

# **Town of Melbourne Beach**

## **REGULAR TOWN COMMISSION MEETING**

**WEDNESDAY, APRIL 21, 2021, 6:00 p.m.  
COMMUNITY CENTER, 509 OCEAN AVENUE**

### **MINUTES**

#### **Commission Members:**

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

#### **Staff Members:**

Town Manager Elizabeth Mascaro  
Town Attorney Cliff Repperger  
Town Clerk Jennifer Torres  
Public Works Director Tom Davis  
Fire Chief Gavin Brown

**1. Call to Order**

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

**2. Roll Call**

Commissioners Present:

Mayor Wyatt Hoover  
Vice Mayor Joyce D. Barton  
Commissioner Steve Walters  
Commissioner Sherrie Quarrie  
Commissioner Corey Runte

Staff Present:

Town Manager Elizabeth Mascaro  
Town Attorney Cliff Repperger  
Town Clerk Jennifer Torres  
Public Works Director Tom Davis  
Fire Chief Gavin Brown  
Building Assistant Beth Crowell

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

Led by Mayor Hoover

**4. Presentations**

Mark Ryan, City Manager of Indian Harbour Beach, presented the Town of Melbourne Beach with a certificate of recognition on behalf of the FCCMA President acknowledging and celebrating the Town's 30<sup>th</sup> year as Commission form of government. He also acknowledged the dedicated work of Town Manager Elizabeth Mascaro.

Town Manager Mascaro thanked Mr. Ryan for his support.

Before moving on to public comments, Commissioner Runte apologized for leaving the last Commission meeting early but said he found out that night he and his wife are having twins in September.

The Commission members and staff congratulated Commissioner Runte on the happy news.

**5. Public Comments**

***Danielle Gilberts***  
***505 Magnolia Ave***

Ms. Gilberts explained she does a community service called cost sharing of community produce in which she orders produce and she and her community split it among them and cost share the produce. She would like to ask the Commission for consideration to allow this as she feels it is a benefit for everyone and causes no disturbance to her neighbors.

Town Manager Mascaro explained there was a complaint and she involved the Town Planner and found that the code does not allow this use - with the exchange of money for produce.

Commissioner Runte asked if she was buying in bulk from all local farmers, if friends and family come get it – and if they split the cost.

She replied yes. Commissioner Runte said it's a good service and he does not view it as a code violation. He recommended approving it and waiving any reference to it being a code violation.

Vice Mayor Barton said she used to be part of a food co-op and thinks it is a wonderful thing.

Town Attorney Repperger said the issue should be looked at further and they can determine if the code needs to be changed to allow this use or if it falls within the code.

Commissioner Runte said he would like to give her permission to go forward.

Mayor Hoover suggested the Town researches the code and then revisit the issue, but in the meantime, they would agree to allow her to continue.

***Jim Simmons***  
***409 Avenue B***

Mr. Simmons noted that after reviewing the packet, there are two items, one in the Action Items section and the other in the Town Manager Report that should have been adequately noticed as agenda items on the agenda. By not doing this, the items – which include parking and expansion of outdoor seating – do not allow for public comment and input. He urged the Commission follow proper procedure and the processes that have been established.



**Andrew Thompson**  
**Owner of snowmobile, shaved ice**

Mr. Thompson said he was invited by the owner of the Melbourne Beach market to set up their food truck in the parking lot.

Mayor Hoover interrupted saying the item is on the agenda and will be discussed tonight so he should reserve his public comment until that time.

**Alan Ross**  
**7437 S Highway A1A**

In regard to Rotary, Mr. Ross said that in the last Commission meeting, they were given requirements for operating the beer tent and he would like them to consider changing three of them:

- In regard to wearing gloves – he did some research and it appears this is not part of CDC guidelines.
- In regard to the requirement that every server must complete a server alcohol training program. It takes three hours to complete, which is unreasonable. Instead, he proposed that two people at all times are certified.
- He felt background checks for all is intrusive and asked the Commission to rethink that.

Commissioner Walters said we don't need 30 people to take the course and agreed that background checks are not needed.

**Commissioner Walters moved to waive the requirements placed upon the Melbourne Beach Rotary for oversight of the beer tent during Founders Day, including gloves, background checks, and to allow for two alcohol certified servers on duty at all times;**

Commissioner Quarrie read from minutes of the March RTCM where the Commission previously agreed upon the requirements listed just last month.

