



# **TOWN OF MELBOURNE BEACH**

## **TOWN COMMISSION WORKSHOP**

**FEBRUARY 5, 2025**

**AGENDA PACKET**

**TABLE OF CONTENTS**  
**AGENDA FEBRUARY 5, 2025**

**NEW BUSINESS**

---

- A. Presentation from the Melbourne Beach Volunteer Fire Department pertaining to the need to adjust the Department's current staffing model to a combination-type (hybrid) system, with a few paid staff to supplement the existing volunteers – Pages 4-5
- B. Discussion on amending Resolution 2023-10 Town Commission Rules and Procedures – Pages 6-7
  - 1. Robert's Rules of Order "Call the Question" – Commissioner Anna Butler – Pages 8-9
  - 2. Resolution 2023-10 Town Commission Rules and Procedures Commissioner Anna Butler – Pages 10-22
  - 3. Comparison of the current agenda order to the proposed order – Vice Mayor Dawn Barlow – Page 23
  - 4. Introduction to Robert's Rules of Order – Vice Mayor Dawn Barlow – Pages 24-27
  - 5. Robert's Rules of Order the Basics – Pages – Vice Mayor Dawn Barlow – Pages 28-34
  - 6. Parliamentary Motions Guide – Vice Mayor Dawn Barlow – Pages 35-36
- C. Discussion on proposed task list – Pages 37-43

**Town of Melbourne Beach**  
**TOWN COMMISSION WORKSHOP**  
**Wednesday, February 5, 2025 @ 6:00 pm**  
**COMMUNITY CENTER – 509 OCEAN AVENUE**

**PUBLIC NOTICE**  
**AGENDA**

**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 Clerk Amber Brown

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so. In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

**1. Call to Order**

**2. Roll Call**

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

**4. Public Comment**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda. Please remember to sign the sign-in sheet provided if you will be speaking at the meeting.

**5. New Business**

- A. Presentation from the Melbourne Beach Volunteer Fire Department pertaining to the need to adjust the Department’s current staffing model to a combination-type (hybrid) system, with a few paid staff to supplement the existing volunteers – Fire Chief Gavin Brown
- B. Discussion on amending Resolution 2023-10 Town Commission Rules and Procedures – Commissioner Anna Butler
- C. Discussion on the proposed task list – Vice Mayor Dawn Barlow

**6. Adjournment**

<b>Attachments:</b>	None
<b>Date Prepared:</b>	01/29/2025
<b>Prepared By:</b>	Fire Chief Gavin Brown
<b>Meeting Date:</b>	February 5 <sup>th</sup> , 2025

**Agenda Category:**

<input type="checkbox"/>	<b>Proclamations &amp; Awards</b>	<input type="checkbox"/>	<b>Public Hearings</b>
<input checked="" type="checkbox"/>	<b>Presentations</b>	<input type="checkbox"/>	<b>Old Business</b>
<input type="checkbox"/>	<b>Boards &amp; Committees</b>	<input type="checkbox"/>	<b>New Business</b>
<input type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Other:</b>

<b>Subject:</b>	<p>Presentation from the Melbourne Beach Volunteer Fire Department pertaining to the need to adjust the Department's current staffing model to a Combination-type (hybrid) system, with a few paid staff to supplement the existing volunteers.</p>
<b>Recommended Action:</b>	<p>None at this time. This will be an educational presentation (part 1 of 2) to outline the history of the Department, the challenges the Department is facing that are driving this decision, and the benefits that this transition could provide to our Town residents. There will be a 2<sup>nd</sup> part to this presentation at a later time to review additional options, hard costs, and funding options.</p>
<b>Background Information:</b>	<ol style="list-style-type: none"> <li>1. For the past 71 years, the Melbourne Beach Volunteer Fire Department has faithfully served the residents and visitors of the Town of Melbourne Beach, providing 24/7/365 fire suppression and rescue services, primarily with an all-volunteer staff.</li> <li>2. Since its establishment in 1953, the Department has had to continually evolve to improve its emergency response capabilities and support the needs of the community. In addition to providing</li> </ol>

	<p>top tier service, the volunteers of the Melbourne Beach Volunteer Fire Department have saved the tax payers of the Town of Melbourne Beach millions of dollars in salary and equipment costs compared to other local municipalities.</p> <p>3. In 2019, a presentation was provided to the Town Commission, outlining some of the challenges the Department was facing at the time, and relaying that the current model of an all-volunteer fire department would not be sustainable forever. The option of adding paid staff was considered at that time, but a decision was made to pursue implementation of a volunteer stipend program in an attempt to incentivize volunteer participation and delay the need to add paid staff. In addition, the Town hired a paid Town Fire Chief to assist with management of the Fire Department including its equipment, volunteers, and mandatory requirements (State reporting, documentation, etc.).</p> <p>4. Due to factors we will discuss in the presentation, Department leadership (both volunteer and the paid Fire Chief) strongly believe it is time to revisit the need to modify our existing staffing model and hire a few paid firefighting/EMS staff members to supplement our existing volunteer firefighters. We believe the benefits that this will add to the community will justify the additional expense and allow us to increase the level of protection for our residents as well as provide additional services not available in the past.</p> <p>5. It should be understood that this is not a proposal to eliminate the volunteers in favor of a paid fire department, but rather a way to supplement the volunteers to provide an adequate level of fire protection, rescue, and emergency medical services for our community. In addition, we believe this will assist in reducing some of the burden on the volunteers and will allow the Town of Melbourne Beach to retain its own Fire Department for many years come.</p>
--	---

# Town Commission Meeting

**Section: New Business**

**Meeting Date: February 5, 2025**

**From: Commissioner Anna Butler**

**RE: Discuss amending Resolution 2023-10 Town Commission Rules and Procedures**

## Background Information:

The team meetings are excessive in length, leading to inefficiency and ineffectiveness as decisive outcomes can be difficult to discern. Additionally, the Town residents are reticent to attend meetings and are often, if they do attend, unable to remain throughout the length of the meetings, preventing them from having their opinions and concerns aired during Public Comment

## Recommendation:

Item #1: Place a limitation on the length of Town Meetings. Add to Resolution No. 2023-10 Commission meetings are to begin at 6:00pm and will end at 9:30pm. The commission may extend the meeting by 30 minutes, until 10:00pm, by a majority vote. A further extension of 30 minutes, until 10:30pm, must be decided by a super-majority (4 to 1 if all present) vote of the Commissioners present at the time of adjournment.

Item #2: Revise the order of business for a regular meeting to better accommodate the residents, as follows:

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Proclamations and Awards
5. Presentations by Special Guests
6. Departments/Boards/Committees – reports, appointments and reappointments
7. Public Comment – non-agenda items
8. Meeting Agenda – Additions/Changes/Deletions
9. Consent Agenda – Approval of minutes
10. Public Hearings/Special Orders
11. Unfinished business
12. New Business
13. Administrative Reports
14. Commission Reports
15. Task List

## 16. Adjournment

### Item #3: Compliance with Robert's Rules of Order

Familiarization with and implementation of these rules to ensure respect, efficiency and effectiveness in meetings. For example, please see attached the "Call the Question", which is a suggestion by a Commissioner to stop the debate and vote

### Item #4

In adherence to Robert's Rules of Order, after requesting to speak and having been acknowledged by the Chair, each Commission member will have up to three (3) minutes to speak on a topic. After each member has had a chance to speak on that topic, each member is permitted to speak a second time on that specific topic for two (2) minutes. No member can speak more than two times on one topic. The Town Clerk will keep the time. "Call to order" can be called on any member who attempts to speak beyond their second comment.

