

# **Town of Melbourne Beach**

**TOWN COMMISSION WORKSHOP  
WEDNESDAY FEBRUARY 5, 2020 at 6:00 p.m.  
MASNY ROOM – 507 OCEAN AVENUE**

## **MINUTES**

### **PUBLIC NOTICE**

**The Town Commission conducted a Town Commission Workshop  
on Wednesday February 5, 2020 in the Masny Room  
to address the items below.**

**Commission Members:**

Mayor Jim Simmons  
Vice Mayor Wyatt Hoover  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

**Staff Members:**

Town Manager Elizabeth Mascaro  
Town Clerk Nancy Wilson

**I. Call to Order – Led by Mayor Simmons**

Mayor Simmons called the meeting to order at 6:00 p.m.

**II. Roll Call**

Town Clerk Wilson conducted the roll call.

Commissioners Present:

Mayor Jim Simmons

Vice Mayor Wyatt Hoover

Commissioner Steve Walters

Commissioner Sherri Quarrie

Commissioner Corey Runte

Staff Present:

Town Manager Elizabeth Mascaro

Town Clerk Nancy Wilson

Fire Department representatives present:

Gavin Brown, Fire Chief

Dave Micka, Safety Coordinator (previous Fire Chief)

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

Led by Mayor Simmons

**IV. Public Comment**

No public comments

**V. New Business**

- A. Consideration of verbiage for the short term rental ordinance – Town Attorney Repperger

Mayor Simmons said that since the agenda item considering verbiage for the short term rental ordinance was removed, they'll move right into the fire tax discussion. He reported that short term rentals were discussed at the SCLOC meeting and the only way the bill (which would remove all control at the municipal level and give it all to the State, Division of Tourism under Business and Professional Regulation) is going to get killed is at a committee meeting on February 11<sup>th</sup>. The Committee consists of five people, two for and two against. Senator Tom Wright is the swing vote who campaigned on a foundation of Home Rule. If this committee passes the bill (it's already passed two committees and this is the third) it will go to the full floor. The thinking is, if it passes out of this committee, it will be approved in the Senate. To handle short term rentals, the Department of Professional Regulation is going to add six employees to monitor

all short term vacation rentals in the State. The Mayor asked that anybody interested should contact Sen Wright to encourage him to vote against SB1128 (Mayor Simmons to provide contact information). It is uncertain if grandfathering provisions written prior to 2011 or 2014, will be allowed or if any grandfathering will be allowed

Commissioner Quarrie said she wished when the Planning & Zoning Board was working on tackling short term rentals in 2011 that it had been taken seriously – nobody wanted to move forward on it.

B. Discussion and possible action imposing a fire tax to support the Fire Department – Town Manager Mascaro

Town Manager Mascaro said that during budget discussions, the commission talked about how best to support the Fire Department. They reviewed ways to offset costs and one way suggested by Commissioner Walters was to put to referendum a fire tax proposal. She talked to someone in West Melbourne about their process for fire taxes that would be most equitable to homeowners, and their answer was to charge based on square footage.

In January 2020, the Commission's consideration to institute a fire tax was put on hold when they decided on the stipend plan. Given that they were talking about the fire tax again, the Town Manager asked how the Commission wanted to proceed: wait until they see how the newly adopted stipend plan works out; have a referendum vote in November or get more information regarding costs. Commissioner Walters said his suggestion of having a fire tax was based on the Fire Department saying they didn't have enough people. Now, he understands that they require 25 people and they have 39 so that's why he suggested the fire tax; it was just a thought. Mayor Simmons asked if the intent was to have residents understand the true cost of the Fire Department by isolating it or was it to get more money or was it to build a mechanism for the future or what? Currently, the Fire Department is being funded out of the General Fund. Commissioner Walters responded that, if we are to institute a fire tax to pay for additional fire fighters, he wanted to go to the voters with the proposal because it could result in a significant increase in taxes. The Commission continued the discussion about taxes and the effect on taxpayers.

Fire Chief Brown said he doesn't think the Fire Department is in a dire situation at all and doesn't think now is the time to do anything, that we should wait to see how the stipend program works. He said, however, if they decided that the stipend plan wasn't working as planned, there a FEMA grant called SAFER that pays 80% of Fire Department salaries for the first year of the grant and 60% for the second year. That would give them ample time to

determine what the next step should be. Regarding the first quarter of the stipend plan, the Fire Chief said that there was increased participation but that the counts will be more accurate after the second quarter. He said that, realistically, there will be limits to how effective the stipends will be. They are good for now but the future is unknown.

