

# Town of Melbourne Beach

## SPECIAL TOWN COMMISSION MEETING

July 22, 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

Vice Mayor Dawn Barlow called the meeting to order at 6:00 p.m.

### 2. Roll Call

Town Clerk Amber Brown conducted roll call

### Commission Members Present

Vice Mayor Dawn Barlow  
Commissioner Anna Butler  
Commissioner Tim Reed

### Staff Members Present

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

### Commission Members Absent

Mayor Alison Dennington  
Commissioner Robert Baldwin

### 3. Pledge of Allegiance and Moment of Silence

Vice Mayor Dawn Barlow led the Pledge of Allegiance.

### 4. Public Comments

After being acknowledged by the Vice Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.

## 5. Public Hearings/Special Orders

### A. Ordinance 2025-02 Proposed Amendments to the Charter – Second Reading

**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, SUBMITTING TO THE ELECTORS OF MELBOURNE BEACH PROPOSED AMENDMENTS TO THE CHARTER OF THE TOWN OF MELBOURNE BEACH; PROVIDING BALLOT TITLES, SUMMARIES AND TEXT FOR THE PROPOSED AMENDMENTS; PROVIDING DIRECTIONS TO THE TOWN CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR APPROVED AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.**

Vice Mayor Dawn Barlow read the preamble and introduced Ordinance 2025-02.

Town Attorney Ryan Knight spoke about two changes to amendment item 7 to correct typos. One was to add the word “question”, and to add the word “or” to the title.

Vice Mayor Dawn Barlow asked if there are any amendments tonight, what direction would the Town Attorney recommend.

Town Attorney Ryan Knight spoke about one option is to continue the meeting, or approve it with the amendments, but it would have to be unanimous.

### Amendment #1 – Amend Residency Requirement and Providing for Forfeiture of Office

Commissioner Anna Butler spoke about receiving feedback from residents concerning using the words “malfeasance” or “misfeasance”. Asked if that language needs to be included.

Town Attorney Ryan Knight spoke about that language does not need to be included. You can reference State Statute or include language about committing a felony.

Further discussion ensued on the difference between “malfeasance” and “misfeasance”.

Vice Mayor Dawn Barlow spoke about receiving feedback from a resident as well and is okay with the wording the Attorney provided: convicted of a felony or otherwise provided by Florida Law. Agreed with the amended language the Attorney provided.

Commissioner Tim Reed spoke about being comfortable with the language as-is.

Town Attorney Ryan Knight explained how the second reading could die based on voting and gave a timeline of mid-August for when the budget needs to be finalized.

Vice Mayor Dawn Barlow passed the gavel. – 14:26

**Vice Mayor Dawn Barlow made a motion for a continuance on question 1 to an indeterminate meeting date; Motion failed for a lack of second.**

Commissioner Tim Reed verified that the original language was what the CRC proposed. What is the basis for the proposed change?

Vice Mayor Dawn Barlow spoke about the use of malfeasance or misfeasance being in the Code of Ethics.

Town Attorney Ryan Knight spoke about the confusion might be due to conviction usually means criminal, but malfeasance or misfeasance does not need to be criminal court. – 23:05

Town Attorney Ryan Knight spoke about someone could argue that they were not convicted of malfeasance or misfeasance because it was not in criminal court.

Vice Mayor Dawn Barlow spoke about using the language convicted of a felony or found in violation of malfeasance or misfeasance as it pertains to Florida Law. – 29:04

Town Attorney Ryan Knight spoke about using the language malfeasance or misfeasance or Florida Law, but not both.

Vice Mayor Dawn Barlow spoke about not wanting to pass this just because they are at the eleventh hour and wanting the cleanest verbiage to go to ballot.

Vice Mayor Dawn Barlow passed the gavel. – 30:06

**Vice Mayor Dawn Barlow made a motion for a continuance; Motion failed for a lack of second.**

Town Attorney Ryan Knight spoke about the Commission having three options – to pass the ordinance as-is, pass it with an amendment, or to continue it. He spoke about the ordinance dying for lack of second reading if it's not continued. He also spoke about having to try to schedule another first and second reading before August 15<sup>th</sup> if this reading died.

Vice Mayor Dawn Barlow spoke about the voting needing to be unanimous since there are only three Commissioners present.

**Commissioner Tim Reed made a motion to approve Ordinance 2025-02 as presented; Motion failed for a lack of second.**

**Vice Mayor Dawn Barlow made a motion for a continuance to August 4<sup>th</sup> at 6:00 pm; Commissioner Anna Butler seconded;**

***Frank LaGrassa – 412 First Ave – Asked why this change is being brought up at the eleventh hour. Is this personal?***

Vice Mayor Dawn Barlow spoke about it not being personal. A member of the Board raised the concern. The current language says convicted of a felony, malfeasance or misfeasance. The proposed change is to clarify language because felonies are convicted in criminal court and malfeasance or misfeasance are found in violation by an ethics committee.

Motion failed 2-1 with Commissioner Tim Reed dissenting.

Vice Mayor Dawn Barlow made a motion to amend the language; Commissioner Anna Butler seconded; Motion failed 2-1 with Commissioner Tim Reed dissenting.

Town Attorney Ryan Knight reiterated that the Commission could try to approve the ordinance as-is or rush to try to get another first and second reading done by August 15<sup>th</sup>.

Commissioner Anna Butler made a motion to approve the ordinance as is due to the time limit; Commissioner Tim Reed seconded; Motion carried 3-0.

## 6. Adjournment

Commissioner Anna Butler moved to adjourn; Commissioner Tim Reed seconded; Motion carried 3-0.

Meeting adjourned at 6:43 pm.

  
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Alison Dennington  
Mayor

ATTEST:

  
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Cyd Cardwell  
Deputy Town Clerk