

**MALABAR TOWN COUNCIL REGULAR MEETING
MAY 16, 2005 7:30 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road. The meeting was called to order at 7:30 pm by the Chair, Bobbi Moccia. The prayer and pledge were led by Bobbie Moccia.

<u>ROLL CALL:</u> MAYOR/VICE-CHAIR	TOM ESCHENBERG
CHAIR:	BOBBI MOCCIA
COUNCIL MEMBERS:	FRANK HICKSON
	BRIAN VAIL
	STEVE RIVET (excused)
	PAT DEZMAN
ADMINISTRATOR:	ED BOOTH
ENGINEER:	BILL STEPHENSON
ATTORNEY:	KARL BOHNE
RECORDING SECRETARY:	CINDI KELLEY

ADDITIONS AND DELETIONS TO AGENDA:

Action item #10 moved to Action item #1.

MOTION: HICKSON/VAIL. All Ayes.

CONSENT AGENDA:

- (A) TOWN COUNCIL WORKSHOP MINUTES OF 4/18/05
- (B) TOWN COUNCIL MINUTES OF 4/18/05
- (C) TOWN COUNCIL MINUTES OF 5/2/05
- (D) TOWN COUNCIL WORKSHOP MINUTES OF 5/10/05

Mayor Eschenberg asked that a change be made to the 5/10/05 minutes. On page 1, under Booth, it states "If we contracted out, that would drive up our mil levy to about 4.5%, which is a pretty hefty increase." It should read: "If we contracted out, that would drive up our mil levy to about 4.5, which is a pretty hefty increase."

MOTION: Hickson/Vail to approve the 5/10/05 with correction. VOTE: All Ayes.

MOTION: Hickson/Vail to approve minutes from 4/18/05, workshop minutes from 4/18/05 and minutes from 5/2/05 meetings. VOTE: All Ayes.

REPORTS:

ATTORNEY-Mr. Bohne advised Council that he had received several e-mails regarding Mr. Gentile. He has responded, in letter form, to Mr. Booth. Mr. Booth will be speaking about this in his reports.

ADMINISTRATOR

- GRANTS

We received \$150,000 for the US #1 beautification project, this is now a project. A grant for CDBG for the Fire Department of \$70,000 has been requested. This is a zero matching grant. This grant is administered by the County and has been submitted.

FORESTRY GRANTS

This grant request was for \$5,000, we received \$2,500. We have approximately \$10,000 of damaged equipment. We will keep applying for grants, as our money will double, to meet the \$10,000 for the damaged equipment.

FEMA

We will receive a grant from FEMA for 10% of the Shelter/Community Center. We are working with Representative Mitch Needleman to obtain the land. This is 5 acres by the park, which is owned by the State. This land, if we can get it, would be gratis.

FORESTRY

This grant was for \$5,000, which we will match with \$5,000 of insurance money. We lost \$10,000 in equipment. We are trying to double the funds. With the assistance of grants and insurance funds, we are making the fire department better equipped to assist the citizens of Malabar.

- PROJECTS

The fire department's roof is being worked on and is just about complete. We expect to be operational within two weeks. Once the roof is finished, the inside will be able to be completed. I was the project manager for the inside construction of the fire department.

The contractors for the roof at the Public Works building will be starting in the next few days. The contractors will be leaving the fire department within a few days to start on the roof of this building.

The replacement shed for the fire department is being looked at. The engineer is working on this project. Within the next few weeks we should be going out for bids. Once the bids are in, it will be presented to Council.

The repairs to the fire department building are going to increase the survivability of the building. The area between the false ceiling and the roof was open; therefore, there was no insulation to the building. The Building Official said that this would have to be brought to code. This is one of the reasons that the roofing project is taking some time to get completed. The corrections to the false ceiling will make the building more efficient with electricity and during natural disasters.

The Rocky Point Road project has gone out to bid. We received the bids back and chose JoBear Construction to do the work. This is a FEMA paid project, as the road was damaged from the hurricanes. It looks like the first of July is when the contractor will be available to start this project. They will be reinforcing the bank and fixing the road. This project is not a real emergency, it is being addressed.

