



# Town of Melbourne Beach

## **REGULAR TOWN COMMISSION MEETING**

**WEDNESDAY, MAY 17, 2017**

**6:30 p.m.**

**COMMUNITY CENTER – 509 OCEAN AVENUE**

### **MINUTES**

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Mayor Jim Simmons  
Vice Mayor Tom Davis  
Commissioner Wyatt Hoover  
Commissioner Sherri Quarrie  
Commissioner Steve Walters

Town Manager Tim Day  
Town Clerk Nancy Wilson  
Finance Manager Elizabeth Mascaro  
Town Attorney Clifford Repperger, Jr

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**The Town Commission conducted a Regular Town Commission Meeting  
at 6:30 p.m. on Wednesday, May 17, 2017 at the Community Center  
located at 509 Ocean Avenue to address the items below.**

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

Mayor Simmons called the meeting to order at 6:30 p.m.

**II. Roll Call**

Town Clerk Wilson led the roll call.

Commissioners Present:

Mayor Jim Simmons  
Vice Mayor Tom Davis  
Commissioner Sherri Quarrie  
Commissioner Steve Walters  
Commissioner Wyatt Hoover

Staff Present:

Town Manager Timothy Day  
Town Clerk Nancy Wilson  
Finance Manager Elizabeth Mascaro  
Town Attorney Cliff Repperger

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

Led by Mayor Simmons

**III. Special Presentation (00:00:02)**

**A. FY16 Annual Audit Presentation**

Zach Chalafour from James Moore & Co. introduced himself to the Commission. He thanked the Commission for the opportunity to work with the Town and he thanked staff. He said it went especially well and appreciates all the help from the Finance Manager. Mr. Chalafour said he was able to meet with a few Commissioners to go into more detail and answer any questions but for the couple people with whom he was unable to meet, he is available to answer questions.

Four reports were issued on the Town's financial statements related to the audit. The first report is the Independent Auditors' Report on the Town's financial statements. An unmodified opinion was issued which states that the Town's financial statements are fairly presented in all material respects. This is a clean opinion and is what you would want to see here. It is the best opinion that can be rendered.

The second report is the Independent Auditors' Report on Internal Control and Compliance. This report is required by Government Auditing Standards which the state requires them to follow. It adds a heightened level of scrutiny and reporting requirements that they have to follow. In this report, any internal control matters that come to their attention they have to report. There were two material weaknesses, two significant deficiencies and one compliance matter; more detail is presented in the full audit. They aren't auditing the internal control of the Town or the effectiveness of it but Government Auditing Standards require them to look at and obtain a basic understanding of the Towns' internal controls. The compliance



matter was related to a budget overage primarily in the General Fund due to a couple of capital leases where the transaction was properly approved by the Commission but the budget amendments were not made to reflect the accounting treatment for those leases the way they are required to be reported.

The third report that they issue is a separate Independent Auditors' Management Letter that the Auditor General requires them to issue. They go through a financial condition assessment process and if there are any issues, they would have to be reported. The Town is in sound condition so the recommendations and comments are the standard verbiage saying that you performed the procedures as required and no items came to their attention. There were four recommendations that are areas of best practices or thoughts on how you can always be better and function at an ever higher level. In that report, they also follow up on any prior year comments. Last years' auditor did have ten comments of which seven have been corrected. Of the nine comments James Moore made, only three were repeat comments so a lot of progress has been made.

The last report is the Independent Accountants' Examination Report in which we say that the Town was in compliance with certain state statutes regarding investments and investment policies. They issued an affirmative opinion.

The Towns' General Fund and Fund Balance as of the end of last fiscal year was about \$1.75 million of total Fund Balance in your General Fund. Your non-spendable Fund Balance is equal to your prepaid items. The Restricted and Committed monies are reported elsewhere. The Assigned and Unassigned Fund Balance is your unrestricted money with "Assigned" meaning earmarked money of which you had none. The Unassigned Fund Balance is just under \$1.7 million. As a percentage, your Fund Balance it is just under 70% - the Government Officers Finance Association recommends no less than two months of reserves for a general purpose, tax supported government. The bare minimum recommended is 16.7%. That amount is recommended in order to keep a healthy balance in reserves.