### **Attachments:**

Robert's Rules of Order "Call the Question"

Resolution 2023-10 Town Commission Rules and Procedures

# How do you “Call the Question” in Robert’s Rules?



The motion “to Call the Question,” which has the technical name of “Move the Previous Question,” may be the most abused motion in all of Robert’s Rules of Order. It is very common for people to shout out the word “question” or “I call the question” in the expectation that debate will immediately stop, and a vote will be taken. This is WRONG, WRONG, WRONG.

## KEY POINTS TO KNOW ABOUT “CALL THE QUESTION”

- A member must have the floor in order to make this motion. Raise your hand and wait until the chair gives you the nod – “recognizes you” – before speaking.
- When you make this motion, you are only suggesting that YOU would like to stop debate and vote. It is an expression of your wish, not a hammer to bludgeon your colleagues.
- This motion requires a second. There have to be at least two people in the room who want to cut off debate before it can be considered.
- This motion cannot be discussed or debated. As soon as the chair hears a second, they immediately take the vote.
- It takes TWO-THIRDS of the voting members in favor to cut off debate. Therefore the chair should take the vote by show of hands, and not by voice.
- If indeed two-thirds of the group want to stop debate and vote, then the chair immediately takes the vote on the pending motion – the motion that the group is considering at this time. No further discussion is allowed.
- It is also possible to call the question on ALL the pending motions, in which case the chair will take the vote on each motion that is before the group, one after another.
- Robert’s Rules of Order does not allow this motion to be made in committee meetings.





---

## SAMPLE SCRIPT FOR “CALL THE QUESTION”

**Member A:** *I call the question.*

**Member B** (without being recognized): *Second!*

**Chair:** *It has been moved and seconded that we stop debate and vote on the pending question, which is [state the motion being discussed].*

*All those in favor of stopping debate and voting now, raise your right hand.*

[Members in favor raise hand.]

**Chair:** *Thank you, hands down. All those opposed, raise your right hand.*

[Members opposed raise hand.]

**Chair:** *Thank you, hands down.*

[If the ayes have it:] *There are two-thirds in favor and we will vote immediately. [Take vote]*

[If the noes have it:] *There are not two-thirds in favor and debate will continue. Next speaker please...*

## WHAT DOES THE MOTION “TO CALL THE QUESTION” OR “PREVIOUS QUESTION” REALLY MEAN?

This motion is actually a “vote on whether to vote.” The term “previous question” is an unhappy leftover from the 19th century. The words meant something completely different in the British parliament. We believe that it would be better to rename this motion as “the motion to stop debate” or “motion to vote immediately.”

## How do you “Call the Question” in Robert’s Rules?

© Jurassic Parliament 2019. All rights reserved.

### TERMS OF USE

This article is provided for personal use. The user may not modify, publish, license, create derivative works from, transfer or sell any information or services contained in this publication or obtained from our website, or use the content of our website for public or commercial purposes, including any text, images, audio or video, without the written permission of Jurassic Parliament. Jurassic Parliament reserves the right to update our website at any time without notice to you. If you would like to use or quote this material for any purpose other than expressly as authorized herein, contact the Jurassic Parliament office.

### DISCLAIMER

This material is provided for general educational purposes. Jurassic Parliament makes no representation about the suitability of the information contained in the documents and related graphics published as part of these services for any purpose. All such documents and related graphics are provided “as is” without warranty of any kind. Jurassic Parliament hereby disclaims all warranties and conditions with regard to this information, including all warranties and conditions of merchantability, whether express, implied or statutory, fitness for a particular purpose, title and non-infringement. Nothing written here constitutes legal or business advice. Readers with specific questions are advised to seek an appropriate credentialed authority to address their issues.

---

P.O. Box 77553, Seattle, WA 98177

TEL 206.542.8422 | EMAIL [info@jurassicparliament.com](mailto:info@jurassicparliament.com)

[www.jurassicparliament.com](http://www.jurassicparliament.com)

The Resolution on Town Commission Rules and Procedures was updated and approved as Resolution 2023-02. However, that resolution number was taken and used on another resolution requiring this resolution to be renumbered to Resolution 2023-10.

Town Clerk Amber Brown

## RESOLUTION NO. 2023-02

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

**WHEREAS**, the Town Commission recognizes and acknowledges the need and requirement for established procedures to be implemented in order to facilitate orderly and respectable regular and special Town Commission meetings; and

**WHEREAS**, the Town Commission desires to define its procedures in a single document which will allow interested parties to easily understand Commission procedures and that may be revised from time to time in response to changing circumstances, and

**WHEREAS**, this resolution shall act as a guide and framework for Town Commission procedures;

**WHEREAS**, this resolution is intended to supersede all previously adopted rules of procedures, including but not limited to Resolution Nos. 702, 708, 729, 744, 3-2005, 2007-15, 2008-22, 2009-10, 2012-01, 2012-02, 2012-14, 2016-01, and 2016-12.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Commission of the Town of Melbourne Beach, Brevard County Florida that the following policies and procedures are hereby accepted, amended, restated, adopted, and words underlined constitute new text, and words ~~stricken through~~ constitute deleted text:

## **Section 1. Rules of Procedure.**

(A) Pursuant to Section 1-20, Town Code, the Town Commission shall utilize the Robert's Rules of Order, Newly Revised (12<sup>th</sup> ed. 2020) as its official rules of procedure.

**[COMMISSION INTENT:** Currently, the 12<sup>th</sup> edition of Robert's Rules of Procedure is the most current version of the rules.]

(B) These policies and procedures shall be adopted, amended, or repealed by amending the adopting resolution. These policies and procedures shall supplement and supervene Robert's Rules of Order to the extent of a conflict.

(C) These policies and procedures may be adopted, amended, or repealed by a two-thirds vote of the full Town Commission.

## **Section 2. Seating at Meetings.**

(A) The seating of Commissioners at any meeting shall be as set forth herein. The Mayor shall be seated in the middle with two Commissioners seated on the Mayor's right and two Commissioners seated on the Mayor's left.

(B) The following seating arrangement shall be used unless all Commissioners agree on an alternative seating arrangement. The Vice Mayor shall be seated to the Mayor's right. The Commissioner having the most consecutive or non-consecutive service on the Commission shall be seated to the Mayor's left. The Commissioner having the second most consecutive or non-consecutive service on the Commission shall be seated to the Mayor's extreme right. The Commissioner having the third most consecutive or non-consecutive service on the Commission shall be seated to the Mayor's extreme left.