The Corey Road project is higher on the list of priorities to be fixed. This is also a FEMA paid project. We have reduced the cost of repairs down to \$48,000 from \$78,000. Bill Stephenson, the Town Engineer, advised Council that the major expenses for this project were the headwalls, mobilization and the piping. Mr.

Stephenson did an analysis and came up with a way for the Town to save funds. He reduced the headwall cost and found that the Town could purchase the pipe from the County. Atlantic Coast Construction and Development is to have the Town of Malabar purchase the materials. The Town will also get the asphalt from the County. By doing this, the Town will save \$25,000. The problem is getting someone to do the work, even if we have a low bidder. We believe that we have someone who will do this work.

For the Hall and Corey Road culverts, we are in the process of purchasing pipe through County bids. We are planning to do some of this work ourselves and having the contractor complete the project. This project will be paid out of the Stormwater Utilities funds.

We need to get the mulch removed from Marie Street. It's been there for a long while; it's beginning to smell and could be a fire hazard.

We are looking to have the ball fields in the park ready to use by the 4th of July. We have put an article in the Mailboat for volunteers for these ball teams. Mr. Booth has had several calls regarding this and I am asking the parents to also volunteer for their children's teams. Mr. Withers has been working very hard with the County to get the fields in shape. Huggins Park will be cleared also. The land on Corey Road will be cleared so that vehicles will be able to see more clearly.

Mr. Booth has been in contact with the Sheriff's Department in regards to having the Marine Police patrol. They are available for weekend patrols and are looking for areas to train in.

- A PROPOSAL TO SWAP LAND

Mr. Booth needs guidance from Council as to how to proceed with this. I have spoken to the City Manager of Palm Bay. There is an area of land, both in Palm Bay and the Town of Malabar, that a developer wants to put a senior center on. It would be better to have the center in one city or town with regard to maintaining the building and grounds, water/sewer issues, etc. This is to be a fairly large facility. Mr. Borton has approached the City of Palm Bay to annex his restaurant, The Yellow Dog Café, into the their city. If this were to happen, they would like to approach it as swapping land. The land for the senior center would be swapped for the Yellow Dog Café restaurant. The Mayor is more responsive to this then the City Manager of Palm Bay. There was brief discussion between Mr. Booth and Council regarding this matter. Questions of the size of land being swapped were presented by Mr. Vail and Mrs. Moccia is very leery of this being just a swapping of land. There is a meeting scheduled to discuss this. The Town of Malabar would gain 15 acres from Palm Bay if they annexed the restaurant in. This would not include the property across the street from the restaurant, so Mr. Borton's warehouse would still be in Malabar. Mr. Booth will apprise Council of the results of the meeting with Palm Bay.

- REPORT ON GRAVE SITE

Mr. Booth advised Council that the "grave site" on the Weber Road property did not have anyone buried there. This was a monument, placed there by Maxwell Brownlee Funeral Home. The gentleman was buried in a cemetery out of

the state of Florida. Mrs. Moccia asked Mr. Booth if he made sure that no one was buried there. Mr. Booth informed Council that he had checked on this matter.

- FEC

Mr. Booth advised Council that the work being done on the railroad crossing at Jordan Boulevard is just about completed. One side of the road has been opened to the through traffic for Harris and Data Management. This project should be finished by May 17, 2005. Mr. Booth has done some research with some of our neighboring municipalities. All the attorneys for the others have said to pay the fees. At one point, a municipality went to court over this issue. The judge ruled that the municipality was to pay the fees for the work performed and all court costs incurred. Mr. Booth will be asking Harris and Data Management to put up 1/3 of the cost each. We have, in the budget for this year, 1/3 of the cost. In the agreement that we have, the Town has agreed to pay this. He is looking for monies from the two businesses that this repair work affected. Mr. Booth feels that each one involved should be responsible for 1/3 of the total payment to the Florida East Coast Railroad.

- COREY ROAD PROJECT

This particular project was addressed previously in the other project reports given by Mr. Booth. See above discussion.

