

Town of Melbourne Beach

REGULAR TOWN COMMISSION MEETING August 20, 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
Police Chief Tim Zander
Building Official Roberto Moreno
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 – 1:52

Mayor Alison Dennington spoke about there being 4 walk on documents. One is from Vice Mayor Dawn Barlow on the next steps for recruiting the new Town Manager. One is from the Town Attorney for a draft of a grants management administrative policy, which is 5 pages. One is another draft ordinance, which is 9 pages. The last is a volunteer application for the Environmental Advisory Board.

Town Attorney Ryan Knight spoke about pulling the Unfinished Business Item A Sign Ordinance.

Vice Mayor Dawn Barlow said that Unfinished Business 10A, the discussion of the proposed amendments to the sign ordinance, should be deleted from the agenda.

Commissioner Tim Reed made a motion to approve the agenda as we just updated it; Commissioner Anna Butler seconded; Motion carried 5-0.

Mayor Alison Dennington spoke about a reappointment to the EAB going under consent, and the other Commissioners had no objections.

5. Proclamations/Presentations/Awards - 6:37

- A. Proclamation recognizing the month of September 2025 as National Suicide Prevention Month.

Lisa Hickman – 686 Rochester Dr, West Melbourne – Executive Assistant of the Space Coast Health Foundation – Spoke about how in 2023, 148 Brevardians committed suicide. Brevard County is in the top 5 counties in the State for suicide. Thanked everyone for the support. Talking about mental health more will help reduce the stigma. It is important to know that it is okay to get help. It's okay to not be okay.

Mayor Alison Dennington read the proclamation recognizing the month of September 2025 as National Suicide Prevention Month.

6. Presentations by Special Guests (Maximum of 5 Minutes) - 13:50

- A. Presentation from the Environmental Advisory Board regarding the proposed tree ordinance amendments.

EAB Board Member Karen Fenaughty presented amendments they recommend to the previously proposed tree ordinance. Changes are to address citizen concerns about the recent loss of some very old canopy trees. Spoke about wanting additional copies of best management practices to risk assessment. Also asked about next steps.

Mayor Alison Dennington spoke about how they have to make changes according to the best management practices book, said the Town Manager was going to order more copies, and suggested ordering a couple extra for EAB and PNZ. Said they are about \$20.

Vice Mayor Dawn Barlow made a motion that we order 2 extra copies of the book; Commissioner Tim Reed seconded; Motion carried 5-0.

Mayor Alison Dennington spoke about communication to the boards and what happens if they need to attend another board's meetings. Ultimately said she scours the agendas and if she sees this happening, she can notify Town Staff.

Vice Mayor Dawn Barlow suggested that this be added to a workshop as the next step.

Town Manager Elizabeth Mascaro said the process usually would go to PNZ next and then the planner. Whatever the planner recommends comes back to the Commission.

Mayor Alison Dennington said the next steps would be for EAB to attend the PNZ meeting.

7. Public Comment (Non-Agenda Items) - 24:58

Frank LaGrassa – 412 First Ave – Spoke about clarifying his comment from last night about Chief Brown. He meant to say a union organizer could not have done a better job at putting the Town's back against the wall. Would like to be a volunteer recruiter for the Department, but no one has called him back.

Patricia Runte – 409 Fifth Ave – Spoke about a terrible incident that happened last week. A car hit a kid on a skateboard. Something needs to be done about slowing cars down on Fifth. It is alright and okay for kids to play in the street. Hoping something can be done, there are no signs on the street with the speed limit, and no speed bumps.

Police Chief Tim Zander spoke about how there was an incident. There were details of the accident that were unclear: whether the car hit the skateboard or the kid. The kid said he was on the skateboard when the car hit him. The driver said they thought they hit a manhole. For the Police to be able to charge a person, that person would have to have knowledge that they hit someone, and the driver did not.

Spencer Cox – 1408 Atlantic St – Spoke about her parents being in the Fire Department, and the department is very important to their family and the Community. Does not see how it is fair or appropriate to attack Fire Chief Gavin Brown.

Jason Judge – 206 Flamingo Ln – Spoke about how it was disrespectful of the Mayor to be looking at her papers when the last resident spoke.

Mayor Alison Dennington said to address the Commission as a whole, not one member.

Jason Judge spoke about Robert's Rules of Order and asked the Mayor to be respectful of her neighbors.

Jim Simmons – 409 Avenue B – Spoke about how the Commission spent 10 minutes discussing who should notify people of what is on someone else's agenda. There is a simple solution: if a Chairman needs support from another committee, they call and invite them.

Jan Pence – 200 Riverside Dr – Spoke about the recent FDLE report findings regarding the Mayor's allegations against the Public Works Director and the prior Police Chief. FDLE determined that no

criminal predicate exists. Said Melbourne Beach deserves leaders focused on integrity, sound leadership, kindness, and solutions, not personal battles. Asked the Mayor again to please step down. Thanked the Commissioners and asked them to work together to restore integrity and stop embarrassing the Town.

Joyce Barton – 322 Third Ave – *Spoke about how, through a public records request, she became aware that Mayor Dennington filed a treasurer report late and accrued a fine.*

Mayor Alison Dennington said there were two complaints filed against her that were dismissed.