Regarding pensions, there is a \$1.153 million net pension (unfunded) liability with the Police plan amount equaling \$872,993 and the FRS amount equaling \$280,021. The bottom line with pensions is if you are funding the required amounts. It was reported that you are making all required contributions.

Looking at your long-term debt, you have two capital leases totaling \$77,000 for a police car and a fire vehicle. We repaid \$296,000 on our notes, bonds and capital leases. There was about a \$2.5 million outstanding balance on your Stormwater debt at the end of FY16. Also, there is almost \$1.3 million in unspent bond proceeds related to the initial issuance. The bond does allow for prepayment beginning on July 1, 2019.

Mayor Simmons asked for a recommendation about budget amendments and reconciliation mentioned in “Management’s Response to Findings” item 2016-005. The Town has wrestled with how often to budget amendments. We have gone back and forth on whether we should be making amendments as soon as we over/underrun in various departments or whether we should only be amending when we make major changes to the budget and waiting on lesser changes and reconciling at the end of the year.

Mr. Chalafour responded that there are three reasons to amend the budget:

- the year-end true up needs to be in compliance with ordinances that apply to the budget so a budget amendment would be necessary.
- on an ongoing basis, if there is any major activity that wasn’t previously budgeted, a budget amendment would be in order
- if there’s a department or area that’s slightly over budget, the budget can be amended “on the fly” to reflect the activity. He recommends leaving the budget as is and to continue using it as a management tool to track whether you are doing better or worse. What happens at the end of the year is what counts from a legal standpoint.

**Commissioner Walters made a motion to approve the FY16 audited financial statements as presented; Vice Mayor Davis seconded. Motion carried 5-0.**

**V. Public Comments (00:15:35)**

*Marty Remark*  
*707 Atlantic Street*

Ms. Remark commented on the success of Founders Day. She then reported that the south wall of the Ryckman Building has tremendous damage which is causing problems in the house. On the second floor the windows are rotting and the glass is falling out. Also, there are 3 windows that were improperly installed. She said the repairs need to be taken care of very soon because the rot and deterioration is only getting worse. There are other things on the Historic Preservation Boards’ wish list such as repairs to the roof and hurricane shutters for the second floor.

She commented on how many visitors they have and some of the donations they have received. Mayor Simmons said that this issue will be put on the Action List and be addressed as an agenda item in June. Town Manager Day will work on getting quotes for the necessary repairs.

*Frank Thomas*  
*606 Atlantic Street*

Mr. Thomas commented on a wonderful Founders Day and commented on volunteer work that was conducted on Ryckman House many years ago that didn’t cost the Town that much money. Mr. Thomas announced that a citizen, named



Bob Edmund, who had the oldest business in Melbourne Beach named *Bob's Barber Shop*, had passed away.

**VI. Approval of the Agenda (00:29:30)**

**Commissioner Walters made a motion to approve the agenda; seconded by Commissioner Quarrie . Motion carried 5-0.**

**VII. Consent Agenda (00:30:05)**

**A. Board & Committee Reports**

Police Pension Fund Board of Trustees

**B. Town Board Appointments**

1. Appointment of Christina Keshishian to the Environmental Advisory Board as an alternate for a term of two years, ending May 17, 2019
2. Reappointment of Frank Thomas to the History Center Board for a term of two years, ending May 17, 2019
3. Reappointment of Pat Zabinski to the Parks & Recreation Board for a term of two years, ending May 17, 2019
4. Reappointment of Signe Post to the Parks & Recreation Board for a term of two years, ending May 17, 2019
5. Resignation of Patti James from the Environmental Advisory Board effective April 24, 2017

**C. April 19, 2017 Town Commission Regular Meeting Draft Minutes – Town Clerk Wilson**

**Commissioner Walters made a motion to approve the Consent Agenda; seconded by Commissioner Quarrie. Motion carried 5-0.**