- CODE ENFORCEMENT

Mr. Gentile has an agricultural exemption from Brevard County. This exemption states that he can do anything that is agricultural. As soon as he steps beyond the perimeters of this agricultural exemption, which means commercial, he will be in violation of our ordinance. It is my understanding that he is supposed to start operating this "business" as of May 20, 2005. I will be looking into this after the 20th to make sure that nothing commercial is happening. If it is, I will take him to the Special Master. Another alternative, per Mr. Bohne, is to file action with the Circuit Court to keep him from violating our ordinances. The agricultural exemption is very specific with what the owner can do with the property in question. Once he goes beyond that point, this is when the Town can step in. The Attorney General is in agreement with this interpretation of the agricultural exemption. Until something happens, we can't do anything. Mrs. Dezman stated that she has seen advertisements in the paper with the business starting on May 15th. Mr. Booth advised Council that he would be keeping a close eye on this and would take care of business.

At this time, Mr. Booth discussed the philosophy of Code Enforcement. Council is the last resort with regard to Code Enforcement. Once a person makes a complaint, I go out and inspect. I can only inspect from the street, it's not legal for me to enter the property. If the code violation is there, I send a letter to the property owner. Most of the time, a letter will suffice. If it doesn't, then we take the next step to correct the problem. The next step would be the Special Master. We need to let the system work. If Council steps in before all the steps are followed, it negates all the work that has been done to correct the problems. The public has the right to be heard. Until the Code Enforcement Officer or the Special Master takes action, no other action is needed by Council. If Council gets involved first, then you cut out the

Special Master. The use of the Special Master is very minimal. Council should listen to the public but let the system work first.

At this time, Mr. Booth advised Council that Commissioner Volz and the Brevard County Manager would like to address them at the June 6th meeting. If there is no objection, this item would be put on the agenda for that meeting.

- **MINUTES**

Mr. Booth asked Council for guidance on the taking of the Council minutes. If Council wants the minutes verbatim, then he will have to hire someone to come and do this. Town staff does not have the time to do verbatim minutes. Mrs. Moccia stated that the minutes do not have to be verbatim unless specifically asked for. Mr. Bohne stated that these minutes are more detailed than any he's ever seen. Mr. Vail stated that he only asked for the portion of the minutes verbatim with regards to the blight study. Mrs. Dezman commended Cindi Kelley for working so hard on the minutes and taking the time to make them as detailed as they have been.

- **Susan Kabana – discussion of sick leave (action item #12)**

With no action being needed, Mr. Booth advised Council of Susan Kabana's illness. He told Council that he put her out on short term disability leave. The Town provides short term and long term disability insurance to all full-time employees. Once a person is out eight consecutive days with an illness, they are eligible for short term disability benefits. She has thirteen weeks and then it will go into long term disability benefits. If and when she comes back, Council can give her some additional sick time for doctor appointments and what is needed. We are monitoring her every few days.

With this being said, Mr. Booth advised Council that he would be sending Cindi Kelley to school for training in finance and budgeting. We will use the auditors to assist with going over the quarterly reports. Debby Franklin will be stepping in Susan's place to take care of the everyday operations of the Town. The Building Department has Rose Futch and everyone will be assisting when and where they are needed.

- **PARK BOARD REPORT**

At this time, Hans Kemmler, Park Board Chairman, came forward and apprised Council of what has been happening with the park and the playground equipment. The Parks & Recreation Board is putting together a list of items that they would like to spend the next FRDAP Grant on. Mrs. Moccia asked if Council could get a copy of the list for the next FRDAP. When the playground equipment is completely installed, this will mark the end of this grant. In the 2006/07 year, we are eligible to apply for two grants at a time.

There is an article in the Mailboat looking for board members for The Trails & Greenway Board. Mr. Kemmler advised Council that he would be trying to get some assistance with cleaning up the trails and greenways, as there hasn't been a lot done to them since the hurricanes.

At this time, Mr. Kemmler asked Mr. Booth how things were progressing with the posting of agendas and minutes on the website. Mr. Booth stated that Susan has been out and that things were being taken care of. He will work with Mr. Kemmler in regard to this issue.

CLERK

Nothing to report at this time.

DISCUSSION:

1. INTRODUCTION OF FIRE CHIEF CANDIDATES

(A) BRYAN ERIKSEN

Mr. Eriksen came forward and made a power point presentation to Council. He advised Council of his qualifications, vision and goals that he has for the Malabar Volunteer Fire Department.

