

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING June 18, 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 6:00 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
Chief of Police Tim Zander
Finance Manager Jennifer Kerr
Public Works Director Tom Davis
Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Alison Dennington led the Pledge of Allegiance.

4. Meeting Agenda – Additions/Deletions/Changes

Town Clerk Amber Brown said she added the corrected Fire Department report.

Commissioner Tim Reed spoke about moving New Business items B and E to a Special Meeting, and New Business Item 11 D to a Workshop.

Mayor Alison Dennington spoke about how the person that added the item is the only person who can remove it, to which the Town Attorney agreed.

Vice Mayor Dawn Barlow made a motion to approve the agenda as presented; Commissioner Anna Butler seconded; Motion carried 5-0.

5. Proclamations/Presentations/Awards – 7:40

A. Proclamation recognizing Aging Matters in Brevard for 60 years of service

Ken from Aging Matters commended Dawn Barlow and Todd Albert, and all of the volunteers.

Vice Mayor Dawn Barlow spoke about volunteering with Meals on Wheels and how giving back to the community is near and dear to her heart.

Ken from Aging Matters spoke about starting a campaign on July 1st called the Aging Matters in Brevard Champions, which will look for leaders in the community.

Mayor Alison Dennington read the proclamation recognizing Aging Matters in Brevard.

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

7. Public Comment (Non-Agenda Items) – 14:16

John Benton – Palm Bay, FL – Spoke about a code enforcement issue from Cape Canaveral, and how bad they can get.

Chuck Cain – 309 Surf Rd – Spoke about the ongoing legal expense from Funoe LLC, which is the Mayor's LLC. It may be her right, but that does not make it right. If she cannot or is unwilling to do what is right, perhaps it is time for her to go somewhere else.

Brandon Human – Owns Steel Hammer roofing here in Town, noticed there has not been a formal RFP out for the roof, so he wants to submit his bid.

Todd Albert – 1710 Pine St – Provided a document and spoke about how the Town is getting ready to interview for a Town Manager. He has been involved in that before, and they used the STAR concept. Gave some tips about best practices for interviews.

Jan Pence – 200 Riverside Dr – Provided documents of an email from the Mayor to Police Chief Tim Zander, said it is distressing to her. Spoke about being part of a newly created Political Action Committee and her issues with the Mayor.

Tina Coppock – 505 Avenue B – Spoke about the Mayor is not fit for public office. She interrupts others, attacks staff and residents. It is time for the Mayor to voluntarily step down.

Mayor Alison Dennington tried to say her public comment was related to items on the agenda for the evening, the Town Attorney said she had not mentioned the DOGE emails which are the specific agenda item, so she is allowed to speak unless it is about that.

Jim Simmons – 409 Avenue B – Spoke about there has been a lot of talk about key jobs. There is no need for Commissioners to go inside Town Hall after hours. It is a good thing they were taken away from the Commission since there is a Commissioner that is suing the Town and could have unfettered access to Town records. For Town Manager interviews, he recommends giving them a specific example of something likely to occur in Town and see how they would handle it. - 33:20

Carol Killingsworth – 901 Atlantic St – Spoke about the Mayor's behavior and how she has undermined the trust and unity in the Town.

Steve Walters – 416 Sixth Ave – Spoke about the Mayor has every right to discuss any item up for a vote, she just cannot vote on the items. Everyone used to have a key job to allow them access to their mailbox or to make copies for the meetings.

Mark McBride – 310 Second Ave – Spoke about one topic the whole Commission is onboard with is vacation rental enforcement. The Code Enforcement reports fall woefully short of being accountable. The task at hand is doable, but not being done. Asked the Commission to come together and find someone to deliver the enforcement and reporting that the Town deserves.

Frank LaGrassa – 412 First Ave – Spoke about not knowing the details of the Mayor's lawsuits, but lawsuits against the Government deter Government abuse of power and enhance Government transparency.

Marc Lower – 206 Elm Ave – The Code does not have anything about allowing vacation rentals in single-family zones, so then it's prohibited. Owner-occupied STRs can remain in place until a property is sold. Resident owned STRs can operate for 5 years. Out of area owned STRs can operate for 3 years. Said the Town Attorney needs to collect the data. The majority of residents do not want STRs, asked the Commission to pass a motion to get this done in 30 days.

Bruce Larson – 1507 Pine St – Spoke about how there has been an increase in the number of certified vacation rentals in Town. There needs to be an improvement in the enforcement. Spoke about there being 19 Code cases open that were and still are in violation. - 47:10

Vice Mayor Dawn Barlow read a public comment from **Bryan Troy – 509 Hibiscus Trl** – Spoke about the Mayor being confrontational and threatening people. Anyone who disagrees with her becomes a target. She has stalled the Town's progress and has created a toxic environment. Asked that the Mayor step down.

Vice Mayor Dawn Barlow read a public comment from **Thomas Downs – 200 Riverside Rd** – Spoke about the Mayor's hostility and how she creates conflict in the Town. It's time for Mayor Dennington to resign.

8. Consent Agenda – 56:06

- A. Approval of the Regular Town Commission Meeting minutes May 21, 2025
- B. Approval of the first Special Town Commission Meeting minutes June 2, 2025
- C. Appointment of Bruce Larson as a board member on the Technology Advisory Board

Commissioner Anna Butler asked how many people are we planning to have on the Board, and has anyone else applied?

