROMOTIONAL ACTIVITIES	800.00	800.00	0.00	592.33	25.96
001-21-520.48.50	CRIME PREVENTION	500.00	500.00	0.00	500.00	0.00
001-21-520.52.00	UNIFORMS	8,500.00	8,500.00	0.00	8,500.00	0.00
001-21-520.52.05	PROTECTIVE GEAR	13,531.00	13,531.00	0.00	8,956.86	33.80
001-21-520.52.50	GAS & OIL	20,000.00	20,000.00	0.00	20,000.00	0.00
001-21-520.52.70	MEDICAL	1,014.00	1,014.00	0.00	886.55	12.57
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	3,000.00	0.00	2,803.76	6.54
001-21-520.54.00	DUES & SUBSCRIPTIONS	695.00	695.00	0.00	695.00	0.00
001-21-520.54.10	TRAINING & SCHOOLS	2,900.00	2,900.00	0.00	2,900.00	0.00
001-21-520.64.01	Capital Outlay	30,121.00	30,121.00	0.00	30,121.00	0.00
001-21-543.00.00	LICENSES & FEES	45,580.00	45,580.00	0.00	33,452.50	26.61

8.96

## Department: 22 FIRE CONTROL

001-22-500.12.00	REGULAR SALARIES	101,038.00	101,038.00	0.00	95,330.03	5.65
001-22-500.14.16	HURRICANE PAY	1,890.00	1,890.00	0.00	(311.65)	116.49
001-22-500.14.50	STIPEND PAYROLL	38,000.00	38,000.00	0.00	38,000.00	0.00
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,636.00	10,636.00	0.00	10,020.18	5.79
001-22-500.22.01	RETIREMENT - ICMA	9,753.00	9,753.00	0.00	8,914.14	8.60
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	4,019.00	4,019.00	0.00	3,779.79	5.95
001-22-500.23.01	HEALTH INSURANCE	36,795.00	36,795.00	0.00	31,956.32	13.15
001-22-500.23.02	LIFE INSURANCE	136.00	136.00	0.00	113.48	16.56
001-22-500.23.10	STATUTORY AD&D	380.00	380.00	0.00	380.00	0.00
001-22-500.24.00	WORKERS COMPENSATION	9,000.00	9,000.00	0.00	9,000.00	0.00
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	161.00	161.00	0.00	151.52	5.89
001-22-520.31.00	PROFESSIONAL SERVICES	1,000.00	1,000.00	0.00	1,000.00	0.00
001-22-520.34.40	DISPATCHING SERVICES	5,670.00	5,670.00	0.00	5,670.00	0.00
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	744.00	744.00	0.00	699.00	6.05
001-22-520.36.00	ANNUAL PHYSICALS	2,500.00	2,500.00	0.00	2,400.00	4.00
001-22-520.40.00	TRAVEL & MEETINGS	1,000.00	1,000.00	0.00	1,000.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	1,944.00	0.00	1,620.00	16.67
001-22-520.46.15	EQUIPMENT	10,000.00	10,000.00	0.00	9,928.05	0.72
001-22-520.46.20	VEHICLE MAINTENANCE	28,000.00	28,000.00	0.00	27,619.48	1.36
001-22-520.46.30	BUILDING MAINTENANCE	2,000.00	2,000.00	0.00	2,000.00	0.00
001-22-520.51.00	OFFICE SUPPLIES	600.00	600.00	0.00	595.61	0.73
001-22-520.52.00	UNIFORMS	5,000.00	5,000.00	0.00	4,415.09	11.70
001-22-520.52.02	S.C.B.A.	4,000.00	4,000.00	0.00	4,000.00	0.00
001-22-520.52.05	PROTECTIVE GEAR	3,200.00	3,200.00	0.00	3,200.00	0.00
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	1,000.00	0.00	1,000.00	0.00
001-22-520.52.20	TOOLS & HARDWARE	3,000.00	3,000.00	0.00	3,000.00	0.00
001-22-520.52.50	GAS & OIL	3,200.00	3,200.00	0.00	3,200.00	0.00
001-22-520.52.70	MEDICAL	1,400.00	1,400.00	0.00	1,400.00	0.00
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	610.00	0.00	610.00	0.00
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	5,525.00	0.00	5,525.00	0.00
001-22-520.54.12	TRAINING MATERIALS	2,000.00	2,000.00	0.00	2,000.00	0.00
001-22-520.64.01	Capital Outlay	82,369.00	82,369.00	79,459.02	2,909.98	96.47
001-22-543.00.00	LICENSES & FEES	24,983.00	24,983.00	0.00	15,648.74	37.36
001-22-581.00.00	TRANSFER OUT	35,000.00	35,000.00	0.00	35,000.00	0.00
						5.80

Department: 29 CODE ENFORCEME

001-29-500.12.00	REGULAR SALARIES	39,520.00	39,520.00	0.00	38,798.68	1.83
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	3,023.00	3,023.00	0.00	2,931.48	3.03
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	5,363.00	5,363.00	0.00	5,199.95	3.04
001-29-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	42.00	0.00
001-29-500.24.00	WORKERS COMPENSATION	300.00	300.00	0.00	300.00	0.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	126.00	126.00	0.00	124.57	1.13
001-29-520.40.00	TRAVEL & MEETINGS	125.00	125.00	0.00	125.00	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	4,900.00	4,900.00	0.00	4,425.00	9.69
001-29-520.51.10	POSTAGE	450.00	450.00	0.00	450.00	0.00
001-29-520.51.20	RECORDING COSTS	250.00	250.00	0.00	250.00	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

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-29-520.54.10	TRAINING & SCHOOLS	300.00	300.00	0.00	300.00	0.00
001-29-520.64.01	Capital Outlay	50,000.00	50,000.00	0.00	50,000.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	1,000.00	0.00	1,000.00	0.00
						1.37
Department: 41 PUBLIC WORKS						
001-41-500.12.00	REGULAR SALARIES	230,932.00	230,932.00	0.00	217,882.18	5.65
001-41-500.14.00	SALARIES OVERTIME	1,500.00	1,500.00	0.00	1,500.00	0.00
001-41-500.14.16	HURRICANE PAY	0.00	0.00	0.00	(1,740.35)	100.00
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	17,666.30	17,666.30	0.00	16,515.51	6.51
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	31,476.03	31,476.03	0.00	29,560.99	6.08
001-41-500.23.01	HEALTH INSURANCE	38,510.00	38,510.00	0.00	32,391.84	15.89
001-41-500.23.02	LIFE INSURANCE	534.00	534.00	0.00	490.65	8.12
001-41-500.23.10	STATUTORY AD&D	83.00	83.00	0.00	83.00	0.00
001-41-500.24.00	WORKERS COMPENSATION	19,796.00	19,796.00	0.00	9,900.25	49.99
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	277.12	277.12	0.00	260.27	6.08
001-41-530.43.15	ELECTRICAL WORK	8,000.00	8,000.00	0.00	8,000.00	0.00
001-41-530.43.50	DUMP SERVICE	160.00	160.00	0.00	160.00	0.00
001-41-530.46.12	MAINTENANCE SUPPLIES	1,500.00	1,500.00	0.00	1,454.04	3.06
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	5,000.00	0.00	5,000.00	0.00
001-41-530.46.20	VEHICLE MAINTENANCE	13,000.00	13,000.00	0.00	10,837.76	16.63
001-41-530.46.30	BUILDING MAINTENANCE	13,000.00	13,000.00	0.00	12,600.00	3.08
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	500.00	500.00	0.00	500.00	0.00
001-41-530.46.32	RYCKMAN HOUSE	300.00	300.00	0.00	300.00	0.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	300.00	300.00	0.00	300.00	0.00
001-41-530.46.35	PIER MAINTENANCE	300.00	300.00	0.00	300.00	0.00
001-41-530.46.40	GROUNDS MAINTENANCE	6,500.00	6,500.00	0.00	6,500.00	0.00
001-41-530.46.43	TREE EXPENSE	2,709.00	2,709.00	0.00	2,709.00	0.00
001-41-530.52.00	UNIFORMS	1,875.00	1,875.00	0.00	1,493.96	20.32
001-41-530.52.05	PROTECTIVE GEAR	1,000.00	1,000.00	0.00	559.24	44.08
001-41-530.52.20	TOOLS & HARDWARE	5,500.00	5,500.00	0.00	4,342.91	21.04
001-41-530.52.25	TOOL RENTALS	1,000.00	1,000.00	0.00	1,000.00	0.00
001-41-530.52.50	GAS & OIL	7,500.00	7,500.00	0.00	7,500.00	0.00
001-41-530.53.10	STREET REPAIR	9,000.00	9,000.00	0.00	9,000.00	0.00



	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
001-41-530.53.20	STREET SIGNS	3,800.00	3,800.00	0.00	3,533.20	7.02
001-41-530.54.10	TRAINING & SCHOOLS	500.00	500.00	0.00	500.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	4,000.00	0.00	4,000.00	0.00
						9.10
Department: 42 GROUNDS KEEPING						
001-42-530.34.91	LANDSCAPING	15,000.00	15,000.00	0.00	15,000.00	0.00
001-42-530.46.15	EQUIPMENT MAINTENANCE	3,700.00	3,700.00	0.00	3,558.46	3.83
001-42-530.46.40	GROUNDS MAINTENANCE	15,000.00	15,000.00	0.00	15,000.00	0.00
001-42-530.52.05	PROTECTIVE GEAR	200.00	200.00	0.00	200.00	0.00
001-42-530.52.20	TOOLS & HARDWARE	1,200.00	1,200.00	0.00	1,094.07	8.83
001-42-530.52.50	GAS & OIL	1,200.00	1,200.00	0.00	1,200.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	4,250.00	4,250.00	0.00	4,250.00	0.00
						0.61
Overall Expenditure Rate:						8.59
Fund: 104 ENVIRONMENTAL ADVIS						
Account Category: Revenues						
Department: 00						
104-00-381.00.00	TRANSFERS IN	3,000.00	3,000.00	0.00	3,000.00	0.00
						0.00
Account Category: Expenditures						
Department: 72 PARKS & RECREATI						
104-72-570.46.40	GROUNDS MAINTENANCE	500.00	500.00	0.00	500.00	0.00
104-72-570.46.43	TREE EXPENSE	500.00	500.00	0.00	500.00	0.00
104-72-570.49.90	ADOPT AN AREA	500.00	500.00	0.00	500.00	0.00
104-72-570.51.00	OFFICE SUPPLIES	350.00	350.00	0.00	350.00	0.00
104-72-570.52.00	UNIFORMS	80.00	80.00	0.00	80.00	0.00
104-72-570.64.01	CAPITAL OUTLAY	1,200.00	1,200.00	0.00	1,200.00	0.00
104-72-570.83.01	SUNSHINE JIM	1,500.00	1,500.00	0.00	1,500.00	0.00
						0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
Fund: 125 BUILDING DEPT						
Account Category: Revenues						
Department: 24 PROTECTIVE INSPE						
125-24-322.00.00	BUILDING PERMITS	187,150.00	187,150.00	0.00	174,160.34	6.94
125-24-322.00.01	PERMIT SEARCH REQUEST	0.00	0.00	0.00	(150.00)	100.00
125-24-322.10.00	ZONING PLAN REVIEW	5,000.00	5,000.00	0.00	5,000.00	0.00
125-24-322.10.10	SITE PLAN REVIEW P&Z	7,020.00	7,020.00	0.00	7,020.00	0.00
125-24-322.20.00	BUILDING PLAN REVIEW	6,500.00	6,500.00	0.00	6,500.00	0.00
125-24-322.31.00	BOA ADVERTISING COSTS	450.00	450.00	0.00	450.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	11,500.00	11,500.00	0.00	10,150.00	11.74
125-24-329.00.10	BOA VARIANCE FEES	5,000.00	5,000.00	0.00	5,000.00	0.00
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	6,000.00	0.00	6,000.00	0.00
125-24-369.00.00	MISCELLANEOUS REVENUE	100.00	100.00	0.00	100.00	0.00
125-24-381.00.00	TRANSFERS IN	22,000.00	22,000.00	0.00	22,000.00	0.00

5.78

## Account Category: Expenditures

125-24-500.12.00	REGULAR SALARIES	47,624.00	47,624.00	0.00	38,238.48	19.71
125-24-500.14.00	SALARIES OVERTIME	500.00	500.00	0.00	500.00	0.00
125-24-500.14.16	HURRICANE PAY	0.00	0.00	0.00	(1,471.25)	100.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	3,681.49	3,681.49	0.00	2,857.05	22.39
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	6,559.30	6,559.30	0.00	5,079.53	22.56
125-24-500.23.01	HEALTH INSURANCE	1,005.00	1,005.00	0.00	(1,003.42)	199.84
125-24-500.23.02	LIFE INSURANCE	112.00	112.00	0.00	93.42	16.59
125-24-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	42.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	57.15	57.15	0.00	44.12	22.80
125-24-520.31.00	PROFESSIONAL SERVICES	180,960.00	180,960.00	0.00	180,960.00	0.00
125-24-520.41.10	COMMUNICATION SERVICES	390.00	390.00	0.00	325.00	16.67
125-24-520.46.20	VEHICLE MAINTENANCE	500.00	500.00	0.00	500.00	0.00
125-24-520.51.00	OFFICE SUPPLIES	75.00	75.00	0.00	34.24	54.35
125-24-520.51.10	POSTAGE	25.00	25.00	0.00	25.00	0.00
125-24-520.52.00	UNIFORMS	150.00	150.00	0.00	150.00	0.00
125-24-520.52.20	TOOLS & HARDWARE	100.00	100.00	0.00	100.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
125-24-520.52.50	GAS & OIL	350.00	350.00	0.00	350.00	0.00
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	1,500.00	0.00	1,475.00	1.67
125-24-543.00.00	LICENSES & FEES	3,824.00	3,824.00	0.00	3,824.00	0.00
						6.20

Fund: 172 OCEAN PARK PARKING FUND

Account Category: Revenues

Department: 75 TOWN PARKS

172-75-342.10.00	PARKING TICKET REVENUE	7,500.00	7,500.00	0.00	7,450.00	0.67
172-75-344.50.00	PARKING METER REVENUE	82,000.00	82,000.00	0.00	76,081.59	7.22
						6.67

Account Category: Expenditures

172-75-500.12.00	REGULAR SALARIES	50,000.00	50,000.00	0.00	50,000.00	0.00
172-75-500.12.50	HOLIDAY PAY	2,308.00	2,308.00	0.00	2,308.00	0.00
172-75-500.14.16	HURRICANE PAY	1,730.00	1,730.00	0.00	1,730.00	0.00
172-75-500.15.01	FIRST RESPONDER	600.00	600.00	0.00	600.00	0.00
172-75-500.21.00	FICA TAXES - EMPLOYER PORTION	3,825.00	3,825.00	0.00	3,825.00	0.00
172-75-500.23.01	HEALTH INSURANCE	7,164.00	7,164.00	0.00	7,164.00	0.00
172-75-500.23.02	LIFE INSURANCE	264.00	264.00	0.00	264.00	0.00
172-75-500.23.10	STATUTORY AD&D	106.00	106.00	0.00	106.00	0.00
172-75-500.24.00	WORKERS COMPENSATION	854.00	854.00	0.00	854.00	0.00
172-75-500.25.00	UNEMPLOYMENT COMPENSATION	67.00	67.00	0.00	67.00	0.00
172-75-575.32.90	BANKING FEES	5,000.00	5,000.00	0.00	4,686.80	6.26
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	1,800.00	0.00	1,500.00	16.67
172-75-575.34.91	LANDSCAPING	800.00	800.00	0.00	800.00	0.00
172-75-575.41.10	IPS COMMUNICATIONS FEE	4,300.00	4,300.00	0.00	3,801.57	11.59
172-75-575.43.10	ELECTRICITY	2,400.00	2,400.00	0.00	2,189.86	8.76
172-75-575.43.20	WATER & SEWER	1,200.00	1,200.00	0.00	1,069.11	10.91
172-75-575.46.12	MAINTENANCE SUPPLIES	3,000.00	3,000.00	0.00	3,000.00	0.00
172-75-575.46.31	BUILDING MAINT RESTROOMS	950.00	950.00	0.00	950.00	0.00
172-75-575.46.40	GROUNDS MAINTENANCE	500.00	500.00	0.00	500.00	0.00
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	350.00	0.00	221.77	36.64
172-75-575.52.25	TOOL RENTAL	356.00	356.00	0.00	356.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
172-75-575.53.15	PARKING LOT REPAIRS	300.00	300.00	0.00	300.00	0.00
172-75-575.53.20	SIGNS	300.00	300.00	0.00	300.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	500.00	500.00	0.00	500.00	0.00
172-75-575.63.05	BOCCE BALL COURT	300.00	300.00	0.00	300.00	0.00
						1.78

Fund: 175 RYCKMAN CROSSOVER P.

Account Category: Revenues

175-75-342.10.00	PARKING TICKET REVENUE	7,000.00	7,000.00	0.00	7,000.00	0.00
175-75-344.50.00	PARKING METER REVENUE	80,000.00	80,000.00	0.00	77,786.00	2.77
175-75-344.50.10	PARK PASS REVENUE	2,900.00	2,900.00	0.00	2,900.00	0.00
175-75-347.41.00	FOUNDER'S DAY	8,000.00	8,000.00	0.00	8,000.00	0.00
175-75-347.50.00	FACILITY RENTALS	5,000.00	5,000.00	0.00	751.55	84.97
175-75-347.90.01	SPECIAL EVENTS	0.00	0.00	0.00	(75.00)	100.00
						6.35

Account Category: Expenditures

175-75-575.32.90	BANKING FEES	2,800.00	2,800.00	0.00	2,591.20	7.46
175-75-575.41.15	IPS COMMUNICATION FEE	2,400.00	2,400.00	0.00	2,067.72	13.85
175-75-575.47.00	PRINTING	1,500.00	1,500.00	0.00	1,500.00	0.00
175-75-575.48.10	FOUNDERS DAY	8,000.00	8,000.00	0.00	8,000.00	0.00
175-75-575.48.50	MOVIES IN THE PARK	1,350.00	1,350.00	0.00	860.00	36.30
175-75-575.48.51	FOURTH OF JULY	1,000.00	1,000.00	0.00	1,000.00	0.00
175-75-575.48.52	FALL FESTIVAL	4,000.00	4,000.00	0.00	3,005.00	24.88
175-75-575.48.53	CHRISTMAS DECORATIONS	4,500.00	4,500.00	0.00	1,650.00	63.33
175-75-575.50.00	RECREATION PROGRAMS	9,350.00	9,350.00	0.00	9,250.00	1.07
175-75-575.63.01	TENNIS COURT	250.00	250.00	0.00	250.00	0.00
175-75-575.63.02	BASKETBALL COURT	200.00	200.00	0.00	200.00	0.00
175-75-575.63.06	PLAYGROUND EQUIPMENT	5,000.00	5,000.00	0.00	5,000.00	0.00
175-75-575.73.00	CULTURAL SERVICES	500.00	500.00	0.00	500.00	0.00
175-75-581.00.00	TRANSFER OUT	44,500.00	44,500.00	0.00	44,500.00	0.00
						5.83

Description		ORIGINAL BUDGET	AMENDED	Encumbrance	Available	% Used
Fund: 351 LAND & ROAD IMPROVEI						
Account Category: Revenues						
Department: 00						
351-00-381.00.00	TRANSFERS IN	40,000.00	40,000.00	0.00	40,000.00	0.00
						0.00
Account Category: Expenditures						
Department: 41 PUBLIC WORKS						
351-41-570.34.91	LANDSCAPING	3,000.00	3,000.00	0.00	3,000.00	0.00
351-41-570.46.40	GROUNDS MAINTENANCE	2,500.00	2,500.00	0.00	2,500.00	0.00
351-41-570.53.20	STREET SIGNS	30,000.00	30,000.00	0.00	30,000.00	0.00
351-41-570.64.01	CAPITAL OUTLAY	17,500.00	17,500.00	0.00	17,500.00	0.00
						0.00