**Commissioner Runte seconded; Motion carried 4-1 with Commissioner Quarrie in dissent.**

**Bruce Morgan**  
**501 Sunset Blvd.**

Mr. Morgan shared a flyer about his history program. He prepared a video and during Founders Day, he would like to keep it on permanent loop. He asked for technical assistance from Town Hall and Chief Brown agreed to assist.

**Marie Louise Barker**  
**511 Riverside Drive**

Ms. Barker asked why the Town decided to begin charging for parking and the Mayor explained that we participate in beach nourishment which requires a certain number of spots are open to the public.

Commissioner Runte added that there was an informal inventory done on weekends and there was no one there and they did not want to limit a natural resource for others when it was not being used.

**6. Approval of the Agenda**

**Commissioner Quarrie moved to approve the agenda; Commissioner Runte seconded; Motion carried 5-0.**

**7. Consent Agenda**

- A. Approval of March 3, 2021 TCW Draft Minutes – Town Clerk Torres
- B. Approval of March 17, 2021 RTCM Draft Minutes – Town Clerk Torres
- C. Site Plan Review for 204 Dogwood Avenue, Melbourne Beach
- D. Site Plan Review for 405 Riverside Drive, Melbourne Beach
- E. Site Plan Review for 203 Riverside Drive, Melbourne Beach

**Commissioner Quarrie moved to approve the consent agenda; Commissioner Runte seconded; Motion carried 5-0.**

**8. Public Hearings**

**9. Old Business**

- A. Consideration of FDOT Landscape Grant Submission Allotment Increase – Town Manager Mascaro

Town Manager Mascaro said she met with the designer who gave an estimate of what it would cost for her firm to prepare the high level plans that FDOT would require to apply for this grant. The Commission approved \$5,000 but her cost is \$9,750.

Town Manager Mascaro is requesting an increase to \$9,750 for two sets of certified plans to submit to FDOT for a grant.

Commissioner Runte thanked Vice Mayor Barton for finding this grant. He went on to say the designer they have in place is the best in the county and among the top ten in the state.

**Commissioner Runte moved to approve increasing the grant submission allotment for the landscape designer, Susan Hall, from \$5,000 to \$9,750; Commissioner Quarrie seconded;**



## **Public Comments**

***Crystal Cain***  
***309 Surf***

Ms. Cain asked why the design landscaper was not directed to observe the Town's sustainability act.

Commissioner Runte said they have not received the grant yet. Mayor Hoover asked the Town to provide the designer with a copy of the sustainability guidelines.

### **Motion carried 5-0.**

B. Consideration of Mural for Ocean Avenue Bathrooms – Town Manager Mascaro

Town Manager Mascaro presented the Commission with several designs provided by the artist Lance Beringer, for the Ocean Park bathrooms.

They agreed the Tarpon image was impressive and that his work is in line with what they are looking for.

Commissioner Quarrie said she would like to see what color he had in mind for the rest of the building.

**Commissioner Runte moved to approve that artist Lance Beringer follow up with additional renderings of the mural and that they discuss them at the next RTCM meeting with the suggestion of using the tarpon art; Commissioner Quarrie seconded;**

## **Public Comments**

***Ms. Nelson***  
***Avenue B***

Ms. Nelson said the area has a lot of vandalism and the Commission should keep that in mind because they don't want the art to be destroyed.

### **Motion carried 5-0.**

C. Review submission of work flow of the building department from permit application through final inspection – Town Manager Mascaro

Town Manager Mascaro explained the process and introduced Beth Crowell from the Building Department for questions.

Ms. Crowell gave a rundown of department operations. Commissioner Runte congratulated her for a job well done. Ms. Crowell said that Building Specialist Greg Schaefer deserves a lot of credit as well.

She went on to say that the software they currently use is outdated - from 2004 – and they hope to invest in new software soon.

## **10. New Business**

- A. Consideration of Proclamation recognizing National Police Memorial Week as May 9-15, 2021 – Police Chief Griswold

**Commissioner Quarrie moved to approve the proclamation for National Police Memorial Week; Commissioner Runte seconded; Motion carried 5-0.**

- B. Consideration of creating an Ordinance relating to zoning requirements for Mobile Food Dispensing Vehicles and provide general standards for operating Mobile Food Dispensing Vehicles – Town Manager Mascaro

Town Mascaro advised the Commission that they may want to create rules related to the operation of food trucks within the Town.

Town Attorney Repperger clarified that if a food truck is invited by the owner to be on their property, it is allowed. He went on to explain the current code.