Town Attorney Ryan Knight said the Board is made up of 5 members and 2 alternates, 3 are required for a quorum to conduct official business.

Town Clerk Amber Brown said Bruce Larson is the first individual to apply.

Bruce Larson – 1507 Pine St – Asked if he can start working on things with the Town Manager without a quorum.

The Town Attorney said there is nothing to stop him from informally meeting or requesting information, but he could not conduct official business.

9. Public Hearings/Special Orders

10. Unfinished Business – 1:00:05

- A. Approval of the Town Commission Workshop minutes April 30, 2025

Commissioner Tim Reed made a motion to approve Item 10A under Unfinished Business; Commissioner Robert Baldwin seconded; Motion carried 5-0.

- B. Discussion on the proposed ordinance language for owner-occupied short-term rentals and life safety issues or revisions – Town Attorney Ryan Knight

Town Attorney Ryan Knight spoke about how he sent proposed language to Dave Micka to review today, so he will have proposed language for the next meeting. Said he could do a first reading at the next Commission meeting.

Mayor Alison Dennington said she'd rather see it first and not be rushed in changing anything.

Commissioner Tim Reed asked what the most timely thing would be, and the Town Attorney said to have the first reading, and clarified that first readings do not need to be published.

Commissioner Robert Baldwin suggested planning for a first reading and pushing it if big changes need to be made.

- C. Consideration on the Charter Review Committee recommendations – Town Attorney Ryan Knight - 1:04:30

Town Attorney Ryan Knight said they are getting into a time crunch, so he needs the Commission's input to put in a proposed ordinance for the next meeting.

Commissioner Robert Baldwin spoke about a proposed change to Charter 2.07 Mayor. The current Town Charter says the Mayor needs to sign documents, said the Mayor has refused to sign approved minutes. Consider adding a Charter amendment that allows for official signatures from the Mayor first, but if the Mayor is not available, then the Vice Mayor, then the next senior Commissioner, and so on.

Mayor Alison Dennington said she considers this topic an add-on. Spoke about how she has never refused to sign minutes. This came up because she was asked to sign the financial reports because it is a State Statute that requires 2 people to sign, the Mayor and the Finance Director.

Vice Mayor Dawn Barlow called a point of order for the Mayor being off topic.

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

Vice Mayor Dawn Barlow appealed the ruling.

Motion to support the point of order; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Vice Mayor Dawn Barlow asked about adding additional sections.

Town Attorney Ryan Knight said the Charter Review did not make a recommendation for this section, but they are an advisory board, so the Commission can propose to make changes, and this would be the time to do so.

Mayor Alison Dennington asked the Town Clerk to read the legislative procedure about adding items on that are new and what the procedure is for that.

Town Clerk Amber Brown read the legislative procedure.

Commissioner Robert Baldwin spoke about how it does not matter who the Mayor is; this is to add alternate signers when the Mayor is not available or unwilling, or unable to timely sign documents.

Mayor Alison Dennington spoke about there is a provision in the Charter that if the Mayor is sick, then the Vice Mayor can sign.

Town Attorney Ryan Knight spoke about the 11 revisions and potentially a 12th from Commissioner Robert Baldwin. Recommended going through each one and voting on them one at a time.

Mayor Alison Dennington asked if anyone had an objection to the language for the Recognition of Both Genders. - 1:19:48

No objections.

Section 2.02, Changing residency requirements from 6 months to 12 months.

Commission Tim Reed suggested moving it from low priority to high priority, but Vice Mayor Dawn Barlow said they would discuss priority level later.

No objections.

Section 2.03, Changing the term limitation from 1 year to 11 months.

Mayor Alison Dennington objected to this one and would like to leave it as is.

The rest of the Commission had no objections.

Town Attorney Ryan Knight said he is marking these down, and at the end, they can make a motion for each one.

Commissioner Robert Baldwin would like to go back over them to prioritize them.

Town Clerk Amber Brown said it would be charged per page, but she does not know how many pages it will take or the cost per page.

Section 2.04, Amending it by specifying the time period to serve as a result of appointment due to a vacancy, specifies that they shall serve until the next general election for which the qualifying period has not begun at the time of the vacancy.

No objections.

Section 2.09, Provides that candidates receiving the largest number of votes shall be declared elected for the longest terms.

No objections.

Section 2.12, Clarify the requirement for the Commission to vote to adjourn.

Commissioner Robert Baldwin made a motion to allow 1 minute for a representative of the committee to address this; Commissioner Tim Reed seconded;

Jim Simmons – 409 Avenue B - Spoke about how he was Chairman of the Charter Review Committee, said this was in case there were 3 Commissioners for a quorum, and one had to leave, you could still adjourn the meeting with a majority vote.

Mayor Alison Dennington objected.

The rest of the Commission did not have an objection.

Section 3.01, Would remove the Commission's authority to appoint, suspend, or remove the Town Clerk. - 1:27:50

Mayor Alison Dennington had an objection to this.

The rest of the Commission did not have an objection.

Section 3.03, Amends the provision on members of the Town Commission from interfering with the administration of the Town except through the Town Manager.

Mayor Alison Dennington objected to this.