(B) JOSEPH GIANANTONIO

Mr. Gianantonio came forward and addressed Council. He advised Council that he shared Mr. Eriksen's goals and visions. He stated that he wants the Town to be as proud of the Fire Department as we are of ourselves.

At this time, Bobbi Moccia opened the comments to the audience.

Debbie Kisinski-2470 Ski Lane-came forward and addressed Council. She has known both candidates for years. Ms. Kisinski was with the Malabar Volunteer Fire Department for a while. Both of the candidates have a lot to bring to the table. Since the time that Mr. Eriksen has been with the fire department, he has seen a lot of things go on. She spoke highly of Brian Eriksen but stated that whoever was chosen would be good for the fire department. She did ask Council if we really needed a volunteer department or should we spend some tax monies and have a paid fire department?

Daniel Welton-2635 Hunter Lane-came forward and addressed Council. He is a volunteer with the fire department. He only has experience with Captain Eriksen. He feels that Mr. Eriksen is supportive towards membership. Mr. Welton stated that he was encouraged by Mr. Eriksen to become an EMT. When Council appoints the new chief, this person must have strong leadership qualities and be held accountable.

Neil Rosaci-1765 Sandy Creek-came forward and addressed Council. He is supportive of Bryan Eriksen. He advised Council that Mr. Eriksen's goal is to be the volunteer chief.

ACTION ITEMS:

1. RES 03-2005 ADMINISTRATIVE FEES

By unanimous consent, Bobbi Moccia read by title only.

MOTION: Eschenberg/Hickson to approve.

At this time, Bobbi Moccia went to Council for discussion. Mr. Eschenberg stated that he had questions regarding items #22 and #23 of this resolution. He asked if we would be charging citizens these fees if they come to a Council member to request a change. Mr. Eschenberg stated that he objects to items #22 and #23, every citizen

has the right to make the request of changes. Mrs. Moccia stated that she was in agreement with Mr. Eschenberg. Mr. Vail asked if we could amend this to be building codes. Mr. Booth advised Council that the problem is not with the citizens but with the developers. Mr. Eschenberg stated that if a citizen comes to Council, the fee should be exempt. If they go to staff, then the fee would apply. Mrs. Moccia stated that the developers should and need to be charged these fees. Mr. Hickson asked if all the citizens would benefit from the change. Mr. Bohne stated that these fees would be hard to separate. Any change to code or an ordinance would affect everyone. Mr. Hickson feels that item #22 should be deleted for sure. Mrs. Dezman asked if these two items came from another municipality. Is it possible that these two items don't apply to the Town of Malabar? Mr. Eschenberg stated that typically any changes that come up are brought to the Council. Mr. Booth will ask Council if he should proceed. Mr. Booth advised Council that decisions could be appealed to the higher circuit court and Council could waive all fees. Mr. Bohne stated that appeals have to be done in a timely fashion. Mr. Hickson stated that item #23 should definitely be taken out as well. Mrs. Moccia asked Mr. Eschenberg if he would like to amend his motion eliminating items #22 & 23.

MOTION: Eschenberg/Hickson to amend motion by eliminating items #22 & #23 from fee listing in resolution. VOTE: Hickson, Vail, Moccia, Dezman - all Ayes.

2. RES 04-2005 DAY/COOK REQUEST TO VACATE

By unanimous consent, Bobbi Moccia read by title only.

MOTION: Eschenberg/Vail to approve.

Mr. Booth advised Council that we have looked at this for a long time. This road doesn't go anywhere. We are looking to recoup the same amount of land. We don't ever see this road being developed. We need more land on the railroad. Marshall Lane was prescribed but never dedicated to the Town of Malabar. Marshall Lane, with land given back to us, will be a real road. Mr. Bohne advised Council that we maintained a portion of Marshall. We will be receiving the rest of this land back. Mr. Binda, attorney to property owners, came forward and addressed Council. This request has been approved by the Town Engineer and presented to the Planning & Zoning Board twice.

VOTE: Hickson, Vail, Moccia, Dezman – all Ayes.

3. RES 05-2005 PRIMAVERA REQUEST TO VACATE

By unanimous consent, Bobbi Moccia read by title only.