In the event that two Commissioners are tied for the amount of service on the Commission and if both members were most recently selected at the same election, the Commissioner winning by the greater number of votes shall be considered to be the more senior member of the Commission.

If two Commissioners are tied for seniority, seniority shall be determined by the flip of a coin by the Town Clerk in the presence of both Commissioners, and the member whose last name begins with the letter closest to "z" shall be designated as having called heads.

### Section 3. Setting the Agenda.

(A) The Town Manager and Town Clerk prepare the agenda for a regular meeting. The order of business for a regular meeting shall be as follows:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance and Moment of Silence
4. ~~Proclamations and Awards~~
5. ~~Presentations by Special Guests~~
6. ~~Boards and Committees~~
  - a. ~~Reports by all Boards and Committees~~
  - b. ~~Appointments and Reappointments~~
7. ~~Public Comment~~
8. ~~Changes to the Agenda~~
9. ~~Consent Agenda~~
  - a. ~~Approval of Minutes~~
10. ~~Public Hearings~~
11. ~~Old Business~~
12. ~~New Business~~
13. ~~Reports:~~
  - a. ~~Town Attorney~~
  - b. ~~Town Manager~~
  - c. ~~Departments~~
  - d. ~~Town Commissioners~~
14. ~~Adjournment~~
4. Meeting Agenda-Additions/Deletions/Changes
5. Consent Agenda
6. Proclamations/Presentations/Awards
7. Finance/Budget Report
8. Department and Board/Committee Reports
9. Public Comment (non-Agenda items)
10. Public Hearings/Special Orders
11. Unfinished Business
12. New Business
13. Administrative Reports
14. Commission Reports
15. Task List
16. Public Comment
17. Adjournment

#### (B) Adding Items to the Agenda:

(1) The general closing date for items to be placed on the Town Commission regular meeting agenda is 5 p.m. on the Wednesday preceding the scheduled regular meeting.

(2) A Commissioner may request any task list item on which the Commission will vote) or discussion item to be placed on the upcoming regular meeting agenda. The Commissioner desiring to have an item placed on the agenda shall notify the Town Clerk and present the item in writing to the Town Clerk no later than the closing date outlined in item (1) above. Notification to the Town Clerk shall be done in writing with the item written as it should be presented on the agenda. The agenda title shall state the specific purpose or topic of the item. Items with a vague title will not be included on the agenda. The name of the Commissioner requesting the topic shall also be identified with the agenda item. Items placed on an agenda by a Commissioner must include associated backup. Such backup must be submitted to the Town Clerk for inclusion in the agenda packet by 5 P.M. on the Wednesday preceding the scheduled regular meeting.

(3) Staff members may request that the agenda be supplemented with an additional item after the closing date by requesting such item through the Town Manager. Supplemental items should be administrative, time-sensitive items. In no event shall items be added to a Town Commission regular meeting agenda within the forty-eight (48) hours preceding such meeting.

(4) No item, once placed on an agenda, may be removed there-from without the approval of the Commissioner placing the item on the agenda. An item placed on the agenda by the Town Manager may be removed by the Town Manager at any time. An item placed on the agenda by the Town Attorney may be removed by the Town Attorney at any time.

**Section 4. Action by Consent.** By general, unanimous, or silent consent, the Commission can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when an ordinance or written resolution is being adopted in final form, the formality of voting can be avoided by the Mayor asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to two minutes each, if a speaker is so interesting that when their time has expired there is a general demand for them to go on, the Mayor, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct them to proceed. Or, the Mayor might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpts from Roberts' Rules of Order).

## **Section 5. Types of Meetings.**

(A) **Regular Meetings:** Regular meetings of the Town Commission shall be held on the third Wednesday of each month in the Community Center, unless the Town Commission designates a different date, time or place by a consensus of the Town Commission present at a preceding meeting. At a regular meeting of the Commission, motions may be made and action taken on any subject on the agenda. Administrative or emergency issues may be added to the agenda, but no final action may be taken if the Charter, the Code, Florida or Federal law require an advertised public hearing.

(B) **Special Meetings:** Special meetings may be called in accordance with Section 2.11 of the Town of Melbourne Beach Charter, which states as follows: Section 2.11. "Special meetings limited to the subjects specified in the call may be convened by the Mayor, any one (1) Commission member, or the Town Manager, upon at least twenty-four (24) hours' notice to each member and to the Public." Additional items shall not be added to the agenda of a special call meeting by any individual.

To the extent possible, the Town Commission shall attempt to schedule special and workshop meetings on the first Wednesday of each month to facilitate planning and scheduling for individual commission members, town staff, and the public. This paragraph is not to be construed that a special meeting shall be automatically mandated for the first Wednesday but only if such a meeting is requested.

(C) **Workshop Meetings:** Workshop meetings shall be called in the same manner as a special meeting. No binding decisions shall be made at a workshop meeting; therefore, motions may be proposed and dispensed with, only to determine the majority intent or desire of the Commission and to facilitate progress of the meeting.

(D) **Emergency Meetings:** Emergency meetings shall be in accordance with Section 2.11 of the Town of Melbourne Beach Charter, which states as follows: Section 2.11. "The Commission shall provide, by ordinance, for the holding of an emergency meeting and shall prescribe the means of serving or furnishing notice of emergency meetings. Action taken at emergency meetings must be ratified at the next regularly scheduled meeting of the Town Commission."

**Section 6. Public Notices.** Public notices for Town Commission regular meetings shall be posted on the Town bulletin board and the Town's website by 5 p.m. on the Friday preceding the regular meeting. However, failure to do so shall not affect the legality of the meeting or the validity of any actions taken at the meeting. Items shall not be added to a Town Commission regular meeting agenda after this time, unless done in accordance with Section 3.B.(3). Special meeting public notices shall be posted in accordance with Section 2.11 of the Town of Melbourne Beach Charter. Workshop meeting and Emergency meeting public notices shall be posted the same as a special meeting. Meeting notices will be posted by staff where allowed.

## **Section 7. Decorum: Addressing the Commission.**

(A) Any speaker who becomes unruly, screams, uses profanity or shows poor conduct may be asked to leave the lectern and return to their seat by the Mayor. Should the speaker refuse to leave the lectern and return to their seat, the Mayor may rule the speaker “out of order.” Should the speaker still refuse to leave the lectern and return to their seat, the Mayor may ask an assigned law enforcement officer to remove the speaker from the meeting.

(B) Any person may be allowed to address the Commission which may include residents and non-residents, property owners or guests invited by the Commission or the Town Manager. Employees of the Town may not address the Commission regarding their job descriptions and/or job related requirements if such comment would circumvent the chain of command. Members of the public shall not address individual members of the Commission but shall address the Commission as a whole through the Mayor.

(C) Speakers must come to the lectern to speak, but they may come to the lectern only after they have been recognized by the Mayor.

(D) No individual shall address the Commission until said person discloses who he or she is representing (if other than himself or herself), and discloses his or her name and address. If the speaker’s name is difficult to spell or otherwise confusing, the Mayor shall stop the speaker from addressing the Commission and ask the speaker to spell his or her name for the benefit of the Clerk and the record.

