

Town of Melbourne Beach
REGULAR TOWN COMMISSION MEETING
JUNE 15, 2022 at 6:00 p.m.
COMMUNITY CENTER – 509 OCEAN AVENUE

MINUTES

Commission Members:

Mayor Wyatt Hoover
Vice Mayor Joyce Barton
Commissioner Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker

Staff Members:

Town Manager Elizabeth Mascaro
Town Attorney Cliff Repperger
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Melanie Griswold
Public Works Director Tom Davis
Interim Town Clerk Amber Brown

1. Call to Order

Mayor Wyatt Hoover called the meeting to order at 6 p.m.

2. Roll Call

Interim Town Clerk Amber Brown conducted roll call

Commission Members Present

Mayor Wyatt Hoover
Vice Mayor Joyce Barton
Commissioner Sherri Quarrie
Commissioner Corey Runte
Commissioner Marivi Walker

Commission Members Absent

None

Staff Members Present

Town Manager Elizabeth Mascaro
Town Attorney Clifford Repperger
Finance Manager Jennifer Kerr
Building Official Robert Bitgood
Fire Chief Gavin Brown
Police Chief Melanie Griswold
Public Works Director Tom Davis
Interim Town Clerk Amber Brown

3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance

4. Presentation

- A. Police Chief Melanie Griswold presented Officer Leon Bennett with the Meritorious Service Award.

5. Public Comments

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.

***Mike Slaughter
321 Ocean Ave***

Mike Slaughter stated he is here representing the Melbourne Beach Rotary Club to provide a donation of money to the Fire Department. The Fire Department is in need of the Scott RIT pack fast attack system which is used to help save firefighters in a burning building. The funds were raised on Founder's Day.

Ali Dennington
413 Surf Rd

Ali Dennington stated Amber is doing a great job on the minutes. She asked if there is anything the Commission can do for the parents who want to volunteer at the school because they have to drive to Viera to take a computer-based test. Ali asked about getting Town emails for interns to make sure nothing is lost.

Mayor Wyatt Hoover stated the School Board is in Viera which is probably why they do it there, but we can look into it.

Jude Wilson
526 Sunset

Jude Wilson stated she brought pictures of the median on Sunset. She stated these pictures are from a couple different days when it rained. She asked for public works to continue cutting the curb to allow the rain to drain. She stated she had engineers go to her house and they stated the street was built higher than her lot. Jude asked the Commission to look into this more as this is an infrastructure problem.

Sheila Tyre
532 Sunset

Sheila Tyre stated she also has concerns about Sunset Blvd possibly because of flooding. She thought years ago there was a baffle system to help drain water down towards the river. She asked if there is a baffle system there and if it is working. Sheila stated she is fine without the curb, but now it looks funny with only sections of the curb cut out. What about taking out the whole curb. She stated water control is more important than esthetics

Mayor Wyatt Hoover stated this is an ongoing project where steps are being taken and they assess the results before proceeding. He stated they will continue to look into it.

Town Manager Elizabeth Mascaro stated there was a baffle system installed, but she does not know what its current status is.

Todd Shier
1708 Atlantic St

Todd Shier asked what the definition of recovery funds that were mentioned and if we have any in the budget and what amount.

Mayor Wyatt Hoover stated that the funds mentioned are the ARPA funds which is the American Recovery Plan Act. ARPA funds were provided to the municipalities from the Federal Government based on the stimulus plan. The 1.8 million ARPA dollars in the budget are restricted by the Federal Government on how the funds can be used.

Todd Shier asked where he can find the Federal restrictions.

Finance Manager Jennifer Kerr stated on their website, treasury.gov.

6. Approval of the Agenda

Commissioner Corey Runte moved to approve the Agenda; Commissioner Sherri Quarrie seconded; Motion carried 5-0.

7. Consent Agenda

- A. Approval of Special Town Commission Meeting minutes for June 1, 2022
- B. Approval of Regular Town Commission Meeting minutes for May 18, 2022
- C. Approval of Regular Town Commission Meeting minutes for April 20, 2022
- D. Approval of the site plan for 309 Fifth Ave
- E. Approval of the site plan for 527 Sunset Blvd

Jude Wilson
526 Sunset Blvd

Jude Wilson stated that 527 Sunset is a tear-down property that was recently purchased. They are planning to build a pool and pave the front lawn in order to build a driveway. She stated they are at least four inches above her property, the road is lower, and the median is overflowing and her property is on the other side. At this time she asked if the Commission is about to approve a site plan which includes building a pool that will drain directly in front of her house.