Joyce Baron expressed her concern about the Mayor's ability to make sound decisions regarding the Town's budget.

Mark McBride – 310 Second Ave – *Spoke about how the STR report has a lot more detail now, but still needs more, and is not complete. Asked why the new requirements aren't being audited. Asked the Commission to protect the Town by fully enforcing ordinances.*

Gary Lutchansky – 323 Third Ave – *Spoke about getting community feedback and presenting it at meetings to make sure the important issues are brought forward and spread widely. Wants to know what he can do to help the Town. - 46:42*

Susan Stark – 307 Fifth Ave – *Said she is troubled by the 3-minute, one-time-only limit on speaking about a topic. Spoke about there being misinformation put out there, and there is no way to correct it in real time. Offered her time for what she can do to help.*

Kari Ross – 206 Flamingo Ln – *Spoke about how public records are an important part of transparency. A couple of months ago, she submitted a public records request for the Mayor's social media posts. Shortly after, public records requests were put in for several people associated with the Town, and those have been completed, but the Mayor has not provided her records.*

Mayor Alison Dennington said she made a request to the Town, not to her individually.

Kari Ross asked what she can do to retrieve those public records and what can be done if they are not provided.

Town Attorney Ryan Knight said he cannot give legal advice, but there is a Florida State Statute that deals with this and what the remedies are for that. Said that if they are not provided, there could be a lawsuit filed.

Todd Albert – 1710 Pine St – *Provided a handout comparing property taxes between Melbourne Beach, Brevard County, and Indialantic, and spoke about a play on numbers for funding the Fire Department through taxes.*

Bryan Troy – 509 Hibiscus – *Spoke about how the Mayor accused 2 Town employees, and the way the Mayor treated the employees was disgusting. Said she could not let it go even after the Police Department said there was no wrongdoing. The Mayor's duty is not to defame employees.*

Steve Walters – 416 Sixth Ave – Spoke about how people talk about the rules, but they violate the rules.

Mayor Alison Dennington told the audience to be quiet. She then asked the Police Officer present to escort Jan Pence out of the meeting.

Steve Walters said regarding the signs, he provided proof that there were more signs. He would like to see Frank LaGrassa get involved in the department.

Bruce Pickett – 1501 Oak St – Spoke about not being into the he said she said stuff. There is a lot of stuff out there. Last night, there was a comment about unions. In Florida, fire responders are not allowed to strike. The volunteers are different, the requirements are different, and the training is different. There were a lot of comments made that are detrimental to other people. His purpose is to help the citizens that he serves. If we can better serve the residents by responding to medical calls, we should do that. There should be a plan A, plan B, and plan C. Look at the money and figure out a way to fund it.

8. Consent Agenda – 1:09:38

- A. Approval of the Regular Town Commission minutes June 18, 2025
- B. Approval of the Town Commission Budget Workshop minutes June 23, 2025
- C. Approval of the Special Town Commission Meeting minutes July 1, 2025
- D. Approval of the Town Commission Budget Workshop minutes July 15, 2025
- E. Approval of the Regular Town Commission Meeting minutes July 16, 2025
- F. Approval of the Special Town Commission Meeting minutes July 22, 2025
- G. Approval of the Special Town Commission Meeting minutes August 4, 2025
- H. Reappointment of Jamie Guth as a board member on the Environmental Advisory Board
- I. Reappointment of Karen Fenaughty as a board member on the Environmental Advisory Board
- J. Reappointment of Laurie Simmons as a board member on the History Center Board
- K. Reappointment of Todd Albert as an alternate on the Planning and Zoning Board
- L. Notice to the Town of Melbourne Beach from the City of Melbourne regarding scheduled hearings to approve the proposed increases for water and wastewater rates
- M. Reappointment of Brent Washburn as an alternate on the Environmental Advisory Board

The Consent Agenda was approved by unanimous consent.

Vice Mayor Dawn Barlow thanked the Volunteer Board Members.

9. Public Hearings/Special Orders

10. Unfinished Business

- A. ~~Discussion on the proposed amendments to the sign ordinance – Town Attorney Ryan Knight~~

Unfinished Business Item A was removed from the agenda.

- B. Discussion on the proposed Town Policy and Procedure regarding grant applications – Town Attorney Ryan Knight - 1:11:48

Town Attorney Ryan Knight provided proposed options for a policy regarding grant applications. Said this provides a policy where if a department wants to make an application for a grant, the procedure would be to bring it to the Commission so the department can discuss what the grant is, any requirements, any conditions, etc.

Commissioner Tim Reed verified this would not need multiple readings, so it could be approved tonight or at a future meeting. The purpose of him bringing this forward was for the Commission to approve of the grants when there are matching funds. Opposed to the part where the Town Manager can approve of a grant without it going to the Commission, where there is a time sensitivity.

Commissioner Robert Baldwin spoke about not needing approval when the matching funds were already budgeted for.

Mayor Alison Dennington spoke about not liking the exception of allowing the Town Manager to approve when time sensitive. Spoke about how grants can trigger an audit.

