

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING March 19, 2025 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

MINUTES

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

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 Dawn Barlow
Commissioner Robert Baldwin
Commissioner Anna Butler
Commissioner Tim Reed

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Ryan Knight
Building Official Robert Bitgood
Deputy Clerk Cyd Cardwell
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 – 2:00

Commissioner Tim Reed requested to move Consent Agenda Items B & C to New Business.

Mayor Alison Dennington spoke about a Resolution that has not been passed and is not effective because it needs to be reintroduced in its final written form per the Town Charter.

Town Attorney Ryan Knight spoke about the Charter provision says it shall be introduced in its final written form which it was. It does not say it cannot be amended. The Resolution was introduced in its final written form and approved as amended at the last meeting.

Commissioner Tim Reed made a motion to approve the agenda with Consent Items B & C going down to New Business; Commissioner Robert Baldwin seconded; Motion carried 5-0.

5. Proclamations/Presentations/Awards

6. Presentations by Special Guests (Maximum of 5 Minutes)

7. Public Comment (Non-Agenda Items) – 8:15

***Frank LaGrassa – 412 First Ave** - Spoke about employee benefits not being clear and said taxpayers deserve clear accounting of employee compensation.*

***Cole Tuttle – 1405 Pine St** - spoke about an issue with the tennis courts, specifically the nets. There is one tennis court set up for pickleball and people come to the tennis court and mess with the net to play pickleball, draw in pickleball lines, and it causes problems for those who want to play tennis. Suggested making a rule where you cannot play pickleball on the other tennis court.*

Mayor Alison Dennington said they could post on the website asking people not to mess with the tennis courts to play pickleball, reminding people that there are cameras.

***Kerri Robbins – 708 Atlantic St** - Gave the Commission a handout. Spoke about a pickleball court at her neighbor's house and the problem with noise.*

Commissioner Anna Butler made a motion that the Planning and Zoning Board look into creating an ordinance that addresses pickleball courts and proper setbacks; Commissioner Tim Reed seconded; Motion carried 5-0.

***Annemarie McBride – 310 Second Ave** – Requested a timeline of implementation from staff of updated noise ordinance & STR ordinance.*

Vice Mayor Dawn Barlow said the noise ordinance went into effect when it was voted on. Said she would ask the Town Manager and Town Clerk to work on a communication to get things out to the public and would share the policy and procedures for rolling that out to the Police Department and the Code Enforcement Officer. By the next RTCM if there could be an update on the Deckard implementation to start understanding the tracking.

Vice Mayor Dawn Barlow made a motion to task the Town Staff with providing information and updates; Commissioner Anna Butler seconded; Motion carried 5-0.

Mark McBride – 310 Second Ave – Continuation of Annemarie’s request about updates and implementation. Asked when the owner’s would be held responsible. - 31:35

Vice Mayor Dawn Barlow said it would be helpful at the next meeting to have an overview of the effective date of the ordinances, the effective date of the fee structure, and the communication to the residents of what is in effect. Also would like to get an update on the Deckard software and what the Code Enforcement Officer is doing with that information.

Town Attorney Ryan Knight said there is no requirement that you have to notify people.

Town Manager Elizabeth Mascaro said she, Jenny and the Code Officer are getting training for the Deckard implementation.

Town Attorney Ryan Knight said he drafted a memo for Chief Zander regarding the noise ordinances and the procedures for that. Also said he could create a bullet point summary of the new ordinance so people do not have to read the whole thing.

Dan Brunger – 400 Sixth Ave – Had questions about the rules of order.

8. Consent Agenda – 40:10

- A. Approval of the Regular Town Commission Meeting minutes February 19, 2025
- B. ~~Approval of the Town Commission Workshop minutes March 5, 2025~~
- C. ~~Appointment of Jeanette Soucy as an alternate board member on the Parks Board~~

Consent Agenda Items B and C were pulled by Commissioner Tim Reed.

Mayor Alison Dennington asked if there were any objections to approving Item A from the consent agenda. There were no objections Item A was approved.

9. Public Hearings/Special Orders

- A. Ordinance 2025-01 Building Elevation – Second Reading – 40:50

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.

Town Attorney Ryan Knight introduced the ordinance. Said one change was that the Land Development Code had a definition for a local road that was included. Said that P&Z made one change which was to add existing in front of finished floor.