Mayor Wyatt Hoover stated any site plan goes through a rigorous review in the building department. The Commission does not have the authority to prohibit any construction that is allowed per our Code. Any new construction is subject to the new stormwater requirements which is six inches in twenty four hours.

Commissioner Corey Runte stated not only does the Building Official review the fully engineered drawings, but they also go through the consulting engineers and planning and zoning for approval then it goes to the Commission.

Jude Wilson asked who is responsible for the water when it comes from the median.

Mayor Wyatt Hoover stated the drainage situation on Sunset is under review and is an ongoing project that is being worked on to improve it.

Vice Mayor Joyce Barton moved to approve the Consent Agenda; Commissioner Corey Runte seconded; Motion carried 5-0.

8. Old Business

- A. Discussion on Brevard County's Code of Ordinances allowing a second kitchen for single-family residences

Town Manager Elizabeth Mascaro stated the Commission asked her to look at the ordinances for the county regarding multigenerational kitchens. Provided the code

from Brevard County which allows for a second kitchen and the code for guest houses; the other document is from the Property Appraisers Office which allows families to get an additional tax benefit for having a grandparent suite. The kitchen seems to be the common denominator with other municipalities to be a single family.

Mayor Wyatt Hoover reviewed the background to this item. Planning and Zoning asked for a more detailed definition of kitchen. The purpose was to prevent having more than one living space on a single-family property, with the intent to prevent vacation rentals. Unfortunately the State legislature has prevented almost all chances of regulating vacation rentals in any capacity. After further discussion, the Commission felt prohibiting families from having a separate space for adult kids or grandparents was counterproductive since the original intent was related to vacation rentals which it now has no effect on. He stated the two parts from the property appraiser document that apply to Melbourne Beach would be they must have an existing homestead exemption, and the construction must be properly permitted.

Commissioner Sherri Quarrie asked if we should put in a different age group.

Mayor Wyatt Hoover stated he does not think the age is relevant. He then read the Brevard County's Ordinance. He recommended increasing the square footage requirement to 800 or 1000 square feet.

Commissioner Sherri Quarrie stated this section is referring to something under the same roof, so the setbacks and lot coverage would limit the size.

Mayor Wyatt Hoover stated that section two could be removed, as well as sections three through six that are related to vacation rentals, since the State legislature dictates regarding vacation rentals

Commissioner Corey Runte stated it is common in other municipalities to allow multigenerational suites. He provided an example regarding if a family member ended up needing full-time care and the family cannot afford an assisted living facility, currently in Melbourne Beach you would not be able to have an additional kitchen to allow the family member to have their own space.

Mayor Wyatt Hoover asked if any Commissioners were in opposition to a detached guesthouse.

Commissioner Sherri Quarrie stated she is against it because the purpose of this is to accommodate seniors or young families who are having a difficult time affording a house. Allowing a detached structure would open the door on detached structures being rented out.

Mayor Wyatt Hoover stated he doesn't think it would make a difference if it was attached or not because you can rent out the attached space out just as easily. The best way to prevent duplex like situations is requiring a single electric and water service.

Commissioner Corey Runte stated you can rent anything out including just a couch or air mattress. Also, if a detached structure wasn't allowed, the owner could just connect the structures with a canopy. He is fine with attached and detached as long as they maintain the homestead exemption and all of the code requirements for lots.

Mayor Wyatt Hoover stated this agenda item is discussion orientated, so this is just to begin the process of making any changes that would require a first and second reading to the ordinance changes.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney stated she is confused on attached and detached because couldn't you just say attached if you only attached the roof.

Mayor Wyatt Hoover stated that is correct.

Nancy Haney stated her property backs up to a community that is allowing daily rentals.

Commissioner Corey Runte stated that is not allowed in unincorporated Brevard County.

Mayor Wyatt Hoover asked that we stick to things that pertain the Town of Melbourne Beach.

Greg Wilson
526 Sunset Blvd

Greg Wilson stated he just wanted to make sure everyone received and got to look at the photos provided by Jude Wilson earlier in the meeting.