Town Manager Elizabeth Mascaro said the threshold for an audit is \$750,000.

Vice Mayor Dawn Barlow spoke about being comfortable with the exception because it only applies to the application side; the Commission would still need to decide to receive it.

Mayor Alison Dennington spoke about the staff time needed for grants and how, if they were not going to approve it anyway, they should not waste that time.

Vice Mayor Dawn Barlow made a motion that we table this to the next workshop to be discussed for the future; Commissioner Robert Baldwin seconded;

Mayor Alison Dennington read a public comment provided by ***Sherri Quarrie – 701 Pine St – Grant application efforts should not be interfered with by the Commission. Most grants are time sensitive, and the department heads know their budget.***

Jim Simmons – 409 Avenue B – Spoke about how if the motion is to table the item, there is no public comment. Pointed out there was no motion for the Consent Agenda either. - 1:20:04

Bruce Pickett – 1501 Oak St – Spoke about how anytime you apply for a grant, it is going to take time. There are grants that are urgent and time-sensitive. If there are matching funds, the Town Commission should approve that piece.

Susan Stark – 307 Fifth Ave – Spoke about having discussions with Jennifer Ottomenelli, who is a grant writer, and Dave Micka, who writes the Fire Department grants. Both mentioned roadblocks can have an effect. Some grants pop up, and you do not have much notice or time to apply. Liked the idea of the exception.

Lauren Hardman – 320 Sixth Ave – Spoke about understanding their thought process, but if you micromanage it, you are going to lose the money for the Town. Leave it up to the Town Manager and the Department Heads. Asked what the other municipalities are doing.

Town Attorney Ryan Knight spoke about how some municipalities require approval for all applications, some have a threshold amount that requires approval, others require only if it has matching funds, so it depends.

Motion carried 5-0.

C. Discussion on the proposed parking ordinance – Town Attorney Ryan Knight - 1:27:45

Town Attorney Ryan Knight spoke about how he started drafting an ordinance for 6th Avenue parking enforcement and for the side of the road, which would apply to unattended vehicles, resident only, no overnight parking. Looked into what the Town already has in the code, which prohibits parking at any place where official signs prohibit or restrict parking or excess of time periods authorized by such signs. The signs are there; the question is, do the signs say what they need to say? Said the fine is \$35, which he considers low.

Police Chief Tim Zander spoke about how there needs to be a consistent fine amount. If signs are made by the community, they are not enforceable, specifically, stickers being added.

Public Works Director Tom Davis said on 6th Ave, there is a sign that says no parking after 9:00 PM.

Vice Mayor Dawn Barlow made a motion that this gets moved to the workshop to iron out the details to then come forth for the update; Commissioner Anna Butler seconded;

Bruce Larson – 1507 Pine St – Spoke about how there is an ordinance with a set fine amount. Confirmed that there is no challenge that it is enforceable today. Asked what the workshop would be about.

Town Attorney Ryan Knight said it is Section 30-42 Subsection C1.

Vice Mayor Dawn Barlow said the workshop would be about the fine amount and getting consistency of the signs placed throughout the Town.

Police Chief Tim Zander said the only other fine for parking would be the handicap parking fine.

Town Attorney Ryan Knight said the main issue right now is the amount the citation should be.

Vice Mayor Dawn Barlow retracted the motion.

Commissioner Robert Baldwin made a motion that we set the Town wide parking fee for violation of parking ordinances to \$75.00 with the exception of the handicap citation; Commissioner Anna Butler seconded;

Lauren Hardman – 320 Sixth Ave – Asked the Mayor to stop taking notes and pay attention. Spoke about how the Vice Mayor made a motion, and she was completely denied. Says the

Commission earns respect by governing properly. The Commission needs to work together to make sure Robert's Rules of Order are being followed.

Motion carried 5-0.

- D. Modifications to previously presented 2024 Fire Department incident response times – Fire Chief Gavin Brown - 1:44:22

Town Manager Elizabeth Mascaro read part of Fire Chief Gavin Brown's agenda cover sheet, which addressed the changes in the report he had previously filed. Said he went back and added an additional column to the 2024 Fire Department incident response times, which now reflects the time the 911 call was originally answered as well as the time the call was received by the Fire Department. Explained why he chose to use the time the 911 call was answered in his original report because that is the time people expect the clock to start.

Mayor Alison Dennington spoke about the data response times that are required by law to be reported to the state. Said he had changed 38 of the 50 times for the presentation to the public. The vast majority of 911 calls are automated alarms. General consensus says the time that is the most important in regards to response time is when the PSAP gets it.

Town Clerk Amber Brown said she is not able to confirm if that report has been amended to the state. Said she believes Dave Micka's email might clarify.

- E. Discuss next steps for recruiting a new Town Manager – Vice Mayor Dawn Barlow - 1:54:10

Vice Mayor Dawn Barlow said she wanted the public to know that interviews were held last week with the Executive Search Firm, with the department heads, as well as the Commissioners. Received an email with two samples of pamphlets to review.

Town Attorney Ryan Knight spoke with the representative, said he wanted the brochure finalized within the next week or two. All he needs is some photos and any prior Town Manager advertisements.

Mayor Alison Dennington spoke about liking both brochures.