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	Available	% Used
001-00-311.00.00		AD VALOREM TAXES	2,685,662.00	2,685,662.00	28,306.41	98.95
001-00-312.41.00		LOCAL OPTION COUNTY GAS TAX	125,000.00	125,000.00	15,789.67	87.37
001-00-314.10.00		UTILITY SERVICES TAX FPL	276,000.00	276,000.00	(23,688.31)	108.58
001-00-314.30.00		UTILITY SERVICES TAX WATER	54,000.00	54,000.00	(8,050.45)	114.91
001-00-314.40.00		UTILITY SERVICES TAX GAS	0.00	0.00	(183.34)	100.00
001-00-314.40.10		UTILTIY GAS TAX AMERIGAS	8,500.00	8,500.00	1,306.24	84.63
001-00-314.40.20		UTILITY GAS TAX SUBURBAN	1,300.00	1,300.00	(230.14)	117.70
001-00-314.40.30		UTILTIY GAS TAX FERRELL	2,500.00	2,500.00	(1,531.77)	161.27
001-00-314.40.40		UTILITY GAS TAX SAM'S GAS	100.00	100.00	(598.69)	698.69
001-00-314.40.50		UTILITY SERVICE GAS TAX THOMPSONGAS	0.00	0.00	(321.96)	100.00
001-00-315.00.00		COMMUNICATIONS SERVICE TAX	145,000.00	145,000.00	11,848.32	91.83
001-00-316.00.00		OCCP. LIC	15,000.00	15,000.00	1,599.91	89.33
001-00-323.10.00		FRANCHISE FEES FPL	215,000.00	215,000.00	18,681.71	91.31
001-00-323.70.00		FRANCHISE FEES SOLID WASTE	44,000.00	44,000.00	(7,109.62)	116.16
001-00-323.70.10		SOLID WASTE COMMERCIAL	15,000.00	15,000.00	(1,038.01)	106.92
001-00-329.20.00		BONFIRE PERMIT	350.00	350.00	(550.00)	257.14
001-00-329.50.00		LOW SPEED VEHICLE REGISTRATION	500.00	500.00	(1,900.00)	480.00
001-00-329.50.10		LOW SPEED VEHICLE PERMIT FEE	600.00	600.00	(900.00)	250.00
001-00-331.12.00		FEMA	0.00	0.00	(56,532.20)	100.00
001-00-334.10.00		FEMA STATE GRANT	0.00	0.00	(4,224.09)	100.00
001-00-334.40.00		FMIT SAFETY GRANT	7,000.00	7,000.00	1,000.00	85.71
001-00-335.12.00		STATE REVENUE SHARING PROCEEDS	112,000.00	112,000.00	701.22	99.37
001-00-335.15.00		ALCOHOLIC BEVERAGE LICENSES	4,300.00	4,300.00	(725.51)	116.87
001-00-335.18.00		HALF CENT SALES TAX LOCAL GOV	225,000.00	225,000.00	14,245.28	93.67
001-00-342.20.00		SAFETY INSPECT FEE VAC RENTAL	1,200.00	1,200.00	(750.00)	162.50
001-00-342.20.10		SAFETY RENEWAL-VAC RENTALS	1,600.00	1,600.00	(500.00)	131.25
001-00-345.10.00		VAC RENTAL APP FEE-INITIAL	4,000.00	4,000.00	(2,500.00)	162.50
001-00-345.10.10		VAC RENEWAL FEE - RENTALS	4,725.00	4,725.00	(175.00)	103.70
001-00-349.00.29		LIEN SEARCH REQUEST	0.00	0.00	(560.00)	100.00

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-00-361.10.00	INTEREST ON INVESTMENTS	12,000.00	12,000.00	(16,611.50)	238.43
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	2,500.00	(7,615.10)	404.60
001-00-369.00.49	INSURANCE RECOVERY	100.00	100.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	194,000.00	194,000.00	194,000.00	0.00
					<b>96.36</b>
Department: 21 LAW ENFORCEMENT					
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	45,500.00	(5,012.84)	111.02
001-21-337.20.00	SCHOOL RESOURCE OFFICER	68,500.00	68,500.00	17,125.00	75.00
001-21-337.90.01	OTHER GRANTS	6,000.00	6,000.00	6,000.00	0.00
001-21-347.90.01	SPECIAL EVENTS	0.00	0.00	(1,280.00)	100.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	5,000.00	(2,270.03)	145.40
001-21-351.13.00	PARKING TICKETS	500.00	500.00	500.00	0.00
001-21-351.13.10	ACCIDENT REPORT	200.00	200.00	(30.00)	115.00
001-21-364.10.00	DISPOSAL OF ASSETS - VEHICLES	200.00	200.00	200.00	0.00
001-21-369.00.00	MISCELLANEOUS REVENUE	100.00	100.00	(543.27)	643.27
					<b>88.34</b>
Department: 22 FIRE CONTROL					
001-22-271.00.99	CARRY FORWARD	10,700.00	10,700.00	10,700.00	0.00
001-22-322.30.00	FIRE PROTECTIVE SERVICES	2,000.00	2,000.00	(3,520.00)	276.00
001-22-364.20.00	DISPOSAL OF ASSETS - OTHER	100.00	100.00	100.00	0.00
001-22-369.55.10	SHARED TRAINING	500.00	500.00	500.00	0.00
					<b>41.50</b>
Department: 29 CODE ENFORCEMENT					
001-29-359.00.00	OTHER FINES AND FORFEITURES	1,000.00	1,000.00	1,000.00	0.00
					<b>0.00</b>
Department: 41 PUBLIC WORKS					
001-41-335.12.00	STATE REVENUE SHARING	0.00	0.00	(4.37)	100.00
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	500.00	500.00	500.00	0.00
001-41-369.00.00	MISCELLANEOUS REVENUE	0.00	0.00	(721.00)	100.00
					<b>145.07</b>
Department: 72 PARKS & RECREATION					
001-72-347.41.00	FOUNDER'S DAY	7,000.00	7,000.00	(332.50)	104.75

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-72-347.50.00	FACILITY RENTALS	6,000.00	6,000.00	1,705.00	71.58
001-72-366.19.00	TH DONATIONS - KIDS BUSINESS FAIR	5,000.00	5,000.00	(1,640.00)	132.80
					101.49
Overall Revenue Rate:					95.96
<b>Account Category: Expenditures</b>					
Department: 00					
001-00-581.00.00	TRANSFER OUT	441,761.00	475,065.96	0.00	100.00
					100.00
Department: 11 LEGISLATIVE					
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	16,200.00	1,423.49	91.21
001-11-500.12.00	REGULAR SALARIES	60,113.00	60,113.00	(1,359.83)	102.26
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	5,838.00	5,838.00	326.33	94.41
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	8,157.00	8,157.00	(195.65)	102.40
001-11-500.23.01	HEALTH INSURANCE	6,534.00	6,534.00	483.00	92.61
001-11-500.23.02	LIFE INSURANCE	71.00	71.00	3.44	95.15
001-11-500.25.00	UNEMPLOYMENT COMPENSATION	244.00	244.00	166.53	31.75
001-11-510.31.00	PROFESSIONAL SERVICES	250.00	250.00	(172.55)	169.02
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	4,465.00	2,910.38	34.82
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,100.00	2,100.00	4.86	99.77
001-11-510.47.00	PRINTING	12,593.00	12,593.00	4,308.04	65.79
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	800.00	164.01	79.50
001-11-510.48.40	LEGAL NOTICES	10,000.00	10,000.00	6,933.31	30.67
001-11-510.49.50	ELECTION EXPENSE	11,000.00	11,000.00	824.16	92.51
001-11-510.54.00	DUES & SUBSCRIPTIONS	720.00	720.00	(215.00)	129.86
001-11-510.54.10	TRAINING & SCHOOLS	3,560.00	3,560.00	1,616.00	54.61
001-11-510.64.01	CAPITAL OUTLAY	85,700.00	85,700.00	(9,412.12)	110.98
001-11-543.00.00	LICENSES & FEES	34,267.00	34,267.00	(911.10)	102.66
					97.37
Department: 12 EXECUTIVE					
001-12-500.12.00	REGULAR SALARIES	147,720.00	147,720.00	(276.45)	100.19
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	11,301.00	11,301.00	(1,356.62)	112.00
001-12-500.22.01	RETIREMENT - ICMA	15,247.00	15,247.00	63.61	99.58



	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,937.00	4,937.00	17.62	99.64
001-12-500.23.01	HEALTH INSURANCE	28,117.00	28,117.00	6,503.95	76.87
001-12-500.23.02	LIFE INSURANCE	828.00	828.00	153.25	81.49
001-12-500.25.00	UNEMPLOYMENT COMPENSATION	212.00	212.00	21.94	89.65
001-12-510.40.00	TRAVEL & MEETINGS	1,820.00	1,820.00	(230.38)	112.66
001-12-510.49.99	MISCELLANEOUS	300.00	300.00	300.00	0.00
001-12-510.52.50	GAS & OIL	2,400.00	2,400.00	0.00	100.00
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,511.00	3,511.00	1,000.73	71.50
001-12-510.54.10	TRAINING & SCHOOLS	1,680.00	1,680.00	1,130.00	32.74
					<b>96.64</b>
Department: 13 FINANCE					
001-13-500.12.00	REGULAR SALARIES	112,950.00	112,950.00	(1,151.81)	101.02
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,641.00	8,641.00	(26.33)	100.30
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	15,327.00	15,327.00	(117.94)	100.77
001-13-500.23.01	HEALTH INSURANCE	39,000.00	39,000.00	15,826.32	59.42
001-13-500.23.02	LIFE INSURANCE	297.00	297.00	161.88	45.49
001-13-500.25.00	UNEMPLOYMENT COMPENSATION	158.00	158.00	14.40	90.89
001-13-510.32.00	AUDITING SERVICES	32,600.00	32,600.00	1,750.00	94.63
001-13-510.32.90	BANKING FEES	12,916.00	12,916.00	3,317.94	74.31
001-13-510.40.00	TRAVEL & MEETINGS	1,221.00	1,221.00	250.16	79.51
001-13-510.47.00	PRINTING	216.00	216.00	216.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	60.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	1,000.00	1,000.00	468.05	53.20
001-13-543.00.00	LICENSES & FEES	7,785.00	7,785.00	0.00	100.00
					<b>91.05</b>
Department: 14 LEGAL COUNSEL					
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	97,000.00	(9,443.26)	109.74
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	10,000.00	(1,925.00)	119.25
					<b>110.62</b>
Department: 15 PLANNING					
001-15-510.31.00	PROFESSIONAL SERVICES	26,000.00	26,000.00	19,107.45	26.51
					<b>26.51</b>

Department: 19 GENERAL SERVICES	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-19-500.24.00	WORKERS COMPENSATION	3,687.00	3,687.00	0.00	100.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,620.00	4,620.00	705.00	84.74
001-19-510.31.11	SECURITY	1,000.00	1,000.00	(1,695.00)	269.50
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	17,000.00	1,892.00	88.87
001-19-510.35.00	PRE-EMPLOYMENT EXP	400.00	400.00	288.00	28.00
001-19-510.41.00	TELEPHONE	25,080.00	25,080.00	1,451.48	94.21
001-19-510.41.10	COMMUNICATION SERVICES	45,372.00	45,372.00	(1,787.07)	103.94
001-19-510.43.00	STREET LIGHTS	50,400.00	50,400.00	(348.02)	100.69
001-19-510.43.10	ELECTRICITY	33,600.00	33,600.00	1,596.83	95.25
001-19-510.43.20	WATER & SEWER	3,650.00	3,650.00	(427.99)	111.73
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	2,500.00	70.45	97.18
001-19-510.45.00	GENERAL LIABILITY INSURANCE	94,000.00	94,000.00	9,382.00	90.02
001-19-510.45.01	FLOOD INSURANCE	5,690.00	5,690.00	(360.00)	106.33
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	128,000.00	30,641.00	76.06
001-19-510.45.03	AUTO INSURANCE	9,000.00	9,000.00	(688.00)	107.64
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANCE	4,832.00	4,832.00	518.18	89.28
001-19-510.46.15	EQUIPMENT MAINTENANCE	31,500.00	31,500.00	16,891.46	46.38
001-19-510.46.36	PEST CONTROL	3,120.00	3,120.00	(600.00)	119.23
001-19-510.47.00	PRINTING	900.00	900.00	799.88	11.12
001-19-510.49.90	ADOPT AN AREA	1,000.00	1,000.00	97.89	90.21
001-19-510.49.98	CONTINGENCY	25,000.00	25,000.00	19,007.00	23.97
001-19-510.49.99	MISCELLANEOUS	300.00	300.00	147.13	50.96
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	11,000.00	4,517.77	58.93
001-19-510.51.10	POSTAGE	1,500.00	1,500.00	179.64	88.02
001-19-510.52.10	JANITORIAL SUPPLIES	5,400.00	5,400.00	1,996.14	63.03
001-19-510.54.00	DUES & SUBSCRIPTIONS	435.00	435.00	39.97	90.81
001-19-510.64.01	CAPITAL OUTLAY	148,000.00	148,000.00	141,478.99	4.41
001-19-543.00.00	LICENSES & FEES	20,585.00	20,585.00	4,828.47	76.54
001-19-581.00.00	TRANSFER OUT	77,000.00	77,000.00	0.00	100.00
					69.44
Department: 21 LAW ENFORCEMENT					
001-21-500.12.00	REGULAR SALARIES	721,855.00	721,855.00	19,226.98	97.34
001-21-500.12.50	HOLIDAY PAY	23,000.00	23,000.00	3,930.77	82.91

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-21-500.14.00	SALARIES OVERTIME	15,000.00	15,000.00	(895.24)	105.97
001-21-500.14.16	HURRICANE PAY	18,000.00	18,000.00	18,000.00	0.00
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,634.00	7,634.00	137.22	98.20
001-21-500.15.01	FIRST RESPONDER	6,000.00	6,000.00	(158.93)	102.65
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	54,888.00	54,888.00	(1,254.31)	102.29
001-21-500.22.02	POLICE PENSION	142,500.00	142,500.00	(49,066.27)	134.43
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	5,217.00	1,154.33	77.87
001-21-500.23.01	HEALTH INSURANCE	105,440.00	105,440.00	16,676.81	84.18
001-21-500.23.02	LIFE INSURANCE	2,900.00	2,900.00	519.02	82.10
001-21-500.23.10	STATUTORY AD&D	1,000.00	1,000.00	(162.50)	116.25
001-21-500.24.00	WORKERS COMPENSATION	8,848.00	8,848.00	271.00	96.94
001-21-500.25.00	UNEMPLOYMENT COMPENSATION	2,296.00	2,296.00	1,346.73	41.34
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	725.00	(77.45)	110.68
001-21-520.34.40	DISPATCHING SERVICES	18,319.00	18,319.00	(549.11)	103.00
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,000.00	1,000.00	(1,442.00)	244.20
001-21-520.40.00	TRAVEL & MEETINGS	3,184.00	3,184.00	1,249.04	60.77
001-21-520.41.10	COMMUNICATION SERVICES	6,000.00	6,000.00	(1,731.05)	128.85
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANCE	7,000.00	7,000.00	6,810.55	2.71
001-21-520.46.15	EQUIPMENT	2,500.00	2,500.00	1,038.10	58.48
001-21-520.46.16	RADAR CALIBRATION	250.00	250.00	(428.50)	271.40
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	17,000.00	803.38	95.27
001-21-520.48.00	PROMOTIONAL ACTIVITIES	1,500.00	1,500.00	274.18	81.72
001-21-520.48.50	CRIME PREVENTION	1,500.00	1,500.00	780.27	47.98
001-21-520.49.99	MISCELLANEOUS	100.00	100.00	2.55	97.45
001-21-520.51.10	POSTAGE	125.00	125.00	110.08	11.94
001-21-520.52.00	UNIFORMS	8,500.00	8,500.00	647.70	92.38
001-21-520.52.05	PROTECTIVE GEAR	3,500.00	3,500.00	(908.78)	125.97
001-21-520.52.50	GAS & OIL	25,000.00	25,000.00	3,042.45	87.83
001-21-520.52.70	MEDICAL	800.00	800.00	404.60	49.43
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	3,000.00	(1,449.30)	148.31
001-21-520.54.00	DUES & SUBSCRIPTIONS	1,175.00	1,175.00	470.00	60.00
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	6,400.00	5,950.00	7.03
001-21-520.64.01	Capital Outlay	8,400.00	8,400.00	(3,600.43)	142.86

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-21-543.00.00	LICENSES & FEES	14,646.00	14,646.00	1,541.26	89.48
001-21-581.00.00	TRANSFER OUT	15,000.00	15,000.00	0.00	100.00
					<b>98.20</b>
Department: 22 FIRE CONTROL					
001-22-500.12.00	REGULAR SALARIES	96,226.00	96,226.00	(1,154.60)	101.20
001-22-500.14.16	HURRICANE PAY	1,890.00	1,890.00	1,890.00	0.00
001-22-500.14.50	STIPEND PAYROLL	44,000.00	44,000.00	11,160.00	74.64
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,727.00	10,727.00	745.08	93.05
001-22-500.22.01	RETIREMENT - ICMA	9,248.00	9,248.00	(438.81)	104.74
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	3,591.00	3,591.00	47.40	98.68
001-22-500.23.01	HEALTH INSURANCE	28,200.00	28,200.00	1,824.12	93.53
001-22-500.23.02	LIFE INSURANCE	148.00	148.00	12.88	91.30
001-22-500.23.10	STATUTORY AD&D	207.00	207.00	(162.50)	178.50
001-22-500.24.00	WORKERS COMPENSATION	16,222.00	16,222.00	0.00	100.00
001-22-500.25.00	UNEMPLOYMENT COMPENSATION	241.00	241.00	118.10	51.00
001-22-520.31.11	SECURITY	0.00	0.00	(300.00)	100.00
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	5,400.00	(200.00)	103.70
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	2,060.00	1,279.00	37.91
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	4,375.00	2,775.00	36.57
001-22-520.40.00	TRAVEL & MEETINGS	750.00	750.00	193.89	74.15
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	1,944.00	0.00	100.00
001-22-520.46.15	EQUIPMENT	10,000.00	10,000.00	(1,165.48)	111.65
001-22-520.46.20	VEHICLE MAINTENANCE	32,000.00	32,000.00	(5,404.29)	116.89
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	1,000.00	(1,168.18)	216.82
001-22-520.51.00	OFFICE SUPPLIES	800.00	800.00	565.05	29.37
001-22-520.52.00	UNIFORMS	12,600.00	12,600.00	3,076.51	75.58
001-22-520.52.02	S.C.B.A.	2,550.00	2,550.00	(999.76)	139.21
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	2,925.00	(493.00)	116.85
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	1,000.00	494.85	50.52
001-22-520.52.20	TOOLS & HARDWARE	10,500.00	10,500.00	72.82	99.31
001-22-520.52.50	GAS & OIL	5,000.00	5,000.00	1,927.75	61.45
001-22-520.52.70	MEDICAL	1,400.00	1,400.00	(933.33)	166.67
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	610.00	(65.00)	110.66

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	5,525.00	418.00	92.43
001-22-520.54.12	TRAINING MATERIALS	3,200.00	3,200.00	1,760.79	44.98
001-22-520.64.01	Capital Outlay	82,369.00	82,369.00	2,909.98	96.47
001-22-543.00.00	LICENSES & FEES	13,473.00	13,473.00	1,140.40	91.54
001-22-581.00.00	TRANSFER OUT	36,500.00	36,500.00	0.00	100.00
					95.54
Department: 29 CODE ENFORCEMENT					
001-29-500.12.00	REGULAR SALARIES	15,792.00	15,792.00	5,421.19	65.67
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,208.00	1,208.00	174.63	85.54
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	2,143.00	2,143.00	432.32	79.83
001-29-500.23.10	STATUTORY AD&D	21.00	21.00	0.00	100.00
001-29-500.24.00	WORKERS COMPENSATION	738.00	738.00	0.00	100.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATION	51.00	51.00	34.14	33.06
001-29-520.40.00	TRAVEL & MEETINGS	50.00	50.00	50.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	100.00	100.00	100.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	150.00	150.00	0.00
001-29-520.48.55	FIRE PREVENTION	4,600.00	4,600.00	169.64	96.31
001-29-520.51.00	OFFICE SUPPLIES	125.00	125.00	30.71	75.43
001-29-520.51.10	POSTAGE	350.00	350.00	197.51	43.57
001-29-520.51.20	RECORDING COSTS	120.00	120.00	120.00	0.00
001-29-520.52.00	UNIFORMS	300.00	300.00	300.00	0.00
001-29-520.54.00	DUES & SUBSCRIPTIONS	150.00	150.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	600.00	600.00	600.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	1,000.00	1,000.00	0.00
					67.52
Department: 41 PUBLIC WORKS					
001-41-500.12.00	REGULAR SALARIES	253,947.00	253,947.00	34,631.81	86.36
001-41-500.14.00	SALARIES OVERTIME	4,000.00	4,000.00	3,051.80	23.71
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	19,427.00	19,427.00	2,341.74	87.95
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	34,461.00	34,461.00	4,401.45	87.23
001-41-500.23.01	HEALTH INSURANCE	46,000.00	46,000.00	10,251.70	77.71
001-41-500.23.02	LIFE INSURANCE	294.00	294.00	(5.51)	101.87
001-41-500.23.10	STATUTORY AD&D	83.00	83.00	0.00	100.00