(E) Special interest groups are encouraged to select a representative to speak for them in order to conserve time and avoid repetition. In the event that a representative is selected, a list of the names and addresses of all concerned citizens who are present may be given to the Town Clerk for inclusion in the record. In no case will the selection of a representative speaker result in another citizen being denied the opportunity to speak.

(F) Members of the public seeking to address the Commission may do so under the “Public Comments” area of the agenda and should prepare their remarks before addressing the Commission in an effort to be concise and to the point. Except as provided in rule sub-section (H) below, members of the public are limited to a total of three minutes to address the Commission. However, by consensus of a majority of the Commissioners present, this time may be extended for a specific additional amount of time. The Town Clerk shall carefully time the presentation of anyone addressing the Commission. This rule of procedure shall be included on agendas to advise the public and those wishing to speak.

(G) If an individual wishes to speak on a Consent item, they may do so by either:

(1) Approaching the Mayor or a member of the Town Commission prior to the start of the meeting and request that the item be removed from the “Consent Agenda”.



(2) Requesting discussion or explanation under the “Public Comments” portion of the agenda understanding that they must address the Commission within the time allotment of 3 minutes. The Mayor, Commission or Staff may then address the individual as outlined in Section 9.

(~~H~~) With regard to quasi-judicial matters, the three-minute rule shall be waived for any person making a record for possible court review. The Mayor shall determine from the speaker the amount of time needed. The Mayor upon showing of good cause by the speaker with the consensus support of a majority of those Commissioners present, shall adjust the amount of time necessary for the speaker to make a record for court review. The Mayor, on its own motion, may shorten the revised time at any time that the speaker becomes redundant or strays from the issues before the Commission.

(~~I~~) Speakers shall address only the issues before the Commission, unless speaking under the “Public Comments” section of the agenda. Speakers shall avoid redundant comments.

(~~K~~~~J~~) Except in the case of land development items as described in Section 8, the sequence for agenda-item discussion shall be as follows:

- (1) Mayor introduces item by reading it from the agenda.
- (2) Mayor asks for a brief staff overview/explanation of the item.
- (3) The item is open for discussion by the Town Commission.

(4) Each commission member is given an opportunity to speak before a member speaks a second time.

(5) Public Comment will be solicited on all items except those determined to be an exception to the rule by majority vote of the Commission. Citizen comments are limited to three minutes. A speaker may only address the commission one time on an item.

(6) Additional comments from the Commission are entertained.

(7) Mayor asks for a motion to be introduced on the item. Mayor ensures that a second to the motion is received. If no second is received, the Mayor announces that the motion dies for lack of a second. Another motion is solicited.

(8) Mayor calls for a vote.

(~~L~~~~K~~) The Mayor may pass the gavel to make a motion. The Mayor shall also have the power to recommend to the Commission a particular motion.

(ML) With the consent of a majority of the members of the Commission present at a meeting, the Mayor has the power to change the order of business on the agenda.

### **Section 8. Land Development Issues and Quasi-Judicial Matters.**

(A) Land Development Matters. A land development matter includes quasi-judicial permits or approvals and legislative zoning and comprehensive plan decisions.

(B) The sequence for agenda-item discussion shall be as follows:

(1) The Mayor shall introduce the agenda item;

(2) The Mayor shall request the Town Attorney to read the item by title if an ordinance or resolution is being considered;

(3) The Mayor shall ask the Town Manager, Town Attorney or other appropriate staff member to provide background detail with regard to the proposal;

(4) The Mayor shall ask any member of the Commission who has a voting conflict of interest to disclose the same. In the case of quasi-judicial matters, the Mayor shall ask any member of the Commission conducting an *ex parte* discussion with any non-Town staff person to disclose the same, as well as the substance of the discussion. In the case of quasi-judicial matters, the Mayor shall ask any member of the Commission conducting a site visit to a site subject to Town decision-making to disclose the same and any salient facts relating to the permit under consideration that the member noticed while on site.

(5) The Mayor shall invite the applicant for proposal approval to address the Commission;

(6) The Mayor shall invite citizen comment on the agenda item;

(7) The Mayor shall afford the applicant an opportunity to rebut, correct, or clarify citizen comment;

(8) The Commission discusses the item, including motion/second and other action.

**Section 9. Commission/Staff Response to Public Comments.** If under “Public Comments” a citizen’s concern can be addressed by (1) answering his/her questions; (2) by providing a short explanation; or (3) by Commission’s directing the Town Manager to follow up, such action will be taken.

If responding to the matter will involve Commission discussion and subsequent Commission action or Commission vote, the matter shall be designated as an agenda item for the next regular Town Commission meeting.

If a concern involves a Consent item and cannot be resolved within a reasonable amount of time, the item shall be removed from the "Consent Agenda" and further discussed as the first item under "New Business".

At no point shall members of the Town Commission or Town Staff engage in disorderly conduct when responding to recognized members of the public.

#### **Section 10. Rules of Debate.**

(A) During a presentation by a member of the public or staff member, Commissioners, staff members and members of the public shall avoid interrupting the speaker. After a speaker has completed comments or a presentation, the Mayor and members of the Commission may question the speaker.

(B) After all members of the public have been permitted to speak (if a public hearing or other items open to public discussion), the Mayor shall close the floor to the public. The Commission may then discuss the item pending before the Commission. Staff may participate in the discussion to the extent of furnishing information and pointing out the effect of a decision one way or the other. After a reasonable opportunity has been given to Commissioners to speak, the Mayor shall afford the Commission an opportunity to make a motion.

(C) When the Mayor has placed an item on the agenda for debate, the Mayor shall pass the gavel to the Vice Mayor.

(D) Point of Order. A point of order can be raised at any time when any member notices a violation of the rules or when a decision is made by the Chair that should have been made by majority vote of the Town Commission. The member raising the point of order shall remain seated and verbally state "Point of Order". The chair shall immediately stop the proceedings and discussion, recognize the commissioner who has called the point of order, and ask the commissioner to state the violation or cause. The chair's duty is to make a decision, called a ruling, on the point of order. He may need to check the rules or the bylaws, or ask the parliamentarian for advice, but a point of order is usually ruled on in one of two ways:

The point is declared either "Well-taken," or "Not well-taken," and a short explanation of the ruling is given by the chair.

Should the member calling "point of order" disagree with the Chair's ruling he or she may appeal that ruling (decision) to the Town Commission by stating as follows:

"I appeal the Chair's ruling."

The Chair shall immediately call for a vote of the Town Commission as to the ruling. In the event the majority Town Commission votes in favor of the appeal, the ruling

shall not stand and the person calling the appeal may continue with debate or by making a motion.

Should the majority Town Commission vote against the appeal, the Chair's ruling stands and the meeting proceeds without further discussion on the point of order. In the event of a tie the ruling stands.

A point of order:

- Can interrupt a speaker who has the floor.
- Doesn't need to be seconded.
- Isn't debatable.
- Can't be amended.
- Is decided by the chair: unless appealed
- Can't be reconsidered.