The Commission agreed that the next action should be to contact the Town Planner and ask him for his formal opinion. After that, there may be a need to draft additional language in the code to customize the process.

## **Public Comment**

***Jim Simmons  
409 Avenue B***

Mr. Simmons said that food truck regulations can be created but adequate parking is the issue. Ocean Park was leased to us to provide access to the beach, not for private businesses. He added that you have to maintain minimum parking, and then if you have additional space, perhaps it's acceptable.

***Justin Miravalle  
Snowmobile Shaved Ice, Palm Bay***



Mr. Miravalle suggested the Commission members take a look at Palm Bay's website and how they address food trucks. There are specific things that need to be addressed when there is a mobile food vendor out there. You don't want an eyesore, but if you have them nicely placed, they can be good. It's on the food truck owners to know the laws. He went on to say that food trucks increase foot traffic, the owners have to be licensed and trained in food service.

**Commissioner Runte moved to authorize the Town Manager to consult with the Town Planner to address solutions related to food trucks within the Town; Commissioner Quarrie seconded; Motion carried 5-0.**

**12. Staff Reports**

**A. Town Attorney Report**

Town Attorney Repperger said he finished composing the agreement/contract for the home owner association related to the trees planted on Ocean Avenue and will present it soon.

**B. Town Manager Report**

Town Manager Mascaro said she will bring the "Everything Parking" as an agenda item at the RTCM.

Commissioner Walters asked the Town Manager to share information about the recent promotions within the police department. He also expressed his thanks to Rick Dovale for taking the extra time and making an effort to do something nice for the children.

Town Manager Mascaro said Sergeant Matthew Smith has been appointed to the Lieutenants position. Corporal Jason Hinchman has been appointed acting Sergeant. FTO Jason Sadler has been appointed to the Corporals position.

Commissioner Walters requested the Commission agree to approve the draft of a formal letter to FDOT to ask for left hand turn signal at Ocean Avenue and A1A.

The other Commission members agreed.

Commissioner Walters asked for an update on Vacation Rentals

Town Manager Mascaro said we have registered two and Code Enforcement found four more who need to comply.

**C. Town Clerk Report - None**

**D. Departmental Reports**

1. Building Department - None
2. Public Works Department



Mayor Hoover suggested doing a white background on numbers at Ocean Park for better visibility. PWD Davis agreed.

PWD Davis noted that of the 133 stop bars in town –95 are completed and the rest will be done within the week.

3. Code Enforcement – None

Commissioner Walters said Bob Schaefer, the Code Enforcement officer, is doing a great job and he seems to be very personable with the public. He hasn't heard a single complaint. He added that he also had the opportunity to speak to a property appraiser who said Beth Crowell of the Building Department is doing a great job.

4. Police Department – None

5. Fire Department

Chief Brown gave a brief update on beachside COVID vaccinations

6. Finance Department

**Commissioner Runte moved to approve the March Finance Report; Commissioner Quarrie seconded; Motion carried 4-1 with Commissioner Walters in dissent.**

**13. Town Commission Comments**

A. General Comments

The Commission asked that the issue of outdoor parking be made into an agenda item for the June RTCM.

B. Review of Commission Action List

Updates

- **Schedule Workshops with Various Boards:** Bring proposed schedule to May RTCM
- **Everything Parking:** Town Manager Mascaro said this will come back as an agenda item at June RTCM. She will take a look at other municipalities that have changed parking space size – for example City Of Melbourne recently changed theirs. She will call around and survey.
- **Beautification grant** – Keep open – Grant should be awarded in June, move to July RTCM for update

- **Bike Trail Options:** PWD Davis asked to move the item to next month saying the department has now fine-tuned the spray and will have them down by May.
- **Faded crosswalks:** PWD Davis said they completed Ocean and Pine and FDOT did one near the market. FDOT will evaluate the ones in their area. He went on to say that of the 133 stop bars in town – since they purchased the striping machine, 95 have been completed with the rest to be done next week. He will update again in May with FDOT progress.

Commissioner Quarrie brought up traffic flow issues and asked when they will be discussing that. Town Manager Mascaro said she had a meeting with the Mayor and the Police Chief and said she would place the item on the agenda.


#### **14. Adjournment**

**Commissioner Quarrie moved to adjourn; Commissioner Runte seconded; Motion carried 5-0.**

Meeting adjourned at 8:49 p.m.

**ATTEST:**

  
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**Jennifer Torres, Town Clerk**

  
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**Wyatt Hoover, Mayor**