Chuck Cain
309 Surf Rd

Chuck Cain stated on the discussion regarding attached or detached, whether they are connected by a roofline or not, a detached building would have to meet certain requirements. What happens when the grandparents pass? Then they are just going to rent it out. However, if it was in the house they might be less likely to rent it out.

Mayor Wyatt Hoover stated the Town would define it as an accessory structure.

Carol Crispen
205 Elm Ave

Carol Crispen stated she is dealing with an AirBnB that is very loud. It sounds like we are opening ourselves up, and just because Brevard County is doing it, doesn't mean we should. We need to do what is best for Melbourne Beach.

Mayor Wyatt Hoover stated he has received her emails and has driven the streets, but unfortunately, the State has prevented us from being able to regulate AirBnBs at all. This is about keeping people in their homes rather than them selling it and people buy it only as a vacation rental.

Carol Crispen asked what is going to prevent someone from putting a wall in the middle and now they can rent out a duplex instead of a single family. This is going to open us up for other issues because people will find ways around it.

Commissioner Corey Runte stated short term rentals are allowed in the Town of Melbourne Beach. Whether we like it or not there is nothing we can do because of the State Legislature. The Town does have a registration process, however, there is nothing stopping someone from buying fifteen houses on the same street and turning all of them into vacation rentals. The goal is to help the elderly and families to be able to afford to stay together. AirBnBs are allowed no matter, so this would not enable it because you would have to live there.

Ali Dennington
413 Surf Rd

Ali Dennington stated why not change the code to allow for the second kitchen if you get a conditional use, but you also have to sign a development order that says you will not rent it. She stated development orders run with the land and get filed with the County, so even if they sell it, the development order stay in effect. It wouldn't effect the homes that currently have a second kitchen.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated since this is about accommodating multigenerational families; would it be possible to incentivize those who are developing it the way the Commission wants it.

Mayor Wyatt Hoover stated there is a ton of good that could come from this; from aging parents that want to stay in place, to adult kids that cannot afford a house, to live-in caretakers, etc. There will always be people that find a way to take advantage of everything.

Kyle Stark
209 Surf Rd

Kyle Stark stated he lives with his grandparents and his father. Today he took care of his nephews while his sister is dealing with other things. He stated it is very important to remember that the country is changing. His family lives in a multigenerational home. If something harms one person even though they don't deserve it, you also have to think of the good it is doing by allowing families to live a dignified life.

Town Attorney Clifford Repperger stated the County allows for the second kitchen facility as a conditional use, and likely what you would see is a conditional use permit. Also, with the County, the guest house is for larger lots, so as this moves along that will need to be evaluated. As far as the vacation rentals, the County codes that restrict vacation rentals was passed before the preemption was in effect. The preemption has been in effect for quite some time 509.302 (7) preempts local government from prohibiting vacation rentals. You cannot limit the duration of the stay; unless it was in effect before the preemption. The Town does have a regulatory ordinance for vacation rentals.

Vice Mayor Joyce Barton made a motion to move forward with the language for the code of ordinances for multigenerational living areas attached and detached; Commissioner Marivi Walker seconded; Motion carried 5-0.

9. New Business

A. Discussion on a beachfront dog park

The Town received emails from the following residents regarding the discussion on a beachfront dog park:

Hans Rittinger
Diane White
Deborah Aftung
Jamie Guth
Caren Byrd
John & Marie Heck
Donna Bardell
Michael Workman
Donald Thomas
Matt Giammarino
John Mauzer
Vicky Busch

Town Manager Elizabeth Mascaro stated Loggerhead Park was developed through a grant, and no further development can be done to it.

Commissioner Sherri Quarrie stated the reason this was put on the agenda was to find out what the safety and grant limitations are, and to open up the discussion of a dog park. A lot of residents already bring their dogs to the parks or the beach.

Does the Town want to have a safe place for dogs to be able to run on a leash? This was to get input from residents. Are residents interested in a dog park, or allowing dogs in the parks or on the beach? She stated the reason she proposed Loggerhead Park was because it is at the end of the Town, and because of limited parking, it would be limited to residents.

Commissioner Corey Runte stated any Commissioner can put anything up for discussion, which is what this is, strictly just a discussion. A lot of residents have contacted Commissioners about having a safe place for dogs. That being said, he does not support development of the park.

Commissioner Marivi Walker stated she appreciates the idea, but questioned if the Town even has space to put a dog park.