### **Section 11. Time for Adjournment.**

Regular, special, and workshop meetings shall adjourn at the pleasure of the Town Commission. In the interest of time, the Town Commission may elect to call a special meeting or place unfinished items on the next month's regular meeting agenda.

### **Section 12. Minutes.**

(A) The Minutes of the previous meeting(s) shall be presented to the Commission under item a. of the "Consent Agenda".

(B) Commissioners should attempt to contact the Town Clerk prior to noon on Tuesday before any regular meeting of the Commission to advise the Clerk of proposals to revise the minutes. If there is a question about what someone said or how someone voted, this will give the Clerk an opportunity to review the tape and any notes for a given meeting.

(C) At a regular Commission meeting, the Clerk shall advise the Commission of any revisions to be made to a pending set of minutes. If there are additional revisions to be included, the minutes shall be pulled from the "Consent Agenda" to be discussed under "New Business".

(D) After acknowledging the revisions to the minutes, the Mayor shall permit the minutes to be approved with the remainder of the "Consent Agenda".

(E) Minutes must be approved by at least three votes of the Commission.

(F) As provided in Section 1-26(d)(1)(B), of the Town Code, if minutes of a previous meeting are critical to a debate on an upcoming agenda by the Town Clerk, Town Manager, or the Town Commission, the Town Clerk shall attempt to prepare draft minutes and distribute them to the Commission prior to the meeting, unless excused from doing so by the Mayor. In all other cases, draft minutes shall be released as soon as possible after

the Commission meeting to which they apply. Draft minutes shall be considered to be a public record once they have been completed by the Town Clerk; however, shall not be available via the Town website until approved by the Town Commission.

As provided in Section 1-26(c)(3), of the Town Code, any member of the Commission may have attached to the minutes an explanation of why said Commissioner voted in a particular manner. Said explanation shall not be subject to a vote by the other Commissioners and shall not exceed 250 words. The explanation must be submitted by the agenda closing date for the next regular meeting. Said explanation shall not contrast the Commissioner's vote with other members of the Commission. Said explanation shall show respect for the position of other Commissioners and shall merely explain why the Commissioner voted as he or she did. The explanation may be expunged from the minutes and maintained as a separate public record by a majority vote of the Commissioners for failure to adhere to this rule subsection.

**Section 13. Amendment of Rules.** As provided in Section 1-20, Melbourne Beach Code of Ordinances, the Town Commission may by four (4) votes amend or terminate rules of procedures.

**Section 14. Effective Date; Repeal of Prior Rules.** These rules are effective-immediately upon adoption. All prior rules of procedure of the Town Commission adopted by resolution, be and the same are hereby repealed, including but not limited to the rules set forth in Resolution No. 2016-12 (adopted October 19, 2016); Resolution 2016-01 (adopted February 17, 2016); Resolution No. 2012-14 (adopted December 19, 2012); Resolution No. 2012-02 (adopted March 21, 2012); Resolution No. 2012-01 (adopted January 18, 2012); Resolution No. 2009-10 (adopted July 15, 2009); Resolution No. 2009-10 (adopted July 15, 2009); Resolution No. 3-2005 (adopted May 18, 2005); Resolution No. 2008-22 (adopted Dec. 17, 2008); Resolution No. 2007-15 (adopted Dec. 19, 2007); Resolution No. 702 (adopted March 20, 2002); Resolution No. 708 (adopted July 17, 2002); Resolution No. 729 (adopted January 21, 2004); and Resolution No. 744 (adopted September 15, 2004).

**[TOWN COMMISSION INTENT:** In the past when the Town Commission has adopted new rules, reference has been made in the recitals that it was the intent of the Town Commission to supersede certain former rules. *See, e.g.,* the last recital in Resolution Nos. 3-2005, 2007-15, 2008-22, and 2009-10, all providing that Resolution Nos. 702, 708, 729, and 744 were to be "superseded." However, no former statement of repeal of past rules of procedure has ever been adopted by the Town Commission. The purpose of this provision is to formally manifest the intent of the Town Commission that previous rules of procedure are intended to be repealed, and that this resolution represents the currently effective rules of procedure of the Town Commission.]

In adopting, amending, and restating these rules of procedure, statements of Town Commission intent are not a part of any adopted rule of procedure and merely explain, as a form of legislative intent, the reason for the rule or background information relating to the rule.

**Section 15. Requests by a Commissioner for Action by Town Manager, Town Clerk, or Town Staff.** Any request by a Commissioner for action by the Town Manager, Town Clerk, or Town staff members must be in written form. An e-mail will suffice. In compliance with Section 3.03(b), Charter of the Town of Melbourne Beach, requests for action by a Town staff member must be made to the Town Manager. Requests for action by the Town Clerk may be made directly to the Town Clerk but must be copied to the Town Manager. As used in this section, the term “action” includes any request for information, request for analysis, the production of public records as defined by Chapter 119, Florida Statutes, or the undertaking of any deed or act.

**PASSED AND ADOPTED** by the Town Commission of the Town of Melbourne Beach, Florida at a regular meeting this 17th day of May, 2023.

TOWN OF MELBOURNE BEACH,  
FLORIDA, a Florida Municipal Corporation

ATTEST:

By: Wyatt Hoover  
Wyatt Hoover  
Mayor

Amber Brown  
Amber Brown,  
Town Clerk



<b>Current Resolution 2023-10</b>	<b>Commissioner Butler 1/15/25</b>	<b>Workshop Discussion</b>
Call to Order	Call to Order	
Roll Call	Roll Call	
Pledge of Allegiance/Moment of Silence	Pledge of Allegiance/Moment of Silence	
Meeting Agenda-Additions/Deletions/Changes	Proclamations and Awards	
Consent Agenda	Presentations by Special Guests	
Proclamations/Presentations/Awards	Departments/Boards/Committees Reports, appointments and reappointments	
Finance/Budget Report	Public Comment (non-Agenda Items)	
Department and Board/Committee Reports	Meeting Agenda-Additions/Changes/Deletions	
Public Comment (non-Agenda Items)	Consent Agenda- Approval of minutes	
Public Hearings/Special Orders	Publix Hearings/Special Orders	
Unfinished Business	Unfinished Business	
New Business	New Business	
Administrative Reports	Administrative Reports	
Commission Reports	Commission Reports	
Task List	Task List	
Public Comment	Adjournment	
Adjournment		

## Section IV

# Robert's Rules of Order



# Introduction to Robert's Rules of Order

---

1. What is Parliamentary Procedure?
2. Why is Parliamentary Procedure important?
3. Example of the Order of Business
4. Motions
5. Types of Motions
6. How are Motions presented?
7. Voting on a Motion

## 1. What is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

## 2. Why is Parliamentary Procedure important?

Because it's a time-tested method used for conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Robert's Rules of Order is the basic handbook of operation for most clubs, organizations and other groups – so it's important to know the basic rules.

