



# Town of Melbourne Beach

## **SPECIAL TOWN COMMISSION MEETING**

**WEDNESDAY, AUGUST 2, 2017**

**6:00 p.m.**

**MASNY ROOM– 507 OCEAN AVENUE**

### **MINUTES**

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

Town Manager Timothy Day  
Town Clerk Nancy Wilson  
Town Attorney Cliff Repperger

### **PUBLIC NOTICE**

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**The Town Commission conducted a Regular Town Commission Meeting  
at 6:30 p.m. on Wednesday, August 2, 2017 in the Masny Room  
located at 507 Ocean Avenue to address the items below.**

**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 led the roll call.

Commissioners Present:

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

Staff Present:

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

Commissioner Absent:

Commissioner Sherri Quarrie

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

Led by Mayor Simmons

**IV. Public Comments**

No public comments

**V. New Business**

A. Discussion regarding the Town Manager vacancy and how to proceed.

Town Manager Day submitted his resignation effective August 11<sup>th</sup>. Mayor Simmons said that in the past, the Commission discussed engaging the services of *Range Riders* which is a group associated with “The Florida City and County Management Association.”

Commissioner Walters indicated a desire to waive the requirement specified in the Town Manager’s contract that he remain in his position for sixty days after resigning.

**Commissioner Walters made a motion to waive the sixty day notice requirement, as indicated in the Town Manager’s contract, and accept his resignation effective August 11, 2017; if he wants to leave sooner, he may; Vice Mayor Davis seconded. Motion carried 4-0.**

Vice Mayor Davis had no reservations about using the FCCMA *Range Riders* to select and assist with the search for an interim Manager. He said our batting average is not that good and in the interest of expediting the process, his preference is to use the *Range Riders*



Commissioner Walters said we should ask the *Range Riders* to assist us in the search for a full-time Manager and for an interim. He added that we may be able to find somebody locally to assist us temporarily.

Mayor Simmons said the *Range Riders* offer their services without a fee and the search is exhaustive. They meet with the Commission first to understand our needs and determine our criteria for a new Town Manager. The process can take up to eight months. The Mayor added that he'd like to explore the option of hiring somebody locally so we don't have the issue of somebody needing to relocate to the area.

Mayor Simmons recently attended a Mayor's meeting where attendees expressed disappointment about the Town Managers' departure. Several of them said that there were local, experienced municipal employees who would make good Town Managers. He said that asking for three years' Town Manager experience is lofty given that this is a more entry level job. If we can find a Deputy Town Manager or Finance Manager, we should consider them for the job.

Commissioner Walters wanted to utilize the services of the *Range Riders* for both the interim and full time positions. He said it seems like the normal tenure for a Town Manager is 2-5 years and in Melbourne Beach employees don't stay long because they are looking for higher salaries in larger communities. The Mayor said 1.5 years ago, the representative from *Range Riders* wouldn't work with us, saying they are a volunteer organization and they get to pick and choose for whom they work. They would not work for the Commission that was in place at that time. The Mayor reiterated that he'd like to find someone with ties to the area. Commissioner Hoover agreed that we need to find someone who has an attachment to the area.

Commissioner Walters said we can remove the residency requirement from the contract but life happens; we could hire somebody locally who could also leave.

Mayor Simmons said it took at least a month last time for the *Range Riders* to make a presentation to the Commission. They also request that those engaging their services not start the search process on their own. Commissioner Walters suggested that we call them and find out their requirements for engagement, we could find out in a couple of days if they are who we should use. The Town Clerk was directed to contact Kurt Bressner.

As far as an Interim Manager is concerned, the Mayor said our Finance Manager is well qualified to fill in at any time. Commissioner Walters suggested that the Deputy Town Clerk fill in since the Finance Manager needs to focus on the budget and the audit. Vice Mayor Davis thinks the Finance Manager is the most up to speed on the tasks that would be expected of her but he's worried

she'll be in a position to be criticized. He asked about the qualifications of Building Assistant Crowley.

Town Manager Day said that the Finance Manager has worked with him since day one and she is up to speed on all the Town's projects. Ms. Mascaro has worked with FEMA, VA Paving, FDOT, etc., and she has been involved on a daily basis.

Vice Mayor Davis said he doesn't want to put her in a position where she could fail and he asked her if she would and could be the Interim Town Manager, to which she responded in the affirmative.

Commissioner Hoover said that in his experience, when somebody is new, the first two months are a wash; it takes time to get up to speed. He felt that Ms. Mascaro was our best bet and most reasonable option. He doesn't want to overwhelm her so if she feels she needs some support, we could hire somebody on a temporary basis.

### **Public Comments**

*Jean Marshall*  
*410 6<sup>th</sup> Avenue*

Ms. Marshall said they have tried to hire locally and it didn't work. She would also like to engage the services of the *Range Riders*. She concluded by saying the Town doesn't have a good track record.

Mayor Simmons doesn't like the 6-8 month time it takes for Range Riders to conduct their search. He mentioned our Town Manager vacancy to other public officials in Brevard County and they responded that there are people in their organizations who would be interested in moving up to a Town Manager position.

**Commissioner Hoover made a motion to appoint Finance Manager Mascaro as interim Town Manager; Vice Mayor Davis seconded. Motion carried 3-1 with Commissioner Walters casting the dissenting vote.**

Mayor Simmons said a salary needed to be decided upon and that we could afford to pay \$60,000 annually which would be a \$13,000 increase over her current salary. We would also pay for extra hours worked which would still result in a savings to the Town of \$30,000 - \$40,000 annually.



Commissioner Walters suggested that they include in the motion that the interim salary is not permanent and will be decided upon depending on the budget. He also asked for clarification about overtime and the answer was that any overtime would be paid as straight time. Commissioner Hoover said an employee being paid \$60,000 shouldn't be eligible for overtime.

He suggested keeping the salary at \$60,000 and backfilling with an extra person but it was ultimately decided that because she was filling two positions, that she would be paid for extra hours worked over 40 hours per week for up to 10 hours weekly. She would keep her same benefits.

**Commissioner Hoover made a motion to hire Elizabeth Mascaro as the Interim Town Manager at a \$60,000 annualized salary with up to 10 hours per week (over 40 hours) paid as straight time effective August 11, 2017 or as soon as Town Manager Day departs; Vice Mayor Davis seconded.**

#### **Public Comments**

*Jean Marshall*  
410 6<sup>th</sup> Avenue

Ms. Marshall said hiring an interim in this way has never been done in the history of Melbourne Beach. We have had many interims (Town Managers) and some haven't been reimbursed at all.

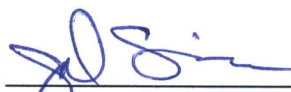
**Motion carried 3-1 with Commissioner Walters casting the dissenting vote.**

#### **VI. Adjournment**

**Commissioner Davis made a motion to adjourn; seconded Wyatt by Commissioner. Motion carried 4-0.**

Meeting adjourned at 6:50 p.m.

ATTEST:

  
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James D. Simmons, Mayor

  
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Nancy Wilson, Town Clerk