Vice Mayor Dawn Barlow made a motion that we approve Ordinance 2025-01, 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; Commissioner Anna Butler seconded; Motion carried 5-0.

10. Unfinished Business - 45:35

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

Commissioner Robert Baldwin expressed his concern about the length of minutes and would like the Town Clerk's opinion on the type of minutes we currently generate.

Town Clerk Amber Brown described 3 main types of minutes: action, summary (which we do), and verbatim. Ours are summary but are close to verbatim by how descriptive we are. Said she spoke with other beachside municipalities and all are 4-6 pages average for RTCM. Ours are 20-25 pages. Mentioned no ordinance dictating how detailed the minutes have to be, so that it is up to the Commission.

Mayor Alison Dennington spoke about the charter having provisions for how minutes are done. Believes this is the one that she has done because not having a contract with BSE was a big issue. Believes more detailed minutes are better for the residents so they know what is going on without having to listen to entire meetings.

Commissioner Tim Reed made a motion to approve the RTCM minutes for December 18th, 2024 with the Mayor's revisions; Mayor Alison Dennington seconded; Motion failed 2-3 with Vice Mayor Dawn Barlow, Commissioner Robert Baldwin, and Commissioner Anna Butler dissenting.

Commissioner Robert Baldwin made a motion to accept the unedited minutes for the meeting on December 18th, 2024; Commissioner Anna Butler seconded;

Annemarie McBride – 310 Second Ave - Said she appreciates detailed minutes.

Tina Coppock – 505 Avenue B - Said the length of minutes is getting ridiculous.

Frank Thomas – 606 Atlantic St - Spoke about his interest in the Town for many years. Spoke about the building height and why the issue came up again.

Motion carried 3-2 with Mayor Alison Dennington and Commissioner Tim Reed dissenting.

B. Toxic workplace anonymous survey – Commissioner Tim Reed – 1:02:05

Commissioner Tim Reed spoke about the survey was unanimously approved in September. Requested the Town Manager & Town Attorney immediately complete a survey without delay and have an HR policy made to require the survey be performed on an annual basis.

Town Attorney Ryan Knight said there are questions he had prepared for the Commission to review. Said he was looking at SurveyMonkey which is anonymous.

Mayor Alison Dennington does not want an open-ended survey that gives the opportunity for staff to complain about public officials.

Commissioner Tim Reed doesn't think the questions submitted by the Town Attorney are appropriate and are more about employee satisfaction than toxic workplace.

Commissioner Tim Reed made a motion that we just close this issue out, we do not conduct the survey and this topic is considered closed; Mayor Alison Dennington seconded;

Tina Coppock – 505 Avenue B - Said this was not ever about supervisors or the workplace in which the employees work, it was about the Mayor.

Roger Newell – 506 Colony - Said he does not get it. If you have a problem, you sit down with your supervisor and you work it out respectfully.

Motion failed 2-3 with Vice Mayor Dawn Barlow, Commissioner Robert Baldwin, and Commissioner Anna Butler dissenting.

Commissioner Robert Baldwin made a motion to consolidate Unfinished Business Items B and C and proceed pending revisions to the questions;

The Commission spoke with the Town Attorney about the best way to do the survey and if they should consider using an outside company.

Commissioner Robert Baldwin rescinded his motion.

Vice Mayor Dawn Barlow made a motion that we combine B and C, but we table it for a future discussion, to task the Town Manager with researching within 60 days companies and cost to perform the survey specific to municipalities and put it on the May workshop; Commissioner Robert Baldwin seconded;

Frank LaGrassa – 412 Second Ave - Asked if someone flunks the workplace assessment test, what happens? Believes we are going too far in responding to grievances.

Town Attorney Ryan Knight said this would most likely only go to current employees.

Commissioner Anna Butler said it might be beneficial to look at it from a positive perspective to get feedback from people who may or may not feel comfortable speaking to their supervisors.

Motion carried 4-1 with Mayor Alison Dennington dissenting.

C. Employee survey questions – Town Attorney Ryan Knight

This agenda item was discussed and combined with the previous agenda item.

11. New Business

A. Approval of the Town Commission Workshop minutes March 5, 2025 - 1:30:05

Commissioner Tim Reed spoke about outstanding edits that he submitted.

