



TOWN OF MELBOURNE VILLAGE

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REGULAR COMMISSION MINUTES

Tuesday May 23, 2023

6:30 PM

TMV Town Hall

- I. Call to Order: 6:30 PM
- II. Pledge of Allegiance: led by the Mayor.
- III. Roll Call: in attendance were Commissioners Anderson, Foster, Jones and Muzzone, Vice Mayor Calenda and Mayor Ditty. Commissioner Ingram was excused.
- IV. Mayor's Report: read by the Mayor in full.
- V. Additions/Deletions and Re-ordering:
Vice Mayor Calenda made a **MOTION** to add the Beautification Committee meeting (May 15th, 2023) minutes to the Consent Agenda. Commissioner Foster seconded the **MOTION**. All were in favor, **MOTION** was passed.
- VI. Correspondence Appearances, Presentations: none
- VII. Public Forum (3-minute limit each).

Richard Jones (566 Hammock Rd) read his May 22nd letter regarding an article he read in the April Cardinal about the town changing the policy of cleaning culverts and swales. He felt it was unreasonable of the town to expect residents to clean out their culverts. It is beyond what most could physically do.

Mayor Ditty said that this policy was carried over from the prior administration. She also stated that this is a legal issue, and the commission was planning on addressing this issue in the June Commission meeting when they would have time to do research and get legal advice. This is addressed in our Town Code.

Mr. Jones stated that he had volunteered 300 - 400 hours to help clean the culverts and swales and that the residents had paid for all the equipment, and he would like the commission to go back to the prior policy.

VIII. Department Reports

- A) Public Safety – Sheriff's Department – Lt Gish
Lt. Gish was not present at the meeting, so Mayor Ditty went over some of the numbers on the Sheriff's report for April.
- B) Public Works - No report. Public Works Supervisor Bill Losee was out sick.
- C) Administration/Treasurer's Report - No report. Town Clerk Heather Roberts was out sick.
- D) Building Department – Chanda Kelley, Deputy Clerk (at table)
Mayor Ditty read the Building Department report.

IX. Consent Agenda

- E) Opportunity for Audience input regarding Consent Agenda - None
- F) Opportunity for Commission to Remove Items from Consent Agenda- None
- G) Recommended Actions:
 - 1) Approval of Minutes: For Filing
 - (a) Regular Commission Meeting –April 25, 2023
 - (b) Law Enforcement Workshop – April 29, 2023
 - (c) Special Commission Meeting – May 9, 2023
 - (d) Personnel Manual Workshop – May 9, 2023
 - (e) Personnel Manual Workshop – May 16, 2023
 - (f) Code Enforcement Workshop – May 1, 2023
 - (g) Finance Committee – April 17, 2023
 - (h) Town Review Board – April 6, 2023
 - (i) Town Review Board – May 4, 2023
 - 2) Acceptance of Financial Statements – April 2023
 - 3) Approval of Reports: *FOR FILING ONLY*
 - (a) Department Reports: Public Safety and Building Department.

Vice Mayor Calenda made a **MOTION** to accept the Consent Agenda with the addition of the May 15th Beautification Committee Minutes (added at table) and a change to the May 1st Code Enforcement Board Minutes for CEO to perform 2 to 4 hours/week instead of 4 to 6 hours/week. Commissioner Jones seconded the **MOTION**. All were in favor. **MOTION** passed.

X. Commission & Verbal Committee Reports –

- A) SCLOC Dinner May 8, 2023 – Indianantic/Melbourne Beach – Summary by Commissioner Foster
Commissioner Foster read her summary regarding the event of the May 8th SCLOC dinner.
- B) SCLOC upcoming Dinner – June 12, 2023, Hosted jointly by West Melbourne and Melbourne Village at Promise of Brevard. Doors will open for the General Meeting at 6:30 pm. The Commission and Staff are encouraged to attend to represent the Town and be acknowledged for their service.

XI. Action Item Review

The action items were read line by line.

Mayor Ditty said the AT&T account should finally be closed and the town will not owe anything, but we will not hear until the end of the month.

Four items were added to the Action Item List:

- 1. Admin – Election Packets and verify referendum requirements, POC is Supervisor of Elections. This should also be added as an entry on the Administrative Calendar.
- 2. PW – Install kit to make the Mule more street safe by adding signal and brake lights.
- 3. PW – Repair Public Works trailer.
- 4. Mayor/Town Clerk – Review employee compensation packet.

Also of note, the playground lease has been updated and sent to AHF for review. The Town can now look for a grant to pay for new playground equipment.