**VIII. Public Hearings (00:31:00)**

**A. Continuation of the First Reading of the Bed and Breakfast Text Change Ordinance. (Continued from 2/15/17).**

Town Attorney Repperger read Ordinance 2017-01 by title:

**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SECTION 1A-3, LAND DEVELOPMENT CODE, APPENDIX A, TOWN CODE OF MELBOURNE BEACH; PROVIDING AN AMENDMENT TO THE DEFINITION OF BED AND BREAKFAST INNS; PROVIDING FOR**

**SEVERABILITY AND INTERPRETATION; PROVIDING FOR THE REPEAL OF INCONSISTENT RESOLUTIONS AND ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Walters asked if it was the intent of the applicant to eliminate his liquor license to which legal counsel for the applicant, Kimberly Rezanka, responded that it is his intent to get rid of the lounge.

*Kimberly Rezanka (representing applicant Djon Pepaj & LDP LLC)  
Cantwell & Goodman, PA  
96 Willard Street  
Cocoa Village, FL*

Town Attorney Repperger said that originally what came before the Town was a special exception application to allow for the property to be developed by special exception as a Bed & Breakfast. Staff determined that the application could not move forward because the property had not been used for residential purposes, meaning it didn't meet the definition of the code. A suggestion was made that a text change be applied for to allow the definition of Bed & Breakfast to be amended such that the application could proceed after the text change was approved. Thus, the meeting on this night wasn't specifically related to the property. However, the effect if the ordinance was adopted would be that the special exception application could move forward. The discussion is more generally about the terms of the Ordinance, the text change and the definition change rather than the specifics related to this piece of property. We are talking about the first reading of the Ordinance and not the special exception application.

*Djon Pepaj  
1000 N. Riverside Drive  
Indialantic*

Mr. Pepaj answered Commissioner Walters earlier question by saying he will have a restaurant that serves 51%+ food where alcohol can be served as well. He is not planning on having a standalone lounge. He then explained the difference between licenses held by restaurants serving alcohol and lounges that only serve alcohol.

Vice Mayor Davis was concerned that if this Ordinance is adopted, would we be opening ourselves up to more Air BNB type issues that we have been dealing with lately. The Town Attorney said it could potentially result in more B&B's opening but he believes the two issues to be mutually exclusive. Mayor Simmons said that we would still only allow B&B's in zones 6B and 8B but they would be allowed on property that had not been used for residential purposes in the past.



Ms. Rezanka asked to give a presentation related to the ordinance. She said that what was before the Commission in February was not what the Planning & Zoning Board recommended; there was a language change that was not pulled into the February agenda – a missing word, and they suggested that subsection 4 come back in so the owner-operator would be on site. She also wanted to address Mr. O’Gorman’s report.

The Mayor added that redoing the ordinance would allow them to move forward with a special exception. He further clarified the issue by saying that a special exception was requested but was denied because the Planner said there was no residence on that site so the applicant went the route of requesting a code change. We considered the Ordinance change and tabled it because new evidence was provided that may have supported the idea that a residence was on site, therefore, we wouldn’t need to make an LDC change. We then went back to the Planner who could not validate that there was a residence on site. Now, we are not considering the special exception and are back to changing the code such that the Planner’s report is unnecessary because it wouldn’t matter if there had been a residence onsite. The question was if the Commission wanted to remedy the situation with an ordinance change.