MOTION: Eschenberg/Vail to approve.

Mr. Booth advised Council that the engineer has really worked on this. The area started out to be a trailer lot. It is now zoned RR-65. The engineer has walked the property several times. We have talked about this for a long time. Mr. Stephenson stated that we can't really learn enough to take a broad approach to this property. He advised Council to act on what they have before this evening and wait until developing comes. He doesn't see any reason not to approve this request. There is nothing there that would be a negative for the Town. Mr. Booth advised Council that they had asked for more to be vacated but the request was cut back to what would make sense.

VOTE: Hickson, Vail, Moccia, Dezman – all Ayes.

4. RES 06-2005 HARWOOD REQUEST TO VACATE

By unanimous consent, Bobbi Moccia read by title only.

MOTION: Hickson/Vail to approve.

Per Mr. Bohne, this is the same as what was just approved by Council.

VOTE: Hickson, Vail, Moccia, Dezman – all Ayes.

5. RES 08-2005 ADOPT MUSSELL SHOAL LANE

By unanimous consent, Bobbi Moccia read by title only.

MOTION: Vail/Dezman to approve.

VOTE: Hickson, Vail, Moccia, Dezman – all Ayes.

6. FORMAL VOTE ON RETAINING THE VOLUNTEER FIRE DEPARTMENT & FOLLOW UP ACTION

Mr. Booth advised the Council that at the special workshop for the fire department it was determined that Council needed to decide what you wanted to do. We cannot have a professional, paid fire department. We don't have the authority to do this; it's mandated by the State of Florida.

MOTION: Vail/Hickson to keep the fire department as is. VOTE: All Ayes.

Mr. Eschenberg stated that the follow-up action discussed at the workshop consisted of a regular fire report and how often this was to be presented to Council by the chief. Also, another independent evaluation and how far into the future this would be made and presented to Council would be required.

MOTION: Eschenberg/Dezman move to have Fire Chief present a formal presentation quarterly. VOTE: All Ayes.

MOTION: Eschenberg/Vail move that one year from the 1st of July 2005, upon recommendation by administration, specifically addressing items in TD Group report, an independent evaluation be presented to Council.

Mrs. Dezman asked if we are basing what is being put together with Mr. Rowan. Mr. Hickson asked Council if one year would be time enough.

VOTE: All Ayes.

7. SELECTION OF NEW FIRE CHIEF

Mrs. Dezman recommends that this handled in the same manner as the vacant Council seat was. Mr. Booth advised Council that Mr. Gianantonio was recommended by the fire department. At this time, Mrs. Dezman asked who the candidates were. Mr. Booth advised her that Mr. Eriksen and Mr. Gianantonio were the only two candidates. Mr. Vail asked Mr. Booth who his recommendation was for. Mr. Booth stated that he was in agreement with the fire department. Mr. Eschenberg asked the fire department how many people were involved with the voting process. The fire department's response was that there were 23 people at the meeting that they voted on this issue. There were a total of seven votes for Mr. Eriksen and sixteen votes for Mr. Gianantonio. Mr. Eschenberg asked both candidates to come to the podium to answer a question that was asked of both of them. Mr. Eschenberg wanted each candidate to describe their obligations work wise and to advise Council when they are and are not available to come to the fire department. Mr. Gianantonio spoke to Council first. He is retired and can spend 24/7 at the fire department. Mr. Eriksen stated that he works every three days for the City of Melbourne on a 24 hour shift. If there were an emergency, he would be able to take emergency vacation. Mr. Vail asked Mr. Gianantonio what kind of time he would be able to devote to the

fire department. Mr. Eriksen has dedicated both of his days off to the Malabar Volunteer Fire Department. Mr. Gianantonio stated, once again, that he was retired and could give any and all time required to the fire department.

At this time, the roll was called:

Hickson - Gianantonio

Vail - Gianantonio

Rivet - excused

Moccia - Gianantonio

Dezman – Eriksen

Mr. Joseph Gianantonio was appointed as the new Fire Chief.