XII. Unfinished Business: none

XIII. New Business –

A) Ordinance 2023-01 – Board Composition (TRB & CEB) – 2nd Reading

Vice Mayor Calenda read Ordinance 2023-01 by title.

Commissioner Foster made a **MOTION** to accept Ordinance 2023-01 as written. Vice Mayor Calenda seconded the **MOTION**. A roll call vote was called. All were in favor and the **MOTION** passed.

B) Town Debris Dump

Mayor Ditty said the town debris dump is inaccessible right now and we are looking for ways or ideas on how to reopen it to Public Works and to the residents.

Comm. Anderson suggested reopening for certain hours. Most people do yard work on the weekend, and he would be amenable to opening the gate in the am on Saturday and closing it in the afternoon. Understands that PWs isn't using it and is taking debris to the dump, which we have to pay for instead of using WastePro pickup at Town debris dump.

VM Calenda and Comm Foster asked if there were really a lot of instances of misuse or just isolated instances. Mayor Ditty said access was restricted due to concrete and a mattress having been left in the dump.

Comm. Muzzone said that the county has not been able to access the dump either and they need to. Mayor Ditty stated that the gate is unlocked.

Mayor Ditty said when the county needs access, they usually call Public Work to open the gate for them. She said some of the options for reopening the dump are:

- Move the gate from right side to left side.
- Install cameras (if a resident dumps illegally we could send them a letter and not issue any permits until fine is paid.)
- Remove the fence and go back to a chain with clearly marked signs regarding organic waste, fines, hours and what can and cannot be dumped.

Commrs Foster, VM Calenda, and Mayor Ditty spoke in favor of removing the fence and going back to the chains with better signage, so it is open to residents, the County and Public Works.

Comm. Muzzone said the pool camera was used to identify who dumped the mattress, but it is limited field of vision, so not a reliable source due to the angle.

Mayor Ditty will provide guidance to remove fence and install chains. Order signs. Order cameras. All commissioners were in agreement with removing the fence and making the debris dump more accessible.

- C) Vice Mayor Calenda said she has started a new job and can't get in during business hours to sign town checks if the Mayor is not available. Can we have a new commissioner added to the bank as a signer? If she must, she will resign as Vice Mayor if signing town checks is under Vice Mayor responsibilities.

John Cary, the Town Attorney looked up what was required by Town Code and it must be one of the commissioners, not the Vice Mayor specifically.

Commissioner Foster volunteered to serve as an alternate signer.

- D) Comm. Anderson wants to discuss the letter (email) from Public Works Supervisor Bill Losee.

Marissa Levine, Office Assistant asked to be excused from the meeting because she felt very uncomfortable discussing her co-worker and friend.

John Cary, the Town Attorney said she would have to remain because this is a Commission Meeting and minutes need to be taken of all items to be discussed as it is public record.

Comm. Andersen said he agrees with everything Mayor Ditty wrote in her review of Public Works and disagrees with several things Mr. Losee put in his letter.

Comm. Muzzone said that he has praised Bill for work done on the swales, but not these other issues. Comm. Foster says we haven't given the impression that there isn't room for improvement. The Commission and residents have asked for things not yet received.

Comm. Muzzone has also offered administrative assistance so maintenance can be done but doesn't see that happening and thinks everyone sees and feels the same. Comm. Anderson and Muzzone both are getting a lot of feedback from residents.

Mayor Ditty stated she had the meeting for the purpose of a 5-month review, this was a check-in, never implied it was a reprimand. She has spoken with Bill multiple times regarding these issues based on personal observations and feedback. She has pictures from January of these same issues, plus new items that have come up. Mayor Ditty said she referenced the Personnel Manual and the Job Descriptions in preparation for the review. Mayor Ditty disputed that she is mean and disrespectful to employees and was certainly not in the PWs meeting. Jeff has been compliant with the Mayor's requests to capture daily tasks, HWCH duties, etc.

Comm. Jones wanted to know the current status. Mayor Ditty said she received Bill's letter to the Commission but did not respond because she did not want to escalate nor be punitive. Her purpose was to see improvement.

Comm. Foster said the letter read as a way for Bill and Jeff to improve performance and "ace the test" before the year-end review. Comm. Anderson concurred.

Mayor Ditty said she will have a similar mid-year review with Town Clerk Heather Roberts. It is an important part of supervision so there are no surprises at the end regarding performance. Additional issues of concern are leave requests, including sick leave, that

were taken before being approved by management and with no notification. She plans to review the policy with the Town Clerk.