Commissioner Tim Reed spoke about wanting a draft for them to look at first.

The Commission scheduled a Special Meeting for Wednesday, September 3rd, at 5:30 pm

11. New Business

- A. Consideration on repairing the road at 410 Riverview Lane – Public Works Director Tom Davis

Public Works Director Tom Davis spoke about wanting to get it done before there are any big storms. - 2:01:38

Commissioner Tim Reed asked if this was a similar failure to the Ave A and Riverside.

Public Works Director Tom Davis spoke about how the failure is similar, a joint failure. Believes it should be cut halfway into the street, remove that pipe, then rebuild the base. Hopefully, that would give 20 years of life.

Commissioner Tim Reed asked if the process would be to get with the engineers

Town Manager Elizabeth Mascaro spoke about recommending approving up to \$30,000.

Mayor Alison Dennington said she would rather spend a couple of hundred dollars to have the engineers take a look. Expressed her concern that this is being treated as an emergency.

Public Works Director Tom Davis said he would rather have the engineer plan, bring it to the Commission with an estimate of what it would cost.

Vice Mayor Dawn Barlow asked the Public Works Director a question about engineering contracts the Town has and then discussed making a motion.

Commissioner Robert Baldwin asked if there are currently similar situations around Town.

Town Manager Elizabeth Mascaro spoke about how there is not. Said the seawall is on the budget for the upcoming fiscal year.

Vice Mayor Dawn Barlow asked if an engineer came out for this, would it make sense to have them look at all of the roads?

Town Manager Elizabeth Mascaro spoke about how the next area to be scoped is Cherry because there are always issues on that street, but they have not been able to find the problem. They have previously had BSE check all of the streets. Scoping Cherry is not budgeted until October.

Mayor Alison Dennington said there is some misconception. Read provision 10A, which talks about the order of presenting, Commission members speaking/asking questions, and then making a motion. Said she would be comfortable having the engineer come out, look at the issue, and give their recommendation.

Town Manager Elizabeth Mascaro said she has authority up to \$5,000 so she could have them come out, and that it could not exceed that amount. Said she will reach out to all 3 engineering companies.

B. Consideration on the proposals to replace the Old Town Hall History Center roof – Public Works Director Tom Davis - 2:18:05

Public Works Director Tom Davis said the roof has been in question for three or four years. Is satisfied with any, the materials are comparable, and they all meet the same standards, all reputable, licensed, and insured. To him, it comes down to the lowest bid, which would be Collis.

Mayor Alison Dennington confirmed that the Building Official had not had a chance to look at this. Thinks the roof needs to be replaced quickly, and if all companies are reputable, may as well go with the best price.

Commissioner Tim Reed asked about Collis being out of Orlando.

Public Works Director Tom Davis said the rep lives somewhere in Brevard. They are a big company that has done a lot of work in this area.

Commissioner Robert Baldwin made a motion that we engage Collis Roofing to replace the roof at the Old Town Hall/History Center; Vice Mayor Dawn Barlow seconded; Motion carried 5-0.

Vice Mayor Dawn Barlow spoke about originally waiting for the extension of the lease, and just wanted to bring to light that it is going to be executed.

Mayor Alison Dennington said they could make it subject to not signing the contract until the meeting where the lease is extended.

- C. Consideration on the proposals to replace the 5 leaking windows on the east side of the second floor of the Town Hall – Public Works Director Tom Davis - 2:24:24

Public Works Director Tom Davis spoke about how the windows upstairs on the east side of the second floor all need to be replaced. Reached out to various companies and recommends going with vinyl versus aluminum. Said he would go with Brevard Window and Door.

Commissioner Robert Baldwin asked how the different types of windows compare, and what are the reputations of them.

Public Works Director Tom Davis spoke about how they all have the same impact ratings. Looking at reviews, he did not see any negatives on any of them. Recommended Brevard Windows and Doors, and said he likes the Simonton windows.

Building Official Roberto Moreno spoke about needing to compare the product approvals.

Mayor Alison Dennington spoke about getting 3 estimates, which is the minimum requirement, and spoke about some issues with the windows she had seen herself that are still not fixed. Those fixes are not included in the proposals, so they will be an additional cost.

Building Official Roberto Moreno recommended that whoever they pick, make them aware that they need to level the opening, seal the leak, and install the proper window.

Commissioner Tim Reed confirmed that the siding on the building will not have the same issue of damage as stucco would. Spoke about having an engineer come out and assess the entire building to include the roof, the windows, and plumbing.

Town Manager Elizabeth Mascaro spoke with Haley Ward, and they are considering how they would do the roof because it is not part of their structural engineering. Said that the windows

need to be taken care of, as they were installed improperly. Said she does not believe the current windows are hurricane-rated.