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-41-500.24.00	WORKERS COMPENSATION	4,424.00	4,424.00	0.00	100.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATION	813.00	813.00	529.14	34.92
001-41-530.40.00	TRAVEL & MEETINGS	150.00	150.00	150.00	0.00
001-41-530.43.15	ELECTRICAL WORK	5,000.00	5,000.00	(5,543.50)	210.87
001-41-530.43.50	DUMP SERVICE	2,000.00	2,000.00	1,918.84	4.06
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	6,500.00	5,262.41	19.04
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	5,000.00	3,199.28	36.01
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	9,500.00	(5,735.13)	160.37
001-41-530.46.30	BUILDING MAINTENANCE	9,000.00	9,000.00	(7,287.23)	180.97
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	600.00	371.78	38.04
001-41-530.46.32	RYCKMAN HOUSE	1,000.00	1,000.00	(700.00)	170.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	2,000.00	2,000.00	1,869.69	6.52
001-41-530.46.35	PIER MAINTENANCE	1,000.00	1,000.00	863.40	13.66
001-41-530.46.40	GROUNDS MAINTENANCE	10,000.00	10,000.00	5,101.46	48.99
001-41-530.52.00	UNIFORMS	3,750.00	3,750.00	2,147.75	42.73
001-41-530.52.05	PROTECTIVE GEAR	2,500.00	2,500.00	1,534.15	38.63
001-41-530.52.20	TOOLS & HARDWARE	5,000.00	5,000.00	(979.53)	119.59
001-41-530.52.25	TOOL RENTALS	1,500.00	1,500.00	645.85	56.94
001-41-530.52.50	GAS & OIL	7,000.00	7,000.00	1,046.07	85.06
001-41-530.53.10	STREET REPAIR	7,500.00	7,500.00	567.62	92.43
001-41-530.53.20	STREET SIGNS	8,000.00	8,000.00	2,165.59	72.93
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	1,500.00	984.05	34.40
001-41-530.57.25	WELDING	200.00	200.00	200.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	4,000.00	0.00	100.00
001-41-581.00.00	TRANSFER OUT	10,000.00	10,000.00	0.00	100.00

86.49

## Department: 42 GROUNDS KEEPING

001-42-530.34.91	LANDSCAPING	22,300.00	22,300.00	16,594.44	25.59
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	2,500.00	(933.09)	137.32
001-42-530.46.40	GROUNDS MAINTENANCE	26,000.00	26,000.00	16,469.06	36.66
001-42-530.46.43	TREE EXPENSE	3,000.00	3,000.00	3,000.00	0.00
001-42-530.52.00	UNIFORMS	3,125.00	3,125.00	2,980.25	4.63
001-42-530.52.05	PROTECTIVE GEAR	575.00	575.00	485.31	15.60

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
001-42-530.52.20	TOOLS & HARDWARE	500.00	500.00	(1,043.18)	308.64
001-42-530.52.25	TOOL RENTALS	0.00	0.00	(323.69)	100.00
001-42-530.52.50	GAS & OIL	1,000.00	1,000.00	(664.73)	166.47
001-42-530.54.10	TRAINING & SCHOOLS	375.00	375.00	375.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	0.00	0.00	(7,134.60)	100.00
001-42-581.00.00	TRANSFER OUT	4,250.00	4,250.00	0.00	100.00
					53.16
Department: 72 PARKS & RECREATION					
001-72-570.48.10	FOUNDER'S DAY	8,000.00	8,000.00	(549.02)	106.86
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	1,800.00	813.03	54.83
001-72-570.48.52	FOURTH OF JULY	1,000.00	1,000.00	0.00	100.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	4,000.00	4,000.00	(592.55)	114.81
001-72-570.48.60	EASTER EGG HUNT	400.00	400.00	(25.12)	106.28
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	5,000.00	3,530.59	29.39
001-72-570.48.91	CHILDREN'S BUSINESS FAIR	5,000.00	5,000.00	(985.87)	119.72
001-72-570.63.01	TENNIS COURT EXPEDITURES	700.00	700.00	700.00	0.00
001-72-570.63.02	BBALL & VBALL COURTS	700.00	700.00	0.00	100.00
001-72-570.64.01	CAPITAL OUTLAY	30,000.00	30,000.00	5,555.64	81.48
					85.08
Overall Expenditure Rate:					90.31
Fund: 104 ENVIRONMENTAL ADVISORY BOAR					
Account Category: Revenues					
Department: 00					
104-00-271.00.99	CARRY FORWARD	9,977.14	9,977.14	9,977.14	0.00
104-00-337.90.01	OTHER GRANTS	0.00	0.00	(568.00)	100.00
104-00-381.00.00	TRANSFERS IN	5,500.00	5,500.00	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	2,000.00	0.00
104-72-570.34.91	LANDSCAPING	500.00	500.00	500.00	0.00

	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
104-72-570.46.40	GROUNDS MAINTENANCE	1,200.00	1,200.00	851.93	29.01
104-72-570.51.00	OFFICE SUPPLIES	0.00	0.00	(345.35)	100.00
104-72-570.52.00	UNIFORMS	400.00	400.00	360.77	9.81
104-72-570.64.01	CAPITAL OUTLAY	6,000.00	6,000.00	4,971.17	17.15
104-72-570.83.01	SUNSHINE JIM	1,500.00	1,500.00	57.61	96.16
					27.62

Fund: 125 BUILDING DEPT

Account Category: Revenues

Department: 00

125-00-381.00.00	TRANSFERS IN	0.00	20,817.13	0.00	100.00
					100.00

Department: 24 PROTECTIVE INSPECTIONS

125-24-322.00.00	BUILDING PERMITS	240,000.00	240,000.00	54,508.96	77.29
125-24-322.00.01	PERMIT SEARCH REQUEST	0.00	0.00	(15.00)	100.00
125-24-322.10.00	ZONING PLAN REVIEW	2,500.00	2,500.00	2,125.00	15.00
125-24-322.10.10	SITE PLAN REVIEW P&Z	6,000.00	6,000.00	4,261.25	28.98
125-24-322.20.00	BUILDING PLAN REVIEW	5,500.00	5,500.00	3,625.00	34.09
125-24-322.31.00	BOA ADVERTISING COSTS	100.00	100.00	(175.06)	275.06
125-24-322.31.20	P&Z ADVERTISING	200.00	200.00	200.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	13,000.00	13,000.00	1,706.43	86.87
125-24-329.00.10	BOA VARIANCE FEES	1,000.00	1,000.00	(3,297.00)	429.70
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	6,000.00	496.14	91.73
125-24-364.10.00	DISPOSAL OF ASSETS - VEHICLES	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	(1,326.75)	100.86
125-24-500.14.00	SALARIES OVERTIME	1,000.00	1,000.00	1,000.00	0.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	11,788.34	11,788.34	105.93	99.10
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	20,910.83	20,910.83	(206.55)	100.99
125-24-500.23.01	HEALTH INSURANCE	17,000.00	17,000.00	4,419.04	74.01
125-24-500.23.02	LIFE INSURANCE	136.00	136.00	24.52	81.97
125-24-500.23.10	STATUTORY AD&D	42.00	42.00	0.00	100.00



	Description	ORIGINAL BUDGET	AMENDED	Available	% Used
125-24-500.24.00	WORKERS COMPENSATION	1,475.00	1,475.00	1,475.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATION	493.11	493.11	296.78	39.81
125-24-520.40.00	TRAVEL & MEETINGS	700.00	700.00	(1,156.46)	265.21
125-24-520.41.10	COMMUNICATION SERVICES	0.00	0.00	(195.00)	100.00
125-24-520.46.20	VEHICLE MAINTENANCE	800.00	800.00	374.09	53.24
125-24-520.51.00	OFFICE SUPPLIES	430.00	430.00	167.18	61.12
125-24-520.51.10	POSTAGE	75.00	75.00	57.64	23.15
125-24-520.52.00	UNIFORMS	560.00	560.00	335.31	40.12
125-24-520.52.20	TOOLS & HARDWARE	100.00	100.00	(150.38)	250.38
125-24-520.52.50	GAS & OIL	700.00	700.00	117.51	83.21
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	1,500.00	1,475.00	1.67
125-24-520.54.10	TRAINING & SCHOOLS	400.00	400.00	(549.00)	237.25
125-24-520.64.01	Capital Outlay	0.00	0.00	(10,733.00)	100.00
125-24-543.00.00	LICENSES & FEES	3,490.00	3,490.00	(1,693.10)	148.51
125-24-581.00.00	TRANSFER OUT	20,000.00	20,000.00	20,000.00	0.00
					94.13

Fund: 145 AMERICAN RESCUE PLAN

Account Category: Revenues

Department: 00

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

Account Category: Expenditures

145-00-581.00.00	TRANSFER OUT	0.00	704,647.28	0.00	100.00
					100.00

Department: 41 PUBLIC WORKS

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

Fund: 172 OCEAN PARK PARKING FUND		DESCRIPTION	ORIGINAL BUDGET	AMENDED	Available	% Used
<b>Account Category: Revenues</b>						
Department: 00						
172-00-271.00.99		CARRY FORWARD	51,144.00	51,144.00	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	6,400.00	46.67
172-75-344.50.00		PARKING METER REVENUE	95,000.00	95,000.00	7,608.02	91.99
						86.91
<b>Account Category: Expenditures</b>						
172-75-543.00.00		LICENSES & FEES	0.00	0.00	(300.00)	100.00
172-75-575.31.02		LIFEGUARD CONTRACT	73,000.00	73,000.00	50,649.55	30.62
172-75-575.31.11		SECURITY	0.00	0.00	(319.00)	100.00
172-75-575.32.90		BANKING FEES	5,500.00	5,500.00	240.42	95.63
172-75-575.34.10		JANITORIAL CLEANING	1,800.00	1,800.00	0.00	100.00
172-75-575.34.91		LANDSCAPING	1,500.00	1,500.00	1,278.27	14.78
172-75-575.41.10		IPS COMMUNICATIONS FEE	5,000.00	5,000.00	2,487.86	50.24
172-75-575.43.10		ELECTRICITY	3,000.00	3,000.00	383.34	87.22
172-75-575.43.20		WATER & SEWER	1,200.00	1,200.00	(582.87)	148.57
172-75-575.43.50		DUMP SERVICE	250.00	250.00	250.00	0.00
172-75-575.46.12		MAINTENANCE SUPPLIES	3,000.00	3,000.00	609.87	79.67
172-75-575.46.31		BUILDING MAINT RESTROOMS	400.00	400.00	(2,057.10)	614.28
172-75-575.46.40		GROUPS MAINTENANCE	1,200.00	1,200.00	(1,015.76)	184.65
172-75-575.52.10		JANITORIAL SUPPLIES	350.00	350.00	(2,025.96)	678.85
172-75-575.52.25		TOOL RENTAL	3,000.00	3,000.00	3,000.00	0.00
172-75-575.53.15		PARKING LOT REPAIRS	1,500.00	1,500.00	1,500.00	0.00
172-75-575.53.20		SIGNS	800.00	800.00	800.00	0.00
172-75-575.63.03		VOLLEYBALL COURT	2,000.00	2,000.00	1,506.04	24.70
172-75-575.63.05		BOCCE BALL COURT	0.00	0.00	(7,356.15)	100.00
172-75-575.64.01		CAPITAL OUTLAY	6,000.00	6,000.00	5,433.07	9.45
172-75-581.00.00		TRANSFER OUT	1,400.00	1,400.00	0.00	100.00
						50.87

Fund: 175 RYCKMAN CROSSOVER PARKING F		ORIGINAL BUDGET	AMENDED	Available	% Used
<b>Account Category: Revenues</b>					
Department: 00					
175-00-271.00.99	CARRY FORWARD	120,556.74	120,556.74	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	(3,500.00)	200.00
175-75-344.50.00	PARKING METER REVENUE	89,000.00	89,000.00	2,528.23	97.16
175-75-344.50.10	PARK PASS REVENUE	2,500.00	2,500.00	(700.00)	128.00
175-75-347.90.01	SPECIAL EVENTS	0.00	0.00	(75.00)	100.00
					101.84
<b>Account Category: Expenditures</b>					
175-75-575.31.00	PROFESSIONAL SERVICES	0.00	0.00	(3,000.00)	100.00
175-75-575.32.90	BANKING FEES	3,400.00	3,400.00	(106.39)	103.13
175-75-575.41.15	IPS COMMUNICATION FEE	2,800.00	2,800.00	1,186.61	57.62
175-75-575.47.00	PRINTING	0.00	0.00	(1,876.50)	100.00
175-75-575.48.52	FALL FESTIVAL	4,000.00	4,000.00	138.24	96.54
175-75-575.48.53	CHRISTMAS DECORATIONS	4,000.00	4,000.00	4,000.00	0.00
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	10,500.00	(450.00)	104.29
175-75-575.63.06	PLAYGROUND EQUIPMENT	0.00	0.00	(2,256.69)	100.00
175-75-575.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	48,200.00	3.60
175-75-575.73.00	CULTURAL SERVICES	3,500.00	3,500.00	2,699.08	22.88
175-75-581.00.00	TRANSFER OUT	91,500.00	138,500.00	0.00	100.00
					77.60
Fund: 351 LAND & ROAD IMPROVEMENTS					
<b>Account Category: Revenues</b>					
Department: 00					
351-00-271.00.99	CARRY FORWARD	27,397.17	27,397.17	27,397.17	0.00
351-00-381.00.00	TRANSFERS IN	90,000.00	90,000.00	0.00	100.00
					76.66
<b>Account Category: Expenditures</b>					
Department: 41 PUBLIC WORKS					
351-41-570.31.00	PROFESSIONAL SERVICES	5,000.00	5,000.00	3,777.50	24.45

	<b>Description</b>	<b>ORIGINAL BUDGET</b>	<b>AMENDED</b>	<b>Available</b>	<b>% Used</b>
351-41-570.31.21	ENGINEERING SERVICES	20,000.00	20,000.00	20,000.00	0.00
351-41-570.34.91	LANDSCAPING	10,000.00	10,000.00	(11,024.00)	210.24
351-41-570.46.40	GROUNDS MAINTENANCE	0.00	0.00	(2,249.25)	100.00
351-41-570.46.43	TREE EXPENSE	9,000.00	9,000.00	8,650.00	3.89
351-41-570.52.25	TOOL RENTALS	3,000.00	3,000.00	3,000.00	0.00
351-41-570.53.20	STREET SIGNS	20,000.00	20,000.00	(18,753.10)	193.77
351-41-570.64.01	CAPITAL OUTLAY	50,000.00	50,000.00	37,139.15	25.72
					<b>65.35</b>



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 #: 23852  
Date: 10-31-2024

---

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
10-16-24	RGK	Review attachments of ordinances provided by Shilo Newby Re Amendments to LDC definitions	0.30	200.00	\$60.00
10-16-24	RGK	Email Correspondence: Email from Shilo Newby RE: Town of Melbourne Beach Ordinances	0.10	200.00	\$20.00
10-16-24	RGK	Email Correspondence: Email to Shilo Newby RE: Town of Melbourne Beach Ordinances Exhibits	0.10	200.00	\$20.00
10-16-24	RGK	Email Correspondence: Emails with Shilo Newby Re Exhibit A to Ordinance 2017-05	0.10	200.00	\$20.00
10-16-24	RGK	Revise draft Noise Ordinance to include outside amplification, license for loudspeakers, and penalties	0.50	200.00	\$100.00
10-17-24	RGK	Draft Resolution Amending Vacation Rental Fee Schedule; revise proposed STR ordinance to include noise violations	2.10	200.00	\$420.00
10-17-24	RGK	Email Correspondence: Email to Amber Brown Re Agenda Items for 10/23	0.10	200.00	\$20.00
10-17-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: Please add this to the official minutes of the Special Meeting 16 Oct 2024	0.20	200.00	\$40.00

10-17-24	RGK	Email Correspondence: Email to Dan Chang RE: Please add this to the official minutes of the Special Meeting 16 Oct 2024	0.10	200.00	\$20.00
10-18-24	RGK	Email Correspondence: Email from Daniel Chang Fwd: Please add this to the official minutes of the Special Meeting 16 Oct 2024	0.10	200.00	\$20.00
10-21-24	RGK	Phone conference with Vice-Mayor Quarrie Re Censure Resolution and attorney billing questions	0.20	200.00	\$40.00
10-21-24	RGK	Review agenda packet and attachments in preparation for 10/23 Commission meeting	1.50	200.00	\$300.00
10-22-24	RGK	Email Correspondence: Emails with Commissioner Baldwin RE: STR proposed changes	0.50	200.00	\$100.00
10-22-24	RGK	Email Correspondence: Email from Chief Zander RE: enforcement of STR regs	0.10	200.00	\$20.00
10-22-24	RGK	Prepare for and attend special and regular Commission meeting	7.50	200.00	\$1,500.00
10-23-24	RGK	Phone conference with Elizabeth Mascaro Re Section 2.04 of Town Charter	0.20	200.00	\$40.00
10-23-24	RGK	Email Correspondence: Email from Amber Brown Re Applicants for the vacant Commission seat	0.10	200.00	\$20.00
10-23-24	RGK	Email Correspondence: Emails with Commissioner Baldwin RE: Charter Amendments from 1986 and 1989 Related to Section 2.04	0.20	200.00	\$40.00
10-23-24	RGK	Phone conference with Mayor Dennington Re Section 2.04 of Town Charter and agenda items	0.70	200.00	\$140.00
10-24-24	RGK	Phone conference with Mayor Dennington Re political endorsements	0.10	200.00	\$20.00
10-24-24	RGK	Review Fla. Stat. 106.143 and newspaper article Re election questions and endorsements of the candidates in relation to police and fire endorsements	0.40	200.00	\$80.00
10-28-24	RGK	Review Citizen's Academy proposed schedule; review other municipality's curriculum and procedures/costs of starting Citizen's Academy	0.50	200.00	\$100.00
10-28-24	RGK	Email Correspondence: Emails with Mayor Dennington RE: copy paste to send to TM - citizens academy proposal	0.30	200.00	\$60.00
10-28-24	RGK	Draft proposed ordinance amending Section 7A-55 relating to building construction and height measurement of existing grade	1.40	200.00	\$280.00
10-28-24	RGK	Email Correspondence: Email from Mayor Dennington Re: copy paste to send to TM - citizens academy proposal	0.10	200.00	\$20.00
10-28-24	RGK	Research federal and state requirements for minimum building elevations; research other municipalities code provisions for measurement of building height and maximum allowable height for existing grade in preparation for drafting ordinance amended Section 7A-55 of the LDC	0.50	200.00	\$100.00

10-29-24	RGK	Email Correspondence: Email to Mayor Dennington RE: Information on Charter Review and Citizen's Academy	0.30	200.00	\$60.00
10-29-24	RGK	Review revisions to Exhibit A LDC amending definitions; review 2/5/13 and 4/11/13 P&Z meeting for discussions related to amending definitions in LDC	1.80	200.00	\$360.00
10-30-24	RGK	Review meeting recording of 2/5/13 P&Z meeting and 9/18/13 Regular meeting Re amending definitions in LDC and definition of dwelling unit	1.60	200.00	\$320.00
10-30-24	RGK	Email Correspondence: Email from Elizabeth Mascaro FW: New Noise Ordinance	0.20	200.00	\$40.00
10-30-24	RGK	Email Correspondence: Email to Elizabeth Mascaro RE: New Noise Ordinance	0.40	200.00	\$80.00
10-30-24	RGK	Review Charter, Town Code, and AGOs Re workshop and official meeting	0.50	200.00	\$100.00
10-30-24	RGK	Phone conferences with Amber Brown Re Section 2.03 Town Charter and next official meeting	0.20	200.00	\$40.00
10-30-24	RGK	Email Correspondence: Email to Amber Brown Re Newly Elected Commissioners Taking Office	0.10	200.00	\$20.00
10-30-24	RGK	Email Correspondence: Email from Mayor Dennington Re Update - towns identified you relied on re interpretation of charter	0.10	200.00	\$20.00
10-31-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro and Chief Zander RE: New Noise Ordinance	0.10	200.00	\$20.00
10-31-24	RGK	Phone conference with Elizabeth Mascaro Re comp time and overtime	0.20	200.00	\$40.00
10-31-24	RGK	Review Article III of Town Charter, Fla. Stat. 443.036, and Employment Agreement with Town Manager	0.80	200.00	\$160.00
10-31-24	RGK	Email Correspondence: Emails with Jennifer Kerr RE: FMIT Law (Comp time)	0.10	200.00	\$20.00
10-31-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro RE: New Noise Ordinance	0.10	200.00	\$20.00
10-31-24	RGK	Draft memorandum Re Section 2.03 of Town Charter and Commissioner appointment	1.90	200.00	\$380.00
10-31-24	RGK	Email Correspondence: Emails with Elizabeth Mascaro and Amber Brown RE: New Noise Ordinance and Fla. Stat. 166.041(3)(a)	0.20	200.00	\$40.00
Services Subtotal:					\$5,320.00

---

Subtotal	\$5,320.00
Total	\$5,320.00
Payment	\$0.00
Balance Owing	\$5,320.00

---

Trust Account Balance \$0.00

Total Matter Balance \$5,320.00

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

October 2024

Removed and replaced fire pit on beach Ocean Park

Removed Christmas decorations/begin prep for installation

Inventoried and verified all safety equipment issued to team

Replaced hand soap dispensers OP women's and Ryckman mens restrooms

Repaired parking kiosk 2 at Ryckman Park

Installed decorative poles and banners along east section of Ocean Ave.