Comm. Muzzone asked how Jeff was doing, e.g., his schedule without a supervisor? Mayor Ditty said Jeff said he is working off the list from the meeting and providing the weekly summary of work performed each day, as requested.

Comm Muzzone asked about administrative tasks and access to Mr. Losee's email.

Mayor Ditty worked with Computer Experts to get a temporary password so she and the Town Clerk can have access to Bill's email account to handle the contractors who have been coming to do estimates on the roofs. Bill did not submit his password information to the Town, so Computer Experts were needed.

VM Calenda said with our one-deep positions, these emails should be accessible to other people as a back-up. If anyone is gone, we need to be able to see their information. We need a book of passwords so we can access.

Mayor Ditty said we do have a book of passwords and we have that capability for every account except PWs, thus the reason Computer Experts and a new password was needed. She also stated that Bill will need to bring in a letter from his doctor regarding this week he took off.

Comm. Muzzone said that Jeff was a great help and "all in" when he worked with the AHF Parks & Paths Committee to clean up Mabel's Welcome at the Dayton entrance.

Comm. Jones asked how Jeff reacted to the meeting. Mayor Ditty said during the meeting, Jeff was amenable and receptive. She has not seen a negative reaction. He is doing what is asked of him. We've spoken several times and taken a Mule Ride around the town. He has been weed-whacking, mowing, and other chores.

Comm. Foster asked how Bill was in the meeting. Mayor Ditty said his body language and reaction was immediately defensive and angry throughout. He did not agree with this assessment and said several times that she was a micro-manager.

Comm. Anderson asked how we are moving forward with these things. Mayor Ditty said she would not take actions on this letter from Mr. Losee. There are new actions and behaviors regarding leave requests that need to be addressed and she will consult with Heather.

Comm. Jones asked if Bill is off sick or if he using time that was planned for Memorial Day. Mayor Ditty reviewed recent leave requests from PW and Office staff. Mr. Losee will need to provide a doctor's excuse for this week of sick leave and if so, he would not be charged the vacation time. The Mayor also noted that Mr. Losee recently asked the Town Clerk for his vacation and sick leave totals.

Comm. Jones asked if this is the first time, or first interaction with Mr. Losee where there wasn't necessarily positive feedback. Mayor Ditty said, not a formal conversation like this, but in January, and verbal discussions pretty much every month. Comm Jones is wondering

if he is looking for a new job. Mayor Ditty stated that if he is sick, he's sick. Mr. Losee has some great knowledge that can benefit the Town. Mayor Ditty meant her review as an opportunity, a mid-point review.

Comm. Muzzone asked if we need to do anything since both Jeff and Bill are off this Thursday and Friday. Discussion about checking HWCH and the start of rainy season and storms. Nothing pressing.

Comm. Anderson said he would check HWCH on Sunday morning before that day's event. Commissioners agreed that cleaning needs to be documented and signed before approval for return of deposit.

Mayor Ditty said the next steps will be counseling to explain the leave request policy. If Heather is not available to sign his leave sheets it is to be approved by the Mayor. Supervisors should be notified in advance of vacation requests.

Comm. Jones asked John Cary for any words of wisdom, or counseling. He said with this type of situation, a performance improvement plan (PIP) might be appropriate, if that's something you want to consider.

Mayor Ditty stated that even though the letter could justify correction, she is not trying cause Mr. Losee to quit. Just trying to get him to improve. No PIP at this time. The annual review will be in late July-early August, one-year anniversary. Mayor Ditty said discussion and letter was not a PIP, not a reprimand, it was an opportunity.

Commissioners can talk one-on-one with Bill or Jeff and can initiate a conversation.

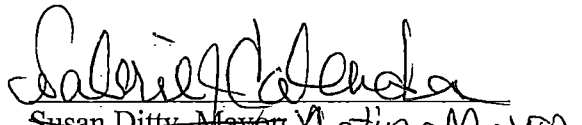
XIV. Approval for Payment - none

XV. Adjournment: 8:05 pm

If an individual decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, a record and transcript of the proceedings will be required and the individual will need to ensure that a verbatim record and transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based and will be acceptable in a court of law (FS286.0105). Such person must provide a method for recording and transcribing the proceedings verbatim as the Town does not provide such a record or transcript. In accordance with the Americans Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, within a reasonable time prior to the meeting contact the Office of the Town Clerk (321) 723-8300.

ATTEST:


Heather Roberts, Town Clerk


Susan Ditty, Mayor ~~Mayor~~ Acting Mayor