Ms. Rezanka said the Planner’s report shows ambiguities in the code because his report said that there were two single family dwellings on that property and there was multi-family use in his rendition of the history which she found to be inconsistent with his conclusion. It does show that in 1959 there were three residential buildings including the existing two story apartment building along with two other one story, single family dwellings. Mayor Simmons added that none of those buildings are onsite now. Ms. Rezanka responded that the Planner said that between 1986 and 1993, the site was redeveloped substantially in its current configuration. Looking at the aerials over time, it looks like they are in the same location. She added that the Town’s Code doesn’t show intent that B&Bs are intended to preserve historic homes. What Ms. Rezanka provided in the agenda package contained two documents. The first document was a memo from December 4, 2003 from Linda Rydson explaining “Why we are not a motel”. In her memo, she didn’t talk about redeveloping her property, she talked about what she had and building more buildings. She was the impetus for the Bed & Breakfast definition and change to allow it by Special Exception. Another memo is from Ed Washburn from August 8, 2003. There was nothing in that memo that talked about redeveloping historic homes or redeveloping single family homes. He says, “The above request is to amend the downtown business district to allow Bed & Breakfast use. The Town may wish to consider such a use because it’s consistent with the Comprehensive Plan and the use would be transient in nature and would not increase the density and intensity.” Mr. Pepaj is basically talking about it being a commercial use as does Ms. Rydson. Ms. Rezanka says she reads our code one way and Mr. O’Gorman reads it another. She said that they had hoped for the Code



change to allow for the development of the restaurant and lounge into a B&B with a restaurant. She concluded by asking if that's something the Town wants or do we want to continue having the lounge there; Mr. Pepaj's proposal would result in less intense use, less traffic, reduce the number of parking spaces required and would be an attractive addition to the Town.

Ms. Rezanka then passed out to the Commission a proposed definition to be added to the draft ordinance as requested by the Planning & Zoning Board. Added was the word "rented" and the phrase "where the bed and breakfast operation is conducted by an owner or operator of the bed and breakfast inn who physically resided on the premises." Mr. Pepaj has agreed to that addition. For greater simplification, another definition was also provided. All this information is provided to allow Mr. Pepaj to redevelop his property.

Commissioner Hoover asked what the purpose was of adding "A BED AND BREAKFAST may be established with other allowable uses on developed property." Ms. Rezanka said it was added so Mr. Pepaj could continue to have the offices on the property along with a restaurant.

Mayor Simmons asked if the Town wants to allow a bed and breakfast on property that never had an historic or any other resident type structure on it. He said he is OK with that. However, he isn't OK with it when we start talking about having a full service restaurant with a bar attached. That's different from a bed and breakfast; it's a motel and we don't allow those.

Commissioner Walters asked if we want to add to the impact on the community by expanding this facility and allowing more people. He said if we pass this ordinance, we are allowing the applicant to ask for variances for parking, etc., at a later date.

Ms. Rezanka responded that intensity would be reduced and fewer parking spaces would be required.

Mayor Simmons said he was thrilled when he heard that Mr. Pepaj was going to turn *Sand on the Beach* into a B&B but then choked when he realized that what would really be on the property is a motel, restaurant and lounge. If this is permitted, other businesses would then be allowed to do the same.

*Djon Pepaj*  
*1000 N. Riverside Drive*  
*Indialantic*

Mr. Pepaj said that Port d'hiver is a bed and breakfast and they could have a restaurant at any time. Mayor Simmons said that they couldn't have a restaurant on the same property. Mr. Pepaj added that his building would be beautiful and that



the Town should love the idea, plus, the parking requirement would be reduced by 30%. He added that it's in the Code that a B&B can have a restaurant to which Mayor Simmons responded that it would have to be on a separate piece of property. Mr. Pepaj concluded by saying that 12 rooms don't constitute a motel. Mayor Simmons said it meets the Town's definition of a motel.

Vice Mayor Davis said his concern is when we change an ordinance we are setting precedent. He is worried about the ripple effect of such a change.

Commissioner Quarrie concurred with the other Commissioners.

Mayor Simmons then read the definition of motel in our code:

**MOTEL.** *A building in which lodging or boarding and lodging are provided and offered to the public; same as a hotel, except that buildings are usually designed to serve tourists traveling by motor vehicles, ingress to rooms need not be through a lobby or office, and parking is usually adjacent to the units. MOTELS do not usually include accessory uses such as meeting or convention facilities and individual rooms do not include kitchen facilities.*

Mayor Simmons asked the Commission if they agreed that we could delete the requirement that the property had previously been a residence or an historical residence.