## 3. Organizations using parliamentary procedure usually follow a fixed order of business (Agenda), for example:

1. Call to order
2. Roll call & determination of quorum
3. Reading/approval of minutes of last meeting
4. Officer's/Staff's report
5. Committee report
6. Special orders
7. Unfinished/Old Business
8. New Business
9. Announcements/Board Discussion
10. Adjournment

## 4. The method used by members to express themselves is in the form of "moving motions". A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to Order
2. Second motions
3. Debate motions
4. Vote on motions

## 5. There are four Basic Types of Motions:

1. *Main Motions*: the purpose of a main motion is to introduce items to the membership for consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. *Subsidiary Motions*: the purpose of subsidiary motions is to change or affect how a main motion is handled, and is voted on before a main motion.
3. *Privileged Motions*: the purpose of a privileged motion is to bring up items that are urgent about special or important matter unrelated to pending business.
4. *Incidental Motions*: the purpose of an incidental motion is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

## 6. How are Motions presented?

1. Obtaining the floor
  - a. Wait until the last speaker has finished
  - b. Raise your hand and address the Chairman by saying, "Mr. Chairman"
  - c. Wait until the Chairman recognizes you before speaking
2. Make your motion
  - a. Speak in a clear and concise manner
  - b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...".
  - c. Avoid personalities and stay on topic/subject
3. Wait for someone to second your motion
4. Another member will second your motion or the Chairman will call for a second.
5. If there is no second to your motion, the motion "dies" for lack of a "second".
6. The Chairman re-states Your motion
  - a. the Chairman states, "it has been moved and seconded that we ...". Thus placing your motion before the members for consideration and action.
  - b. The membership then either debates your motion, or may move directly to a vote.
  - c. Once your motion is presented to the membership by the Chairman, it becomes "assembly property" and cannot be changed by you without the consent of the members.
7. Expanding on Your Motion
  - a. The time for you to speak in favor of your motion is at this time – not when you present it.
  - b. The mover is always allowed to speak first.
  - c. All comments and debate must be directed to the Chairman.
  - d. Keep to the time limit for speaking that has been established.

e. The mover may speak again only after other speakers are finished, unless called upon by the Chairman.

8. Putting the Question (Motion) to the Membership

- a. The Chairman asks, "Are you ready to vote on the question/motion?"
- b. If there is no more discussion, a vote is taken.
- c. On a motion to move the previous question may be adapted.

7. **Voting on a Motion:**

The method of vote on any motion depends on the situation and the by-laws of the Board. There are five methods used to vote by most organizations:

1. By Voice – the Chairman asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count.
2. By Roll Call – the member answers "yes" or "no" as his/her name is called. This method is used when a record of each person's vote is required or desired.
3. By General Consent – when a motion is not likely to be opposed, the Chairman says, "if there is no objection ...". The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By Division – this is a slight verification of a voice vote. It does not require a count unless the Chairman so desires – members raise their hands or stand.
5. By Ballot – members write their vote on a slip of paper; this method is used when secrecy is desired.\*

There are two other motions that are commonly used relating to voting:

1. Motion to Table – this motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.
2. Motion to Postpone Indefinitely – this is often used as a means of parliamentary strategy and allows opponents of the motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings:

1. Allow motions that are in order;
2. Have members obtain the floor properly;
3. Speak clearly and concisely;
4. Obey the rules of debate; and most importantly ...
5. Be courteous.

Information courtesy of: <http://www.robertsrules.org>

## Robert's Rules of Order – the Basics

(This sheet should not be a substitute for *Robert's Rules of Order, Newly Revised*, 12th Edition, but is meant to supplement the full set of rules.)

**Parliamentary procedure is a set of rules for conducting orderly meetings that accomplish goals fairly. Most PTAs use Roberts Rules of Order.**

### **Benefits of parliamentary procedure include the following:**

- Justice and courtesy for all
- Maintenance of order
- Consideration of one item at a time
- All sides get heard
- Ability for each member to provide input
- Majority rule
- Protection of the rights of all members including the minority

### **Basic Principles:**

- All members have equal rights, privileges and obligations
- No person can speak until recognized by the chair
- Personal remarks during debate are out of order
- Only one question at a time may be considered, and only one person may have the floor at any one time
- Members have a right to know what the immediately pending question is and to have it restated before a vote is taken
- Full and free discussion of every main motion is a basic right
- A quorum must be present for business to be conducted
- A majority decides a question except when basic rights of members are involved or a rule provides otherwise.
- A 2/3 vote is required for any motion that deprives a member of right in any way (e.g., cutting off debate)
- Silence gives consent. Those who do not vote allow the decision to be made by those who do vote.
- The Chair should always remain impartial

## **Basic Definitions:**

---

**Motion** – A formal proposal made to bring a subject before an assembly for its consideration and action. Begins with *“I move that...”*

**Second** – A statement by a member who agrees that the motion made by another member be considered. Stated (without recognition) as *“Second,”* or “I second the motion.”

**Amendment** – Before the vote is taken on a motion, it may be amended by:

- Striking out words
- Inserting or adding words
- Striking out words and inserting others in their place
- Substituting one (1) paragraph or resolution for another

**Quorum** - the minimum number of members who must be present in order for a PTA to conduct business. The quorum can be found in the local unit’s bylaws. For boards and committees, unless stated in the bylaws, the quorum is a majority (*more than half*) of the members. PTAs cannot take votes on business matters unless a quorum is present.

**Presiding officer** – The individual who facilitates the meeting, usually the President. In the absence of the President, if none of the Vice Presidents are in attendance, the Secretary calls the meeting to order and conducts an election for a Chairman Pro Tem (a presiding officer for that meeting only).

## **Role of the Presiding officer**

---

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• To remain impartial during debate – the presiding officer must relinquish the chair in order to debate the merits of a motion and may not chair the meeting again until after a vote has been taken on the motion has been disposed of</li> <li>• To vote only to create or break a tie (or 2/3 for matters requiring a 2/3 vote); exception: the presiding officer may vote on any vote by ballot</li> </ul> | <ul style="list-style-type: none"> <li>• To introduce business in proper order per the agenda</li> <li>• To recognize speakers</li> <li>• To determine if a motion is in order</li> <li>• To keep discussion germane to the pending motion</li> <li>• To maintain order</li> <li>• To put motions to a vote and announce results</li> </ul> |
|--|---|

### **General procedure for Handling a Main Motion:**

- A member must obtain the floor (*“Mr. President”*) by being recognized by the chair (*“The chair recognizes the member”*).
- Member makes a main motion (*“to move that...”*).
- A motion must be seconded by another member (*seated- no recognition necessary*) before it can be considered.
- If the motion is in order, the chair will restate the motion and open debate (*“It is moved and seconded that... are you read for the question?”*).
- The maker of a motion has the right to speak first in debate (*obtain the floor and get recognition before speaking*).
- The main motion is debated along with any secondary motions that are debatable.
- Debate on Subsidiary, Privileged and Incidental motions (if debatable or amendable) take precedence over debate on the main motion and must be decided before debate on the main motion can continue.
- Debate is closed when:
  - Discussion has ended, or
  - A 2/3 vote closes debate (*“call the previous question”* or *“call the question”*).
- The chair restates the motion, and clarifies the consequences of affirmative and negative votes (*“The question is on the motion that...”*).
- The chair calls for a vote by asking “All in favor?” Those in favor say “**Aye**.” Then asking “All opposed?” Those opposed will say “**no**”.
- The chair announces the result (ex: *“The ayes have it the motion is adopted...the next item of business is”*).