Commissioner Anna Butler was in favor of it.

Commissioner Tim Reed said he thought the Commission decided they were not making this change at the previous meeting, but other Commissioners disagreed.

Commissioner Robert Baldwin was not in favor.

Commissioner Tim Reed was not in favor of it.

Mayor Alison Dennington said that there are 3 not in favor, so they can strike this one.

Vice Mayor Dawn Barlow spoke about needing an interference clause.

Commissioner Anna Butler spoke about agreeing with the Vice Mayor.

Section 3.04, Would remove the Commission's authority to fix the salary of the Town Clerk, also removes the provision that the Town Clerk is to serve the Commission.

Mayor Alison Dennington spoke about objecting to this.

The rest of the Commission did not object to it.

Section 3.05, Would clarify that the Town Commission shall fix and approve the salary and contract of the Town Attorney and removes the requirement that the Town Attorney be the prosecutor in Town court.

No objections.

Section 3.11, Amend it to incorporate the definition of unacceptable gifts.

No objections.

Commissioner Robert Baldwin recommended the addition of Section 3.07 - Mayor

Mayor Alison Dennington objected because the current can be amended to include a definition for unavailable.

Town Attorney Ryan Knight spoke about how you can add the words unable or unwilling without needing to reword the entire section 2.08.

Mayor Alison Dennington called for public comment.

Jim Simmons – 409 Avenue B – Spoke about how the Charter Review Committee went through each section. Recommended concentrating on the high-priority ones because you want to limit the number of referendum items put forth. Spoke about having consistency with the position of the Town Clerk and who she reports to.

Mayor Alison Dennington spoke about a comprehensive list from the Florida League of Cities.

Vice Mayor Dawn Barlow suggested moving 2.08 to high priority.

Vice Mayor Dawn Barlow made a motion that we accept section 2.03 Terms of Office under high priority; Commissioner Robert Baldwin seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Vice Mayor Dawn Barlow made a motion that we accept section 2.04 Vacancies on the Commission under high priority; Commissioner Anna Butler seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow made a motion that we accept section 2.09 Commissioners at Large under high priority; Commissioner Anna Butler seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow made a motion that we accept section 3.01 Powers and Duties of the Town Commission under high priority; Commissioner Anna Butler seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Vice Mayor Dawn Barlow made a motion that we accept section 3.03 Office of the Town Manager under high priority; Commissioner Anna Butler seconded; Motion failed 2-3 with Mayor Alison Dennington, Commissioner Robert Baldwin, and Commissioner Tim Reed dissenting.

Vice Mayor Dawn Barlow made a motion that we accept section 3.04 Office of the Town Clerk under high priority; Commissioner Anna Butler seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Vice Mayor Dawn Barlow made a motion that we accept section 2.08 Vice Mayor with adding in the absence or unwilling, per what the Town Attorney just read; Commissioner Anna Butler seconded; Motion carried 5-0.

Commissioner Tim Reed made a motion that we move 2.02 Composition and Qualifications from a low priority to a high priority at the bottom and accept as proposed; Vice Mayor Dawn Barlow seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow made a motion that we accept section 2.12 Legislative Procedure under the low priority and condition, depending on what cost outcome is that the low priority items could potentially not make the ballot; Commissioner Anna Butler seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Vice Mayor Dawn Barlow made a motion that we accept section 3.05 Office of the Town as #9 under low priority; Commissioner Anna Butler seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow made a motion that we accept section 3.11 Code of Ethics as #10 under lower priority; Commissioner Anna Butler seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow made a motion that we accept the universal updated He/She throughout the Charter as low priority #11; Commissioner Tim Reed seconded; Motion 4-1 with Commissioner Robert Baldwin dissenting.

- D. Additional document to add to the Charter Review Committee recommendations – Mayor Alison Dennington

Mayor Alison Dennington said this does not need to be approved, so they can move on.

11. New Business – 1:53:18

- A. Consideration for the Parks Board to host a Back to School Event – Parks Board

Lisa Kishegyi, Chairperson of the Parks Board, and Jeannette Soucy, Parks Board Member, spoke about the details of the event, which is a Back to School Bash on Friday, August 8th, in Ryckman Park from 6:00-8:00 pm, and possibly a movie starting at 8:00.

Mayor Alison Dennington asked the Police Chief to speak about electric scooters.

Commissioner Tim Reed confirmed that the plan is for this to be an annual thing and that the only cost to the Town for the event is a little overtime staff cost and a movie.

Police Chief Tim Zander said they would be looking at about 8 hours of overtime.

Mayor Alison Dennington spoke about having guidelines on who can have a booth.

Vice Mayor Dawn Barlow made a motion that we support the Back to School Event as presented by the Board members that have come tonight; Commissioner Anna Butler seconded; Motion carried 5-0.

- B. Consideration on Resolution 2025-10 – Censuring Mayor Alison Dennington – Commissioner Robert Baldwin - 1:59:32

Mayor Alison Dennington spoke about how she sent her objections to the Town Attorney.

Town Attorney Knight spoke about he had not had an opportunity to read it all but her objections are noted.

Mayor Alison Dennington asked how long Commissioner Robert Baldwin had to speak and Vice Mayor Dawn Barlow said he had unlimited time to present as there has never been a time limit before.