Commissioner Tim Reed made a motion to not approve the minutes; Mayor Alison Dennington seconded; Motion carried 5-0.

B. Appointment of Jeanette Soucy as an alternate board member on the Parks Board - 1:32:12

Commissioner Tim Reed said the board currently has no chairperson and has 8 members. They have 2 alternates, 2 non voting members. Does not believe there is a need for a 3rd alternate, there is a need for someone to Chair the Board.

Town Clerk Amber Brown said there has been a lot of shifting on the board and the chair position has already been filled and an alternate has recently left, so there is an open position.

Commissioner Robert Baldwin made a motion that we accept Jeanette Soucy as an alternate board member on the Parks Board; Vice Mayor Dawn Barlow seconded; Motion carried 5-0.

C. Consideration of Resolution 2025-04 Budget Amendment – Finance Manager Jennifer Kerr - 1:34:45

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 FUNDS INCLUDING THE GENERAL FUND; ESTABLISHING AUTHORITY FOR THE TOWN MANAGER TO IMPLEMENT THE BUDGET; AND PROVIDING FOR ADOPTION.

Vice Mayor Dawn Barlow made a motion to approve Resolution Number 2025-04 a Resolution of the Town of Melbourne Beach, Brevard County, Florida, amending the budget for the fiscal year (FY) 2024-2025; amending Resolution Number 2024-09 related to the use of all funds including the general fund; establishing authority for the Town Manager to implement the budget; and providing for adoption; Commissioner Anna Butler seconded; Motion carried 5-0.

D. Consideration of the Interlocal Agreement for the formation of a Metropolitan Planning Organization – Town Manager Elizabeth Mascaro - 1:38:40

Town Manager Elizabeth Mascaro said they are asking for a creation of a Metropolitan Planning Organization to work with the Department of Transportation and the SCTPO to provide a more comprehensive plan. There is already an ongoing agreement with the SCTPO, this is extending on that. Said the major reason is the rail system. Said they would be open if someone wanted to join that board or the current designate could handle the responsibilities.

Vice Mayor Dawn Barlow made a motion that we approve the Interlocal Agreement for the Department of Transportation for Brevard County as presented by Elizabeth Mascaro Town Manager; Commissioner Anna Butler seconded; Motion carried 5-0.

E. Consideration on the StormReady designation from the National Weather Service (NWS) – Commissioner Tim Reed - 1:46:05

Commissioner Tim Reed said this is a program that helps municipalities be organized for storm or major weather events. Said the community being storm ready could potentially result in lower flood insurance costs. Recommended adding an item to the task list to have the Town Manager and staff explore the feasibility of the Town pursuing obtaining this designation before the start of the 2025 hurricane season.

Vice Mayor Dawn Barlow said it shows that Melbourne Beach is participating.

Town Manager Elizabeth Mascaro said the Town has some of these things in place but would add a second severe warning forecast.

Building Official Robert Bitgood said the current CRS rating is at about the max you can get. Said they were revisiting that in May and could get numbers back to the Commission then.

Commissioner Tim Reed made a motion to add an item to the task list to have the Town Manager and staff explore the feasibility of having the Town pursue the StormReady designation from the National Weather Service; Commissioner Anna Butler seconded;

Frank Thomas – 606 Atlantic St - Said the Fire Department has always taken care of this, so they should relay this information to them.

Motion carried 5-0.

- F. Consideration to modify Fund 351 regarding Veterans Park and Bicentennial Water Feature – Commissioner Tim Reed - 1:54:30

Commissioner Tim Reed said Fund 351 has a \$7,500 expenditure and a \$1,500 revenue/donation for a Bicentennial Water Feature. Feels they are chasing a \$1,500 donation with 5 times the amount for something with recurring costs, does not think that makes sense.

Town Manager Elizabeth Mascaro spoke about how they decided to do a butterfly garden with the \$1,500.

Commissioner Tim Reed recommended relocating the \$7,500 to the newly created contingency expenditure line item in Fund 175. Said Item number 2 is that it has a \$10,000 expenditure for Veteran's Park. Said it is premature to allocate those funds because there is no plan yet. Proposed the Parks Board and Public Works reevaluate the condition of the park after already scheduled work has been done and create a plan with costs to bring to the Commission. Received clarification from the Town Manager that the work being done to Circle Park, the Town is doing that out of the normal parks budget. Recommends taking the \$10,000 and putting that back in contingency in Fund 175 also.