Commissioner Walters said we've held everybody else's feet to the fire so it wouldn't be fair to the people who have complied to the requirement in the past, also, we could be opening up the entire community to this type of development. Ms. Rezanka responded that Port d'Hiver has added buildings that weren't previously residences.

Commissioner Hoover said he doesn't like multiple uses on a single piece of property. He said that if you want to have a Bed & Breakfast that's fine but uses other than that are not fine.

Commissioner Quarrie said that Port d'Hiver did have an historical building on it and we looked at that because we wanted the Town to keep its historical feel. The new construction for *Sands on the Beach* could be made to look historical as long as it met all current codes.

Vice Mayor Davis said he still has problems with it being a lounge though he could live with a building that replicates an historical building as long as it stayed in compliance with the Town's current standards. Mayor Simmons said we have building standards in the historical corridor but doesn't know if they are in our Code or if they are just recommendations. Corey O'Gorman responded that those standards only apply in particular uses, not a district.

Commissioner Walters' main problem is having 12 rooms with vacationers in there and serving alcohol. He can see a greater problem than it has been already to have hard alcohol served. He read an excerpt from the B&B definition in our code:

*... usually rented by the night to tourists, vacationers, or similar transients; (iii) where the provision of meals, if provided at all, is limited to the breakfast meal for overnight guests....*

Commissioner Walters added that the applicant wants the Ordinance changed so the above is no longer in effect but he wants to keep the restaurant and the alcohol. Mayor Simmons responded that is why they are only discussing whether they are OK with revising the Ordinance such that we remove the restriction that it must be an historical or residential building that's being converted thus allowing somebody to come in, knock down a building and construct a B&B. Town Attorney Repperger said that Bed and Breakfast establishments require a special exception where architectural style requirements could be addressed so that the Town maintains the power to determine how a building looks even if we eliminate the requirement that the building be on property that was previously historical or residential. Corey O'Gorman concurred.

The Commission all agreed that property doesn't have to have been historical or residential in order to be a Bed & Breakfast.

## **Public Comment**

There was no public comment

Mayor Simmons said we need a motion to say that we accept revisions in Ordinance 2017-01 that read (i) *An establishment designed for overnight accommodations* (ii) *consisting of not more than 12 sleeping room or suites rented on a short-term basis of less than 15 days usually by the night to tourists, vacationers or similar transients.*

Town Attorney Repperger said he'd rather the Commission tell him what they want and he would bring back a revised ordinance rather than doing it piecemeal.

Mayor Simmons then reviewed the following with the Commission:

- It isn't required that the building was previously historical or residential but the Commission wants it to stay with the special exception and they want it subject to the Florida Vernacular/Cracker Style architectural standards and to retain a residential appearance.
- Section 1A-3, under Bed and Breakfast Inns should read:



An establishment: (i) designed for overnight accommodations; (ii) consisting of not more than 12 sleeping rooms or suites rented on a short-term basis of less than 15 days, usually by the night to tourists, vacationers, or similar transients; (iii) which may provide the breakfast meal for overnight guests; and (iv) where the bed and breakfast operation is conducted by an owner or operator of the bed and breakfast inn who physically resides on the premises. A BED AND BREAKFAST is not a rooming house, motel, hotel, or a permanent dwelling, except for the owner or operator of the bed and breakfast inn and the owner or operator and his or her immediate family. Further, a BED AND BREAKFAST is not a resort condominium or timeshare meaning any unit or group of units in a condominium, cooperative, or timeshare plan which is designed or used for transient occupancy.

Therefore, the Commission is allowing a Bed and Breakfast where there is no proof that there was a residential or historical use in the past. They aren't allowing multiple uses and food is limited to breakfast served to guests. With new construction, applicants are required to comply with the Towns' special exception requirement and the building should have a residential appearance.

*Djon Pepaj*  
*1000 N. Riverside Drive*  
*Indialantic*

Mr. Pepaj said it seems to him that the Commission is trying to make the property not work as a B&B. He said the residents want that property to serve meals and suggested that they consider modifying the hours of operation. He also maintained that on Friday, Saturdays and Sundays, his patrons are not using public parking.