Commissioner Anna Butler made a motion that we engage Brevard Windows and Doors as recommended by the Director of Public Works to fix the windows; Commissioner Robert Baldwin seconded;

Lauren Hardman – 320 Sixth Ave – Spoke about being in the building during the last hurricane, and witnessed and helped clean up the problem. The issue is not because of the downspout. Do not wait to fix it. The windows are really bad, and the A/C has never worked correctly. Said she has pictures and videos that she can give to the Commission. - 2:38:08

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

Recess 8:43 pm – 8:50 pm

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
Police Chief Tim Zander
Building Official Roberto Moreno
Public Works Director Tom Davis
Town Clerk Amber Brown

- D. Consideration on repairing the 3 leaking showers on the second floor of the Town Hall –
Public Works Director Tom Davis - 2:50:44

Public Works Director Tom Davis spoke about the difficulty of getting quotes. Spoke about Freedom Air and Heat and a reconditioning repair they offer, which would cost \$5,200. Said he does not have enough in-house experience or capability to do it himself.

Mayor Alison Dennington spoke about there not being 3 bids.

Public Works Director Tom Davis said it is not a big job and there was not much interest.

Town Attorney Ryan Knight said he has reached out; if he cannot get 3 bids, he cannot get 3 bids. It has to be a bid solicitation, which he has done.

Commissioner Tim Reed asked if this has been going on for years or months.

Town Clerk Amber Brown spoke about there has been a history with the showers that have been repaired, and the recent issue was reported to Public Works a week or so ago.

Commissioner Tim Reed confirmed with the Public Works Director that the water lines are not leaking, the drain lines are not leaking, and it is draining because the shower line is not

sealed. Confirmed the scope of the work, which would include some plumbing.

Town Attorney Ryan Knight spoke about Town Code 15-27 Formal Competitive Bidding Procedures Subsection A, which says that for the bidding part, there is a minimum threshold for competitive bidding over \$5,000, and it is supposed to be advertised in the newspaper. The Commission can waive the formal requirements of advertising in the newspaper and proceed with awarding the bid.

Commissioner Tim Reed spoke about engaging a general contractor who can use subs to do a couple of jobs together.

Building Official Roberto Moreno spoke about how it would not be cost-effective to engage a general contractor.

Commissioner Robert Baldwin made a motion that we waive the competitive bid process and that we accept the bid from Freedom Air and Heat to fix the showers in Town Hall; Commissioner Anna Butler seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

- E. Consideration on initial tasks for the Technology Advisory Board – Commissioner Tim Reed - 3:05:30

Commissioner Tim Reed spoke about having a full Technology Advisory Board. They have their first meeting scheduled for later this month and wanted to suggest ideas for setting an agenda. First suggestion would be to review Deckard Technologies and make recommendations, possibly have a living map on the Town's website of registered and unregistered STRs. Second would be any recommendations for cybersecurity needs. And third would be to review and recommend low-cost/free platforms to improve direct citizen communication and engagement. Would want them to have a monthly status update for the Regular Town Commission Meetings, even if there is no progress.

Town Clerk Amber Brown said the agenda has already been made. Two items were voted on and placed on the agenda, which are Deckard software and cybersecurity. Would not recommend changing the agenda; the Commission can vote to add items to future meetings.

Commissioner Robert Baldwin spoke about his hopes for this board being collaborative with Town Staff. Do not hold up suggestions waiting for Commission meetings.

Vice Mayor Dawn Barlow spoke about wanting to look at things holistically, has some concern around read-only access capabilities, and the Town needs to protect systems, software, and security.

Commissioner Anna Butler spoke about having concerns and did not believe this was the purpose of this Board.

Town Manager Elizabeth Mascaro spoke about the board reviewing the Finance Manager's security policy.

Mayor Alison Dennington spoke about how the members wouldn't have a login to go into the software systems. Provide the Board with the contracts so they can get familiar with our systems. The further they get into things, then maybe look into the read-only access. All of the contracts are public records.

Technology Advisory Board Member Bruce Larson spoke about how most audit people do not have access to the systems. None of the Board Members would need access to or touch any Town systems or data.

Mayor Alison Dennington spoke about when they have a Chairman, the Commission could say all questions go through the Chairman.

Commissioner Robert Baldwin spoke about how right now, the highest priority is to understand the Deckard software.

Town Attorney Ryan Knight spoke about how the Board is not going to have access to the systems due to security. Does not see a problem with them meeting with staff. One thing that could be done is reaching out to Deckard and having them provide a tutorial to show the Board the capabilities.

Town Manager Elizabeth Mascaro pointed out that if Bruce Larson ends up on the Commission, he could not remain a member of the Technology Advisory Board.

Commissioner Tim Reed spoke about how things are on track, so he is happy with this.

- F. Consideration to repeal, retract, or void setback variance #VV2025-0001 at 1200 Orange St – Commissioner Tim Reed - 3:27:55

Commissioner Tim Reed spoke about a setback variance granted in February. Said actions are already being taken, and the Town Attorney could speak on those.

Town Attorney Ryan Knight spoke about because the need for the variance no longer exists, the variance is being administratively closed.

- G. Consideration on tasking the Town Attorney to provide a monthly active lawsuit report – Commissioner Anna Butler - 3:29:35

Commissioner Anna Butler spoke about how outstanding lawsuits are important and recommended that the Commission task the Town Attorney to provide a monthly report detailing the nature of all active lawsuits against the Town.

Mayor Alison Dennington asked how this would be billed.

