

# **Town of Melbourne Beach**

## **REGULAR TOWN COMMISSION MEETING Wednesday, February 19 2025 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, February 19, 2025 in the Community Center  
to address the items below**

**Commission Members:**

Mayor Alison Dennington  
Vice Mayor Dawn Barlow  
Commissioner Robert Baldwin  
Commissioner Anna Butler  
Commissioner Tim Reed

**Staff Members:**

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

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

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

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

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

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Moment of Silence**
4. **Meeting Agenda – Additions/Deletions/Changes**
5. **Consent Agenda**
  - A. Approval of the Regular Town Commission Meeting minutes January 15, 2025
  - B. Approval of the Special Town Commission Meeting minutes January 27, 2025
  - C. Approval of the Special Town Commission Meeting minutes February 5, 2025
  - D. Approval of the Town Commission Workshop minutes February 5, 2025
  - E. Appointment of Marivi Walker as an alternate board member on the Board of Adjustment
  - F. Appointment of Barbara Struttman as a board member on the History Center Board
6. **Proclamations/Presentations/Awards**
  - A. Proclamation recognizing July 24, 2025 as Space Coast Day
7. **Finance/Budget Report**
8. **Department and Board/Committee Reports**
  - A. History Center Board
  - B. Ryckman House Historical Preservation and Awareness Board Report
  - C. Building Department
  - D. Public Works Department
  - E. Code Enforcement
  - F. Fire Department
  - G. Police Department
  - H. Town Clerk
9. **Public Comment (Non-Agenda Items)**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.
10. **Public Hearings/Special Orders**
  - A. Ordinance 2024-05 Chapter 74 Vacation Rentals – Second reading  
**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, AMENDING CHAPTER 74, “VACATION RENTALS”; AMENDING REGISTRATION REQUIREMENTS; PROVIDING ADVERTISING REQUIREMENTS FOR VACATION RENTALS; AMENDING PARKING**

**REQUIREMENTS TO LIMIT AMOUNT OF VEHICLES AT VACATION RENTALS AND ADVERTISING REQUIREMENTS; AMENDING MAXIMUM OCCUPANCY CAPACITY AND ADVERTISING REQUIREMENTS; PROVIDING FOR BACKGROUND CHECKS OF OCCUPANTS OVER EIGHTEEN YEARS OLD; PROVIDING FOR NOISE REGULATIONS AND PENALTIES; PROVIDING FOR REGISTRATION SUSPENSION; REMOVING THE EXEMPTION FOR OWNER-OCCUPIED VACATION RENTALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- B. Ordinance 2024-06 Chapter 48 Noise Control – Second reading

**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.**

**11. Unfinished Business**

- A. Approval of the Regular Town Commission Meeting minutes December 18, 2024

- B. Resolution 2025-01 Supporting the 2025 Florida League of Cities Legislative Platform

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE 2025 FLORIDA LEAGUE OF CITIES’ LEGISLATIVE PLATFORM.**

- C. Resolution 2025-03 Town Commission Rules and Procedures

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH BREVARD COUNTY, FLORIDA MODIFYING AND RESTATING TOWN COMMISSION RULES AND PROCEDURES; MAKING FINDINGS; ESTABLISHING MEETING RULES OF PROCEDURE; ESTABLISHING THE SEATING ARRANGEMENTS AT MEETINGS; SETTING THE AGENDA; PROVIDING FOR ACTION BY CONSENT; SETTING THE TYPES OF MEETINGS; PUBLIC NOTICE OF MEETINGS; SETTING FORTH RULES TO ADDRESS THE TOWN COMMISSION AND PROCEDURES TO ADDRESS LAND DEVELOPMENT AND QUASI-JUDICIAL MATTERS; PROVIDING FOR COMMISSION AND STAFF RESPONSE TO PUBLIC COMMENTS; SETTING RULES OF DEBATE; SETTING A TIME FOR ADJOURNMENT OF MEETINGS; PROCEDURES FOR MINUTES OF TOWN COMMISSION MEETINGS; PROVIDING PROCEDURES FOR AMENDING OF THE RULES; REPEALING PRIOR RULES OF PROCEDURE; PROVIDING THE METHODOLOGY FOR REQUESTS BY A**

**COMMISSION FOR ACTION BY THE TOWN MANAGER, TOWN CLERK, OR TOWN STAFF; AND PROVIDING FOR AN EFFECTIVE DATE.**

- D. Update on the consideration to institute paid parking at the 6<sup>th</sup> Ave boat ramp – Town Manager Elizabeth Mascaro
- E. Consideration on the Old Town Hall roof – Town Manager Elizabeth Mascaro

**12. New Business**

- A. Ordinance 2025-01 Building Elevation – First Reading  
**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY FLORIDA, AMENDING APPENDIX “A” OF THE TOWN CODE OF ORDINANCES, THE LAND DEVELOPMENT CODE; AMENDING SECTION 7A-55, “BUILDING CONSTRUCTION”; ESTABLISHING MAXIMUM HEIGHT MEASUREMENTS FOR LOWEST FLOOR LEVEL AT EXISTING GRADE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**
- B. Resolution 2025-02 Public Records Exemption for Municipal Clerks and Employees who Perform Municipal Elections – Town Clerk Amber Brown  
**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY AND PROVIDING FOR AN EFFECTIVE DATE.**
- C. Consideration of the Planning and Zoning Board recommendations for accessory structures – Building Official Robert Bitgood
- D. Consideration on hiring a Deputy Town Clerk – Town Manager Elizabeth Mascaro
- E. Consideration on the updated contract with BSE Consultants, Inc. and LJA – Town Manager Elizabeth Mascaro
- F. Consideration on completing the town improvements (street signs, poles & banners) and closing Fund 351 Land and Road Improvements – Town Manager Elizabeth Mascaro
- G. Consideration to purchase Power DMS Power Policy software program supporting Human Resources and employee training – Town Manager Elizabeth Mascaro
- H. Discussion on the Town’s Personnel Policies – Town Manager Elizabeth Mascaro
- I. Consideration on creating a Technology Advisory Board – Commissioner Tim Reed
- J. Consideration to transition the Town of Melbourne Beach Newsletter to online and email distribution – Commissioner Tim Reed
- K. Discussion on leasing a large pump to provide emergency flood protection – Commissioner Tim Reed
- L. Consideration to schedule a workshop meeting to address the Town Managers contract – Commissioner Tim Reed

**13. Administrative Reports**

- A. Town Attorney
- B. Town Manager

**14. Commission Reports**

- A. Vice Mayor Dawn Barlow's Commission Report

**15. Task List**

**16. Public Comment**

**17. Adjournment**