Commissioner Corey Runte stated what about asking the County to put one in at Flutie Field.

Further discussion ensued

Town Manager Elizabeth Mascaro stated we can also contact Indialantic, who recently allowed dogs on the beach in a certain area at certain times.

NEW ACTION ITEM: Dog park research

***Barbara Strutman
802 Pine St***

Barbara Strutman stated although it has already been resolved about Loggerhead, but she would like to add her input. She is against the Loggerhead dog park because this is the last piece of oceanfront property in the Town of Melbourne Beach that is not already concrete. Would the dog park bring more traffic to Town? Would it increase annual taxes? Why does it have to be oceanfront property? Please consider these things.

***Ali Dennington
413 Surf Rd***

Ali Dennington stated she loves dogs, but she doesn't think a dog park is a good idea. When you say Dog Park, most people think of a fenced in area. What about having two poles on the beach and during certain times you can walk your dog on the beach between the poles? To help the residents, what about a time restriction of only from sunset to 9am? The stormwater drainage area by the tennis courts could be a good area to put something up once a week to allow dogs to run.

Curtis Byrd
306 Surf Rd

Curtis Byrd stated he, along with the Environment Advisory Board, assisted in the purchase of the land for Loggerhead Park. The two things the State wanted was to protect the native vegetation and education. There are quite a few events they plan, including education and planting throughout the year. In the application process of the grant, it was written that there would only be pedestrian and bicycles, with no parking areas.

Neal Tompkins
2004 Neptune Dr

Neal Tompkins stated he is glad Loggerhead was taken off the table. He also stated the speed limit there is forty miles per hour, so golf carts cannot be driven down that road. Exploring ideas is a good idea, but he suggests you take the beach off as well. No other municipalities have a dog beach park.

Christian Stumpt
1708 Atlantic

Christian Stumpt stated currently enforcement and taking care of the park is not being done. He stated golf carts are parking there, there is ongoing graffiti, and garbage in the park.

Mayor Wyatt Hoover stated the Town staff is very responsive to things like that, so please snap a picture and send it to townmanager@melbournebeachfl.org, and our public works team will handle it.

Patrick Hagerty
1702 Atlantic St

Patrick Hagerty stated in 2015, Indialantic and Cocoa were both trying to establish a beachfront dog park. They were ultimately shut down because the habitat is considered sea turtle nesting areas. In 2019, an eleven-mile stretch of beachfront south of Melbourne Beach did the same thing. The Brevard County Attorney's Office wanted the County Commissioners to be aware of the potential liability under the Federal Endangered Species Act if they allowed dogs on the beaches in the Archie Carr National Wildlife Refuge. The Act protects threatened and endangered plants and animals, as well as the habitats in which they are found, including sea turtles and sea turtle nesting areas. Lastly, people are already bringing their dogs on the beach against the rules. The Commission should take into effect that people always push boundaries. Opening up to allow dogs on the beach will just allow people to take advantage of it.

Jude Wilson
526 Sunset Blvd

Jude Wilson stated when she first moved here it was wonderful to be able to take her dog to the beach in the early morning when no one was around. There are also more than a dozen people here that she has seen with a dog on the beach. The Commission should consider allowing dogs on the beach in the early morning hours when tourists are not there and people are not sun bathing. She stated she grew up in a different small town which allowed dogs on the beach during certain times and the dogs had to get a special tag. People outside of the Town would not be able to get the tag, so everyone that had the tag was a resident and was responsible. Is there any land that the Town could acquire to have a dog park?

Margie Hoffman
The Breakers

Margie Hoffman stated laws are there to protect everyone and to be followed. In Melbourne Beach dogs are not allowed on the beach, but many times she can see dogs on the beach from her patio. She is concerned when dogs are off leash and barrel down the beach at kids.

Mike McGraw
2005 Atlantic St

Mike McGraw asked what are the rules and regulations regarding dogs on the beach. Dogs are already on the beach. If allowed, people would push the rules. He just wants to protect what we have out there.

Mayor Wyatt Hoover stated no dogs are allowed on the beach at all.

Doug W
1712 Atlantic St

Doug W stated Loggerhead is not a park, it is a preserve. He has surfed all over the place and Loggerhead is a jewel. He went down there today and counted nine turtle nests. That area needs to be left alone.