Mayor Alison Dennington said she likes the idea of taking the \$7,500 out to put in the contingency fund but believes the Park's Board has done a lot of work towards a Veteran's Memorial project and suggested transferring that money out but to a creative fund.

Vice Mayor Dawn Board said she wants to respect that the Park's Board has done a lot of work. She believes they will be mindful of the cost. Moving money around also puts more work on the Finance Manager.

Town Manager Elizabeth Mascaro said the \$10,000 was the money they had originally come up with to do Circle Park and it came from the parking fund. Also said when a board is making changes to the park, it would come to the Commission first.

Commissioner Anna Butler encouraged Commissioners to have one on one conversations with board members outside of meetings to get additional information.

Roger Newell – 506 Colony – Asked if they know the names of those that have served. Said he's seen simple names in granite and it's beautiful. If they are interested, he has a connection with a granite quarry and he could get prices.

Marivi Walker – 511 Riverside Dr - Encouraged the Commission to keep the line item the way it is. The Park's Board has done a lot of work and they will get it done.

Commissioner Tim Reed made a motion to reallocate the \$7,500.00 and the \$10,000 from Fund 351 to the newly created contingency Fund 175; Failed for a lack of a second.

Town Manager Elizabeth Mascaro said Fund 351 has always been funded through parking as a separate fund for expenses for the Town for upgrades. At the end of the last budget cycle, they decided it was not necessary to keep Fund 351 open just for that purpose, they could keep the money in the parking fund.

- G. Consideration to change the Regular Town Commission Meeting date in April 2025 – Commissioner Anna Butler - 2:20:18

Commissioner Anna Butler said she has a scheduling conflict because she is a girl's tennis coach and cannot make the April meeting. Requested changing the date of the meeting if it works for everyone because she wants to attend as many meetings as possible.

Mayor Alison Dennington said she thinks as long as there is a quorum, meetings should stay on the date they are scheduled.

- H. Consideration to amend Resolution 2024-11 for owner occupied fees – Commissioner Tim Reed - 2:22:22

Commissioner Tim Reed spoke about addressing fees in light of the recent ordinance changes. Suggested doing \$50 per bedroom being rented out.

Mayor Alison Dennington said they do not inspect the whole house anyway, if they have one bedroom they will not necessarily have that inspected.

Vice Mayor Dawn Barlow read an email from Fire Chief Brown that proposed the fee might not cover the full cost of inspection; the Fire Chief recommended a \$100 inspection fee.

Mayor Alison Dennington recommended taking current vacation rental fees & cutting them in half for owner occupied fees and a \$100 flat fee for inspections.

Commissioner Tim Reed made a motion that the vacation rental application and registration fee owner occupied is \$425, the annual renewal vacation rental registration fee owner occupied is \$300, initial and annual safety inspection fee owner occupied is \$100; Commissioner Anna Butler seconded;

***Mark McBride – 310 Second** – Said the owner occupied rentals often have separate entrances and bring a lot of strangers to Town. Said the fee is not enough, they will make that back quickly. Said this is a hotel and a business right beside people's homes.*

Mayor Alison Dennington received clarification that there is no restriction on the amount of bedrooms that can be rented for owner occupied rentals.

***Annemarie McBride – 310 Second** – Said the owner occupied directly next door to her has one bedroom, a sitting room, and a patio. Why should they pay \$50? Said the people who rent one bedroom have access to the whole home. Neighbors will not complain but feel the same way.*

Town Clerk Amber Brown received clarification that each cost was a flat rate, not per bedroom.

***Roger Newell – 506 Colony** - Said the Town is witnessing the total collapse of their neighborhoods for money.*

Motion carried 5-0.

Town Attorney Ryan Knight clarified a new resolution will need to be brought forward. Said it will not take long to draft and he can notify the Commission when it is completed.

12. Finance/Budget Report – 2:50:10

Town Manager Elizabeth Mascaro said that for February, the total expenditure target was 41.67, and the actual expenditure was 51.55. All departments were under that except Fire. She addressed some issues that Commissioner Tim Reed had presented about being over the budget, including Department 19 waste tax service, healthy environment building maintenance fund which was addressing a mold remediation problem.