## **General rules of Debate**

---

- No member may speak until recognized by the chair
- All discussion must be relevant to the immediately pending question
- No member can speak more than twice to each debatable motion. The second time takes place after everyone wishing to debate the motion has had an opportunity to speak once.
- No member can speak more than ten minutes or as decided by members. Many PTAs limit debate to three (3) minutes per speaker by general consent (*if anyone objects to general consent it will take a 2/3 vote to limit debate*) at the beginning of the meeting.
- All remarks must be addressed to the chair – no cross debate is permitted.
- It is not permissible to speak against one's own motion (but one can vote against one's own motion).
- Debate must address issues not personalities – no one is permitted to make personal attacks or question the motives of other speakers.
- The presiding officer must relinquish the chair in order to participate in debate and cannot reassume the chair until the pending main question is disposed of.
- When possible, the chair should let the floor alternate between those speaking in support and those speaking in opposition to the motion.
- Members may not disrupt the assembly.
- Rules of debate can be changed by a 2/3 vote or general consent without objection.

### **Example of Handling a Main Motion:**

Member rises and addresses the chair:	<i>Madam (Mister) President.</i>
Chair recognizes member (by title or name).	<i>The chair recognizes ____.</i>
Member makes the motion.	<i>I move that...</i>
Another member seconds the motion (without recognition).	<i>Second [or] I second the motion.</i>
The chair states the motion and opens debate.	<i>It is moved and seconded that...</i> <i>Are you ready for the Question? Or Is there any debate?</i>

Chair recognizes members wishing to speak.  
After debate concludes. Chair restates the motion and puts the question to a vote.

*The question is on the motion to...*

*Those in favor of the motion say "aye." Those opposed say "no."*

Chair announces the result of the vote and what action will be taken.

*The "ayes" have it, and the motion is adopted. We will [stating action to be taken].*

The chair continues with the next business in order.

### **Common methods of taking a vote**

#### **General consent:**

*"If there is no objection, we will..." (Pause) "Since there is no objection, we will..."*

**Voice vote:** *"As many as are in favor, say "aye." As many opposed, say "no." The "ayes/noes" have it and the motion is adopted/lost."*

**Rising vote (not counted):** *"Those in favor will rise. Thank you, be seated. Those opposed will rise. Thank you, be seated. There is a majority (or 2/3) in the affirmative and the motion is adopted." Or "There is less than a majority (or 2/3) in the affirmative and the motion is lost."*



### **Methods of Amending**

**By striking out:** “I move to amend by striking out the word “Denver.” (*before/after?*)

**By inserting:** “I move to amend by inserting the word ‘Las Vegas’ after the word ‘Portland’ and before the period.”

**By striking out and inserting:** “I move to amend by striking out the word ‘\$35’ and inserting the word ‘\$50.’”

### **Helpful terminology**

- Recommendations, bylaws, rules, resolutions, budgets, and audits are **adopted**.
- Reports are **filed**.
- Resignations are **accepted**.
- Bills and minutes are **approved**
- If corrections were made to the minutes, the minutes are then **approved as corrected**.
- Treasurer’s statement is neither approved nor adopted; but after questions are answered regarding any item as reported, it is **placed on file for audit** as stipulated in the bylaws.
- Motions are recorded as **“adopted” or “lost.”**
  - It is highly recommended that main motions be put in writing (dated and signed). If so, number motion slips, and note on the slips whether the motion was **“adopted”** or **“lost.”**

## ***Robert's Rules Help Get Things Done!***

- *Make Motions – that are in order*
- *Obtain the floor — properly*
- *Speak – clearly and concisely*
- *Obey — the rules of debate*

**And most of all be courteous! That's always in order!**

# Parliamentary Motions Guide

35

Based on *Robert's Rules of Order Newly Revised (12<sup>th</sup> Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 <sup>ND</sup> ? <sup>1</sup>	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to <b>adjourn</b>	No	Yes	No	No	Majority
§20 Take break	I move to <b>recess</b> for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a <b>question of privilege</b>	Yes	No	No	No	None
§18 Make follow agenda	I call for the <b>orders of the day</b>	Yes	No	No	No	None
§17 Lay aside temporarily	I move to <b>lay</b> the question <b>on the table</b>	No	Yes	No	No	Majority
§16 Close debate	I move the <b>previous question</b>	No	Yes	No	No	2/3
§15 <b>Limit or extend debate</b>	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 <b>Postpone to a certain time</b>	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 <b>Refer to committee</b>	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to <b>amend</b> the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be <b>postponed indefinitely</b>	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a <b>main motion</b> )	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

<sup>1</sup> Some more formal requirements, like seconds to motions, may not apply in smaller boards or any size committee.

# Parliamentary Motions Guide

36

Based on *Robert's Rules of Order Newly Revised (12<sup>th</sup> Edition)*

**Incidental Motions** - No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 <sup>ND</sup> ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	<b>Point of order</b>	Yes	No	No	No	None
§24 Submit matter to assembly	I <b>appeal</b> from the decision of the chair	Yes	Yes	Varies	No	Majority or tie sustains
§25 Suspend rules	I move to <b>suspend the rules</b> which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I <b>object to the consideration</b> of the question	Yes	No	No	No	2/3 against consideration
§27 Divide motion	I move to <b>divide the question</b>	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a <b>division</b>	Yes	No	No	No	None
§33 Parliamentary law question	<b>Parliamentary inquiry</b>	Yes (if urgent)	No	No	No	None
§33 Request information	<b>Request for information</b>	Yes (if urgent)	No	No	No	None

**Motions That Bring a Question Again Before the Assembly** - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to <b>take from the table</b> ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to <b>rescind/ amend something previously adopted...</b>	No	Yes	Yes	Yes	Varies
§37 Reconsider motion	I move to <b>reconsider</b> the vote ...	No	Yes	Varies	No	Majority

## Town Commission Meeting

**Section:** New Business

**Meeting Date:** 02/05/2025

**From:** Vice Mayor Dawn Barlow

**RE:** Task List – Discussion and Recommendations

### Background Information:

During the Dec 2024 workshop, Dawn Barlow summarized a general list of open topics of the Town/Town Commission. This is not to replace any specifics captured in meeting minutes, but a valuable summary for the latest appointed and elected Commission. There is no order/priority of items. Review by all TCs is encouraged and welcomed, as this is a working document between the TC and Town.