Commissioner Robert Baldwin spoke about how he had hoped the Mayor's behavior would have changed after the meeting in October, but her communication has become more irrational and spoke about an email she sent to DOGE. Spoke about the Mayor's frustration

towards Commissioner Anna Butler and Town Attorney Ryan Knight, and requested a public apology to them both. Recommends that we approve the censure resolution as presented.

Commissioner Tim Reed spoke about how he can see it being problematic and how it can get under people's skin, but asked how this benefits the Town. Would rather work on something to come together, not cause more division.

Commissioner Anna Butler spoke about how we need to make a statement to the Town, the negativity and talking badly about people is disheartening. It didn't do anything last time, but the Commission needs to hold her to it if this passes. The only people getting hurt are the people who live in this Town. If this is one way we can make a statement, please do.

Vice Mayor Dawn Barlow said the feedback from the October Resolution was that there were no specifics, but this one has specifics. We are all neighbors. There is some polarizing behavior. A resident previously spoke about trust. The Mayor has some incredible passion. The examples in this Resolution are not professional and are not the behavior of leadership. There needs to be a coming together. Is supportive of this Resolution and frustrated that the true business of this Town is not able to be focused on. Said she is hopeful that we can get there. We have high expectations of professional behavior.

Mayor Alison Dennington spoke about how this censure is based on a 4-page email she sent to a DOGE official whom she had spoken with before. She used the word idiot, but the rest of the email was about mismanagement. Apologized for using the word idiot and said she should have been more professional. Said she has a stack of emails with things other Commissioners have said about her. Spoke about a Facebook group that Commissioner Robert Baldwin and Commissioner Anna Butler are a part of, where things have been said about her.

Vice Mayor Dawn Barlow called a point of order for being off topic.

Mayor Alison Dennington found the point of order not well taken.

Mayor Alison Dennington spoke about how there is a legitimate purpose to censure, but it should only be used when it really applies. Said this is a charade. Apologized for her one drop in an ocean of hypocrisy.

Commissioner Anna Butler said if the Mayor wanted to hand out the emails, she has nothing to hide, does not use bad words, or call people names.

Mayor Alison Dennington spoke about how this is a charade. Said she will not apologize for exposing violations of statutes. Apologized for using the word idiot, but did not apologize for the rest of the email.

Commissioner Robert Baldwin spoke about a Facebook Messenger private post between 2 residents where the word psycho was used. There is a difference between calling a fellow

Commissioner an idiot to a State Official and a private conversation between two people. Said he would be happy to defend his use of the word psycho.

Mayor Alison Dennington wanted clarification on being able to use the word psycho but not idiot. Said she wanted a list of words she could say.

Vice Mayor Dawn Barlow called a point of order.

Commissioner Robert Baldwin said he provided the private message conversation because of the reference to the FPL emails.

Commissioner Tim Reed said this forum has done the airing out of the opinions. Not sure a censure benefits the Town. Said he would like to see a way to come together rather than keep us divided.

Commissioner Robert Baldwin made a motion to approve the resolution to censure Mayor Dennington as presented; Commissioner Anna Butler seconded;

Jim Simmons – 409 Avenue B – Spoke about how the Mayor’s job is not hard, but you totally screwed it up. You are not a stupid person; you could be an asset to the community. Put some kind of filter on it. Quit trying to find conspiracies under every rock. - 2:21:25

Mark McBride – 310 Second Ave – Spoke about how none of you are perfect, and the Mayor talks too much, but all of you have issues. The Mayor is the only one who has done anything for him. Nobody is innocent. She needs to pull it in, but she has extreme value. We are not “fans”, we just want something to get done in the Town, and she’s the only one that’s doing it.

John Benton – Palm Bay, FL – Spoke about how if you censure the Mayor, she should hold a sign out. Stand your ground.

Frank LaGrassa – 412 First Ave – Spoke about when the polarized faction of this Commission does things like this, it demonstrates how little it cares about the Mayor’s causes.

Tina Coppock – 505 Avenue B – Spoke about how at the previous censure the Mayor promised to do better, but she has not. It didn’t have to come to this; she could have apologized. This is the second time the Mayor has been censured. Resign before the third.

Steve Walters – 416 Sixth Ave – Spoke about the Mayor’s email to DOGE. Said the Mayor is doing her best, she donates her salary to the Town. If the 4 other Commissioners have never said anything negative about the Mayor, then go ahead and vote yes for the censure.

Marivi Walker – 511 Riverside Dr – Thought the Mayor was going to change after the first censure, but she has not. Continues to talk over people and still does not know how to run a meeting. This is not about I, it is about we, as a Commission. You argue with everyone and don’t let other people talk. You are very smart, but you need to channel yourself. Wishes for change, but you’re not going to. You should resign, and the censure is long overdue.

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

C. Discussion on inspection plan of Town assets – Public Works Director Tom Davis - 2:41:58

Public Works Director Tom Davis spoke about how Commissioner Tim Reed put this on the task list, so he constructed this list. This is a base model; he is open to suggestions.

Commissioner Tim Reed spoke about part of it was the itemization of the inspection items, which still has some work to be done. The second part is executing the inspections. Asked when the first scheduled execution of these items is and how frequently he plans to do that.