Town Attorney Ryan Knight said he would bill it as a .1 or .2 as far as preparation for the agenda. It would not be in-depth; it would be a general overview.

Mayor Alison Dennington spoke about saving the Town from a lawsuit 2 weeks ago.

Commissioner Anna Butler made a motion to task Town Attorney Ryan Knight to provide a monthly report at our Regular Town Commission Meeting detailing the nature of all active lawsuits filed against the Town to include a description of the suit, who filed it, the status of each lawsuit as far as where it is in the process and the financial responsibility each lawsuit incurs the Town of Melbourne Beach within his parameters of how he can legally portray this information; Commissioner Robert Baldwin seconded;

Kari Ross – 206 Flamingo Ln – Spoke about how she could not be happier with this discussion. There is a second attorney representing the Town in a lawsuit. It is important to fully encompass everything for these lawsuits and get a good total every single month of what the Town is paying for our Mayor to sue us. - 3:35:10

Steve Walters – 416 Sixth Ave – Spoke about how the Mayor doesn't need to give up her constitutional right just because she is the Mayor. If you don't want to get sued, quit breaking the law. Said Commissioner Butler has cheated the residents and lied to them.

Bryan Troy – 509 Hibiscus – Thanked Commissioner Butler and spoke about if we are going to be transparent, we need to always be transparent, if we are going to be fiscally responsible, we shouldn't only be fiscally responsible when it's convenient for one person. Said he does not know how long this will take the Town Attorney to put this information together, but if they followed Robert's Rules at meetings they could probably cut down 2 hours of cost there.

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

- H. Consideration on tasking the Town Clerk to provide a monthly report listing all public records requests from elected or appointed public officials – Commissioner Anna Butler - 3:38:48

Mayor Alison Dennington said public records are a constitutional right, and this could be considered targeting people.

Commissioner Anna Butler recommended tasking the Town Clerk with providing a monthly report at each Regular Town Commission Meeting listing public records requested from the public officials to provide transparency and to give the Town Staff a fair and reasonable workload. The report will include what document was requested and by whom.

Vice Mayor Dawn Barlow asked if there was a charge to the official requesting documents.

Town Clerk Amber Brown said if the request takes a reasonable amount of time and is not excessive, it would be treated as an elected official's request at no charge. If the request takes a significant amount of time, the Town Attorney says to treat it as a public records request, which, if it accrues staff time of more than 15 minutes, there is an invoice that needs to be paid. A report can be as detailed as the Commission wants, and the Commission can decide if all public records requests go through the Town Clerk and Deputy Clerk.

Mayor Alison Dennington said she has asked for public records before and has not gotten a response. Feels she is treated differently from other Commissioners when making a records request.

Commissioner Robert Baldwin asked the Town Clerk if the Mayor has ever requested public records and then not come in to pay for them and pick them up.

Town Clerk Amber Brown said she believes all of them have been paid for as of now. There are some that are still being worked on because the request was extensive or needs the Town Attorney's opinion.

Mayor Alison Dennington said we need to spend money on writing a policy on how to do the invoice. The invoice does not comply with the law.

Vice Mayor Dawn Barlow suggested broadening the report capability for an itemized list of records requests.

Town Clerk Amber Brown said the information is there, but she will have to see if it would provide a report like that; if so, it would not be a burden to do. If she cannot pull that information from the system, it would be a more time-intensive task.

Commissioner Robert Baldwin made a motion to task the Town Clerk with looking at the various systems and processes you just described, come back to the Commission at the next Town Commission Meeting, and give us an update on what you think is feasible without going to a heroic amount of effort, so we can track public records requests; Commissioner Anna Butler seconded;

Kari Ross – 206 Flamingo – Spoke about how the last 2 agenda items are about fiscal responsibility. The only hiring that the Mayor has been in favor of is hiring a Deputy Clerk, probably for her voluminous requests. We talk about fiscal responsibility, but when it comes down to it, she votes against transparency. Requested public records from the Mayor, and she is refusing to give them up, which means the only recourse would be a lawsuit. - 3:52:40

Steve Walters – 416 Sixth Ave – Spoke about how the Mayor is being targeted again, but the Mayor doesn't have to provide the name of who is requesting the records. Suggested the Mayor get a code name to request public records, so she doesn't get harassed. Told the Mayor to keep with it, keep asking the questions, and keep doing your job. Said there is a Town policy that all public records requests go through the Town Clerk.

Commissioner Tim Reed asked for clarification on whether this is for the Task List.

Commissioner Anna Butler said she intended it to be in her monthly report.

Commissioner Robert Baldwin clarified his motion which was to task the Town Clerk to look at the various systems and processes understanding that our goal with this request from Commissioner Butler is to be able to track the volume and frequency and amount of public records requests and come back and give us some recommendations on how that can be accomplished; Commissioner Anna Butler seconded; Motion carried 3-2 with Mayor Alison Dennington and Commissioner Tim Reed dissenting.

Mayor Alison Dennington asked who requested the Town Attorney to include legal bills in the packets. Said anyone can look in the packet every month, she is not hiding anything.

Town Attorney Ryan Knight said that was a request made by the Mayor.