Placed chairs in Ryckman House with table for meeting

Re-installed no parking sign front of Community Center

Cleaned entire PW work buildings

Prepared and participated in the Fall Festival event

Put fill and rocks at 6<sup>th</sup> Ave. boat ramp post storm repaired washout

Confirmed with Brevard County that we have no responsibility for sewage pump station located west end of Ryckman Park – including any spillage or incident of that nature. It is alarmed and monitored by Brevard County 24/7

Replaced broken manhole cover Rosewood and Orange

Repaired sign Birch

Removed the storm damaged large blue bulletin board at pier

Built a bump out with bench at pier where bulletin board blown over

Installed dead end no turn around signs 3<sup>rd</sup> and 4<sup>th</sup>

Repaired and/or replaced street signs 1<sup>st</sup>, 4<sup>th</sup>,6<sup>th</sup> and Orange

Repaired multiple sections of wood fence north end OP – storm damaged

Repaired loose and/or missing boards on the fence surrounding storage yard

Responded to several areas of concern over water (record amount) standing in streets. During the rains we removed debris raised some storm water inlet covers etc. No knows water intrusion into structures

Recovered a street light that had fallen on Magnolia

Completed final steps installing all signs on Oak north of Ocean Ave.

Replaced some of the ceiling tiles upstairs area Town Hall

Note: all streets are checked each morning for large debris and if needed the storm water inlets are clean off. Trash cans are emptied as needed in our parks and restrooms checked.

Our landscaping maintenance member works daily on mowing, weeding, trimming and irrigation repair as needed.



# TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

## Building Department Report

OCTOBER 2024

- permits issued 49
- Construction value of the \$738,224.86 permits totaled \$13,844.13
- Total permit fees \$13,844.13
- Inspections completed 129
- Plans reviewed 49
- Site plan review for P&Z 1
- Vacation rental inspections 1
- New home 1
- Stop work order 1

# Monthly Permit List

11/01/2024

1/6

## Com Building

Permit #	Applicant	Address	Fee Total	Const. Value
PCB24-0006	WERLE & SON INC	2005 ATLANTIC ST 414	\$783.14	\$56404.00
<b>Work Description:</b> replace rear sliding glass door with impact, install tile floor, replace shower, replace kitchen counter tops				
PCB24-0007	SUMMIT FIRE & SECURITY	507 OCEAN AVE	\$0.00	\$2400.00
<b>Work Description:</b> Installation of one pre-engineered Kidde WHDR wet chemical UL300 fire suppression system within one exhaust hood Master Permit PP24-0002				

**Total Permits For Type: 2**  
**Total Fees For Type: \$783.14**  
**Total Const. Value For Type: \$58804.00**

## Demolition

Permit #	Applicant	Address	Fee Total	Const. Value
PD24-0006	TROPICAL DEMOLITION INC	1609 ATLANTIC ST	\$154.25	\$10800.00
<b>Work Description:</b> Residential demolition slab to remain				

**Total Permits For Type: 1**  
**Total Fees For Type: \$154.25**  
**Total Const. Value For Type: \$10800.00**

## Electrical

Permit #	Applicant	Address	Fee Total	Const. Value
PE24-0050	STINGRAY ELECTRIC	210 4TH AVE	\$149.68	\$4850.00
<b>Work Description:</b> Overhead to underground conversion				
PE24-0054	BRINGHURST, WILLIAM G TRUSTEE	1605 ATLANTIC ST	\$79.00	\$900.00
<b>Work Description:</b> replace weatherhead				
PE24-0053	BRIAN FLEIS	1609 ATLANTIC ST	\$79.00	\$500.00
<b>Work Description:</b> Temp Power Pole				
PE24-0051	HECK, JAMES	310 DRIFTWOOD AVE	\$79.00	\$1200.00
<b>Work Description:</b> Replace rusted 60A panel and outlet at community entrance sign				
PE24-0049	Richards, Ashley	405 RIVERSIDE DR	\$357.53	\$14881.07
<b>Work Description:</b> Install of whole house generator				

**Total Permits For Type: 5**  
**Total Fees For Type: \$744.21**  
**Total Const. Value For Type: \$22331.07**

## Fence

Permit #	Applicant	Address	Fee Total	Const. Value
----------	-----------	---------	-----------	--------------

PF24-0031	DAVE'S FENCE	222 5TH AVE.	\$79.00	\$2036.00
	<b>Work Description:</b> 17.3' 6'H white pvc fence 1 gate			
PF24-0035	Carrie's Fence of Palm Bay	318 HIBISCUS TRL	\$129.55	\$4185.00
	<b>Work Description:</b> INSTALLING 110' OF 6' TALL WOOD FENCE, NO GATES			
PF24-0030	AAA QUALITY FENCE LLC	1902 NEPTUNE DR	\$110.50	\$3550.00
	<b>Work Description:</b> Remove 11LF of wood. Install 11LF of 4' high wood with 1 gate. Install 37LF of 6' high wood with 1 gate per pool code.			
PF24-0033	AAA QUALITY FENCE LLC	451 SANDY KY	\$182.39	\$5924.00
	<b>Work Description:</b> INSTALL APPROX 144 lf OF 4' HIGH PICKET VINYL FENCE WITH 4 GATES			

---

<b>Total Permits For Type:</b>	<b>4</b>
<b>Total Fees For Type:</b>	<b>\$501.44</b>
<b>Total Const. Value For Type:</b>	<b>\$15695.00</b>

### Mechanical

Permit #	Applicant	Address	Fee Total	Const. Value
PM24-0082	NATHAN IACOBACCI	219 SIXTH AVE	\$312.42	\$10480.00
	<b>Work Description:</b> Replace exact HVAC system			
PM24-0084	DEREK CORMIER	425 AVENUE A	\$307.50	\$10000.00
	<b>Work Description:</b> DIRECT HVAC REPLACEMENT - NO DUCTWORK			
PM24-0083	David Mastrolonardo	523 AVENUE B	\$221.55	\$7205.00
	<b>Work Description:</b> Replace existing AC system			
PM24-0085	ZACHARY A REYNOLDS	402 DRIFTWOOD AVE	\$256.00	\$8325.00
	<b>Work Description:</b> Install new conformaker coastal SEER series SC System w/8kw heat strip and breaker			
PM24-0057	WHITLOCK, GARY	1501 OAK ST	\$187.26	\$6084.00
	<b>Work Description:</b> Change out AC with carrier ductless system			

---

<b>Total Permits For Type:</b>	<b>5</b>
<b>Total Fees For Type:</b>	<b>\$1284.73</b>
<b>Total Const. Value For Type:</b>	<b>\$42094.00</b>

### Miscellaneous

Permit #	Applicant	Address	Fee Total	Const. Value
PMC24-0016	STRUCTURED BROADBAND SERVICES	419 1ST AVE	\$0.00	\$0.01
	<b>Work Description:</b> Install 176' of new cable. To equal 38' of (1) directional road bore and 138' of underground trench.			
PMC24-0017	SPECTRUM SUNSHINE STATE LLC	419 1ST AVE	\$0.00	\$0.01
	<b>Work Description:</b> Install 176' of new cable. To equal 38' of (1) directional road bore and 138' of underground trench			

---

<b>Total Permits For Type:</b>	<b>2</b>
<b>Total Fees For Type:</b>	<b>\$0.00</b>

**Total Const. Value For Type: \$0.02**

**Paver, Concrete, & Deck**

Permit #	Applicant	Address	Fee Total	Const. Value
PCD24-0029	E & B CUSTOM PATIOS LLC	402 ANCHOR KY	\$184.70	\$6000.00
<b>Work Description:</b> i will be making a concrete driveway. it will connect to the existing driveywat 10 x 38				

**Total Permits For Type: 1**  
**Total Fees For Type: \$184.70**  
**Total Const. Value For Type: \$6000.00**

**Plumbing**

Permit #	Applicant	Address	Fee Total	Const. Value
PP24-0026	Leon A Tucker	413 AVENUE B	\$79.00	\$2000.00
<b>Work Description:</b> Replace approx. 165' of 1" PVC schedule 40 water line from city meter to unit.				
PP24-0024	BANAPOUR, MAY	312 BANYAN WAY	\$79.00	\$1650.00
<b>Work Description:</b> Replace washer and utility sink drain and water lines, Replace water heater. Install cementboard and replace bathtub fixture. Replace smoke detectors.				
PP24-0002	CROSSOVER 2ND, AVE	507 OCEAN AVE	\$0.00	\$1500.00
<b>Work Description:</b> Plumb liquid propane line for range in Fire Station				

**Total Permits For Type: 3**  
**Total Fees For Type: \$158.00**  
**Total Const. Value For Type: \$5150.00**

**Pool**

Permit #	Applicant	Address	Fee Total	Const. Value
PPL24-0015	PINEAPPLE POOLS OF FLORIDA, LLC	200 RIVERSIDE DR	\$1161.53	\$93320.00
<b>Work Description:</b> Swimming pool remodel and spa addition				

**Total Permits For Type: 1**  
**Total Fees For Type: \$1161.53**  
**Total Const. Value For Type: \$93320.00**

**Pool Enclosure**

Permit #	Applicant	Address	Fee Total	Const. Value
PPE24-0002	ANDERSON BROTHERS INC	2206 ROSEWOOD DR	\$612.95	\$39800.00
<b>Work Description:</b> 20' x 30' Aluminum Enclosure approx 8' tall				

**Total Permits For Type: 1**  
**Total Fees For Type: \$612.95**  
**Total Const. Value For Type: \$39800.00**

**Reroof**

Permit #	Applicant	Address	Fee Total	Const. Value
PRR24-0050	RICHARDS ROOFING INC	312 SECOND AVE	\$435.08	\$22447.00
	<b>Work Description:</b> shingle roof replacement			
PRR24-0051	POE ROOFING AND CONSULTING INC	201 FIFTH AVE	\$230.63	\$7500.00
	<b>Work Description:</b> shingle roof replacement			
PRR24-0047	3LP ROOFING	415 FIFTH AVE	\$113.50	\$3650.00
	<b>Work Description:</b> Remove current flat roof system and replace with a certainteed flintlastic white modified btumen self adhering 2 ply flat roof system. Flat has some ptich. No taper			
PRR24-0053	Roof Techs Roof Systems LLC	219 ASH AVE	\$372.48	\$16340.00
	<b>Work Description:</b> Reroof			
PRR24-0046	ROBERT JONES ROOFING AND GENERAL CONTRACTING LLC	323 BANYAN WAY	\$473.45	\$26190.00
	<b>Work Description:</b> Remove existing roof covering. Install asphalt shingles over peel and stick underlayment. Install torchdown rolled roofing over peel and stick underlayment.			
PRR24-0049	RICHARDS ROOFING INC	203 FIR AVE	\$364.60	\$15570.00
	<b>Work Description:</b> shingle and flat roof replacement			
PRR24-0052	ROBERT JONES ROOFING AND GENERAL CONTRACTING LLC	705 HIBISCUS TRL	\$549.40	\$33600.00
	<b>Work Description:</b> remove existing roof covering. Install asphalt shingles over peel and stick underlayment			
PRR24-0048	Florida Native Roofing Inc	400 PELICAN KY	\$979.90	\$75600.00
	<b>Work Description:</b> .032 Aluminum Standing Seam Reroof 53q, 5/12			

<b>Total Permits For Type:</b>	<b>8</b>
<b>Total Fees For Type:</b>	<b>\$3519.04</b>
<b>Total Const. Value For Type:</b>	<b>\$200897.00</b>

## Res Building

Permit #	Applicant	Address	Fee Total	Const. Value
PRB24-0030	CALIBER HOMES INC.	608 MANGO DR	\$1025.00	\$80000.00
	<b>Work Description:</b> Replacing kitchen counters and cabinets, replacing the windows and doors in the rear Florida Room			

<b>Total Permits For Type:</b>	<b>1</b>
<b>Total Fees For Type:</b>	<b>\$1025.00</b>
<b>Total Const. Value For Type:</b>	<b>\$80000.00</b>

## Shed

Permit #	Applicant	Address	Fee Total	Const. Value
PSH24-0010	Backyard Storage Solutions LLC	512 MAGNOLIA AVE	\$143.29	\$4640.00
	<b>Work Description:</b> 16x10 shed built on site from a kit, no electric or plumbing			

**Total Permits For Type: 1**  
**Total Fees For Type: \$143.29**  
**Total Const. Value For Type: \$4640.00**

## Tree

Permit #	Applicant	Address	Fee Total	Const. Value
PTR24-0014	RIGHT COAST TREE CARE	317 FOURTH AVE	\$0.00	\$0.01
	<b>Work Description:</b> removal of rotten/decaying oak tree in back of property			
PTR24-0013	FUS TRUST	2009 OAK ST	\$0.00	\$0.01
	<b>Work Description:</b> removal of large strangler fig tree. Invasive roots impacting neighbors and our sprinkler irrigation lines, concerning of other structural impact			

**Total Permits For Type: 2**  
**Total Fees For Type: \$0.00**  
**Total Const. Value For Type: \$0.02**

## Window, Door, and Shutter Permit

Permit #	Applicant	Address	Fee Total	Const. Value
PWS24-0094	Pwd-Orlando Llc	220 FOURTH AVE	\$363.81	\$15494.00
	<b>Work Description:</b>			
PWS24-0046	LEE JR, ROBERT	302 ATLANTIC ST	\$276.75	\$9000.00
	<b>Work Description:</b> replace 3 exterior doors and 1 exterior window with impact			
PWS24-0100	IKON WINDOWS AND DOORS LLC	1704 ATLANTIC ST 2E	\$105.12	\$3370.75
	<b>Work Description:</b> REMOVE AND REPLACE WINDOWS			
PWS24-0097	Newsouth Window Solutions	1905 ATLANTIC ST	\$496.30	\$28420.00
	<b>Work Description:</b> replace 2 windows and 3 doors size for size			
PWS24-0101	LA PLAYA BUILDING CONCEPTS LLC	306 BEAU JEAN AVE	\$215.25	\$7000.00
	<b>Work Description:</b> window /Door replacement - like for like			
PWS24-0098	Brevard Window & Doors Inc	504 COLONY ST	\$486.23	\$27437.00
	<b>Work Description:</b> REPLACING WINDOWS AND DOORS			
PWS24-0091	Brevard Window & Doors Inc	512 HARLAND AVE	\$547.27	\$33392.00
	<b>Work Description:</b> Replacing windows/slider/door			
PWS24-0096	All Pro Garage Doors Inc	603 MANGO DR	\$122.50	\$3950.00
	<b>Work Description:</b> Garage door install			
PWS24-0095	Affordable Glass Protection Inc	1902 NEPTUNE DR	\$395.14	\$18550.00
	<b>Work Description:</b> Install hurricane shutters			
PWS24-0103	Brevard Window & Doors Inc	402 RIVERSIDE DR 1	\$176.48	\$5730.00
	<b>Work Description:</b> replacing windows			



PWS24-0099 AFFORABLE GLASS PROTECTION 303 SUNSET BLVD \$79.00 \$2050.00

Work Description: INSTALL HURRICAN SHUTTERS

PWS23-0014 RUHFEL, DAVID E 301 THIRD AVE \$308.00 \$4300.00

Work Description: install sliding glass door in existing window pocket

---

<b>Total Permits For Type:</b>	<b>12</b>
<b>Total Fees For Type:</b>	<b>\$3571.85</b>
<b>Total Const. Value For Type:</b>	<b>\$158693.75</b>

---

<b>Grand Total Fees:</b>	<b>\$13,844.13</b>
<b>Grand Total Permits:</b>	<b>49.00</b>
<b>Grand Total Const. Value:</b>	<b>\$738224.86</b>

# Inspection Totals

---

<b>BTR FIRE</b>	<b>18</b>
<b>Column &amp; Tie Beam</b>	<b>1</b>
<b>Down Pours</b>	<b>1</b>
<b>Dry 'Wall</b>	<b>1</b>
<b>Dry-In</b>	<b>1</b>
<b>Electrical</b>	<b>13</b>
<b>Electrical Underground</b>	<b>1</b>
<b>Equipotential</b>	<b>2</b>
<b>Erosion Control</b>	<b>1</b>
<b>Final</b>	<b>9</b>
<b>Final</b>	<b>3</b>
<b>Final Building</b>	<b>1</b>
<b>Final Electrical</b>	<b>1</b>
<b>Final Fence</b>	<b>2</b>
<b>Final Mechanical</b>	<b>11</b>
<b>Final Miscellaneous</b>	<b>1</b>
<b>Final Paver, Concrete, &amp; Deck</b>	<b>1</b>
<b>Final Plumbing</b>	<b>4</b>
<b>Final Pool</b>	<b>3</b>
<b>Final Solar</b>	<b>2</b>

# Inspection Totals

---

Final Window, Door, & Shutter	14
Fire Inspection	1
Framing	1
In Progress	6
In-Progress	10
In-Progress	1
Lentil	1
Plumbing Underground	1
Pre Pour	1
Pre Pour	1
Pre Pour on East Wall Repair	1
Pre Power	2
Rough Electric	1
Rough Electrical	1
Rough Mechanical	1
Rough Plumbing	3
Slab	1
Steel & Ground	1
Temp Power	1
WALL SHEATING	1