Mayor Simmons commented that Mr. Pepaj has made great strides with the restaurant but they have to look at the impact to the whole town.

Town Attorney Repperger said the impact of the changes that the Commission is considering would allow for the subject property to be proposed as a Bed and Breakfast and allow the special exception application to move forward.

**Commissioner Walters made a motion to table consideration of the first read of Ordinance 2017-01 and to direct the Town Attorney to prepare a draft ordinance incorporating the changes discussed and agreed to during the meeting; Commissioner Quarrie seconded. Motion carried 5-0.**

This will be brought back to the Commission at the June 21, 2017 regular Town Commission meeting.

## **IX. Old Business (01:32:00)**

A. Consideration of Resolution 2017-03 amending the LDC application fee schedule (01:32:00)

The Town Attorney read Resolution 2017-03 by title:

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE TOWN LAND DEVELOPMENT CODE APPLICATION FEE SCHEDULE; AMENDING, SUPERSEDING, AND REPLACING TOWN RESOLUTION 2015-16A; AMENDING THE LAND DEVELOPMENT CODE FEE SCHEDULE TO ADD A TITLE AND FEES FOR LAND DEVELOPMENT CODE TEXT CHANGE APPLICATIONS; PROVIDING FOR SEVERABILITY, PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.**

Mayor Simmons pointed out a typographical error and asked that verbiage be added clearly stating that once the \$1,000 fee plus the \$5,000 deposit for staff and administrative expenses was exhausted, the applicant's escrow account would have to be replenished in \$5,000 increments before proceeding. Anything left in escrow would be returned to the applicant upon completion of the project.

Town Attorney Repperger agreed to the requested changes.

**Commissioner Walters approved Resolution 2017-03 as amended; seconded by Vice Mayor Davis. Motion carried 5-0.**

**X. Staff Reports (01:37:40)**

**A. Town Attorney Report**

Town Attorney Repperger said that the change to the Charter regarding to whom the Town Clerk reports requires a referendum in November. The Town Commission has to approve a resolution calling for the Special Election by the end of the qualifying period. The resolution will be brought to the Commission at the June 21, 2017 meeting.

**B. Town Manager / Public Works Report**

Town Manager Day said his report is self-explanatory but he did want to discuss the *Safe Routes to School* meeting he attended about a grant for the DOT sidewalk project. Applications won't be accepted until September 1<sup>st</sup>, then, with periodic evaluations, we won't know if we've been granted funding until next spring. There's a lot of work involved in preparing the grant paperwork and the public would need to be involved along with our local school and the school district. There's about \$7 million in the *Safe Routes to School* fund that is replenished annually. Melbourne Beach could use about a mile of sidewalks. Crosswalks and bike racks would also qualify. Mr. Day said he thinks we have a



good shot at getting the grant because we are in their target range of about \$500,000 per project.

The Commission made general comments and responded favorably to the idea of sidewalks along the school route. Mayor Simmons expressed concern that pedestrians and bikers are required to stop at every driveway. If a car is pulling out, it has the right-of-way on the driveway. There was no follow-up on this concern.

Mr. Day also said he'd like to actively pursue raising funds for the park. He feels he's going to need about \$150,000 and feels he'll need to go to big companies but doesn't want to overstep his bounds. He's going to push the handicap element to ensure the park is handicap friendly. Mayor Simmons said that the Rotary Club has access to national Rotary money. In general, the Commission supported the Town Manager regarding this endeavor.