I. Discussion regarding an Interim Town Manager – Mayor Alison Dennington - 3:59:48

Mayor Alison Dennington spoke about how the Town Manager leaves on the 18th of September. Believes the Executive Search Firm will be able to move quickly on this. Spoken to the Police Chief about being a natural choice to step into the role in the meantime. Spoke about ex officio.

Town Attorney Ryan Knight said that applies if someone is an assistant. Said the date falls in the middle of the budget, might want to move it to the end of September.

Commissioner Robert Baldwin asked if the Town Manager would be willing to serve till the end of September, and she said yes.

Mayor Alison Dennington pulled this item from the agenda.

J. Discussion on stormwater status – Mayor Alison Dennington - 4:02:30

Mayor Alison Dennington spoke about wanting to get this back. The Town has hired the engineers to get a more comprehensive look, wants to know where things are and keep it on the radar. Spoke about having a workshop with one of the engineering firms.

Public Works Director Tom Davis spoke about having the engineers come out and do a physical inspection prior to scoping them.

Mayor Alison Dennington spoke about having a discussion with the residents being affected.

Vice Mayor Dawn Barlow confirmed with the Town Manager that this has to do with the scoping on Cherry and that nothing was preventing that from being scheduled.

Town Manager Elizabeth Mascaro spoke about how she will get with all the engineering firms and then get back to the Commission.

12. Finance/Budget Report

Town Manager Elizabeth Mascaro said they are still on point as far as spending for year to date totals. - 4:10:45

Commissioner Tim Reed spoke about how page 156 has a slightly different expenditure rate than the summary memo, said it might be a typo. Asked about the meeting with FEMA.

Town Manager Elizabeth Mascaro spoke about having a phone call with FEMA and they requested additional documentation which has been sent to them. It was for Hurricane Irma.

Commissioner Tim Reed asked why Hurricane Milton is back on the report.

Town Manager Elizabeth Mascaro spoke about how the status was updated so they have obligated it to be considered for payment.

Commissioner Tim Reed asked about Fire Department Stipend.

Town Manager Elizabeth Mascaro said the last quarter will end on 9/30, usually processed within 5 days, the other quarters have been processed and we are waiting on the final quarter. Will have the Finance Manager send an email confirming the 3rd quarter had been processed.

Commissioner Tim Reed asked why they are in the red by \$5,000 for Police Holiday Pay.

Police Chief Tim Zander spoke about the way holiday pay is paid out has changed because the previous way was not fair. The new process is if you work the holiday you get double time and if you don't work the holiday you get single pay. This year the holiday pay will go over about \$5,000, but the regular pay will be under by about \$6,000. The same amount is being spent.

Commissioner Tim Reed spoke about how it seemed money was being moved around. Confirmed with the Police Chief that he is confident the number we have for '26 is the right number and the Police Chief said he would send an email with the policy.

Vice Mayor Dawn Barlow spoke about how the increased parking went into place.

Mayor Alison Dennington spoke about building communication services, and if that had to do with the fire station.

Town Manager Elizabeth Mascaro said she would get information from the Finance Manager.

Commissioner Anna Butler clarified she had said that most of the public does not read the invoices. She was specifically interested in transparency for the public.

Vice Mayor Dawn Barlow made a motion that we approve the finance report with the one typo that Commissioner Reed brought to like that that would get updated; Commissioner Anna Butler seconded; Motion carried 4-1 with Mayor Alison Dennington dissenting.

13. Town Staff/Board Reports – 4:27:38

A. Building Department

Building Official Roberto Merano introduced himself and spoke about his background.

Commissioner Robert Baldwin asked if there is anything that the Building Official thinks the Town should be doing differently.

Building Official Roberto Merano spoke about how the software does not provide immediate updates to contractors and owners.

Mayor Alison Dennington spoke about how the information has to manually enter.

Building Official Roberto Merano spoke about how you have to send an email to them.

B. Public Works Department - 4:34:55

Vice Mayor Dawn Barlow asked if anything needs to be added to the hurricane checklist.

Public Works Director Tom Davis spoke about how nothing needs to be added.

Commissioner Tim Reed asked about what is going on in front of the Community Center.

Town Manager Elizabeth Mascaro spoke about how 3 parking spaces were lost to create handicap parking on the south side of the community center, so 3 spaces are being added on the north side. Hopefully in the future there will be a walkway out to the sidewalk and a pathway from the parking to the steps. As far as budget, this was all part of the ADA money.

Public Works Director Tom Davis spoke about how the doors to the Community Center have turned into a larger project than anticipated.

C. Code Enforcement - 4:39:45

Town Manager Elizabeth Mascaro spoke about having the Town Attorney meet with the Fire Marshall about window size requirements for vacation rentals because they are required to have abnormal sizes. The primary focus for Code Enforcement right now is short-term rentals, but there are some one-offs.

Mayor Alison Dennington asked if the Frank Lloyd Wright hedges issue had been resolved.

Town Attorney Ryan Knight spoke about how the issue is resolved. Nothing has been or will be torn down. An email was sent to FDOT, and he spoke with the residents.

Mayor Alison Dennington asked about a cancellation with the Special Magistrate, and the Town Manager said that it was because the Magistrate had COVID.