## Inspection Totals

---

Window & Door In-Progress

2

---

**Total # of Inspections: 129**

# Enforcement List

11/13/2024

1/1

Enforcement #	Address	Category	Status	Origin	Filed	Closed
<b>Default Unit</b>						
ECE24-0223	1709 PINE ST	Pools	Closed - Complied	Public - web	08/01/24	11/13/24
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
ECE24-0233	322 HIBISCUS TRL	Short Term Rental Violations	Closed - Complied	Staff	09/05/24	10/29/24
ECE24-0234	210 FOURTH 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
ECE24-0237	302 FIFTH AVE	Short Term Rental Violations	Closed - No Violations Found	Staff	09/06/24	10/30/24
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
ECE24-0240	800 PINE ST	Lawns - Overgrowth	Closed - Complied	Staff	09/17/24	10/01/24
ECE24-0243	200 SHANNON AVE	Multiple Violations	Closed - Complied	Public - Phone	09/18/24	10/16/24
ECE24-0235	206 FOURTH AVE	Lawns - Overgrowth	PENDING - Inspection Scheduled	Staff	09/19/24	
ECE24-0231	302 FIFTH AVE	Short Term Rental Violations	Closed - Complied	Public - walk In	09/24/24	09/24/24
ECE24-0244	408 AVENUE A	Multiple Violations	Closed - Complied		10/01/24	11/13/24
ECE24-0246	1302 ORANGE ST	Lawns - Overgrowth	Closed - Complied	Public - Email	10/17/24	10/26/24
ECE24-0228	601 HIBISCUS TRL	Trailers, Boats, and Recreational Vehicles	Closed - Complied	Public - Email	10/28/24	11/05/24
ECE24-0224	217 THIRD AVE	Short Term Rental Violations	PENDING - Certificate Under Review	Public - Email	11/07/24	
ECE24-0242	411 ATLANTIC ST	Trees and Landscaping	Open - Notice of Violation Sent	Staff	11/12/24	
ECE24-0245	398 RIVER VW	Lawns - Overgrowth	PENDING - Monitoring Property	Public - Email	11/12/24	

**# of Enforcements: 19**

**Total # of Enforcements: 19**

# Certificate List

11/13/2024

1/1

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
CVR23-0003	304 FOURTH AVE	Vacation Rental	SAMMELMAN, MARK T	Issued	01/11/2024	01/11/2025	\$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 THIRD AVE	Owner Occupied Exempt	BARTON, JOYCE	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0004	205 SURF RD	Vacation Rental	BLESSED IN THE SON LLC	Issued	03/12/2024	03/12/2025	\$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
CVR24-0007	320 SECOND AVE	Vacation Rental	WAGNER, CHRISTOPHER WAGNER, KIM	Issued	02/27/2024	02/27/2025	\$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
CVR24-0011	608 MANGO DR	Vacation Rental	COMPO, DEVIN	Issued	09/12/2024	09/12/2025	\$0.00
CVR24-0013	406 HIBISCUS TRL	Vacation Rental	PETERS, ERIC RYAN	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0014	415 HIBISCUS TRL	Vacation Rental	GOSSELIN, JAKE	Issued	05/29/2024	06/12/2025	\$0.00
CVR24-0015	311 AVENUE A	Vacation Rental	K5 INVESTMENT GROUP LLC	Issued	05/21/2024	06/09/2025	\$0.00
CVR24-0016	211 CHERRY DR	Vacation Rental	BEACH HOST, LLC SEDENO, SELENE	Issued	07/03/2024	07/03/2025	\$0.00
CVR24-0018	401 SECOND AVE	Vacation Rental	JUSTIN ARMOUR	Issued	09/12/2024	09/12/2025	\$0.00
CVR24-0019	208 CHERRY DR	Vacation Rental	DALTON, BRITTANY	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0021	322 HIBISCUS TRL	Vacation Rental	BANKE, JONATHAN	Issued	10/29/2024	10/29/2025	\$0.00
CVR24-0025	401 AVENUE B	Vacation Rental	NEWTON, JOHN	Issued	11/04/2024	11/04/2025	\$0.00
CVR24-0026	317 FIRST AVE	Vacation Rental	LESINSKI, ZACH	Issued	11/04/2024	11/04/2025	\$0.00
CVR24-0029	2015 OAK ST	Owner Occupied Exempt	PRUTOW, GARY	Issued	11/01/2024	12/31/2024	\$0.00

**Total # of Certificates: 22**

**Total Amount Due: \$0.00**

# Certificate List

11/14/2024

1/1

Certificate #	Property Address	Certificate Type	Holder	Status	Issued	Expires	Amount Due
CVR23-0003	304 FOURTH AVE	Vacation Rental	SAMMELMAN, MARK T	Issued	01/11/2024	01/11/2025	\$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 THIRD AVE	Owner Occupied Exempt	BARTON, JOYCE	Issued	01/10/2024	12/31/2024	\$0.00
CVR24-0004	205 SURF RD	Vacation Rental	BLESSED IN THE SON LLC	Issued	03/12/2024	03/12/2025	\$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
CVR24-0007	320 SECOND AVE	Vacation Rental	WAGNER, CHRISTOPHER WAGNER, KIM	Issued	02/27/2024	02/27/2025	\$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
CVR24-0011	608 MANGO DR	Vacation Rental	COMPO, DEVIN KELLER	Issued	09/12/2024	09/12/2025	\$0.00
CVR24-0013	406 HIBISCUS TRL	Vacation Rental	PETERS, ERIC RYAN	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0014	415 HIBISCUS TRL	Vacation Rental	GOSSELIN, JAKE	Issued	05/29/2024	06/12/2025	\$0.00
CVR24-0015	311 AVENUE A	Vacation Rental	K5 INVESTMENT GROUP LLC	Issued	05/21/2024	06/09/2025	\$0.00
CVR24-0016	211 CHERRY DR	Vacation Rental	BEACH HOST, LLC SEDENO, SELENE	Issued	07/03/2024	07/03/2025	\$0.00
CVR24-0018	401 SECOND AVE	Vacation Rental	JUSTIN ARMOUR	Issued	09/12/2024	09/12/2025	\$0.00
CVR24-0019	208 CHERRY DR	Vacation Rental	DALTON, BRITTANY	Issued	09/10/2024	09/10/2025	\$0.00
CVR24-0021	322 HIBISCUS TRL	Vacation Rental	BANKE, JONATHAN	Issued	10/29/2024	10/29/2025	\$0.00
CVR24-0023	411 OAK ST	Vacation Rental	MOLINA OAK LLC	Issued	11/14/2024	11/14/2025	\$0.00
CVR24-0024	1905 REDWOOD AVE	Vacation Rental	BRUNING, RICHARD A	Issued	11/14/2024	11/14/2025	\$0.00
CVR24-0025	401 AVENUE B	Vacation Rental	NEWTON, JOHN	Issued	11/04/2024	11/04/2025	\$0.00
CVR24-0026	317 FIRST AVE	Vacation Rental	LESINSKI, ZACH	Issued	11/04/2024	11/04/2025	\$0.00
CVR24-0029	2015 OAK ST	Owner Occupied Exempt	PRUTOW, GARY	Issued	11/01/2024	12/31/2024	\$0.00

**Total # of Certificates: 24**

**Total Amount Due: \$0.00**

## CUSTOM CERTIFICATE REPORT FOR TOWN OF MELBOURNE BEACH

Certificate Number	Location	Certificate Type	Holder Person	Date/Time Created	Status	Expires Date
CVR22-0026	303 CHERRY DR	Vacation Rental	FUQUA, BRET	09/16/2022	Hold	
CVR22-0036	319 THIRD AVE	Vacation Rental	SEVILA, WILLIAM AUSTIN	10/20/2022	Hold	
CVR22-0040	308 SECOND AVE	Vacation Rental	NOBLE, LINDA S	11/08/2022	Hold	
CVR23-0012	311 FIRST AVE	Vacation Rental	JEPPSON, RICHARD C	08/02/2023	Hold	
CVR23-0013	218 FIFTH AVE	Vacation Rental	Wehrenberg, Jeffrey; Wehrenberg, Cynthia	08/15/2023	Hold	
CVR24-0012	387 RIVER VIEW LN	Vacation Rental	JOLOWSKI, FREDERICK/ROBERT	04/18/2024	Hold	
CVR24-0020	204 CHERRY DR	Vacation Rental	URHOMEINVESTMENTS LLC	08/30/2024	Hold	
CVR24-0027	217 FOURTH AVE	Vacation Rental	FOURTH AVENUE LLC	10/28/2024	Hold	
CVR24-0028	304 OAK ST	Vacation Rental	DAILEY, CHRISTOPHER	10/29/2024	Hold	
CVR24-0030	1505 ATLANTIC ST	Vacation Rental	MEYERS, JUSTIN & TRACEY	11/04/2024	Hold	
CVR24-0032	1503 ATLANTIC ST A	Vacation Rental	YOUNG, KAREN	11/08/2024	Hold	
CVR24-0034	315 AVENUE B	Vacation Rental	KOGOK, RONALD C, JR	11/12/2024	Hold	11/06/2025
CVR24-0035	302 FIFTH AVE	Vacation Rental	EDILENE, TOBIAS JOHANSSON	11/12/2024	Hold	11/30/2025
Report Total:						





# Town of Melbourne Beach



## *Fire Department*

### **MONTHLY REPORT – October 2024**

#### **Incident Response**

For the month of October 2024, the Melbourne Beach Volunteer Fire Department responded to 36 calls for service. The average number of responding volunteer personnel per paged out call for the month was 9.

#### ***Breakdown:***

- 13 Fire/Rescue 911 Calls (Paged out)
- 16 Fire/Rescue Hurricane Response Calls
- 5 Public Service/Assists (Storm shutters, dead car battery, lockout, Fire Drill Standby)
- 1 First Responder EMS Incident (Fall in Ryckman Park)
- 1 Hazardous Condition (Low hanging utility line over sidewalk)

#### **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

## Notable Incidents

- 10/10/2024 – Down high voltage transmission line (live) in the 1600blk of Oak Street. E-58, S-58, & MB-Fire1 responded. Electrical grid emergency shut-down requested to prevent further damage or injury. S-58 secured scene until FPL arrival.
- 10/18/2024 – Down power line at Gemini Elementary during morning student arrival. E-58, E-258, & MB-Fire1 responded. Electrical grid emergency shut-down requested to prevent further damage or injury. Engine-58 secured scene until FPL arrival.
- 10/21/2024 – Motor Vehicle Accident in the 200blk of Ocean Ave. S-58, E-58, & MB-Fire1 responded. No injuries, but road blockage. Road shut down until vehicle could be moved out of the way. Scene turned over to MBPD after vehicle removed from the roadway.

## 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](http://MBVFD.com/recruitment) or email us at [FireTraining@MelbourneBeachFL.org](mailto:FireTraining@MelbourneBeachFL.org).

## Notable Events & Updates

***Hurricane Milton*** – The Department established an on-duty Disaster Response Team for Hurricane Milton. During the 24hr activation, the Department responded to a total of 16 calls for service including multiple instances of power and utility lines down, and trees blocking roadways. The Fire Department also managed all logistics associated with the incident.

***191hr Volunteer Firefighter Certification Program*** – The Department made preparations to host and teach a State recognized hybrid 191hr Volunteer Firefighter Certification Program. 8 students from Melbourne Beach and 2 students from Indian Harbour Beach are scheduled to take the program.

***Fire Hydrant Inspections & Flushing*** – The Fire Department is preparing to start its annual fire hydrant inspections & flushing, as required by Florida Statute 633.312. In an effort to minimize community disruption, the inspections & flushing procedure will take place on various late nights/early mornings between 11:00pm and 4:00am, throughout the months of November & December. The flushing process is an important preventative maintenance measure to assist in removing accumulated sediment and iron/manganese mineral deposits from the water lines, thus helping to maintain a good water supply for both firefighting and domestic purposes.

**Haunted House** – In partnership with the Melbourne Beach Volunteer Firefighter’s Association, the annual Haunted House event was held over 2 nights at the Fire Station. The event was extremely well received and attended by the community.

**Automatic Aid Agreement Investigation** – Chief Brown continued working toward establishing an Automatic Aid Agreement with the Indian Harbour Beach Fire Department, and plans to have the agreement ready to present to the commission by December.

**Touch-a-truck event** – The Fire Department Marine Rescue Unit attended a “touch-a-truck” event at Lowes for First Responder Appreciation Week. Children were given the opportunity to get on our marine rescue vessel and see how we respond to water related emergencies.

**SCBA Flow Testing** – The Department completed its annual SCBA flow testing and re-certification with all units passing inspection/testing.

**4hr Cancer in the Fire Service Course** – The Fire Department hosted and taught a 4hr State recognized Cancer in the Fire Service awareness/prevention course to members of the Melbourne Beach and Indian Harbour Beach Fire Departments.

**Upcoming Events** – The Fire Department, in cooperation with the Melbourne Beach Volunteer Firefighters Association are preparing for the following events: Christmas Parade & Pancake Breakfast (December 14<sup>th</sup>) and the Christmas Eve Santa Run (December 24<sup>th</sup>).

# Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 11/15/2024 12:17:36 PM



## Incident Address and Type for Date Range (Landscape)

Incident Status(s): All Incident Statuses | Start Date: 10/01/2024 | End Date: 10/31/2024

INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2024-99	10/01/2024		308 Oak ST , Melbourne Beach, FL, 32951	Smoke detector activation, no fire - unintentional	10/01/2024 09:50	10/01/2024 10:16
2024-100	10/02/2024		103 Kristi DR , Indian Harbour Beach, FL, 32937	Building fire	10/02/2024 00:13	10/02/2024 00:23
2024-101	10/03/2024		308 Oak ST , Melbourne Beach, FL, 32951	Smoke detector activation, no fire - unintentional	10/03/2024 14:10	10/03/2024 14:23
2024-102	10/03/2024		201 Atlantic AVE , Melbourne Beach, FL, 32951	Smoke detector activation due to malfunction	10/03/2024 23:16	10/03/2024 23:54
2024-103	10/05/2024		1934 Florida A1A HWY , Indian Harbor Beach, FL, 32937	Public service	10/05/2024 08:19	10/05/2024 13:52
2024-104	10/08/2024		1005 Atlantic ST , Melbourne Beach, FL, 32951	Water problem, other	10/08/2024 19:30	10/08/2024 19:49
2024-105	10/09/2024		307 5th AVE , Melbourne Beach, FL, 32951	Public service assistance, other	10/09/2024 11:38	10/09/2024 12:03
2024-106	10/09/2024		209 Surf RD , Melbourne Beach, FL, 32951	Public service assistance, other	10/09/2024 12:04	10/09/2024 12:38
2024-107	10/09/2024		401 2nd AVE , Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	10/09/2024 19:41	10/09/2024 19:53
2024-108	10/10/2024		406 6th AVE / Oak Street, Melbourne Beach, FL, 32951	Power line down	10/10/2024 07:09	10/10/2024 09:43
2024-109	10/10/2024		408 Coral AVE , Melbourne Beach, FL, 32951	Power line down	10/10/2024 07:56	10/10/2024 08:11
2024-110	10/10/2024		1005 Atlantic ST , Melbourne Beach, FL, 32951	Power line down	10/10/2024 08:44	10/10/2024 08:54
2024-111	10/10/2024		507 Ocean AVE , Melbourne Beach, FL, 32951	Wind storm, tornado/hurricane assessment	10/10/2024 09:43	10/10/2024 09:43
2024-112	10/10/2024		523 Andrews DR , Melbourne Beach, FL, 32951	Arcing, shorted electrical equipment	10/10/2024 09:58	10/10/2024 09:58
2024-113	10/10/2024		605 Riverside DR , Melbourne Beach, FL, 32951	Hazardous condition, other	10/10/2024 10:01	10/10/2024 10:08
2024-114	10/10/2024		709 Riverside DR , Melbourne Beach, FL, 32951	Electrical wiring/equipment problem, other	10/10/2024 10:50	10/10/2024 10:55
2024-115	10/10/2024		405 Avenue B , Melbourne Beach, FL, 32951	Power line down	10/10/2024 11:08	10/10/2024 11:24
2024-116	10/10/2024		1509 Pine ST , Melbourne Beach, FL, 32951	Electrical wiring/equipment problem, other	10/10/2024 11:54	10/10/2024 12:13
2024-117	10/10/2024		1201 Atlantic ST , Melbourne Beach, FL, 32951	Lock-out	10/10/2024 12:15	10/10/2024 12:33
2024-118	10/10/2024		215 Surf RD , Melbourne Beach, FL, 32951	Hazardous condition, other	10/10/2024 13:22	10/10/2024 13:31
2024-119	10/10/2024		1200 Oak ST , Melbourne Beach, FL, 32951	Hazardous condition, other	10/10/2024 14:57	10/10/2024 14:57
2024-120	10/10/2024		519 Ocean AVE , Melbourne Beach, FL, 32951	Power line down	10/10/2024 15:11	10/10/2024 15:30
2024-121	10/10/2024		324 Avenue B , Melbourne Beach, FL, 32951	Electrical wiring/equipment problem, other	10/10/2024 15:42	10/10/2024 15:50
2024-122	10/10/2024		2100 Oak ST , Melbourne Beach, FL, 32951	Hazardous condition, other	10/10/2024 18:02	10/10/2024 18:19
2024-123	10/12/2024	Intersection	Surf RD / Orange Avenue, Melbourne Beach, FL, 32951	Power line down	10/12/2024 12:23	10/12/2024 12:39
2024-124	10/13/2024		313 2nd AVE , Melbourne Beach, FL, 32951	Smoke scare, odor of smoke	10/13/2024 08:42	10/13/2024 08:53
2024-125	10/16/2024		2100 Oak ST , Melbourne Beach, FL, 32951	Public service	10/16/2024 08:14	10/16/2024 08:14
2024-126	10/18/2024		2100 Oak , Melbourne Beach, FL, 32951	Power line down	10/18/2024 07:09	10/18/2024 08:50
2024-127	10/18/2024		519 Ocean AVE , Melbourne Beach, FL, 32951	Public service assistance, other	10/18/2024 10:00	10/18/2024 10:07
2024-128	10/19/2024		519 Ocean AVE , Melbourne Beach, FL, 32951	EMS call, excluding vehicle accident with injury	10/19/2024 20:04	10/19/2024 20:13
2024-129	10/20/2024		223 223 Third AVE , Melbourne Beach, FL, 32951	Assist invalid	10/20/2024 19:40	10/20/2024 19:47
2024-130	10/21/2024	Intersection	Ocean AVE / Atlantic Avenue, Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	10/21/2024 17:22	10/21/2024 17:42
2024-131	10/25/2024		302 5th AVE , Melbourne Beach, FL, 32951	Lock-out	10/25/2024 15:37	10/25/2024 15:37

Location Type is only filled in when it is marked Intersection, Directions, or National Grid on Basic Info 3.



INCIDENT #	DATE	LOCATION TYPE	ADDRESS	INCIDENT TYPE	ALARM	CLEARED SCENE
2024-132	10/26/2024		218 Birch AVE , Melbourne Beach, FL, 32951	Alarm system activation, no fire - unintentional	10/26/2024 19:59	10/26/2024 20:09
2024-133	10/30/2024	Intersection	Oak ST / Sixth Avenue, Melbourne Beach, FL, 32951	Hazardous condition, other	10/30/2024 14:57	10/30/2024 15:09
2024-134	10/30/2024		2100 Oak ST , Melbourne Beach, FL, 32951	Motor vehicle accident with no injuries.	10/30/2024 17:14	10/30/2024 17:14

Location Type is only filled in when it is marked Intersection, Directions, or National Grid on Basic Info 3.