Building Official Robert Bitgood said they paid someone to have drywall removed and had mold remediated from an existing leak. They are putting it back together now, but the building was not designed well and has a lot of leaks. The roof screws were not replaced at the 10 year mark, and windows leak. This problem is just surfacing. Said he gets paid with permit fees, wants to help as much as he can but there is a gray area. It's hard to stay under 40 hours a week. Commissioner Robert Baldwin suggested this could be a good subject for a workshop.

Town Manager Elizabeth Mascaro said we do have money set aside for the roof. The roof is original and the building was built about 20 years ago.

Building Official Robert Bitgood suggested getting a shingle roof because they are within 500 feet of saltwater so the warranties on a metal roof will be an astronomical price.

Mayor Alison Dennington said residents have asked for a breakdown of salary and benefits for the Town Manager but would like it for the other positions as well.

Town Manager Elizabeth Mascaro said she will get the information to the Mayor. Continued addressing Commissioner Tim Reed's questions. Explained that office supplies for the Code Enforcement Officer included a name badge, business cards, etc. For street signs, they had to fix the flashing school zone light by Gemini. Clarified this was a Town expense, not the County.

Town Clerk Amber Brown said the south side of Gemini automatically changes time because the County does theirs electronically. On the north side, that is the Town's property.

Town Manager Elizabeth Mascaro said the ground maintenance item was to replace the sewer lines for the bathroom in Ryckman Park. The \$6,205 was the money paid upfront. Explained that certain items have to go on the budget in certain ways so they can help budget for the following year, but they don't overall go over the general fund amount as a whole, even if certain lines do.

Commissioner Tim Reed said at the end of last month's report, there was a section about fiscal year 2025 FEMA grant funds that had been applied for. Was informed that \$586,392 was an amount submitted to FEMA in 2017 and is still outstanding. What have we done in the last 7 years to try to get that money back?

Town Manager Elizabeth Mascaro said it has been obligated by FEMA to pay the Town. There was documentation that needed to be sent to them, it is considered a large project so it requires a lot. There has been turnover within FEMA, so they are still working to get it.

Mayor Alison Dennington said this was discussed by a number of cities across the state of Florida, it has nothing to do with the Town Manager or Finance Manager, this is a problem with FEMA, a large amount of money is owed to multiple cities.

Town Manager Elizabeth Mascaro said she had received an email in the last 2 days from a new person at FEMA and when a new person takes over, they have to resubmit the documentation.

Commissioner Tim Reed asked that this be shown in the monthly report, if there are interactions with FEMA, it would be good to see those. Also pointed out that the Town has no budget for hurricane expenses.

Town Manager Elizabeth Mascaro said if we budget for it, we will not be reimbursed because it appears that we have the money to pay for it. Explained the way that budgeting around hurricanes is working currently.

Mayor Alison Dennington asked the Finance Manager if she could get figures about the items that appear in all the different department budgets such as office supplies so they could see what the Town spends as a whole on those items.

Town Manager Elizabeth Mascaro said she would ask the Finance Manager about it.

Frank LaGrassa – 412 Second Ave – Spoke about the importance of the residents having access to what the town staff is making and their benefits. -3:28:00

Vice Mayor Dawn Barlow made a motion to approve the finance report as presented; Commissioner Robert Baldwin seconded; Motion carried 3-2 with Mayor Alison Dennington and Commissioner Tim Reed dissenting.

13. Town Staff/Board Reports

A. Environmental Advisory Board Report - 3:32:10

Town Clerk Amber Brown discussed the EAB is meeting tonight to review the tree ordinance. At the April Town Commission Workshop the Planning & Zoning Board and the Environmental Advisory Board will have a representative presenting their proposed changes which are conflicting.

B. Parks Board Report

Vice Mayor Dawn Barlow mentioned how the idea about the butterfly project was generated from Gleason Park, they want to do a board and leverage EAB to have a joint idea.

C. Building Department - 3:35:22

Building Official Robert Bitgood said he had an above average month for construction value and permit fees collected in February. Spoke about a trip to Tallahassee and meeting with legislators' aides and were able to knock a bill down through educating legislators. Said he could email the Mayor the bill number.

Town Manager Elizabeth Mascaro said the Town previously had private providers and things got missed. There is a benefit to having someone that cares about the Town.