**8. DISPOSAL OF NON-USABLE FIRE DEPARTMENT EQUIPMENT
(Personal Protective Gear)**

Mr. Booth asked that Council consider disposing of the non-usable fire equipment. We would not be throwing this equipment away but sending it to another country where they would be able to use it. Mr. Vail asked Mr. Booth about the shipping costs. Mr. Booth stated that he was checking into this issue. Mrs. Dezman asked that when we do dispose of it to give Council an FYI so that they would know how it was taken care of. The Town of Malabar should receive a signed waiver from the receiving parties releasing the Town from any liability regarding the non-usable fire department equipment.

MOTION: Vail/Dezman to approve disposal of non-usable fire department equipment. VOTE: All Ayes.

**9. MAKE RECOMMENDATION TO COUNCIL – EXCEPTION TO MAXIMUM
HEIGHT (54”) OF FENCE/WALL IN RR-65 ZONING. (Applicant John
Seybold, 1830 Corey Road is requesting a 60” gate across his driveway)**

MOTION: Dezman/Vail to approve the exception. VOTE: All Ayes.

**10. MAKE RECOMMENDATION TO COUNCIL-EXCEPTION TO MAXIMUM
HEIGHT (54”) OF FENCE/WALL IN RR-65 ZONING. (Applicant Stillwater
Holding Company is requesting permit for 60” gated entrance to
subdivision from Corey Road and wrought iron type fence along
Corey Road frontage.**

Mr. Booth, at the beginning of the meeting, asked that this be moved to Action item #1. Mr. Morgan is here and would like this to be moved to the first action item. As stated above, a motion was made and approved to move this to the first action item heard. Mr. Morgan came forward and addressed Council. He stated that he had approval from the Planning & Zoning Board. He is asking for an additional six inches on the maximum fence height of 54”. Mrs. Dezman asked there was quorum at the Planning & Zoning meeting when this was approved. They did have a quorum; without a quorum, the meeting would have had to be cancelled. Mrs. Moccia asked about the openness along Malabar Road and the natural view. Mr. Morgan advised Council that it would continue to be open with the natural view. Mrs. Dezman stated that the piece of land off Malabar Road accessing property would not be able to be

continued. Mr. Morgan stated that this would be stopped very shortly. The ponds are being dug. Once the ponds are completed, the access road would be closed off.

MOTION: Eschenberg/Vail move to approve. VOTE: All Ayes.

11. BREVARD WATER SUPPLY BOARD – MEMBER AND ALTERNATE MEMBER SELECTION

Mr. Booth advised Council that he would attend the meetings but an alternate would need to be selected. The meetings that he can't attend would need to be attended by the alternate. The dates of the meetings are whatever works for most of the members. The meetings are held in Vieira. Mrs. Dezman stated that she doesn't mind doing this with the exception of the variable times for the meetings. Mr. Hickson stated that with proper notice, he would be able to attend the meetings.

MOTION: Hickson/Dezman to approve Mr. Hickson as the alternate member.

VOTE: All Ayes.

12. SUSAN KABANA (Discussion of Sick Leave)

There being no action required, this subject was reported on by Mr. Booth while giving his reports.

REPORTS: MAYOR, COUNCIL

Mayor Eschenberg-had some reaction to a couple of calls regarding the tons of dirt that are being taking out of town at the Oakmont Preserve subdivision. Mr. Bohne advised Council that the ordinance regarding this matter had been changed a few years ago. Mr. Eschenberg asked to have a copy of the ordinance to provide to the citizens showing nothing illegal is taking place regarding this matter.

Mayor Eschenberg-would like to know what is going on with the gate at Atz and LaCourt Roads. Mr. Booth stated that this land is maintained by EELs. People have property on either side. Some want the gate left open and others want the gate closed. However, the people with property there have to have access to it. Mr. Vail stated that the citizens need to call the County and speak to Chris. The County needs to make that decision as to whether the gate should be opened or closed. Mr. Booth stated that the EELs need to take responsibility for the land and that the citizens of Malabar should call the County.