# Melbourne Beach VFD

Melbourne Beach, FL

This report was generated on 11/15/2024 12:16:52 PM



## Personnel Count per Incident for Date Range

Start Date: 10/01/2024 | End Date: 10/31/2024

INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2024-99	10/1/2024 09:50:03	743 - Smoke detector activation, no fire - unintentional	19112	4	5	9
** 2024-100	10/2/2024 00:13:44	111 - Building fire	19112	5	2	7
** 2024-101	10/3/2024 14:10:07	743 - Smoke detector activation, no fire - unintentional	19112	7	0	7
** 2024-102	10/3/2024 23:16:25	733 - Smoke detector activation due to malfunction	19112	8	1	9
** 2024-103	10/5/2024 08:19:03	553 - Public service	19112	7	0	7
** 2024-104	10/8/2024 19:30:16	520 - Water problem, other	19112	5	6	11
2024-105	10/9/2024 11:38:59	550 - Public service assistance, other	19112	2	0	2
2024-106	10/9/2024 12:04:18	550 - Public service assistance, other	19112	2	0	2
*** 2024-107	10/9/2024 19:41:56	445 - Arcing, shorted electrical equipment	19112	5	2	7
*** 2024-108	10/10/2024 07:09:32	444 - Power line down	19112	6	0	6
*** 2024-109	10/10/2024 07:56:13	444 - Power line down	19112	1	0	1
*** 2024-110	10/10/2024 08:44:47	444 - Power line down	19112	6	0	6
*** 2024-111	10/10/2024 09:43:38	813 - Wind storm, tornado/hurricane assessment	19112	6	0	6
*** 2024-112	10/10/2024 09:58:13	445 - Arcing, shorted electrical equipment	19112	6	0	6
*** 2024-113	10/10/2024 10:01:11	400 - Hazardous condition, other	19112	6	0	6
*** 2024-114	10/10/2024 10:50:27	440 - Electrical wiring/equipment problem, other	19112	6	0	6
*** 2024-115	10/10/2024 11:08:37	444 - Power line down	19112	6	0	6
*** 2024-116	10/10/2024 11:54:02	440 - Electrical wiring/equipment problem, other	19112	6	0	6
*** 2024-117	10/10/2024 12:15:59	511 - Lock-out	19112	6	0	6
*** 2024-118	10/10/2024 13:22:37	400 - Hazardous condition, other	19112	6	0	6
*** 2024-119	10/10/2024 14:57:38	400 - Hazardous condition, other	19112	6	0	6
*** 2024-120	10/10/2024 15:11:09	444 - Power line down	19112	6	0	6
*** 2024-121	10/10/2024 15:42:03	440 - Electrical wiring/equipment problem, other	19112	6	0	6
*** 2024-122	10/10/2024 18:02:25	400 - Hazardous condition, other	19112	4	0	4
** 2024-123	10/12/2024 12:23:24	444 - Power line down	19112	5	2	7
** 2024-124	10/13/2024 08:42:33	651 - Smoke scare, odor of smoke	19112	5	6	11
2024-125	10/16/2024 08:14:15	553 - Public service	19112	1	0	1
** 2024-126	10/18/2024 07:09:50	444 - Power line down	19112	6	1	7
2024-127	10/18/2024 10:00:07	550 - Public service assistance, other	19112	2	0	2
2024-128	10/19/2024 20:04:30	321 - EMS call, excluding vehicle accident with injury	19112	2	2	4
** 2024-129	10/20/2024 19:40:17	554 - Assist invalid	19112	6	2	8
** 2024-130	10/21/2024 17:22:26	324 - Motor vehicle accident with no injuries.	19112	6	8	14
2024-131	10/25/2024 15:37:21	511 - Lock-out	19112	1	0	1
** 2024-132	10/26/2024 19:59:16	745 - Alarm system activation, no fire - unintentional	19112	4	1	5
2024-133	10/30/2024 14:57:40	400 - Hazardous condition, other	19112	1	0	1

Only REVIEWED incidents included

\*\*\* Note: Incidents highlighted in blue were part of the response to Hurricane Milton, and were handled by the Fire Department's on-duty Disaster Response Team. In total, the Fire Department responded to 16 storm related calls for service over a 24 hour period.



INCIDENT				NUMBER OF PEOPLE		
NUMBER	DATE	INCIDENT TYPE	FDID	ON APPARATUS	NOT ON APPARATUS	TOTAL
** 2024-134	10/30/2024 17:14:01	324 - Motor vehicle accident with no injuries.	19112	4	8	12

**TOTAL # OF INCIDENTS: 36**

**AVERAGES:**

**4.8**

**1.3**

**6.0**

Total # of incidents  
paged out for  
volunteer response: 13

\*\* Incidents paged out by dispatch:  
(for volunteer response)

**5.6**

**3.2**

**8.8**

Only REVIEWED incidents included

\*\*\* Note: Incidents highlighted in blue were part of the response to Hurricane Milton, and were handled by the Fire Department's on-duty Disaster Response Team. In total, the Fire Department responded to 16 storm related calls for service over a 24 hour period.





# Melbourne Beach Police Department

## Chief Zander's Monthly Report

### October 2024



#### Operations:

In September 2024, the department handled 1479 calls for service.

#### Activity:

- 49 Citations/ 140 Written Warning
- 273 Traffic Stops
- 162 Traffic Enforcement Details
- 4 Traffic Complaint
- 5 Parking Citations

#### PD News

- Started process to get our new policies uploaded into a web based program so our officers have access to them on their phones and computers in their car
- Attended Gemini Trunk or Treat
- Attended Melbourne Beach Fall Festival
- Attended Brevard Police Chiefs Luncheon
- Officer Rivera completed the FTO process and is now a solo officer/Hired Officer Deleon Starting the FTO program
- The Police Department Volunteers completed 48 total hours of volunteer service.
  - Helping out with Front Desk Coverage/Admin and with House Checks as well as attended the Fall Festival
- Kirby our wellness dog has joined the Melbourne Beach Police Department
- Had our First Department Training: Topics were Legal Update and Scenerio Tng
- Attended Marine Intel Meeting hosted by FWC
- Attended Preschool visit

#### CRIME Update:.

- Volunteers completed 137 House Checks
- Several Disturbance Calls



- Several Drug investigations to include an overdose investigation that is ongoing
- Several Vehicle Burglaries
- 4 arrests/11 Suspicious Incidents/9 Suspicious Vehicles /12 Suspicious Persons
- Several Battery's to include Domestic Violence
- 13 Assist other Law enforcement agencies

# Town of Melbourne Beach

---

## Town Clerk Monthly Report October 2024

### **Public Records Requests –**

- Received – 27
- Completed – 37

**Business Tax Receipts –** 193 Businesses have been renewed.

**Records Management Project/ Scanning Project –** This project has been put on hold until the minutes have been caught up. 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 –** The new website is still being updated and worked on. If you have any issues with the new website please contact Town Hall and speak with Cyd Cardwell or Amber Brown.

**Meetings/Trainings –** Had meetings with Granicus about the new town website. Had meetings with BIS Digital about the A/V equipment in the Community Center. The 2024 Fall Academy for municipal clerks was postponed due to Hurricane Milton.

**Town Meetings –** Prepared agendas, packets, and minutes, and attended 3 Town Commission Meetings. Created the agenda and prepared for the Environmental Advisory Board, Parks Board Meeting, and the History Center Board.

# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING June 19, 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 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

## 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 17<sup>th</sup> through September 23<sup>rd</sup> as Constitution Week – 7:58

Mayor Alison Dennington read the proclamation recognizing September 17<sup>th</sup> through September 23<sup>rd</sup> 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 25<sup>th</sup>.

**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 6<sup>th</sup>; 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 jobs, 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 23<sup>rd</sup>.

- 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:** Unfinished Business  
**Meeting Date:** November 20, 2024  
**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.

There will be updates presented during the meeting.

### **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 ~~strikethrough~~; 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:** Unfinished Business  
**Meeting Date:** November 20, 2024  
**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.

There will be updates presented during the meeting.

### **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>Residential<sup>1</sup></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'

<sup>1</sup> 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: Unfinished Business  
 MEETING DATE: Wednesday, November 20, 2024  
 FROM: Mayor, Alison Dennington

RE: Charter Review Committee

A municipal charter review in Florida is a process to examine and recommend changes to a city's governing document, the charter:

### What is a Charter Review Committee or Board?

#### Purpose

A charter defines the powers, duties, and responsibilities of a local government. A charter review aims to improve the charter to preserve the health, welfare, and safety of the city's residents.

A charter is akin to a municipal constitution. These should not be changed too often, but it is also vital to review and even revise them periodically.

#### Process

The process typically involves:

Charter Review Commission (CRC): A body appointed by the city council and mayor to review the charter and recommend changes.

Public input: The CRC holds public hearings and townhalls to encourage public involvement.

City Commission: The CRC presents its recommendations to the city commission for authorization.

Referendum: If approved, the amendments are placed on the ballot for final adoption at the next general election.

Charter Review Committees are very common in many cities and towns, large and small in Florida and elsewhere.

Some cities have annual review committees, others have a review every 2 or 3 or 5 years.

I take no position on how often this should be done.



## BACKGROUND:

The Town of Melbourne Beach has had a Charter Review Committee/Board in the past. However, this has not been done for a very long time.

There are numerous provisions of the Charter which over time have (at times) caused problems of varying degrees including confusion, uncertainty, and discord.

Often the most contentious issues tend to come up involving issues related to and/or around election time.

However, that is the worst time to alter, revise, or interpret a charter.

Nonetheless, when these issues come up, and will keep coming up. Each time interpretation is required which costs money in the form of legal opinions and even then can create some amount of uncertainty and discord.

Our current attorney, as well as those before him, have conceded that there are various provisions of our Charter (in the election portion, as well as some other provisions) which are not as clear as they could be.

The ambiguities and uncertainty is not limited to the election provisions.

In addition, over time various provisions of many Town Charters become obsolete or are overruled explicitly by new statutes and/or court rulings.

Yet, these provisions often remain in the text of the charter unless and until changed, and this also creates uncertainty and potentially) the need for costly Legal review, and opinion and advice.

Finally, the mere passage of time, and encountering new or evolving circumstances sometimes brings to light latent issues never before contemplated or foreseen. But after that issue passes, the Charter is still often not revised and that same issue could pop up again years down the road and memories fade as to how it was present dealt with before.

Again, in all those instances, the Town Commission, Town Attorney, Staff, and the Public are left to wonder, and interpret, and sometimes disagree as to what each thinks the meaning of these provisions in that given situation should be, were meant to be, etc.

Therefore, I propose that the Town work NOW to create a Town Charter Review Committee, to start reviewing the charter AFTER this most recent election, and well before the next election, in order to revise and clarify various provisions of the charter.

Again it's a process that takes time and to do it WELL BEFORE the next election - we must start now.

This will allow all parties to review and consider the current language and seek to clarify it going forward - when it's abstract and not when there are actual pending issues and sides/factions, etc.

I believe addressing some of the less than clear provisions of the Charter in various places will benefit everyone, and will reduce tensions, reduce future legal costs and discord and over time will eventually benefit everyone including but not limited to the Town Clerk, the Town Attorney, the Commission and individual Commissioners, staff, and the public.

I do not have a list now of the various provisions that are potentially ambiguous but several have already come up in the last few years, and even in the last few months.

I think an initial starting list would be easy to create with the input of the Town Attorney and the Public.

Again, I feel its so much better to resolve these issues early when it is NOT a specific pending issue but only a potential future issue because its less tense and there are not specific outcomes wanted by one group or another.

If we kick the can down the road we will never do it.

It's difficult to revise a charter when there are actual, immediate, and often time sensitive issue pending.

If we wait, that will be the case each year. I hope to avoid that and work now, well in advance of the next election.

Personally, I do not think every year is necessary. I would propose a Review every 3-6 years a good medium.

However, I do think it has been a long time since the Charter has been reviewed for clean-up and clarity and I think NOW is a great time to start the process, well before the next election in 2025, or in 2026, or thereafter.

The Charter Review would an open public process and the Town attorney would assist in drafting, advise, and research when called upon or necessary in a structured manner.

The Town Attorney HAS experience in this matter and will discuss and answer any questions. He also has provided some helpful information on a recent Charter Review

conducted by one of the Town's his firm represents.

### Examples of municipal charter review processes in Florida

Cooper City Conducts a Charter Review Every 4 years. Here is an excerpt from its website at

( <https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcoopercity.gov%2Fcrb&data=05%7C02%7C%7C71b48fcc001c404b7a9e08dcf95ab9e1%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638659415262979909%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCIsImN0%3D%7C0%7C%7C%7C&sdata=BR1y3VZmaUSJaqNPHnSfpSfefajDKjA530E%2BCRWtZ6Q%3D&reserved=0> )

"The Charter Review Board is convened pursuant to City Charter every four (4) years. The City Commission appoints the Charter Review Board consisting of ten (10) members who are qualified to serve on an advisory board pursuant to applicable provisions of the Charter and the City Code. The members of the board shall review the City Charter, as set forth in the scope of work determined by the City Commission. The board shall submit to the City Commission within six (6) months of their appointment such alterations, revisions, and amendments, if any, to the Charter, as in its judgment are desirable. The City Commission, in its sole and exclusive discretion, may permit the board an extension of six (6) months' time if the Commission determines that the scope of work will require additional time."

#### Other examples include:

Ocoee: The Charter Review Commission can study any or all phases of city government.

St. Petersburg: The CRC is appointed by the city council and mayor every 10 years.

Daytona Beach: The CRC examines the city's existing charter and makes recommendations for changes.

Hollywood: The Charter Review Committee is appointed by the city commission every 6 years.

Wilton Manors: The Charter Review Board is appointed every 10 years.

Orange County: The CRC holds at least four public hearings and receives recommendations from elected officials, staff, and the public.

**RECOMMENDATION/REQUEST:**

Discuss and works towards Creating a Charter Review Committee and/or Board to begin conducting some targeted Charter Review and potential revision recommendations to clarify certain provisions of the Town Charter which have created some uncertainty or which could be more clear and reduce uncertainty and discord in the future.

If there is consensus at the Workshop I would like to put this on the Agenda for a vote at the November 2024 regular meeting as well. It will take time to create but I hope to jumpstart that now with thoughtful discussion, debate, options and public comment and input.

I think creating a Charter Review Committee now is vital and necessary to promote harmony in town, reduce tensions, create more clarity and certainty, well before the November 2025 election.

I would also suggest that this Charter Review be conducted every 4-6 years thereafter. There are so many possibilities for structuring this review.

I would recommend we chose a basic structure in order to get the ball rolling and tweak it if necessary thereafter since this is not something that has been done in a long time, but we need to start somewhere and hopefully soon.

**ATTACHMENTS (IF ANY):**

## Town Commission Meeting

**Section:** New Business  
**Meeting Date:** November 20, 2024  
**From:** Amber Brown, Town Clerk  
**Subject:** Appointment of the Vice Mayor

### Background Information:

When the Commission is seated for the first time after an election and/or for the new Fiscal Year, the Commission will vote for one Commissioner to be designated as Vice Mayor.

### Recommendation:

Vote for a Vice Mayor

## Town Commission Meeting

**Section:** New Business  
**Meeting Date:** November 20, 2024  
**From:** Amber Brown, Town Clerk  
**Subject:** Appointment of Voting Delegate for the South Beaches Coalition

### Background Information:

The municipalities of Indianalantic, Indian Harbour, Melbourne Beach, and Satellite Beach formed the South Beaches Coalition. The Coalition was accorded a single voting delegate seat on the Transportation Planning Organization Governing Board. The Coalition was established to have an organized method to provide joint instructions to their single voting delegate to the TPO.

### Recommendation:

Appoint the Voting Delegate for the South Beaches Coalition

### Attachments:

- **Interlocal Agreement Regarding Voting Representation on Space Coast Transportation Planning Organization for the South Beaches Coalition**

**THIS INSTRUMENT RETURN TO:**

Laura Carter  
 Space Coast Transportation Planning Organization  
 2725 Judge Fran Jamieson Way, Bldg. B  
 Melbourne, FL 32940

**THIS INSTRUMENT PREPARED BY:**

Paul R. Gougelman, III, General Counsel  
 Space Coast Transportation Planning Organization  
 Weiss Serota Helfman Cole & Bierman, P.L.  
 200 East Broward Blvd. – 19<sup>th</sup> Floor  
 Ft. Lauderdale, FL 33301

**INTERLOCAL AGREEMENT REGARDING**  
**VOTING REPRESENTATION ON**  
**SPACE COAST TRANSPORTATION PLANNING ORGANIZATION**  
**FOR THE SOUTH BEACHES COALITION**

THIS AGREEMENT is made and entered into as of the 30<sup>th</sup> day of September 2024, by and between the TOWN OF INDIALANTIC, a Florida Municipal Corporation (herein "Indialantic"), CITY OF INDIAN HARBOUR BEACH, a Florida Municipal Corporation (herein "Indian Harbour Beach"), TOWN OF MELBOURNE BEACH, a Florida Municipal Corporation (herein "Melbourne Beach"), and CITY OF SATELLITE BEACH, a Florida Municipal Corporation (herein "Satellite Beach").

**WITNESSETH:**

WHEREAS, the Space Coast Transportation Planning Organization (herein "TPO") is a metropolitan planning organization established under Section 339.175, Florida Statutes, to coordinate transportation planning and finance throughout Brevard County; and

WHEREAS, the TPO is legally formed and operates pursuant to an interlocal agreement entitled as the Restated Interlocal Agreement for Creation of the Transportation Planning Organization, as recorded on July 15, 2014, in Official Records Book 7166, Page 2144, Public Records of Brevard County, Florida, as amended by the First Amendment to Restated Interlocal Agreement for Creation of the Transportation Planning Organization, as recorded on October 8, 2020, in Official Records Book 8880,

Page 279, Public Records of Brevard County, Florida (herein: the "Restated Interlocal Agreement")' and

WHEREAS, in the early 1990s, the municipalities of Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach formed the "South Beaches Coalition" to participate on the TPO Governing Board and to help guide transportation planning on the South Beaches portion of Brevard County; and

WHEREAS, the South Beaches Coalition in the 1990s and first decade of 2000 operated pursuant to the "Memorandum of Understanding" relating to voting representation on Brevard County Metropolitan Planning Organization dated June 9, 1992, between Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach, and the "Agreement with Respect to Voting Representation on Brevard County Metropolitan Planning Organization" dated September 22, 2000, between the four municipalities, including Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach; and

WHEREAS, in the early 1990s and the first decade of the 21st Century, the South Beaches Coalition was accorded a single voting delegate seat on the TPO Governing Board as provided in the Restated Interlocal Agreement; and

WHEREAS, it is the desire of Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach to provide a methodology by which the four municipalities may share the aforesaid single voting delegate seat on the TPO Governing Board; and

WHEREAS, the authority to undertake sharing of a delegate seat on the TPO Governing Board is provided in Section 339.175(3)(a), Florida Statutes (2024), which states in pertinent part:

(a) The voting membership of an M.P.O. shall consist of at least 5 but not more than 25 apportioned members, with the exact number determined on an equitable geographic-population ratio basis, based on an agreement among the affected units of general-purpose local government and the Governor, as required by federal regulations. In accordance with 23 U.S.C. s. 134, the Governor may also allow M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area which do not have members on the M.P.O. With the exception of instances in which all of the county commissioners in a single-county M.P.O. are members



of the M.P.O. governing board, county commissioners shall compose at least one-third of the M.P.O. governing board membership. A multicounty M.P.O. may satisfy this requirement by any combination of county commissioners from each of the counties constituting the M.P.O. Voting members shall be elected officials of general-purpose local governments, one of whom may represent a group of general-purpose local governments through an entity created by an M.P.O. for that purpose. An M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, the term "elected officials of a general-purpose local government" excludes constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. County commissioners shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O; and.

WHEREAS, the undersigned parties for the purposes of this Agreement, and for the purpose of reference by the TPO, have designated the arrangement provided for herein to be informally and colloquially referred to as the "South Beaches Coalition"; and

WHEREAS, this Agreement is entered as an interlocal agreement pursuant to Section 163.01, Florida Statutes (2024), and is also entered into pursuant to the home rule power of each of the municipalities as provided in Section 166.021, Florida Statutes, and Article VIII, Section 2, Florida Constitution of 1968; and

WHEREAS, pursuant to this Agreement, the parties have provided for an arrangement by which the voting delegate on the TPO Governing Board will be rotated among Indianalantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach, on a scheduled basis; and

WHEREAS, the parties have further agreed to establish an organized method to provide joint instructions to their single voting delegate to the TPO; and

WHEREAS, this Agreement has been approved by the respective governing body of the four municipalities joining in this Agreement..

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed by the parties that:

1. **Recitals.** Each and all of the recitals above be and the same are hereby incorporated herein and declared to be true and correct.

2. **Appointment of Voting Delegate.**

(a) The single voting delegate holding the South Beaches Coalition seat on the TPO and representing the collective interests of Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach, along with an alternate voting delegate, shall be appointed by the governing body of each respective municipality according to the following schedule:

<b><u>Designating Party</u></b>	<b><u>Calendar Years for Designation</u></b>
Indialantic	2024 & 2025, 2032 & 2033
Indian Harbour Beach	2028 & 2029
Melbourne Beach	2030 & 2031
Satellite Beach	2026 & 2027

(b) The power of appointment will be exercised in such a manner that a municipality's appointee as a voting delegate, or alternate voting delegate, assumes office on January 1st of the first year of the foregoing schedule that a municipality may exercise the power of appointment and ends on December 31st of the second year of the foregoing schedule that the municipality may exercise the power of appointment. For example, because Indialantic holds the power of appointment for 2024 and 2025, Indialantic's appointed voting delegate would assume office effective January 1, 2024 and leave office on December 31, 2025.