Commissioner Corey Runte stated if anyone sees a light violation, to take a picture and write the address and send it to our Code Enforcement.

Building Official Robert Bitgood stated if anyone replaces windows on the beach, or if anything is built, that is enforced as well.

- B. Consideration of the updated Interlocal Agreement with Indialantic for fire-rescue dispatch services

Town Manager Elizabeth Mascaro stated this is the seventh update to the agreement with Indialantic, and the fee has increased by \$200.00 making the total \$5,400.00.

Commissioner Corey Runte moved to approve the Interlocal agreement with Indialantic as presented; Commissioner Marivi Walker seconded; Motion carried 5-0.

- C. Discussion on revisions to the landscape and tree ordinance

Building Official Robert Bitgood stated this is something that has been in the works for the past six month. This is just to open up a dialogue and get any input. He met with the Fire Department to make sure there wouldn't be any issues with allowing taller shrubs in front yards. One idea to define the houses directly on A1A would be to use the words along the state road. The governor is about to pass new legislation, so to match it, consider adding to our ordinance "must meet the standards set in tree risk assessment, second edition (2017)."

Commissioner Corey Runte asked what the repercussion is if someone removes a tree that would not normally be allowed without a permit.

Building Official Robert Bitgood stated he would red tag it meaning he would issue a stop work order. They then have thirty days to go through the process of getting a tree permit. Under the new fee schedule, he has the ability to assess up to four times the cost of the permit for doing work without a permit, however, because the tree permit does not cost anything that would need to be reviewed.

Commissioner Corey Runte would like to see the repercussions increased to include a fine for illegal tree removal, and have those fees go towards replacement trees.

Commissioner Sherrie Quarrie asked if some of the money could go towards education, because some of the homeowners truly do not know what they can or cannot cut, and what requires a permit.

Commissioner Corey Runte stated coming up with something simple like call before you cut to put on social media and the Town website that goes to the permit application.

Building Official Robert Bitgood stated 9A-4 (a) change four copies to two copies which is sufficient. Add "trees that are removed for new construction shall be replaced by same or similar species. For mature oaks two similar species will be required. Twelve inches in height above grade." The section 9A-10 change the authorization from Public Works Department to the Building Official or Town Manager. 9A-5 (b) just to stress the requirement of the field check of the site. 9A-6 (b2) twelve feet in height and 4.5 feet above grade to make sure they have a good healthy tree. 9A-7 (a) Remove "minimum of three trees" and defer to other more

specific areas of the code. 9A-7(5a) add the words "above grade" after eight feet in height to be more specific.

Mayor Wyatt Hoover asked if section 7A-53 (2c) need to be amended to a maximum of six feet for homes along state road A1A.

Building Official Robert Bitgood stated that is correct and also section e. Other municipalities have also required full front four-foot vegetation be planted in front of the wall or fence.

Commissioner Sherrie Quarrie asked if the setback requirement would be to the vegetation or to the wall.

Building Official Robert Bitgood stated it would be to the wall because the vegetation is removable, but they would still need to adhere to the twenty-five-foot triangle.

Mayor Wyatt Hoover stated he doesn't think the hedges should be restricted to State road A1A. He would be in favor of striking the maximum four foot hedge in the front yard.

Commissioner Corey Runte and Marivi Walker agreed.

Building Official Robert Bitgood stated this is the only jurisdiction that does not have a setback for a shed to keep them off of the property line. 7A-57 add "shed roof line cannot place water on the neighbor's property".

Crystal Cain
309 Surf Rd

Crystal Cain stated that if someone bought a property, is there a picture to know what trees are present at that time? Is there a way to know that or have it on a site plan?

Building Official Robert Bitgood stated currently no there is no picture or anything showing current trees.

Commissioner Corey Runte stated when site plans are submitted vegetation is included. As part of the site plan, the caliper and type of tree are required.

Building Official Robert Bitgood stated for new construction a tree permit is not issued until he has walked the property with them, and as part of the site plan, he requires an architectural drawing showing what is there and what is being removed before they can do anything. At the time of the onsite walk he takes pictures.

Ali Dennington
413 Surf Rd

Ali Dennington asked where on the agenda does it say that shed setbacks would be discussed at this meeting.

Building Official Robert Bitgood stated the setbacks are not being talked about, just the water that is being displaced.