Mayor Eschenberg-with regards to the stop signs, I reviewed the reports from the Eagle Corp. Mr. Rowan stated that while out on patrol, he parked the Eagle Corp vehicle way back away from the signs at Corey and Atz Roads. Since no one could see the car, they ran the stop sign. As soon as Mr. Rowan moved the vehicle up closer, so as to be seen by the other vehicle traffic, people started stopping at the intersection. Mr. Rowan stated that about 80% of the traffic, while not seeing the Eagle Corp vehicle, ran the stop sign. Mr. Booth stated that if anyone removes a stop sign from an intersection and a person(s) dies, this is vehicular manslaughter. Mr. Eschenberg stated that Mr. Booth should read the reports from the Eagle Corp. They have ridden through the town and made notes as to where attention is needed in the Town regarding this issue. Mr. Booth advised Council that we are trying to get the reflective paint for the "Stop Ahead" that is painted on the roads. If we can't get this, we had checked into the lighted stop signs. These proved to be very expensive

stop sign at Weber and Malabar Road needs attention. The stop sign is too high in the air and too close to a telephone pole.

Hickson-I just want to thank Mr. Booth for the Code Enforcement that is being done around the Town.

Vail-we had discussed the possibility of a stop sign study at Weber and Atz Roads. Mr. Booth stated that we were not able to get a study done because of a conflict of interest with Mr. Hickson. Generally, stop signs are not used to control speed. Weber Road is not yet as highly traveled. Mr. Vail asked if we could maybe have the Eagle Corp do an informal traffic study. Both Mr. Booth and Mr. Eschenberg stated that this could not happen because they have to know what they are researching for. They don't have any background to conduct any such study.

Vail-we lost two children last week. The Fire Department responded in a timely fashion. We had people out on horseback and ATVs looking for these children. I am really pleased and proud to live in a neighborhood that came out in such force to find the children. Mrs. Dezman asked if there is any way, with regards to the reverse 911, to let us know what is happening when the children are found. She didn't receive a call until much later after the children were safe. Mr. Vail stated that this procedure did need to be worked out. Several people came out again in the morning because they had not heard that the children had been found.

Dezman-how are we coming on getting a soft copy of TD Group report? Ms. Kelley informed Mrs. Dezman that she had received the document, but it has a password lock on it. Ms. Kelley would email this to Mrs. Dezman with the understanding that Ms. Kelley would try to get the document without the password lock if Mrs. Dezman couldn't do anything with the report.

Dezman-asked Mr. Booth what our ordinance states about ATVs on the road. Mr. Booth advised Council that we don't restrict them. The County has an ordinance and the Sheriff's Department can site violators. We don't, as a Town, restrict them in any manner. Mrs. Dezman asked if there was an age limit. Mr. Withers, from the audience, stated that the age limit is 15 years of age. With this topic matter being a concern, Mr. Booth set a workshop to be held before the June 20th regular Council meeting. This meeting is to start at 7:00 p.m. in the Council Chambers. Mrs. Moccia asked for any and all ATV people to attend. Let's try to get this worked out in some fashion.

Moccia-asked Mr. Booth what is happening with our blight study. Mr. Booth advised Council that he has a meeting with them on May 17th. This is the time to do this because as the Town grows, we will not have enough people to qualify for blight.

Moccia-since the Town owns the southwest corner of Malabar and Corey Roads, could we clean that parcel out and make a small park there? With people out walking in the evenings, this could be a nice place to stop and rest. Maybe we could put a few benches in there. The question came up about parking. This would not be a park that you come to by vehicle. This would be a park that you get to on foot. This would be a nice addition to the Town, as with the new subdivision coming in

across the street, it could be a good way to meet your neighbors if there is a place to stop along your walk. Mr. Booth stated that we do own the property and it could be cleaned out. We could put some benches in for seating.

Moccia thanked Mr. Withers for the computer that was donated. The child was very appreciative of the gift and it will help him tremendously with his schooling.

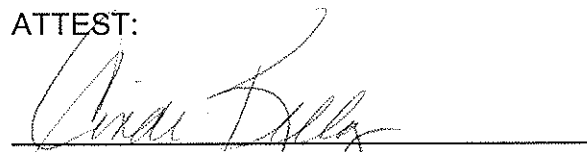
ADJOURNMENT

This meeting adjourned at 10:25 p.m.

BY:


Chair Bobbi Moccia

ATTEST:


Cindi Kelley, Recording Secretary

DATE: 6/6/05