(c) Neither the TPO voting delegate, nor the alternate delegate, must reside within the corporate limits of the designating municipality, but each must be an elected official of either Indialantic, Indian Harbour Beach, Melbourne Beach, or Satellite Beach.

(d) In the event that any party to this Agreement fails to appoint the TPO voting delegate, or alternate voting delegate, by the beginning of that municipality's two-year term set forth in the foregoing schedule, the TPO voting delegate and alternate voting delegate appointed for the immediate prior two-year term shall continue as the TPO

voting delegate and alternate voting delegate until such time as their successors have been appointed.

(e) During each two-year term set forth in herein, the TPO voting delegate and the alternate voting delegate shall serve at the pleasure of the appointing municipality, which has the power to rescind any such appointment and to name any other elected official of one of the four municipalities as the TPO voting delegate or alternate voting delegate.

(f) Consistent with Section 339.175, Florida Statutes, a new Interlocal Agreement for the Creation of the Transportation Planning Organization (and replacing the Restated Interlocal Agreement) between various Brevard County local governmental entities and the Florida Department of Transportation may need to be entered into during the term of this Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for the South Beach Coalition. It is intended that this Agreement shall continue to be valid and in force when the new Interlocal Agreement for the Creation of the Transportation Planning Organization is adopted; provided, that the new Interlocal Agreement for the Creation of the Transportation Planning Organization provides for a single voting delegate to be alternated among Indianalantic, Melbourne Beach, Satellite Beach, and Indian Harbour Beach.

**3. South Beaches Coalition ("Coalition") Representatives.**

(a) The governing body of each party to this Agreement shall appoint one of their elected officials to represent that municipality on the South Beaches Coalition. Each representative shall serve at the pleasure of the appointing governing body. In addition, the remaining elected officials of each municipality shall be deemed alternate Coalition representatives who may substitute as needed in the absence of their appointed representative at Coalition meetings.

(b) The four Coalition representatives shall advise and direct the TPO voting delegate and alternate voting delegate representing the South Beaches Coalition on the TPO Governing Board and who must vote on matters before the TPO in accordance with instructions provided by the Coalition representatives. However, when express instructions have not been provided, the TPO voting delegate or alternate voting

delegate shall exercise said delegate's best judgment in voting for the best collective interests of the four municipalities on matters before the TPO.

(c) The Coalition representative appointed by the municipality responsible for appointing the TPO voting delegate shall serve as Chairperson of the Coalition. This position shall rotate in accordance with the schedule established in Section 2 hereof. The Chairperson shall take office when the TPO voting delegate is appointed.

(d) The Coalition representatives shall elect a Vice-Chairperson from among themselves during the month of December each year. The Vice-Chairperson shall serve for one year or until said individual's successor is elected, whichever occurs later.

(e) The municipality responsible for appointing the TPO voting shall provide staff support for all activities incident to the performance of this Agreement, including preparation and distribution of agenda packages, advertising of meetings to comply with the Government-in-the-Sunshine Law, preparation of minutes, and coordination of time and place of meetings of the Coalition representatives.

(f) Meetings of the Coalition representatives will operate generally using Robert's Rules of Order, Newly Revised, most recent edition.

#### **4. TAC and CAC Members.**

(a) In the event that the TPO seats only one Technical Advisory Committee ("TAC") member or one Citizens Advisory Committee ("CAC") member to represent the South Beaches Coalition, the municipality appointing the TPO voting delegate shall also appoint the sole TAC or CAC member(s) to represent the Coalition.

(b) In the event that the TPO permits a TAC or a CAC member to represent each municipality, the governing body of each municipality shall appoint the TAC and CAC member to represent that municipality.

(c) To the extent permitted by law and pursuant to Section 339.175(6), Florida Statutes, TAC and CAC members will serve at the pleasure of the appointing authority.

**5. Expiration.** This Agreement will expire on December 31, 2033; provided, that the respective governing bodies of Indianalantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach, may agree from time to time to extend, amend, or terminate this Agreement by written instrument. No such written instrument shall be effective until the amendatory instrument is approved by the governing body of each of the four

municipalities, executed by appropriate officials of each governing body, and recorded with the Brevard County Clerk of the Court as provided in Section 163.01(11), Florida Statutes.

**6. Interpretation; Termination of Prior Agreements.**

(a) This Agreement and the terms herein were negotiated jointly by Indialantic, Indian Harbour Beach, Melbourne Beach, and Satellite Beach, and the four municipalities had the full choice of wording thereof. Consequently, no term, provision, or section hereof will be more harshly construed against either party hereto as the drafter of this Agreement.

(b) The agreement entitled "Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for the South Beaches Coalition recorded on December 12, 2013, in Official Records Book 7029, Page 2904, Public Records of Brevard County, Florida, is hereby terminated.

**7. Effective Date.** This Agreement will become effective upon recordation in the Public Records of Brevard County, Florida, as maintained by the Brevard County Clerk of Court pursuant to Section 163.01(11), Florida Statutes.

**8. Counterpart Signature Pages.** This Agreement may be executed by the use of counterpart signature pages.

IN WITNESS WHEREOF, the Town of Indialantic, City of Indian Harbour Beach, Town of Melbourne Beach, and City of Satellite Beach, have each caused this agreement to be executed the day and year set forth below by their authorized representative.

**[Remainder of Page Left Vacant]**

COUNTERPART SIGNATURE PAGE for the execution of the Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for South Beaches Coalition.


**TOWN OF INDIALANTIC,  
FLORIDA**, a Florida

By:   
\_\_\_\_\_  
Michael Casey  
Town Manager

Dated: August 23, 2024

(TOWN SEAL)

ATTEST:

  
\_\_\_\_\_  
Mollie Carr, Town Clerk



COUNTERPART SIGNATURE PAGE for the execution of the Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for South Beaches Coalition.

**CITY OF INDIAN HARBOUR BEACH, FLORIDA**, a Florida Municipal Corporation



By: *[Signature]*  
John W. Coffey, City Manager

Dated: 8/13/2024,  
2024  
(CITY SEAL)

ATTEST:

*Sue Frank*  
Sue Frank, MMC, City Clerk

COUNTERPART SIGNATURE PAGE for the execution of the Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for South Beaches Coalition.

**TOWN OF MELBOURNE BEACH, FLORIDA**, a Florida Municipal Corporation

By:   
Elizabeth Mascaro  
Town Manager

Dated: 8/21/2024  
2024  
(TOWN SEAL)

ATTEST:

  
Amber Brown, Town Clerk





COUNTERPART SIGNATURE PAGE for the execution of the Interlocal Agreement Regarding Voting Representation on the Space Coast Transportation Planning Organization for South Beaches Coalition.

**CITY OF SATELLITE BEACH,  
FLORIDA**, a Florida  
Municipal Corporation

By: *Brittany Retherford*  
Brittany Retherford  
Interim City Manager

Dated: 8-8-24  
2024  
(CITY SEAL)



ATTEST:

*Gwen Peirce*  
Gwen Peirce, MPA, CMC  
City Clerk

# Town Commission Meeting

**Section:** New Business

**Meeting Date:** November 20, 2024

**From:** Amber Brown, Town Clerk

**Subject:** Appointment of the Voting Delegate and Alternate Voting Delegate for the Space Coast League of Cities

## **Background Information:**

Every year the Town Commission votes for one Voting Delegate and one Alternate Voting Delegate for the Space Coast League of Cities.

## **Recommendation:**

Make two separate motions; one to appoint the Voting Delegate, and one to appoint the Alternate Voting Delegate.

## **Attachments:**

2025 Appointment of League Voting Delegate/Director Form



# SPACE COAST LEAGUE OF CITIES, INC.

A Florida Not-for Profit Corporation

CAPE CANAVERAL	INDIALANTIC	MELBOURNE BEACH	ROCKLEDGE
COCOA	INDIAN HARBOUR BEACH	MELBOURNE VILLAGE	SATELLITE BEACH
COCOA BEACH	MALABAR	PALM BAY	TITUSVILLE
GRANT-VALKARIA	MELBOURNE	PALM SHORES	WEST MELBOURNE

*“CITIES OF BREVARD WORKING TOGETHER”*

## 2025 Appointment of League Voting Delegate/Director

The Bylaws of the Space Coast League of Cities require the following:

- Every December, the governing body of each member municipality must appoint a Voting Delegate/Director and Alternate to the League.
  - Eligibility:** Only the member municipality’s elected officials, manager, attorney, clerk, and department heads are eligible to be a Voting Delegate/Director and Alternate. Any Voting Delegate/Director or Alternate who ceases to hold such a position ceases at the same time to be a Voting Delegate/Director or Alternate.
  - Functions:** The person appointed as Voting Delegate serves as both the member municipality’s Voting Delegate at membership meetings and its representative to the Board of Directors. The Voting Delegate and the Director is the same person. The sole function of the Alternate for the Voting Delegate/Director is to vote in the absence of the Voting Delegate/Director.
- Following the appointment, the names of the Voting Delegate/Director and the Alternate must be promptly certified in writing to the Executive Director.
- Because dues for member municipalities are based on population, each member municipality must also certify its current population figures when it certifies its Voting Delegation/Director and Alternate.

Accordingly, please provide and certify the information requested below and return this form promptly to the League Executive Director at the email address: [execsec@scloc.org](mailto:execsec@scloc.org).

**Municipality:** [Click here to enter text.](#) **Current Population:** [Click here to enter text.](#)

**Voting Delegate/Director:** [Click here to enter text.](#)

**Email address:** [Click here to enter text.](#) **Telephone Number:** [Click here to enter text.](#)

**Alternate Voting Delegate/Director:** [Click here to enter text.](#)

**Email address:** [Click here to enter text.](#) **Telephone Number:** [Click here to enter text.](#)

I hereby certify that the above named persons were duly appointed by our governing body and the foregoing information is correct: **Municipality Clerk’s signature:** [Click here to enter text.](#) **Date:** [Click here to enter text.](#)

## Regular Town Commission Meeting Agenda

**Section:** New Business  
**Meeting Date:** November 20, 2024  
**Subject:** Resolution 2024-12 Fiscal Year (FY) 2024 Budget Amendment  
**Submitted By:** Jennifer Kerr, Finance Manager

### Background Information

Close out FY 2024 Budget:

Transfer funds within the General Fund to cover increases in expenditure line items within departments.

Transfer Funds from one to Fund to another Fund

Increase the expenditure line items in Special Revenue Funds, Project Funds, and Debt Service Funds to cover increased expenses.

### Recommendation:

Consideration of Budget Resolution 2024-12

### Attachments:

Proposed Resolution 2024-12

**RESOLUTION 2024-12****A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, FLORIDA, APPROVING THE FINAL BUDGET AMENDMENTS FOR THE FISCAL YEAR 2023/2024 ANNUAL BUDGET; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, as is routine, the Town must adopt year end budget amendments.

**WHEREAS**, attached hereto marked as Exhibit A are the final budget amendments for the 2023/2024 fiscal year annual budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF MELBOURNE BEACH, FLORIDA;**

**SECTION 1.** The Town Commission of the Town of Melbourne Beach hereby approves the final budget amendments for the fiscal year 2023/2024 annual budget as outlined in attached Exhibit A.

**SECTION 2. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SECTION 3. SEVERABILITY.** If any provision of this Resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application and to this end the provisions of this Resolution are declared severable.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall become effective immediately upon adoption

**THIS RESOLUTION APPROVED ON FIRST READING** this 20th day of November, 2024 by the Town Commission of the Town of Melbourne Beach, Florida.

RESOLUTION 2024-12

TOWN OF MELBOURNE BEACH,  
FLORIDA, a Florida Municipal  
Corporation.

By:

\_\_\_\_\_  
Alison Dennington, Mayor

ATTEST: \_\_\_\_\_  
Amber Brown, Town Clerk

## RESOLUTION 2024-12

## EXHIBIT A

***To amend budget for overage of departmental expense  
within the General Fund:***

Fund: 001 GENERAL FUND	Description	ORIGINAL BUD Amendments		Final Budget
Department: 14 LEGAL COUNSEL				
<b><i>To amend budget for increase in Attorney's costs</i></b>				
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	10,000.00	107,000.00
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	2,000.00	12,000.00
Department: 19 GENERAL SERVICES				
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	(12,000.00)	116,000.00

***To amend budget for Transfer Out and Transfer In:***

Fund: 001 GENERAL FUND

***To amend budget to actual to increase the transfer out***

001-00-581.00.00	TRANSFER OUT	441,761.00	133,304.96	575,065.96
------------------	--------------	------------	------------	------------

Fund: 125 BUILDING DEPT

***To amend budget to actual to cover negative balance  
and bring fund to \$0.00***

125-00-381.00.00	TRANSFERS IN	0.00	20,817.13	20,817.13
------------------	--------------	------	-----------	-----------

Fund: 201 DEBT SERVICE FUND-MUNI COMPLEX

***To amend budget to actual based on princial expenditure***

201-00-381.00.00	TRANSFERS IN	116,925.00	387.83	117,312.83
------------------	--------------	------------	--------	------------

Fund: 391 OLD TOWN HALL	Description	ORIGINAL BUD	Amendments	Final Budget
<b><i>To amend budget to cover maintenance and pest control costs from prior years</i></b>				
391-00-381.00.00	TRANSFERS IN	0.00	12,100.00	12,100.00
<b><i>To amend budget for Transfer Out and Transfer In:</i></b>				
<b>Fund: 175 RYCKMAN CROSSOVER PARKING FUND</b>				
<b><i>To amend budget to increase transfer out to LTC</i></b>				
175-75-581.00.00	TRANSFER OUT	91,500.00	47,000.00	138,500.00
<b>Fund: 333 LONG TERM CAPITAL PROJECTS</b>				
333-75-381.00.75	TRANSFER IN	1,500.00	47,000.00	48,500.00
<b>Fund: 145 AMERICAN RESCUE PLAN</b>				
<b><i>To amend budget to close out Fund 145</i></b>				
145-00-581.00.00	TRANSFER OUT	0.00	704,647.28	704,647.28
<b>Fund: 341 STORMWATER PROJECT</b>				
<b><i>To amend budget to increase Transfer In Stormwater Fund</i></b>				
341-00-381.00.00	TRANSFERS IN	319,336.00	804,647.28	1,123,983.28
<b><i>To amend budget to increase expenses:</i></b>				
<b>Fund: 105 CHRISTMAS DONATIONS</b>				
<b><i>To amend budget to actual for increase in Christmas expense</i></b>				
105-72-570.48.53	CHRISTMAS DECORATIONS PARK	0.00	1,292.81	1,292.81



Fund: 121 POLICE EDUCATION FUND	Description	ORIGINAL BUD	Amendments	Final Budget
<b><i>To amend budget to actual for increase in training expense</i></b>				
121-21-520.54.10	TRAINING & SCHOOLS	1,000.00	7,000.00	8,000.00
<b>Fund: 141 STORMWATER UTILITY FUND</b>				
<b><i>To amend budget to actual for increase in engineering services for Basin 1</i></b>				
141-41-530.31.21	ENGINEERING SERVICES	0.00	5,800.00	5,800.00
<b>Fund: 201 DEBT SERVICE FUND-MUNI COMPLEX</b>				
<b><i>To amend budget to actual for increase in principal payment</i></b>				
201-00-510.71.00	PRINCIPAL	85,000.00	5,000.00	90,000.00
<b>Fund: 333 LONG TERM CAPITAL PROJECTS</b>				
<b><i>To amend budget to actual for new scanning software</i></b>				
333-11-570.64.01	CAPITAL OUTLAY	0.00	28,227.65	28,227.65
<b><i>To amend budget to actual for new security cameras and floors</i></b>				
333-19-570.64.01	CAPITAL OUTLAY	0.00	35,517.80	35,517.80
<b><i>To amend budget to actual for radio system and bunker gear</i></b>				
333-22-570.64.01	CAPITAL OUTLAY	0.00	58,133.45	58,133.45
<b><i>To amend budget to actual for dune crossover repairs</i></b>				
333-41-570.64.01	CAPITAL OUTLAY	0.00	2,786.50	2,786.50

Fund: 390 HISTORIC PRESERVATION AND AWARD	Description	ORIGINAL BUD Amendments		Final Budget
<b><i>To amend budget to actual for new A/C unit</i></b>				
390-41-530.46.32	RYCKMAN HOUSE	400.00	4,000.00	4,400.00
<b>Fund: 622 POLICE DONATIONS</b>				
<b><i>To amend budget to actual for increase in travel &amp; meetings</i></b>				
622-21-520.40.00	TRAVEL & MEETINGS	0.00	730.00	730.00
<b><i>To amend budget to actual for increase in operating supplies</i></b>				
622-21-520.52.90	OPERATING SUPPLIES	3,000.00	2,500.00	5,500.00

## Regular Town Commission Meeting Agenda

**Section:** New Business  
**Meeting Date:** November 20, 2024  
**Subject:** Resolution 2024-13 Fiscal Year (FY) 2025 Budget Amendment  
**Submitted By:** Jennifer Kerr, Finance Manager

### Background Information

Carryforward fund balances from FY 2024 for utilization in FY 2025.

### Recommendation:

Consideration of Budget Resolution 2024-13

### Attachments:

Proposed Resolution 2024-13

**RESOLUTION NO. 2024-13**

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR (FY) 2024-2025; AMENDING RESOLUTION NO 2024-09 RELATED TO THE USE OF ALL CARRYFORWARDS AND TRANSFERS FOR ALL FUNDS INCLUDING THE GENERAL FUND; ESTABLISHING AUTHORITY FOR THE TOWN MANAGER TO IMPLEMENT THE BUDGET; AND PROVIDING FOR ADOPTION.**

**WHEREAS**, the Town Commission adopted the Budget for the Town of Melbourne Beach for the fiscal year beginning October 1, 2024 and ending September 30, 2025 by Resolution No 2024-09; and

**WHEREAS**, this Resolution amends Resolution No. 2024-09 covering the period October 1, 2024 to September 30, 2025; and

**WHEREAS**, the Town Commission of the Town of Melbourne Beach has conducted the requisite public hearing(s) on this resolution as required by Section 166.241, Florida Statutes and Section 15-6, Melbourne Beach Code of Ordinances.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Commission of the Town of Melbourne Beach, Florida, as follows:

Section 1. That the 2024-2025 Town Budget for all Funds including the General Fund and Resolution 2024-13 adopting the aforesaid amended budget is hereby amended with the following amendments. Not all funds or accounts are depicted. Funds, accounts, and departmental budgets or appropriations not shown are not amended.

#1. Carryforward Revenue Balances for Utilization from FY2024 to FY2025 for the following Funds:

Fund 001 – 001-00-229.55.22 – Shared Fire Training in the amount of \$3,790.89  
 Fund 103 – Fire Donations Fund in the amount of \$21,135.77  
 Fund 104 – Environmental Advisory Board Fund (EAB) in the amount of \$12,841.27  
 Fund 121 – Police Education Fund in the amount of \$5,453.92  
 Fund 124 – Building Education Fund in the amount of \$7.74  
 Fund 141 – Stormwater Utility Fund in the amount of \$40,241.24  
 Fund 145 – ARPA Fund in the amount of \$5,063.45  
 Fund 172 – Ocean Park Parking Fund in the amount of \$92,614.95  
 Fund 175 – Ryckman Park Parking Fund in the amount of \$51,729.86  
 Fund 201 – Debt Service Fund, Muni Complex in the amount of \$0.21  
 Fund 202 – Debt Service Fund, Stormwater in the amount of \$91,898.01  
 Fund 333 – Long Term Capital Projects Fund in the amount of:  
     Dept. 19 – \$293,143.09  
     Dept. 21 – \$ 25,272.85

Dept. 22 – \$ 88,190.56

Dept. 41 – \$ 49,810.55

Dept. 42 – \$ 4,250.00

Dept. 72 – \$ 2,800.00

Dept. 75 – \$ 56,000.00

Fund 341 – Stormwater Project Fund in the amount of \$1,460,418.17

Fund 351 – Land and Road Improvement Fund in the amount of \$44,181.27

Fund 390 – Historic Preservation Fund in the amount of \$3,358.43

Fund 391 – Old Town Hall Fund in the amount of \$20,885.48

Fund 622 – Police Donations Fund in the amount of \$9,944.64

Section 2. That the amounts shown in Section 1. of the Resolution are hereby appropriated out of the treasury of the Town and any revenues accruing to the Town available for said purposes of the Town's budgetary accounts.