Town Attorney Ryan Knight said he met with her about how to present a case to streamline the process.

Vice Mayor Dawn Barlow asked if the issued list is the current active list of STRs on file. Asked if the Code Enforcement Officer is checking the advertisements or if it is more reactionary at the moment.

Town Manager Elizabeth Mascaro said it is current, but some are on hold for various reasons. Said the Code Enforcement Officer is still more reactionary at this point.

Mayor Alison Dennington asked if the 15-day requirement is being followed.

Town Manager Elizabeth Mascaro spoke about how some are on hold longer because they have to replace windows with abnormal sizes, which are taking longer to get and install.

Town Attorney Ryan Knight said for the windows, the 15 days would have to be waived, but anything else should proceed as normal.

Commissioner Robert Baldwin asked if the background checks are being audited. What would be the process to do that?

Town Manager Elizabeth Mascaro said we can look at the books that we make them keep, but they are not going to keep pictures of people's driver's licenses.

Town Attorney Ryan Knight spoke about how the Town could make a request. Most likely, it is electronically stored, so they would send it via email.

Mayor Alison Dennington asked about the process when a code violation is called in for an STR, like a parking or noise complaint.

Police Chief Tim Zander spoke about when the police respond to a code violation; if it is related to an STR, they change the call type, so they are easy to track. Said the officers do have decibel meters, but they have not had the opportunity to use them yet.

D. Fire Department - 4:55:04

Commissioner Robert Baldwin said he thought it was notable that some of the calls they were waiting on ambulances from West Melbourne. That seems crazy.

Mayor Alison Dennington said the County has had a huge shortage, but that is going to change.

Town Manager Elizabeth Mascaro said that it is great to be able to get a first responder, but that does not mean getting an ambulance.

Town Clerk Amber Brown said that weekly, there are no beachside ambulances.

Police Chief Tim Zander said 9 times out of 10, they will dispatch fire and rescue when a call comes in. If there are injuries, they will send fire and rescue automatically anyway.

E. Police Department - 5:00:06

Mayor Alison Dennington commended the Police Chief on the number of citations and warnings written.

Police Chief Tim Zander said they had maybe 10 people turn up for the Bagels with Blue event. Said this will be a quarterly event.

Mayor Alison Dennington spoke about ebikes. Recently, someone got hit and was killed. Does not want to have to pass an ordinance, but spoke about another Town that handles it by impounding the bike for one day and calling the parents. Just wants to keep this on the radar.

Police Chief Tim Zander said there has been a lot of outreach about this issue. Does not know what else to do besides call parents out and issue tickets to them.

F. Town Clerk - 5:04:35

Town Clerk Amber Brown spoke about the update on the scanning project and that the company has picked up all 40 boxes. They are limiting 2 experienced staff members to go through the boxes, so it might take a while. They will compare the physical boxes to the digital versions to see which ones are having an issue and go from there. Said the YouTube Channel has been updated, so it will look different, but this was to get closed captions back.

Commissioner Tim Reed said residents have said the audio and closed captions are not so good.

Town Clerk Amber Brown said if anyone notices an issue, try to note the time, which would be helpful to be able to look into it.

G. Town Attorney - 5:06:44

Town Attorney Ryan Knight spoke about the STR window issue and the sign ordinance, which will be in PNZ.

Commissioner Robert Baldwin spoke about an election fine regarding the Mayor.

Mayor Alison Dennington said she has not been served.

Town Clerk Amber Brown said the only way to do it legally is by certified mail, which was refused.

Mayor Alison Dennington said she has not refused anything.

Town Clerk Amber Brown said she would get with the Town Attorney on this issue.

Town Attorney Ryan Knight said he did reach out to the FCCMA about the Interim Town Manager program. Waiting to hear back from them about what that process would be, and will share any information with the Commission. - 5:10:18

H. Town Manager - 5:09:54

No additions.

14. Commission Reports

A. Mayor Alison Dennington

No additions.

B. Vice Mayor Dawn Barlow

No additions.

15. Task List - 5:11:00

Owner-occupied STR – Working on the fire Inspection aspect – Next Month.

StormReady Designation – Waiting to hear back to schedule the meeting - Next Month.

Paid Park at 6th Ave – Sign is enforceable, there will be an ordinance update and a fee update – Next Month.

Employee Survey – Met with the company twice, working on the questions, hopefully it will be out at the beginning of next month – Next Month.

Sign Ordinance – This is going to PNZ – Next Month.

Building Maintenance – Provide a schedule of frequency – Next Month.

STR Updates – Close item, but continue the weekly updates – Closed.

Large Pump – On hold for the engineer contracts, Public Works has a meeting with a provider to demo one – Next Month.

Cybersecurity – On the Technology Advisory Board agenda – Next Month.

Mayor Alison Dennington spoke about a pending lawsuit regarding SB 280, which is about changing the LDC. There is talk that there might be a glitch bill that comes out.

16. Adjournment

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

Meeting adjourned at 11:22 PM.



Alison Dennington
Mayor

ATTEST:



Rachel Pembrook (Sep 16, 2025 11:22:17 EDT)
Rachel Pembrook
Transcriptionist