Mayor Simmons asked about the Town Managers' code enforcement activity. Mr. Day said he performs this function about 2 or 3 times a week and is being proactive. He and the Public Works employees have also been picking up illegal signs. The Mayor reported that he had another complaint about vacation rentals. He has four on his street and suggested that we explore our options. The Town Attorney said they all need to read the Circuit Court and District Court Opinion/rulings regarding the Flagler County ordinance regulating vacation rentals. The case will give them an idea of the kinds of things they can regulate. Based on the way that preemption is written in state law, you can't regulate duration. Town Manager Day said our issue is not the rental of a condo or home. Our problem is that the rentals are turning into rooming houses - multiple families living in one residence. Commissioner Walters said any restrictions imposed would be difficult to enforce. Commissioner Hoover suggested that we coordinate with the vacation rental websites to say that our Town does not allow single room rentals. Commission Quarrie said in Florida where people buy elaborate houses and rent them out for events there could be 100's of cars. This is happening everywhere and could be something that happens in Melbourne Beach. We could regulate that activity from a safety standpoint. We could also look at homesteading issues as they relate to the renting of homesteaded property. Brevard County is working the homesteaded property angle.

C. Town Clerk Report – no report

D. Departmental Reports:

1. Building Department – no questions/comments
2. Code Enforcement –no questions/comments
3. Police Department – no questions/comments

4. Fire Department – no questions/comments
5. Finance Department – no questions/comments

**X. Town Commission Comments (02:04:40)**

**A. General Comments**

Commissioner Walters said that the Town Manager and staff involved did a great job on Founders Day. He added that all went smoothly and everybody had a good time. Commissioner Hoover said the Rotary Club made more money this year than last year. Mayor Simmons said most people that he talked to were OK with drinking ending at 8:30 pm.

Commissioner Walters questioned if a swim, bike, run event held recently had secured a permit. It was a private company and he was told that they said they always get a permit. However, if they had gotten a permit, we would have known about it and we didn't. Town Manager Day was unaware of the event and did not believe a permit had been issued.

Town Manager Day said he dealt with the yoga issue in the park where somebody was taking money for classes.

Commissioner Walters talked about an addressing issue, mentioned by Commissioner Quarrie at the last meeting, on 412 Ocean Avenue. He said what they will do is when they put in the six townhomes is number them 1-6. He added that he read an article that reported 50.8 % of people no longer have a land line, 39% have both a cell phone and land line, 6.5% have only a land line and 3.2% don't have any phone; the trend is that society is moving away from land lines.

He asked that we hire someone to complete our website by ensuring all documents are uploaded and searchable. He'd like this to be added to the Action List. Mayor Simmons suggested contacting Computer Experts for a proposal.

Commissioner Walters would like to have full names printed under the signature line on contracts so we can read who signed it and not have to decipher the signature.

Mayor Simmons also asked that Corey O'Gorman include dates on his reports.

**B. Review of Commission Action List**

- Seven items were removed from the list
- One item was updated and will be closed at the June 21, 2017 meeting
- Six items remained static: to be addressed at a later date



- Nine new items were added: 7 related to the 2016 audit findings, 1 about repairs to the Ryckman building and an associated fundraiser and 1 about getting a proposal to have the website completed.

Town Manager Day concluded the meeting by saying what a terrific job Finance Manager Mascaro has done. She's responsible for finance, human resources and other duties, and she did a fantastic job on the audit. He wanted to commend her hard work and dedication. Also, when the Town Manager is not available, Ms. Mascaro is in charge of everything and is part of every activity in which he is involved.

*Joe Tracy*  
*615 Citrus Court*

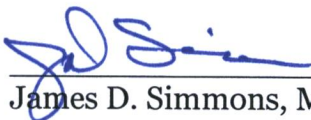
Mr. Tracy said that the Ryckmans donated most of the palm trees to the town. The Town is obligated to do what it can to preserve the Ryckman House. The Town owes an awful lot to the Ryckmans. He's worried that tabling this until rainy season is a mistake and thinks the Commission should take action sooner. Mr. Tracy added that it will cost the Town more if we wait until after rainy season. Mayor Simmons responded that we have to get bids for the necessary repairs before we can commence working on the project.

## **XI. Adjournment**

**Commissioner Davis made a motion to adjourn; seconded by Commissioner Walters. Motion carried 5-0.**

Meeting adjourned at 9:02 p.m.

ATTEST:

  
James D. Simmons, Mayor

  
Nancy Wilson, City Clerk