

**CHARTER REVIEW COMMITTEE WORKSHOP MINUTES**  
**June 19, 2003**

This meeting of the Malabar Town Council was held at the Town Hall at 2725 Malabar Road. The meeting was called to order at 7:05 pm by the Chair, Bobbi Moccia. The prayer and pledge were lead by Mr. Rivet.

ROLL CALL: MAYOR:	PHILLIP CREWS
CHAIR:	BOBBI MOCCIA
VICE-CHAIR:	STEVE RIVET
COUNCIL MEMBERS:	JANE HAVET
	BRIAN HUNTER
	BOB ROSSMAN
COMMITTEE MEMBERS:	ROY BAKER - EXCUSED
	PAT BENINGTON – Arrived 7:28 p.m.
	STUART BORTON – Arrived 7:14 p.m.
	CAROL BRIGGS
	PAT DEZMAN - EXCUSED
	TOM ESCHENBERG
	CHUCK FRAZEE – Arrived 7:15 p.m.
	FRANK HICKSON
	DON KRIEGER
	CHRIS NORTON - ABSENT
	WILLIAM WITHERS
ADMINISTRATOR:	ED BOOTH
ATTORNEY:	KARL BOHNE
CLERK:	SUSAN KABANA

**DISCUSSION OF TOWN CHARTER BY THE CHARTER REVIEW COMMITTEE**

Discussion of police protection. Moccia – if this is in the charter then if it's needed in the future we can pass an ordinance. Rossman – police departments are very expensive and there are other avenues that can be taken – like contracting with Palm Bay. Rossman would like to use the Mailboat to give a brief description of what voters will see. He wants Town meetings to inform the citizens of the issues – all agree.

**CHANGE** – add police dept section written by Karl Bohne.

Discussion of Council size. The committee decides to leave the size at five members.

**CHANGE** – Sec 2.02 was changed in last referendum.

**CHANGE** – Sec 2.04 delete “in 1997 for a three (3) year term...thereafter for”.

Rivet – does not feel a Mayor's vote should over ride a 4/5 vote. Discussion of veto power of the Mayor. Discussion of whether “Mayor cannot override 4/5 vote of a fully seated Council.” should be added or not.

**MOTION: Borton/Crews call for question and to leave Sec 2.04 (a) as it is. VOTE: Aye – 8. Nay – 5.**

Sec 2.08

**CHANGE:** (e) If a majority of the quorum present the Town Council votes.....

**CHANGE:** (f) & (g) or a crime involving moral turpitude

Sec 2.11

**MOTION: Rossman/Rivet to delete “Add Somewhere: All meeting types may be defined by ordinance.” VOTE: all aye.**

**CHANGE:** delete Add Somewhere: All meeting types may be defined by ordinance.”

Sec 2.14

Rossman – since the administrator is not in the charter he has no duties and no power and the Council has to run the day-to-day operations of the Town – that is the way this charter is written.

**CHANGE:** (a) ,employees or agents by four-fifth (4/5) vote of full council.

Discussion of deleting section (b).

Eschenberg – feels that if we make these changes it makes us more like a Town Manager form of government. Discussion.

**CHANGE:** In the absence of a Town Administrator, the Town Council will be responsible for the direction and supervision of town officers, employees and agents.

Rivet – by delegating we are only delegating, but we are still responsible.

**CHANGE:** Sec 2.15 The Town Administrator shall be appointed by a vote of the Town Council.

**CHANGE:** Sec 2.16 The Town Clerk shall be appointed by a vote of the Town Council. {{Move the rest of this section (old Sec 2.15) to Sec 3.04.}}

**CHANGE:** Sec 3.01 (2) Set the ~~salary~~ compensation schedule of the Town Employees.

**CHANGE:** Sec 3.03 (a) ..... be a resident of ~~the Town~~ Brevard County.

**MOTION: Crews/Rivet to adjourn.**

Moccia – thanks committee, but notes that the final decision of what goes to a vote of the people is the decision of the Council.

Eschenberg – once the administrator is in the charter we have to have one. Up to this point it has been taken care of by ordinances. Council should keep this in mind.

Withers – feels that the administrator has saved us much money and should be in the charter.

**VOTE: All aye.**

Meeting adjourned at 9:15 p.m.

BY:

  
Chair Bobbi Moccia

ATTEST:

  
Susan Kabana, CMC  
Town Clerk/Treasurer

DATE:

7/7/03