The Town Manager said that budget discussions begin in three months. The Commission may want to discuss it in more detail at that time.

Commissioner Runte said that if we are going to assess a fire tax, he wants the taxpayers to vote on it. He wants to see how the current solution works with the understanding that there would be a twelve month wait period to potentially get a fire tax approved.

Commissioner Quarrie is not in favor of hiring people unless the taxpayers are involved. She wants more investigation into the true cost of fire services so the residents can be fully informed before any decisions are made.

Vice Mayor Hoover said Brevard County taxed \$41.48 per year for houses under 1,700 square feet; houses over 2,600 square feet are taxed \$329 per year for fire services. He is not in favor of expending labor and effort talking about a new tax structure while waiting to see if the stipend program works.

Commissioner Walters said he is not in favor of a fire tax.

Commissioner Walters then asked the Fire Chief if they respond to emergency medical calls. Chief Brown explained the process and said that they only respond if somebody is already at the station or if there's a fire but in some situations, they don't want to be behind the eight ball by waiting to see if there's a fire before proceeding to the scene. They are not paged out for medical calls. MBVFD has five EMT's and one paramedic and they are looking for more.

They always respond to:

- car accidents
- anything fire related
- anything rescue related
- water rescues

The consensus was for staff to gather facts so if the time comes when the Fire Department has to vastly increase their budget, they'll be armed with information that can be relayed to the residents.

C. Discussion regarding amendments to the Comprehensive Plan – Town Manager Mascaro

The Town received a grant from the Department of Environmental Protection (DEP) to partially fund their Comprehensive Plan update. East Central Florida Regional Planning Council (ECFRPC) received those grant funds to create the first part of the plan, the Evaluation and Appraisal Report (EAR), which brought a new piece into the plan. It provides sustainability suggestions that the Town could take on, similar to EAB's sustainability plan, to protect residents and the Town from sea level rise and to make sure the Town remains viable over the next 50-100 years.

The Comprehensive Plan is broken down into two pieces:

- 1) The EAR is for the Town Commission to review and present questions. This part of the plan doesn't go to the state; it simply offers a compilation of suggestions for the Town to consider for sustainability and future viability.
- 2) The Comprehensive Plan is sent to the state and is usually updated every 5-10 years. Place Planning is currently working on this piece that the Commission will vote on.

Regarding the EAR, it is just a guide. The Town Manager said that whatever questions the Commission have, she will get them answered. The Mayor said the report doesn't bind the Town to anything so he questioned its usefulness. The Town Manager answered that they want to make sure the Commission discusses it.

Commissioner Quarrie questioned height limits which the Town Manager will look into. She also said it was suggested in the report that the Town consider utilizing rain barrels and swales which is similar to a suggestion she made a long time ago and which would be very inexpensive. Commissioner Quarrie also said that in 11.6 (b), she didn't know that we didn't have an elevation provided. Commissioner Runte said that maximum height and minimum floor elevations will need to be revisited in the future due to sea levels rising. Commissioner Quarrie then went to page 42 policy 11.1.3 and said that the matter of storm panels should go to EAB; she doesn't even know what they are. Commissioner Walters has a problem with all the "shalls". He asked if "may" could be used instead.

Vice Mayor Hoover asked for how many Towns ECFRPC has written these EARs? He said the document is not designed for Melbourne Beach specifically. The Town's sustainability guidelines are much better. Moving forward, the Town should collaborate more with EAB. Mayor Simmons suggested some things he would like future Commissions to tackle such as

swales, mangrove planting, eliminating seawalls, etc. He also pointed out several typographical errors.

Town Manager Mascaro said that Jennifer Torres contacted her about grant writing which she has been doing for many years. Dwayne DeFreese can't help the Town get a grant for the Ocean Park parking lot project and because it's a unique project, would they want Jennifer Torres to work on it? She would charge by the hour or project. Vice Mayor Hoover said before jumping into hiring somebody to write that grant, he'd like to get input from the EAB about what the Town should be working on this year and to make sure our interns are doing what they've been hired to do. The hiring of a grant writer can be discussed at budget time.

Two Action Items were added:

- Swales in Bicentennial Park (April RTCM)
- EAB projects to be budgeted in 2020

Two Action Items were updated:

- Fire tax item updated to revisit (February 2021)
- EAR given to EAB for review and comments (May RTCM)

## VI. **Adjournment**

**Commissioner Runte made a motion to adjourn; Vice Mayor Hoover seconded. Motion carried 5-0.**

The meeting adjourned at 7:08 pm

**ATTEST:**

  
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**James D. Simmons, Mayor**

  
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**Jennifer Torres, Interim Town Clerk**