Building Official Robert Bitgood said he could be there for the Workshop where P&Z and EAB discuss their ideas. Said the Breakers Building is on their second inspection. For the four units on the ocean, he said currently they have met with him, already got one closed out and working on engineering for the other.

Commissioner Tim Reed asked about a detached garage and living space and if it went through Planning & Zoning to which the Building Official said he would have to pull it up to see.

D. Public Works Department - 3:44:00

Commissioner Tim Reed asked about the boardwalk near the bathrooms, they spent money to build it and now it is being torn out.

Town Manager Elizabeth Mascaro said the wood was leftover from a project and happened to fit, people used to walk through the grass there. Thought it would be nice to use that lumber there but the shade and sprinklers made it a slip hazard. Took it out and put sod down, crushed coquina was not available.

Mayor Alison Dennington mentioned the playground equipment, said she recalled their being a line item in capital improvements for that, to which the Town Manager said it is currently repaired and in good shape but doing work in the future would be very expensive and need to fund-raised. The Mayor asked if they could task the Park's Board to keep that on their radar.

E. Code Enforcement - 3:48:40

Town Manager Elizabeth Mascaro informed the Commission of the upcoming Code Enforcement Magistrate meeting on 3/25 and mentioned 3 cases scheduled for that meeting. Also said going forward it will be the second Wednesday of every month.

Mayor Alison Dennington spoke about how it would be helpful to have written Special Magistrate procedures.

Commissioner Tim Reed spoke about a short term rental at 217 3rd Avenue and its status.

Town Manager Elizabeth Mascaro said that the owner signed the owner occupied affidavit. Spoke about going through the short term rentals list she was given and specifically spoke about how they are now working on the 30 day rentals.

Vice Mayor Dawn Barlow made a motion that we task the Town Attorney with reviewing 7A-52 sign ordinance to review and draft proposed language edits; Commissioner Anna Butler seconded; Motion carried 5-0. - 4:01:53

F. Fire Department - 3:58:15/4:02:54

Mayor Alison Dennington mentioned a bill about the consolidation of all 911 services. Said she wants to get the Fire Chiefs opinion on it. - 3:58:15

Commissioner Robert Baldwin asked for a timeline of the 3/5/25 structure fire. - 4:02:54

Town Clerk Amber Brown said she does not know specific times. The Fire Chief was on scene first, then our fire engine was on scene second, but beyond that, she does not know.

Mayor Alison Dennington wants an overview/average of all calls' response time.

Commissioner Robert Baldwin said he wants to see our response times and everyone else's.

Town Manager Elizabeth Mascaro said she would talk to the Fire Chief and get back to the Commission with any information about getting that data together. Said she reached out to the County Fire Chief about what their cost is going to be. Said our request was brought forward for the Town Council with Indialantic.

G. Police Department - 4:09:05

Town Manager Elizabeth Mascaro spoke on awards given to SRO Sullivan, Ofc. Earl, and Leadership Academy Sgt. Sadler was accepted into a training program. Said the morale in the Police Department is high and it is nice to see.

Mayor Alison Dennington said a pet blessing will be held March 29th. Asked about ongoing investigations but the Town Manager did not have updates. Requested PSA from PD regarding e-bike safety.

H. Town Clerk - 4:13:20

Town Clerk Amber Brown said this is the first meeting with updated audio/visual equipment. Reminder that with the Town website, if there are problems please let the Town know. Also introduced the Deputy Clerk, Cyd Cardwell.

Mayor Alison Dennington asked about publicizing the technology committee.

Town Attorney Ryan Knight said we need the resolution first which will be presented to the Commission for approval.

I. Town Attorney - 4:25:00

Town Attorney Ryan Knight said he was working on updates to the Land Development Code, said there are five years of documentation and meetings to get through. Made Commission aware of a lawsuit served Friday, 3/14/25 against the Town by Funoe, LLC, and provided update on status of other existing suits. Said the breach of contract is alleging that the Town breached the settlement agreement with Funoe. Slander of title, there was an allegation that the Town published a code enforcement action which operates as a lien on the property. Also 3 separate claims for declaratory relief.

Commissioner Robert Baldwin mentioned that Funoe, LLC is the Mayor's company.

Town Attorney Ryan Knight spoke about how she is a partner.