Public Works Director Tom Davis spoke about how the base list is verbatim what the insurance covers. This is a base model for input. Then he will go back and refine it.

Commissioner Tim Reed said what drove this was the issues in the Town Hall building with leaks, mold, gutter damage, and roof damage. It does not appear there is a full list, such as roof, electrical, plumbing, etc. Confirmed this will address those issues.

Public Works Director Tom Davis said a few pages at the end include the details of the inspection. Said he would like to get input from the Commissioners individually because they have good insight.

Mayor Alison Dennington asked if this is new; there are a couple more things that can be added. Have a stand-alone for each of the 16, and include a column for how often to do the inspection. Suggested having the police while they are driving around, have a basic sheet to report issues to Public Works.

Vice Mayor Dawn Barlow spoke about liking the basics, but does have some suggestions that they can meet to go over.

Mayor Alison Dennington suggested doing the Public Works Department now.

Public Works Director Tom Davis spoke about how he would like to stay to defend himself against the allegations against him for the agenda item.

D. Consideration on a finger pier (dock) at the Sixth Ave boat ramp – Commissioner Robert Baldwin - 2:54:32

Mayor Alison Dennington verified that Commissioners are not prohibited from adding things day of that no one has seen as a supplemental item.

Town Attorney Ryan Knight said if it is your item, you can provide supplemental information day of; if it is not your agenda item and you want to provide supplemental information, it would have to go on as a new agenda item.

Commissioner Robert Baldwin said there is a resident who owns a dock company who is willing to build and maintain the dock at no charge to the Commission. Said there are 2 main benefits to this: you do not have to walk down a slippery, unsafe ramp, and it reduces the potential damage to your boat as there is coquina rock there. This does not change the size of boats that can launch here, it does not attract larger vehicles, does not change anything. There was a concern about privacy, and the property to the south only has a 4-foot block wall, which everyone at the ramp can already see over. Recommends moving ahead with this.

Mayor Alison Dennington spoke about being against it.

Commissioner Tim Reed spoke about how this would be erected for the public. Thinks there would need to be a contract with the provider. Since it is open to the public, would it have to be ADA compliant, and then would there need to be handicap parking? Need to make sure we cross the Ts and dot the Is. Since the seawall is already in disrepair, how would this affect doing that work? This should go through our Planning and Zoning Board for approval. Do hours of operation need to be addressed?

Vice Mayor Dawn Darlow spoke about how this topic has been brought up before. She has dealt with the ramp her entire life. She spoke to 16-18 people, and the residents are split. Thinks it is premature, and this would need to be explored. The other aspect that comes into play is that the ramp is used for Fire Rescue. Thinks PNZ needs to play a role in this.

Commissioner Anna Butler spoke about how there is a concern with safety. In order to make sure that everyone is heard and everyone is comfortable with the decision, more work needs to be done. Does not want to keep kicking the can down the road on hard decisions.

Commissioner Robert Baldwin made a motion that we accept the proposal as presented to construct a finger pier at the 6th Ave boat ramp; Commissioner Anna Butler seconded;

Sabrina Cornelius – 1705 Orange St – Asked how long the Company will maintain it. Once the contract is done, does the maintenance fall back to the Town? Is concerned that it will be maintained in the future. - 3:13:50

Commissioner Robert Baldwin said if the company stops maintaining it in the future, the Town could probably figure out an easy solution, but acknowledged this was a good point.

Tina Coppock – 505 Avenue B – Spoke about launching kayaks from the launch and it is very difficult. To the ADA compliance, are the crossovers compliant or the swings at the end of the streets? Don't use ADA compliance as the reason to disagree with this.

Carol Feltus-Atkinson – 1602 Pine St – Spoke about being the neighbor on the south side, and her biggest concerns are privacy and safety, but there are also concerns for the Town with cost and liability. This will increase use and create larger boat traffic. This is clearly a different use than what was originally proposed.

Mike Kalajian – 524 Sunset Blvd – Spoke about living here for 51 years. This will not allow for larger boats. This is just to make it safer. Entering into a contract is not a big deal. Missing the big point which is safety. Nothing against the neighbors, but they bought a house next to a public boat ramp. Just trying to make it safer. The permitting is simple, it is federal property. If someone's lot is narrower than 65 feet, there are no setback requirements.

Commissioner Robert Baldwin made a motion that we extend his time by a minute; Commissioner Anna Butler seconded; Motion carried 5-0.

Mike Kalajian – 524 Sunset Blvd – Spoke about the County does not require a permit to build a dock in the Indian River Lagoon, DEP has an exception if it is less than 1,000 square feet which this would be. The 30 feet was proposed in order to have an average sized boat of 20 ft and then 10 ft for the trailer, said this was a starting point and open to discussion.

Bruce Larson – 1507 Pine St – Spoke about key issues including volume. If you build it, they will come. Does not believe it will be terribly abused. Safety is another issue. You cannot sit on the seawall and swing over, so then you would need stairs and a railing. Look into the legal aspect and have a contract.

Billy Stephens – 1508 Pine St – Said he is on the north side of the boat ramp. Opposed to the current and all previous plans, due to privacy and property value. This is not the spirit of Melbourne Beach. There is going to be increased traffic. If you add a 30 foot dock, you are going to get more people from other Towns. The number one group that uses the dock is people watching the sunset.