Section 3. That the Town Manager is hereby authorized and directed to proceed with the implementation of the service programs and projects provided for in the budget. Such implementation is to be consistent with the provisions of the Town Code of Ordinances and policies established by the Mayor and Town Commission.

Section 4. That the appropriations and authorizations provided in this resolution are hereby made effective as of November 20, 2024.

**PASSED AND ADOPTED** by the Town Commission of the Town of Melbourne Beach, Brevard County, Florida, at its regular meeting this 20th day of November, 2024.

TOWN OF MELBOURNE BEACH,  
FLORIDA, a Florida Municipal Corporation

By: \_\_\_\_\_  
Alison Dennington, Mayor

ATTEST:

\_\_\_\_\_  
Amber Brown  
Town Clerk

## Town Commission Meeting

**Section:** New Business  
**Meeting Date:** November 20, 2024  
**From:** Town Manager, Elizabeth Mascaro  
**Re:** Basin Map- 1/8/2018 Stormwater Design

### Background:

The Town Commission has asked me to provide a map depicting all of the basin locations in the Town of Melbourne Beach. This basin map was produced from 1/8/2018 drawings. The map shows the existing stormwater pipe in green and exfiltration pipe in green dashes. The proposed stormwater pipes are red and yellow. The exfiltration pipes are red and yellow dashes.

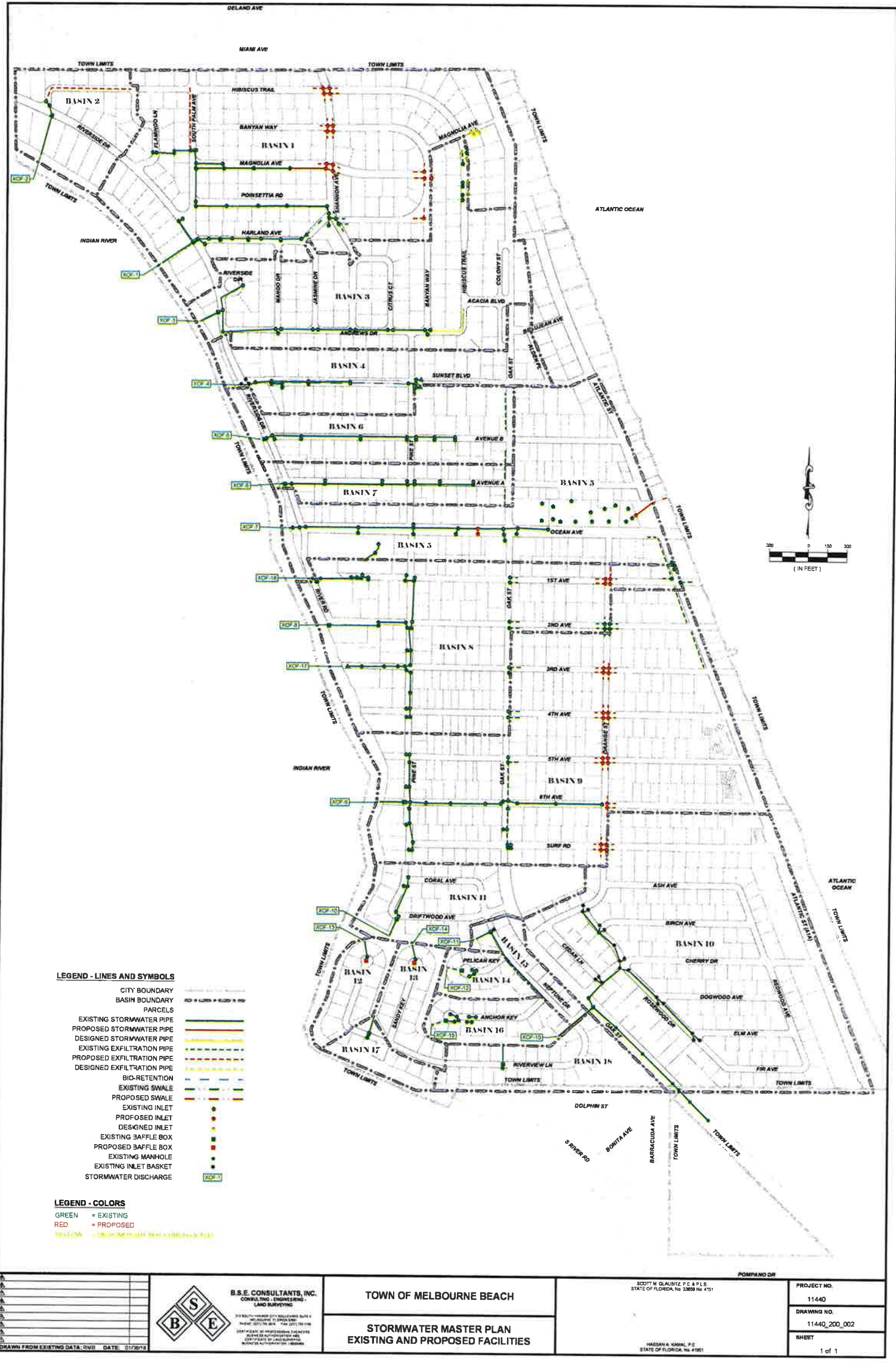
I am using this map, which has not been updated, as this is the clearest map I have showing the different basin locations.

### Recommendation:

Use this as a reference tool only.

### Attachments:

Town of Melbourne Beach Basin Map



## Town Commission Meeting

**Section:** New Business

**Meeting Date:** November 20, 2024

**From:** Town Manager, Elizabeth Mascaro

**Re:** Additional to Policies and Procedures Manual  
General Provisions

### **Background:**

The Town Commission asked to have the current policies and procedures manuals updated. I have included a new chapter that clearly spells out the purpose of the section, administrative direction, conflict in policies, labor contracts and management and budget with regards to spending for meetings, lunches, retirement events, recognition of service by Commissioners, Board members and volunteers, Police Officer retirement ,payment of work related expenses and prohibited expenditures.

There is a formal Employee Wellness and Recognition Program that can be added to this policy if the Commission is interested in adding this program. The program supports healthy employees and employee job satisfaction which in turn impacts productivity. There would be a monetary reward as recognition for participation in the program.

The policies for spending and Employee Wellness are not addressed in our current personnel manual.

### **Recommendation:**

1. Review and consider incorporating the General Provisions section into the Town's existing Personnel manual.
2. Direct the Town Manager to thoroughly investigate an Employee Wellness Program for consideration by the Town Commission.

### **Attachments:**

General Provisions document



# SECTION 1

## GENERAL PROVISIONS

### **1.1 Purpose**

- A. The purpose of these Personnel Policies is to provide a general guide for the personnel administration of the Town of Melbourne Beach.
- B. It is the intent of these policies to assure fair treatment of all Town employees in all aspects of personnel administration. These policies shall be carried out without regard to an employee's political affiliation, race, color, creed, national origin, religion, marital status, handicap, age or sex and with proper regard for an employee's privacy and rights as a citizen.
- C. All employees serve at the pleasure of the Town and no employee shall have any vested rights in employment. Nothing in these Personnel Policies and Procedures is intended or implied to create a contract for employment for any specific period of time, and no representative or Town entity, except the Town Commission, has the authority to enter into any such contract for employment for any specific period of time. It is the intent of the Town to have a mutually beneficial relationship with each employee. Each employee should endeavor to improve performance and skills to enable the Town to offer quality service to the public and provide opportunities for advancement of employees.

### **1.2 Administration**

- A. The Human Resources Manager shall be responsible for the administration and direction of the Town's personnel program.
- B. Department heads will be responsible for the proper and effective administration of these personnel policies within their respective departments. Routine matters pertaining to enforcement may be delegated.

### **1.3 Amendments**

- A. The Human Resources Manager shall present to the Town Commission changes to the policies and procedures as necessary for the administration of the personnel system.
- B. Amendments, changes or revisions of the personnel policies as approved by the Town Commission shall be distributed to all Town departments and employees.

#### **1.4 Department Policies**

A. Department operating policies and procedures serve as supplements to these policies. In the event of conflict in any section, the Town personnel policies shall prevail.

B. Department policies and procedures will be in writing and approved by the Town Manager for conformance to the personnel policies.

#### **1.5 Labor Contracts**

A. If any provisions of these personnel policies are in conflict with an existing provision of any labor agreement between the Town and a registered bargaining unit (union), the labor contract will prevail.

#### **1.6 Management & Budget**

A. Pursuant to the statutes and laws of the State of Florida which permit and require the expenditure of public funds for public purposes, the Town of Melbourne Beach believes it necessary and appropriate to provide assistance and guidance to the officials, employees, and representatives of the Town of Melbourne Beach to aid in the in the determination of when public funds may be spent for a public purpose.

To provide that assistance and guidance, these public purpose guidelines for the establishment of operating policies and procedures and the appropriate expenditures of public funds. The Town Commission the Town Manager to establish administrative policies and procedures that are consistent with these guidelines and the adopted Town policies, which implement these guidelines.

Definition: A public purpose expenditure is one which relates to the purpose for which the Town of Melbourne Beach exists and the duties and responsibilities of the Town of Melbourne Beach, its elected and appointed officials, employees and other representatives.

All Policies or parts of Policies in conflict with any of the provisions of this Policy are hereby repealed if dated prior to the approval date of this policy.

#### **(a) Public Purpose Guidelines**

1. Training and development programs for Town employees serve a public purpose when those training and development programs are directly related to the performance of the employees' job-related duties and are directly related to the programs and services for which the Town is responsible.

(Please reference the Travel and Development Policy TBD)

2. Payment of employee work-related expenses, including travel, lodging and

meal expenses, serves a public purpose when those expenses are necessary when incurred by Town of Melbourne Beach employees in connection with their actual work assignments or official duties. Those expenses are directly related to the performance of the governmental functions for which the Town of Melbourne Beach has responsibility.

3. Appropriate safety and health programs for Town employees serve a public purpose because they result in healthier and more productive employees and reduce certain costs to the Town and the taxpayers of the Town of Melbourne Beach, including various costs associated with workers compensation and disability benefit claims, insurance premiums, and lost time from employee absences.

4. Public expenditures for appropriate Town of Melbourne Beach employee and volunteer recognition programs *serve* a public purpose because formally recognizing employees and volunteers who make significant contributions and demonstrate their commitment during the performance of their duties, which results in higher morale and productivity among all Town employees and volunteers. This commitment therefore helps the Town of Melbourne Beach to fulfill its responsibilities efficiently and more cost effectively.

5. Public expenditures for food and refreshments associated with official Town of Melbourne Beach functions *serve* a public purpose when the provision of food or refreshments is an integral part of an official Town of Melbourne Beach function and the provision of food or refreshment is necessary to ensure meaningful participation by the participants. Ex. Annual Awards Banquet

6. Public expenditures for appropriate community and customer outreach and similar activities serve a public purpose when those expenditures are necessary for the Town of Melbourne Beach to ensure the efficient operation of its program services, and promotes the availability and use of Town resources.

**(b) Employee Wellness and Recognition Program**

**Consideration of an Employee Wellness and Recognition Program  
TBD**

**(c) Recognition of Employees Retiring from the Town**

1. The Town recognizes the importance of acknowledging employees for their service to the Town of Melbourne Beach. When an employee retires, the Town believes in the importance of recognizing them for their contributions they have made while at the Town of Melbourne Beach. As a result, the Town may provide a cake or comparable food item and non-alcoholic beverages at a gathering to recognize their services to the Town. Any additional food or activities will be employee paid.

2. In addition, employees who retire in good standing may receive a recognition gift from the Town with a value not more than \$200.

**(d) Recognition of Commission, Board and Agency Members**

1. The Town Commission recognizes the importance of acknowledging Commissioners, Board and Agency Members for their service to the Town of Melbourne Beach. Individuals who leave as a member of the Town Commission, Boards and Agency Members with a minimum of four (4) years of service may receive an acknowledgement of service at a value not to exceed \$75.

2. The Town may also provide a cake or comparable food item and non-- alcoholic beverage at a gathering to recognize a Commissioner, Board, or Agency member leaving service after (4) or more consecutive years of service.

**(e) Recognition of Volunteers and Community Service**

1. The Town Commission recognizes the importance of acknowledging Volunteers for their service to the Town of Melbourne Beach. Individuals providing meritorious volunteer service to the Town with a minimum of four (4) consecutive years of service may receive an acknowledgement of service at a value not to exceed \$75.

**(f) Meeting Refreshments and Meals**

1. The Town Commission recognizes that situations in which Town business needs to be discussed can and do occur during meal hours (i.e. luncheon meetings or workshops, interview boards, elections, training, etc. that extend through the meal hours). In addition, there are public and employee meetings and events in which reasonable refreshments may add to the success of the meeting and/or event and create a more productive work force. The following items are deemed to meet the Commissions definition of public purpose expenditures in regards to food and meals.

(a) Food and refreshments are allowed at non-routine Town meetings and events that have a purpose of discussing Town issues. These meetings would normally have a pre-planned agenda.

(b) Food and refreshments are allowed at employee meetings and events that have a purpose of discussing Town issues, part of an employee training, or part of an interview process. These meetings would also normally have a pre-planned agenda. This does not include routine staff meetings or standing committee meetings.

2. Food and refreshments are allowed when they are part of a breakfast/ lunch/dinner meeting for official Town business when it is determined to be the most practical time to meet and are necessary to sustain the flow of the meeting. Usually these meals involve meeting with Town Commission members, Board/Commission members, or local business/fraternal organizations.

3. Food and beverages are allowed at an organizational-wide annual staff meeting

used for developmental purposes or for an annual employee recognition initiative. (This does not include expenses related to birthdays, anniversaries, weddings, Childbirths or any other event that does not have an organizational-wide purpose.)

4. Meals and refreshments are allowed where employees or volunteers are participating in a Town-sponsored special event, participating in an outside event as an official representative of the Town, or working additional hours and where the department head or administrator deems appropriate as recognition of efforts above those normally required.

5. Because emergency personnel are often called to perform for extended periods of time and duties where refreshments are important to duty performance, emergency response personnel may be provided refreshments or food when it is deemed appropriate by the Town Manager or department head to assure the delivery of quality emergency response service.

6. Reimbursement of meals related to travel is outlined in the Town of Melbourne Beach's *Expense Reimbursement Policy*.

7. The purchase of alcoholic beverages is strictly prohibited.

8. The cost of refreshment/meals is included in the departments miscellaneous and training budget and is approved annually by the Town Commission as part of the overall budget process. In addition, the Department Head and Town Manager will have oversight on individual purchases to ensure compliance with the provisions of this policy.

#### **(g) Police Officers Leaving Service**

1. Police officers retiring from the Town of Melbourne Beach with a minimum of 10 years of service to the Town of Melbourne Beach have the option of receiving their firearm instead of receiving an above-mentioned recognition gift. Upon retirement, the retiring officer must immediately change the registration from the Town of Melbourne Beach to their personal name. Final approval for each officer who qualifies will fall to the police chief's discretion, and if an officer does not leave in good standing, they will not be allowed to retain their gun. Each retiree receiving these benefits must execute an agreement relieving the Town of Melbourne Beach from any liability. Retirement must be under fully honorable circumstances having served the requisite number of years to be eligible to receive pension benefits from the Town's Retirement System (Cannot be under investigation whereby the results could be termination, retiring in lieu of termination, or to avoid an investigation).

#### **(h) Membership, Dues and Donations**

1. The Town Commission has determined that the Town will fund memberships and dues (individual or organization) in professional organizations, Town social, and community organizations when the purpose is to promote, advertise, improve or develop the Town's resources and advantages and not for personal interest or gain. The cost of memberships/dues is included in the Dues and Membership line item in the Town of Melbourne Beach Budget. These line items are approved

annually by the Town Commission as a part of the overall budget approval process. Donations received by the Town must be for programs that serve our citizens and are deemed to meet the public purpose guidelines.

**(I) Prohibited Expenditures**

1. The items listed below are strictly prohibited
  - (a) Alcoholic beverages
  - (b) Employee functions or celebrations that are solely social in nature (e.g. Birthdays, holiday luncheon, ice cream social).
  - (c) Fundraisers for non-Town related events
  - (d) Participation in optional activities unless included as part of an overall conference registration fee (e.g. optional golf rounds, sporting events, concerts).
  - (e) Employee sponsored fundraising event (e.g., charitable giving campaign)

**(J) Allowed Expenditures**

1. The items listed below are allowed when purchased by the Human Resources Manager or a Department Head with permission from HR or the Town Manager.
  - (a) For funeral flower arrangements upon death of an employee, elected official, or one of their immediate family members other than Human Resources
  - (b) Gift cards for an employee, volunteer, board member etc. by a department other than Human Resources

**CONCLUSION**

The Town Manager has determined that the above expenditures are valid expenditures and serve a public purpose. The Town Manager will have over- sight on individual purchases to ensure compliance with the provisions of this policy. Any purchase related to employees, not specifically outlined in this policy is to receive authorization from the Town Manager or designee prior to any purpose.



## Town Manager Report for November 2024

1. Meeting with Commissioner Barlow 10/31/24
2. Meeting with three residents to discuss Old Town Hall
3. Meeting with Commissioner Barlow and staff 11/13/2024
4. Meeting with Commissioner Butler and staff 11/15/2024
5. Meeting with Commissioner Reed and staff 11/18/2024
6. Meeting with Commissioner Baldwin and staff 11/20/2024
7. Meeting with resident, F. LaGrassa and Building Official 10/29/2024
8. Attended Commission workshop 11/6/2024
9. Attended Parks Board and EAB workshop and meeting with Building Official 11/12/2024
10. Meeting with Deckard Technologies 11-18-2024 vacation rental software
11. Meeting with Orange Data 11-6-2024 vacation rental software
12. Gemini Second Grade has annual visit to Town Hall Complex. Meetings with the Mayor, Police, Fire, Ryckman House, Post Office.
13. Discussion with Goodson Paving regarding cost to mil & pave and curb replacement from Pine to Oak St intersection. Goodson to provide change order.
14. FIT Intern to manage document-scanning project for TC, beginning @11/25/24
15. Meeting with Ocean Ave resident to discuss stormwater sinkhole.
16. Updated VR and Code documentation. Prepared VR and code enforcement reports. Building Official is inspecting the Vacation Rental properties and open code violations.
17. Inspected crushed outflow stormwater pipe on River View Lane. Contact BSE to inspect. BSE will prepare cost estimate for project bid. Town owned outflow pipe.
18. Met with Scott from BSE to discuss Melbourne water main break on Poinsettia. Also received updated on Basin 1 project. Engineering should be completed by the end of

December. Once I receive the engineering plans, BSE can produce a bid book that I will use to secure grant funding. The bid book will also be used to determine phased construction plans for basin 1 beginning with the S. Palm Ave, Harland Ave, Poinsettia Rd and Magnolia Ave.

19. Meeting with PW Director Davis to discuss placement of banner poles in front of the shopping center (with permission) and the four corners of Ocean and Oak.

20. Inspected and marked curbing for removal with Building Official on Riverside Road.

21. Celebrating Employee anniversaries

Building Assistant, Kim Kotsifas 1 year

Police Officer, Ryan Meehan 1 year

Police Officer, Nicolas Earl 1 year

Police Officer, Luis Tejida 3 years

Finance Assistant, Vicki VanDyke 1 year

Public Works Foreman, Sean Hasner 8 years

Finance Manager, Jennifer Kerr 6 years

Communications Admin, Cyd Cardwell 1 year

Public Works Maintenance I, Sean Foster 2 years

Town Manager, Elizabeth Mascaro 10 years

Police Sergeant, Jason Hinchman 17 years

Public Works Director, Tom Davis 6 years

Police Officer, John Sullivan 2 years

Grounds Keeper, Joe Bouche 2 years

Fire Chief, Gavin Brown 9 years

Deputy Police Chief, Matthew Smith 22 years

Police Sergeant, Jason Sadler 11 years

Building Official, Robert Bitgood 3 years

Fire Maintenance, Michael Dean 5 years



## NOVEMBER 2024 TASK LIST

<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>
Sixth Ave boat ramp improvements	8/17/2022	12/18/2024		Commissioner Runte	Town Manager/ PW Director
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
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				