Mayor Alison Dennington replied that it is not her company, it is her family's. The issue was around amending the ambiguity. Said there was a decision that never came to the Commission that has now caused a lawsuit for declaratory judgment, and it never had to happen.

Commissioner Robert Baldwin asked about Commission's steps since none of the 4 current Commissioners were on Commission when the older suits occurred.

Town Attorney Ryan Knight explained that a shade meeting could and would typically occur if a settlement offer was made. Once the attorney has it, they're handling it, they're making a determination to file a motion to dismiss, that's not something that would come to the Commission for a vote.

Commissioner Robert Baldwin asked if the same attorney was handling the new lawsuit as well to which the Town Attorney said they still need to make a determination but it would save time and money if she did.

Mayor Alison Dennington spoke about how she would have to attend the meetings otherwise it is an ethics violation. Said they may need an attorney general opinion about her involvement in meetings because otherwise she is going to be there.

Town Attorney Ryan Knight said they could figure it out when we get to that and does not see a need to exclude her from the meetings or tell her that she cannot show up.

J. Town Manager - 4:16:28

Town Manager Elizabeth Mascaro said she reached out to the County Parks and Rec Director to start the renewal process of Old Town Hall, and permission to install the roof which he granted, but she is still waiting for that approval on letterhead

Commissioner Tim Reed inquired about a change in polling location from the Community Center to St. Sebastian's Church; Town Manager and Town Clerk explained issues that led to moving the polling location.

Vice Mayor Dawn Barlow asked about the RFQ, what is the next timeline date.

Town Manager Elizabeth Mascaro said there would be a non-mandatory meeting on the 29th for hiring engineers. The bid process opening will take place on the 4th. Said that the information will come before the Commission and could do it at a separate meeting.

Town Manager Elizabeth Mascaro commended the Parks Board on a great Spring Fest turnout.

Mayor Alison Dennington mentioned the possibility of a "yearbook" of photos from the event for participants.

14. Commission Reports – 4:39:35

A. Mayor Alison Dennington

Mayor Alison Dennington brought up concerns from some of her office hours attendees regarding A1A crossings. Asked if the Town could pay for a crosswalk ourselves.

Town Manager Elizabeth Mascaro mentioned that we have made requests to FDOT to allow us to handle certain things ourselves (such as repainting) that have been denied. Said that the turn at Oak, we've got the approval on that, have the plans on that so that is a go. Have never asked if we could pay for some sort of crosswalk. Said the south beaches are getting them because people were killed.

Mayor Alison Dennington proposed the use of speed trailers or other resources to record issues with A1A crossings and present them to FDOT via a letter from the Commission.

Town Manager Elizabeth Mascaro said she could get data from the police which will track, and if they could say, for example, 75,000 cars come through that part of the road on a monthly basis, this is why we want that.

Mayor Alison Dennington spoke about the concept of a community cleanup team to help neighbors having issues with maintaining their properties. Said she will be in Tallahassee next week with a legislative group.

B. Vice Mayor Dawn Barlow

No additions.

15. Task List – 4:50:25

A. Policy for owner occupied STRs

Town Attorney Ryan Knight spoke about how he will draft the resolution and provide it to the Fire Chief. Will also come back with technology resolution.

B. Search for new Magistrate - 4:54:05

Can be closed, Magistrate has been found.

C. 6th Ave boat ramp paid parking - 4:54:25

Town Manager Elizabeth Mascaro explained the signage would be identical to those used at beach crossovers for paid parking.

The Commission discussed signage where only stickered vehicles can be left unattended and all others subject to ticket or tow.

Town Manager Elizabeth Mascaro said that there is no towing arrangement, but that they could get one. A ticket would be \$50.

Mayor Alison Dennington mentioned only towing as a last resort.

Town Manager Elizabeth Mascaro explained that they would be ticketed and towing would occur after 24 hours.

Mayor Alison Dennington thanked Djon for allowing the use of their parking for SpringFest.

16. Adjournment


Commissioner Robert Baldwin made a motion to adjourn; Vice Mayor Dawn Barlow seconded; Motion carried 5-0.

Meeting adjourned at 11:02 PM.



Alison Dennington
Mayor

ATTEST:



Rachel Pembroke (Apr 1, 2025 16:18 EDT)
Rachel Pembroke
Transcriptionist