Mayor Wyatt Hoover clarified nothing about setbacks would be changed, just the proposed verbiage of “shed roof line cannot place water on a neighbor’s property.”

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked about the 1.8 million in ARPA funds. Are there any proposals, and who decides it, and do residents get any input?

Mayor Wyatt Hoover stated the majority of the funds will be used for storm water upgrades and improvements. The requirements are established at a federal level, but the Commission locally decides on how to use the funds. Every time a decision such as an ordinance change is made, it has been discussed in at least three or four meetings, which can take around six months.

Nancy Haney asked if the stormwater issue has already been determined to be the most appropriate and important way to use the money.

Mayor Wyatt Hoover stated that the money is already in the works for several projects, so yes.

Town Manager Elizabeth Mascaro stated for the record the amount is 1.6 million not 1.8 million.

Commissioner Corey Runte made a motion to move forward with the landscape and tree ordinance revisions as presented and discussed; Commissioner Marivi Walker seconded; Motion carried 5-0.

D. Consideration to close Town Hall at noon on Friday, July 1st.

Town Manager Elizabeth Mascaro stated this would be a nice time for team building with a pot luck lunch and get to learn things about each other.

Vice Mayor Joyce Barton made a motion to approve the team building event on July 1st in the afternoon; Commissioner Marivi Walker seconded; Motion carried 5-0.

E. Consideration of a Tourism Lagoon Project Grant

Town Manager Elizabeth Mascaro stated she received a call regarding the Tourism Lagoon Project Grant for up to \$50,000.00 without the requirement for matching funds. They mentioned painting storm drains. She stated we could do a mural guide to get people to find and take pictures with around the Town. It has to be to promote tourism, and the drop dead date for submission is June 22nd.

Mayor Wyatt Hoover stated he would love to see the walls that enclose the beach accesses, boat ramp, Ryckman Park painted with different ecosystems.

Commissioner Corey Runte stated businesses might be interested as well.

Nancy Haney
181 Ocean Ridge Dr

Nancy Haney asked if it is possible to get an extension of the June 22nd due date.

Town Manager Elizabeth Mascaro stated they do not generally allow that.

Nancy Haney stated she has access to a lot of very good artists in town and would be willing to help.

Ali Dennington
413 Surf Rd

Ali Dennington stated she has seen a guy that paints surfboards online, so maybe get some longboards to paint and put them around town.

Neal Tompkins
2004 Neptune

Neal Tompkins stated that all of the ideas are great, but maybe not the storm drains, as that is where all of the stormwater goes to the lagoon. He stated as part of the S.E.A project it was mentioned painting crosswalks, which became a tourist attraction.

Kyle Stark
209 Surf Rd

Kyle Stark stated that what is being talked about would be a great opportunity for kids to not only enjoy the beauty of the decorations, but to also have some sort of educational aspect to it. He suggested coming up with a mission statement of what the art means to the Town.

Commissioner Corey Runte made a motion to approve proceeding with the tourist lagoon grant; Vice Mayor Joyce Barton seconded; Motion carried 5-0.

F. Consideration and approval of Ordinance 2022-01 on low-speed vehicles

Town Attorney Clifford Repperger stated this is the first reading of ordinance 2022-01 an ordinance of the Town of Melbourne Beach, Brevard County, Florida relating to the traffic code of the town; making findings; creating sections 30-100 through 30-109, Town Code of ordinances, authorizing the operation of low speed vehicles within the town; providing legislative intent and definition; providing for authorized use and operation of low speed vehicles; providing for permits, applications, decals, inspection, and permit revocation; setting forth required equipment; providing for waiver of claims; setting forth unlawful conduct and prohibitions; providing parking regulations; creating provisions for enforcement; providing for reciprocity with the Town of Indialantic; providing for severability; providing for repeal of conflicting ordinances and resolutions; providing an effective date; and providing an adoption schedule.

Town Attorney Clifford Repperger stated this is the low speed vehicle ordinance. It is substantially similar to what Indialantic has with a few tweaks. It is placed into the Town's Traffic Code to allow for low speed vehicles via decal in the Town of Melbourne Beach. Again these are specifically defined low speed vehicles, they are not golf carts by definition, with the required equipment and with the required driver's license. Operation within the Town and providing with reciprocity for those who have decals in Indialantic can operate within the jurisdictional boundaries of the Town of Melbourne Beach. There is no need for an Interlocal agreement with Indialantic since reciprocity is written into the ordinance.