Mayor Alison Dennington made a motion to give him another minute.

Billy Stephens - 1508 Pine St - The next group are people fishing, then kayaking, paddle boarding, then lastly are people that launch their boats. Said he would speak with Commissioner Robert Baldwin another time because he ran out of time.

Ashley Ball – 210 Cherry Dr – Spoke about wanting a solution to the problem of getting small kids in a boat after launching. This would be something small to get into the boat. - 3:35:35

Mark McBride – 310 Second Ave – Spoke about digital tourism. Said if it is done it should be something for safety.

***Jan Pence – 200 Riverside Dr** – Spoke about how the other municipalities do not have this, so it could be an asset. What about all the people that live next to the beach crossovers? That boat ramp is an asset for everyone in the Town.*

***Kari Ross – 206 Flamingo Ln** – Spoke about how there is only so much space to park your car and trailer, so she does not see how there would be a plethora of vehicles because there is no parking. The Commission's job is to make a decision.*

Vice Mayor Dawn Barlow read a public comment from **Georgene Wawrzyniak – 1616 Pine St** – *Concerned that there has not been enough research on the effects to the adjacent and surrounding homes.*

Vice Mayor Dawn Barlow read a public comment submitted by **Andrew Atkinson – 1602 Pine St** – *Spoke about his concerns and is opposed to the dock. This is inappropriate for a residential area, impractical and not the right thing for the Town.*

Vice Mayor Dawn Barlow read a public comment submitted by **Heather Chambers – 501 Second Ave** – *Opposed to the proposed dock, spoke about costs. Said this would lessen the area for kayakers, there is already a close access place for boats.*

Vice Mayor Dawn Barlow read a public comment submitted by **Tim Chambers – 501 Second Ave** – *Opposed to the proposed dock, mentioned cost/repairs/maintenance. Feels this project is lessening the area for kayaks. Anything you propose is already available at Ryckman Pier.*

Vice Mayor Dawn Barlow read a public comment submitted by **Kelli and Gary Turner – 420 Sunset Blvd** – *Support the rebuilding of the boat ramp. Hope Commissioners will be in favor, especially because a resident has offered to do it for free.*

Vice Mayor Dawn Barlow read a public comment submitted by **Allison Stephens – 1508 Pine St** – *Concerned with the proposed construction of a dock. Said most people proposing this dock do not live nearby and would not be directly impacted. Spoke about safety and wildlife concerns, noise, and a loss of peace in that area.*

Vice Mayor Dawn Barlow read a public comment submitted by **Caterina Schwinn – 503 Fourth Ave** – *Opposed to any upgrades or additions. Before the Commission approves anything, have a traffic study done.*

Vice Mayor Dawn Barlow read a public comment submitted by **Mary Weerts – 400 Driftwood Ave** – *Asked for the Commissioners' support for the proposed upgrades. This project would improve access and safety for users, enhance functionality, and would be done at no cost to the city. - 3:58:55*

Vice Mayor Dawn Barlow read a public comment submitted by **Bob and Patty Maier – 503 First Ave** – *Said they are opposed to the dock. Wants to keep residential areas residential.*

Motion failed 2-3 with Mayor Alison Dennington, Vice Mayor Dawn Barlow, and Commissioner Tim Reed dissenting.

Vice Mayor Dawn Barlow made a motion that we task PNZ with evaluating this topic and hosting a workshop; Commissioner Robert Baldwin seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

Recess at 10:05 pm – 10:14 pm

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
Chief of Police Tim Zander
Finance Manager Jennifer Kerr
Public Works Director Tom Davis
Town Clerk Amber Brown

- E. Discussion on Town Manager and Public Works Director's conduct regarding auction signs – Mayor Alison Dennington - 4:15:15

Mayor Alison Dennington read the agenda item cover page. The missing signs include: 5 Ocean Ave signs, 4 Sunset signs, 4 Avenue B signs, 4 Surf signs, 4 Beau Jean signs. There are more than 40 missing signs valued at over \$750, and by State Statute, it is a felony, so she filed a police report for theft. Believes she has a duty to report it. This should be investigated.

Town Manager Elizabeth Mascaro said this is false and slanderous.

Town Attorney Ryan Knight said the Town Manager and Public Works Director have been accused of false statements and a felony. Thinks they should have a chance to respond without interruption.

Public Works Director Tom Davis spoke about the signs that were not given out. Forty years of his life he has served the public, and he has never stolen anything. He's so insulted. The signs that were not sold were kept because they were not in poor condition. The Mayor went back into the Public Works building and lost it over signs that were taken down and kept in case signs needed to be replaced after a storm. Spoke about the procedure of selling signs.

Mayor Alison Dennington said she does not believe the Public Works Director stole signs, but she does believe the Commission made a decision, and the management did not want to put it through.

Town Manager Elizabeth Mascaro spoke about no matter what she does, the Mayor is going to accuse her of being dishonest, immoral, etc. Cannot take this anymore because now she wants to charge them with a felony. They kept signs that were in good condition. The signs that were sold were a mess. The assumption is so far off base that it is offensive.

Police Chief Tim Zander spoke about how the allegations were of suspected theft. When the item has no more use of life left, the Public Works Director has the ability to throw things away, and anyone can dumpster dive. The Police Department investigated, and there was no crime committed, and there was no theft. If the Commission wants to look into whether a policy was violated, then that is up to the Commission. The case is closed.