### Recommendation:

In summary; Town Departments incorporate updates in their monthly TC reports on the following:

Code violations – Code Enforcement Officer

Record Retention and New Town Website – Town Clerk

Infrastructure – Town Manager and/or Public Works

Board updates (Charter Review Committee, Parks Board, EAB, History) – Town Manager

Legal – Town Manager

TC Task List encompasses the following and the TC reviews the Task list at the end of each TC meeting:

#### STR

- Ordinance language modification
- Noise ordinance language modification
- Regulating

#### P&Z

- Foundation Height

- Tree removal/replacement

Storm Water

Budget Education

Town Manager Contract and Town Policies & Procedures

Magistrate Back-up

Boat Ramp

Fire Department

Others: Sand Tennis

**Attachments: Summary of open items as of 01082025**

## STR

- Language modification on STR ordinance
  - Reviewing at Workshop on 12/16/24
  - 1<sup>st</sup> reading targeted for 12/18/24
  - 12/16 – 1<sup>st</sup> reading now targeted for 1/15/25
- Language modification on noise ordinance (Part STR, Part all Melbourne Beach)
  - Reviewing at Workshop on 12/16/24
  - 1<sup>st</sup> reading targeted for 12/18/24
  - 12/16 – 1<sup>st</sup> reading now targeted for 1/15/25
- Code violations
  - Process for code violations – internal v legal process
  - 12/18- Town Manager indicated Code Enforcement officer will be starting Jan 2025
  - Suggest removal of item from list, and look for Code Violation report on an ongoing monthly basis
- Regulating: Registered v non-registered
  - Process for regulating
    - Town Manager to add report for 12/18/24 meeting- Existing registered, addresses believed to be operating without being registered, pending applications with anticipated inspection dates
  - Evaluation of 3<sup>rd</sup> party vendor – Town Manager plans to have details to share at the 12/16 Workshop
    - Orange Data
    - Deckard Technologies
      - 12/18/24- held for Jan meeting for additional research and questions

## P&Z

- Foundation height
  - P&Z discussed at 11/13/24
  - P & Z to evaluate proposed attorney language in Feb
- Tree removal/replacement
  - Joint EAB/P&Z discussion – bringing proposed language forward
  - Town manager update – 11/26/24 - Meeting with Ryan Knight, Corey O’Gorman and Robert Bitgood to discuss.
  -

## Storm Water

- Schedule workshop meetings
  - Town Manager to get BSE availability.
  - Determine if Special Meeting is scheduled or add to Jan and Feb Workshop
    - Basin 10
      - Scope findings from BSE
    - Basin 1
      - BSE anticipates having engineering work completed by the end of Dec

- Next step - cost estimates – possibly 3 phases – RFP
- Ocean Avenue – possibly sinkhole
  - PW investigating
- River View Lane – crushed outflow pipe
  - BSE will prepare cost
- 1/6/25- email from Town Manager, meeting with BSE scheduled for Tues, Jan 28 at 6pm.

#### Budget Education

- Target April/May Workshop-Town Manager and Finance Director

Records Retention – Digital Project- already incorporated into Town Clerk monthly report, suggest removal

New Town Website – already incorporated into Town Clerk monthly report, suggest removal

- Circulate/market on subscription options
- Consider website feedback field

Infrastructure – suggest incorporating this into Town Manager and PW monthly reports

- Riverside paving
  - Completion date? 11/24 – Town Manager - Skid under repair-has a hole in the base. Completion date extended an additional week -2 weeks.
  - Extension of Ocean Ave to be paved? Costs? 11/24/24 – Town Manager-Paving and curb work cost \$66,961. Not in budget. We will wait until we have additional paving and incorporate the final piece and/or wait until the left-hand turn lane is operational (road work required) and then repave.
  - 12/18/24, Town Manager advised equipment is fixed and project should be finished in the next couple of weeks, uncertain of holiday/vacation schedule
- Ocean Ave left turn lane-11/24/24 – Town Manager -This is pending with FDOT
- Cherry Dr/A1A crossover-11/24/24 Town Manager - This is pending with FDOT
- School zone – Brevard County responsible, PW emailed on 11/7

Charter Review Committee – suggest a Board submit an update to Town Manager to incorporate into monthly TC report

- Considered to be established with goal to have changes added to ballot for the election in Nov 2025- pass by TC on 11/20/24
  - Each TC submits a resident for 12/18
  - Anticipated to start January and finalize by June to meet referendum deadline
  - 12/18/24, Bruce Larson, Kathy Iver-Osthus, Charles Lepp, Jessica Martinez, and Jim Simmons – to start in Jan 2025

Sand Tennis – validate if this continues to be active or inactive

- Discussed and possible sponsorship by Bruce Larson – 11/24/24 Town Manager-I have spoken with Tom Davis and he is not in favor. Would not want tennis folks taking our net down and up for every use. Also does not want to leave their net in place. According to Tom there is and a group who plays volleyball on Saturdays.



Parks – suggest Boards submit updates to Town Manager to incorporate into monthly TC report

- Meeting to discuss the below TBD when new Parks Chair is named
  - Hometown Heroes – applications out – display targeted for Memorial Day 2025 - 11/24/24 Town Manager - we have received 4 applications so far.
  - Circle Park refresh-Public Works can start on this at any time once you have your final or partial plans.
  - Honor Walk location-consider Honor Walk in front of the Community Center.
  - Bicentennial - Garden Club- ideas being exchanged between Garden Club and Parks Board
  -

Law Suits – suggest incorporating this item into Town Manager monthly TC report

- Shed Case
  - Remains open – 11/24/24 Town Manager - Waiting for Judge Seagel to render final decision after filing for dismissal.
  - Dennington’s Attorney asking for Magistrate to issue a change in findings saying no wrongdoing. This was never a part of the Settlement Agreement.

Town Manager Contract and Town Policies & Procedures

- Schedule Special Workshop or incorporate into Jan Workshop
- 11/24/24 – Town Manager - Policies and Procedures Manual due in February.

- Additional Items

- 12/18/24 – Magistrate back-up – Town Manager to confirm by Feb 2025
- 12/18/24 – Boat Ramp Parking– February 2025
- 12/18/24 – Fire Department – February workshop – presentation for long term structure

## JANUARY 2025 TASK LIST

<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>
Review and search for a new magistrate	12/18/2024	2/19/2025		Commissioner Reed	Town Manager
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
12/18/2024	Commissioner Reed – Review and search for a new magistrate and bring it back in February.				
<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>
Develop a plan and proposal for paid parking at the 6 <sup>th</sup> Ave boat ramp	12/18/2024	2/19/2025		Commissioner Reed	Town Manager
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
12/18/2024	Commissioner Reed - Develop the plan and proposal for the 6 <sup>th</sup> Ave paid parking and bring it back in February.				
<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>
Sixth Ave boat ramp improvements	8/17/2022	2/19/2025		Commissioner Runte	Town Manager/ PW Director
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
12/18/2024	Town Manager – coquina has been put down and that has worked to take on the waves and disperse the water. Recommended one more truck load. There is no water for landscaping there.				
6/19/2024	Push to December after hurricane season.				
8/16/2023	At the workshop next week.				
7/19/2023	Mayor – Neighboring property put in a taller dock that is getting destroyed, so if the Town put in a small dock it would not last long				
6/28/2023	Look into grant opportunities				
3/15/2023	Put on the Town Commission Workshop				
2/15/2023	Tom Davis- met with Bowman Engineering at Sixth Ave boat ramp to get them to draw something up				
1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking				

## JANUARY 2025 TASK LIST

11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall
9/21/2022	Discussed under new business agenda item D.
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money