Police Chief Melanie Griswold stated she spoke with Indialantic's Town Manager and Chief of Police, and they are going to make some amendments to their ordinance.

Vice Mayor Joyce Barton moved to approve and pass Ordinance 2022-01 on the first reading for low speed vehicle ordinance; Commissioner Marivi Walker seconded; Motion carried 5-0.

10. Staff Reports

A. Town Attorney Report

No Report

B. Town Manager Report

Town Manager Elizabeth Mascaro stated she was contacted by the EAB who would like to set up an educational demonstration on rain barrels, to encourage residents to use them. She wanted to make sure the Commission is okay with it and if they wanted them painted or designed.

Vice Mayor Joyce Barton stated it would be nice to show them decorated, or blended in to the surrounding area. It would be a great learning experience.

Mayor Wyatt Hoover stated a great place to put one is the South West corner where the bathrooms are in the park here.

Crystal Cain
309 Surf Rd

Crystal Cain stated you want to place it where you can use the water from it as well. She relayed that Leslie with the EAB is heading this up.

C. Town Clerk Report

No Report

D. Departmental Reports

1. Building Department

No additions to the report

2. Public Works Department

Public Works Director Tom Davis stated for the most part Sunset is finished. He will assess the changes to see if they are effective or not. He prefers the style of light that is in the ground. He also recently purchased a water tote to be able to water the plants and trees around town.

3. Code Enforcement

No additions to the report

4. Police Department

Police Chief Melanie Griswold stated she would like to give kudos to Corporal Martin and Administrative Assistant Megan for the recent movies in the park event, which had to end up being in the community center. Also, thank you to Amber for helping out the Police Department on Founder's Day. Sergeant Sadler, Officer Tejeda, Chaplain Finlayson, and Megan helped out with Melbourne Square Mall's Hometown Heroes event.

5. Fire Department

Fire Chief Gavin Brown stated when he sent in his monthly report he sent in the abbreviated version, so there is one page missing. The highlights from the missing pages included the Fire Department assisting with Founder's Day where there were no incidents, not even for bandaids. The Fire Department's

CPR instructors taught BLS courses to certify all of the Melbourne Beach and Indian Ocean Police Officers in CPR. The instructors also took a high performance CPR course through Brevard County Fire Rescue to help improve patient outcomes. The Department also went to Indian Harbour Beach last month to discuss the shared training center which is slowly progressing. Currently the Department has twenty four state certified firefighters and on average, approx. eleven volunteers show up to each call for service, ten of which are State certified firefighters / volunteer firefighters.

6. Finance Department

Vice Mayor Joyce Barton moved to approve the Finance Report as presented; Commissioner Corey Runte seconded; Motion carried 5-0.

11. Town Commission Comments

A. Review of Commission Action Item List

New

- **Dog Park Research**

Updated

- **Permanent Tree Lighting:** PW installed two types of lights to evaluate. – Report will be given next month.
- **Community Center Audio:** Received quotes from companies: one quote was for \$16,000-\$19,000, a second quote was for just under \$27,000, a third quote was for just over \$8,500. The other option would be for us to purchase the items and install them ourselves which could cost around \$5,000. – Next month bring 3 breakdowns of the potential products
- **S.E.A. Project:** Town Manager spoke with Neal and now has two proposed dates in August. – Next month she will have the final date
- **Multi-generational Suites:** Add to old business for next month for proposed language, then it will go to planning and zoning, then back to the Commission. - August
- **Charging Stations:** Town Manager spoke with James Moore (he is NOT associated with the auditors) who has a company that installs charging stations he recommended putting a charging station in a pay-to-park spot. Vice Mayor Joyce Barton stated one of his charging stations was just installed at Grace Lutheran. – August

Closed

- **Drown Zero Stations:** Provided related documents from Cocoa Beach when they approved the drown zero stations - Closed
- **Low-Speed Vehicle:** First reading of the ordinance today – Closed

B. General Comments

None

12. Adjournment

Commissioner Corey Runte moved to adjourn; Commissioner Marivi Walker seconded; Motion carried 5-0.

Meeting adjourned at 9:38 p.m.

ATTEST:



Wyatt Hoover, Mayor



Amber Brown, Interim Town Clerk