Mayor Alison Dennington asked if this was a private company, and someone claimed theft, and you interviewed the employer or department head, and they said they had authority, would you close the case, or would you check with the boss? Would you take a sworn statement before closing it? Was told you can either sign something under penalty of perjury or you can swear it. Said the Town Manager has not signed anything.

Mayor Alison Dennington passed the gavel.

Mayor Alison Dennington made a motion for a formal reprimand of the Town Manager for making false statements and preventing the Town from selling signs, which she was supposed to do and did not; Motion failed for a lack of a second.

F. Consideration on increasing the hourly parking rate – Vice Mayor Dawn Barlow - 4:42:55

Vice Mayor Dawn Barlow would like to increase the hourly rate from \$2.5 to \$3.5. Spoke about what other local Towns charge, which ranges from \$1.00-\$5.00. Asked how quickly we can change it, and is there any legal notice that needs to be done.

Town Attorney Ryan Knight said there is no notice that needs to happen, but the signs need to accurately reflect the new cost.

Commissioner Tim Reed asked about the company's fees and what the Town nets.

Finance Manager Jennifer Kerr said the company sends an invoice every month for the kiosk, parking meter, etc, and she could get them those numbers. It changes monthly but is around the same amount. Guessed they charge roughly around 3%.

Town Manager Elizabeth Mascaro said it revolves around revenue generation, the more people that park, the more processing taking place and the more the Town receives. Said they can set different rates for different days, weekends, holidays, etc.

Mayor Alison Dennington spoke about being okay if it was \$3.00 and having a busy season.

Vice Mayor Dawn Barlow spoke about how the people paying are not residents, so this is a way to make some revenue from non residents.

Commissioner Robert Baldwin spoke about how we are over-thinking it. No one is going to care whether it is \$3.00 or \$3.50.

Commissioner Anna Butler spoke about agreeing with Commissioner Robert Baldwin.

Vice Mayor Dawn Barlow made a motion that we increase it to \$3.50 effective July 1, 2025; Commissioner Anna Butler seconded; Motion carried 5-0.

12. Finance/Budget Report – 4:51:02

Commissioner Tim Reed spoke about wanting to get account balances as part of the revenue report including reserve accounts, operating accounts, and investment accounts.

Finance Manager Jennifer Kerr confirmed that he wanted bank statement balances.

Mayor Alison Dennington requested getting comp time information. Said it is a fiscal liability and she would want to know.

Commissioner Tim Reed spoke about how total expenditures are at 70.84 looking at monthly expenditures, we are going to go over the budget. Said they don't get an analysis, just data so he is just trying to understand.

Finance Manager Jennifer Kerr spoke about how you cannot compare month over month because capital items are typically purchased at the beginning of the year, so we are higher, but towards the end of the year spending slows down.

Commissioner Robert Baldwin spoke about the idea of separating the capital expenditure piece from the operating piece.

Finance Manager Jennifer Kerr said the target for right now is 66.67% and 70.84% is not far off, so we are pretty much on target.

Mayor Alison Dennington asked if everyone had paid for the signs and where that money is. Also asked about starter inventory.

Finance Manager Jennifer Kerr said it was put in as a revenue line item. Also said the starter inventory has been updated, and will send all that to the Mayor within a week.

Town Manager Elizabeth Mascaro said she would distribute the money equally.

Commissioner Robert Baldwin made a motion to accept the finance report; Vice Mayor Dawn Barlow seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

13. Town Staff/Board Reports

A. ~~Building Department~~

B. Public Works Department - 5:06:10

Public Works Director Tom Davis spoke about how a recent spillage of raw sewage in Palm Bay has generated questions. Said that in that case, we have sufficient soil, and he would be able to handle the situation to stop it from entering the park.

Mayor Alison Dennington asked about an email she received about open trash and what could be done. Suggested creating a file for complaints.

Public Works Director Tom Davis said one provision that they could terminate is due to odor. Met with the Manager today, and they are going to look at it.

Town Manager Elizabeth Mascaro said they have documentation of complaints. Said there has been code enforcement on the property before, but not on this issue. Spoke about how they were not able to build a fence. Said they have called the health department about it, and they got cited.

C. Building Department - 5:12:35

Town Manager Elizabeth Mascaro said they are caught up with outstanding permits, and plan review has been done. Said the new Building Official could be at the next meeting.

Commissioner Tim Reed asked if there are any ongoing stop work orders, what is going on with the property at 309 Ocean, and if the report can include the number of failed inspections.

Town Manager Elizabeth Mascaro said there are maybe 3 stop work orders. Said one stop work order went to the Magistrate, and they are collecting fees. Stop work orders do not go away; they are similar to a lien on the property. They poured some footers to extend their permit at 309 Ocean; their permit is still active. Said she could add the number of failed inspections to the next report. Said the Building Official's salary base is \$110,000.

D. Code Enforcement - 5:18:35

Mayor Alison Dennington asked about adding something about attractive nuisance and listed residences where this is applicable. Asked about courtesy letters.

Finance Manager Jennifer Kerr spoke about the status of the addresses the Mayor listed. Courtesy letters are sent out first, saying you have X amount of time to fix the problem(5-30 days), then you will get a violation.

Vice Mayor Dawn Barlow spoke about how she has started submitting 5 STR advertising violations to the Town per day, so she has submitted 20 so far.

Mayor Alison Dennington spoke about how their advertisements can be pulled if they are not advertising correctly.

Town Manager Elizabeth Mascaro spoke about Vice Mayor Dawn Barlow submitting STR violations and how it is helpful for her to do that in addition to the Deckard software.

Vice Mayor Dawn Barlow spoke about the things she looks for when reporting an STR.

Mayor Alison Dennington suggested adding the number of rooms they've been approved for.

Town Manager Elizabeth Mascaro said they did not have the same database prior; said the report this week will be the same database with things added, like the number of bedrooms.

Town Clerk Amber Brown said the ordinance says a max occupancy of 10 (down from 12).

Commissioner Tim Reed asked about the findings by the Magistrate about Atlantic St.

Town Manager Elizabeth Mascaro said they will pursue the case again.

Finance Manager Jennifer Kerr spoke about how 1 rental is 30 days plus, which is not an STR.

E. Fire Department - 5:38:05

Commissioner Tim Reed asked what the plan is for the old fire truck when the new one is delivered, if the 30-day class is scheduled, and how many applicants there are.

Town Manager Elizabeth Mascaro said they planned to sell the old truck. The new truck is supposed to arrive in August, so she will determine if they are scouting out places to sell.

Town Clerk Amber Brown spoke about how there is a committee from the department that reviews applications. Depending on how many spots they have to fill, those individuals will start that 30-day class. There are applicants, but she does not know how many.

Mayor Alison Dennington spoke about how the Fire Chief told her that for the SAFER grant, you have 30 days from being notified to accept the grant, and 180 days to fill the positions.

F. Police Department

No additions.

G. Town Clerk

Finance Manager Jennifer Kerr said the deadline for the cybersecurity was 3 months.

Commissioner Tim Reed confirmed that the public records requests shown are for the month of May and asked if a year-to-date view could be included in the reports going forward.

Mayor Alison Dennington asked if a letter had been sent about reducing the rate for the scanning project.

Town Clerk Amber Brown said we are the reason we are not using it, so why would they reduce our fee? Said they are on 98 this year for public records requests, and that does not include the Commission requests. Can include the number of public records requests that have been fulfilled/have yet to be fulfilled in the upcoming reports.

H. Town Attorney

No additions.

I. Town Manager

No additions.

14. Commission Reports

D. Vice Mayor Dawn Barlow

E. Mayor Alison Dennington

15. Task List - 5:48:48

Owner Occupied STR – Next month is the first reading – Town Attorney Ryan Knight spoke about treating owner occupied inspections and things differently, so the definition will have to be inserted back in.

StormReady – Next month – Town Manager Elizabeth Mascaro said the Public Works Director pretty much has the StormReady designation completed except for questions that have to be answered by the Fire Chief and the Police Chief, so they are working on that.

6th Ave Board Ramp – Next month – Public Works Director Davis said a new sign came in today for no unattended vehicles. If someone notices an unattended vehicle, they can call the police. Said there are currently no signs up for no smoking, but said he will work on it.

Toxic Workplace Survey – Next month – Town Manager Elizabeth Mascaro said she is working with 2 different companies that will provide a selection of questions that they can ask. They would do it through a portal, so it will be anonymous. Said this could be an agenda item under unfinished business next month.

Sign Ordinance – Next month – Town Attorney Ryan Knight said the ordinance is 90% finished.

Town Building Maintenance – Next month – Town Manager Elizabeth Mascaro said the hotline is up and active. Right now people are still calling 911, but they can put out that information. For the roof for Old Town Hall, once they get signed contracts from engineering firms, then we can choose one, and they will come out to look at the roof to decide if it needs to be replaced or if there is life left. Said there is a do not exceed \$4,000.

Town Clerk Amber Brown said the motion that was made was to rescind the G&G roofing contract and proceed to put the roof for the Town History Center out for RFP in accordance with the Town's ordinances, and an additional motion for rescind the bid for G&G for the Town Hall roofing and approach EDC Haley Ward for initial consultation on making the corrections for the building, the roof, cupola, mold problems up to \$4,000.

Town Attorney Ryan Knight said all the CCNAs have been sent out; only one received back from Bowman. BSE had some revisions; those have been sent out. EDC is having its counsel review it.

Have not heard back from Construction Engineering. Said the Commission wanted an MOU from Brevard County, do not have anything finalized, so that is the hold up for the History Center roof.

Cybersecurity - Next month – Finance Manager Jennifer Kerr said she put in everything she has, and it spits out a plan. They recommend having a cybersecurity team.

Mayor Alison Dennington said the IT contract with computer experts is very detailed and a good starting point.

Town Manager Elizabeth Mascaro said they are not supposed to share the cybersecurity policy.

Town Attorney Ryan Knight said there would need to be 3 people on the Technology Advisory Board before sending them any tasks.

16. Adjournment


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

Meeting adjourned at 12:15 PM.

ATTEST:



Alison Dennington
Mayor



Rachel Pembroke (Aug 19, 2025 09:40:23 EDT)
Rachel Pembroke
Transcriptionist

