

MALABAR TOWN COUNCIL REGULAR MEETING

May 05, 2014

7:30 PM

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER:

The meeting was called to order at 7:32 pm by Council Chair Steve Rivet. The prayer and pledge were led by Council Member Dick Korn.

B. ROLL CALL:

COUNCIL CHAIR

VICE-CHAIR/MAYOR:

COUNCIL MEMBERS:

STEVE RIVET

CARL BEATTY

JIM MILUCKY

WAYNE ABARE

DICK KORN

MARISA ACQUAVIVA, excused

TOWN ADMINISTRATOR:

TOWN ATTORNEY:

TOWN CLERK/TREASURER:

BONILYN WILBANKS

KARL BOHNE

DEBBY FRANKLIN

CM Acquaviva was out of town and asked to be excused. For the record Fire Chief Christopher Robinson, Asst Fire Chief, the four Lts and other FF were also present.

C, ADDITIONS/DELETIONS/CHANGES: Wayne asked to move #4 under #10 – no objections. Clerk explained that Council will be entertaining proposals for the solid waste franchise. In preparation of hearing the bidders' presentations, we wanted to choose the order of the presentations in a public meeting forum. TA asked Mayor to please draw from the bucket a name of the Solid Waste bidder that will go first for the oral presentations. Mayor drew out Waste Management. The second draw by the Mayor was Waste Pro who will be the second presenter. The third draw will be the third presenter and that will be Republic Services. The items 3, 5, 6 and 7 were postponed at CM Acquaviva's request.

D. **CONSENT AGENDA:**

(Any Council Member may request an item on the Consent Agenda to be removed and placed on regular agenda immediately after new business to be discussed and voted on separately by the Town Council)

1a. **Approval of Minutes**

Exhibit:

Regular Town Council Minutes – 4/21/2014

Agenda Report No. 1a

1b. Budget Adjustment (Reso 12-2014) A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET ADJUSTMENT IN THE FISCAL YEAR 2013-2014; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit:

Agenda Report No. 1b.

1c. **April Financials**

Recommendation:

Presented separately

Request Approval of all with a roll call vote.

Chair read reso by title only.

Discussion: Corrections to minutes – none.

MOTION: Wayne / Dick to approve Consent Agenda as presented.

ROLL CALL VOTE: 1)Milucky, Aye; Abare, Aye; Steve Rivet, Aye; Dick Korn, Aye; Marisa Acquaviva, Excused. Consent Agenda approved.

E. PUBLIC COMMENTS: Comments may not address subsequent Agenda Items. Comments do not require Council response. (Speaker Card Required) **Five (5) Minute Limit per Speaker**

- F. **ATTORNEY REPORT - nothing**
- G. **BREVARD COUNTY SHERIFF'S OFFICE REPORT - None present**
- H. **MALABAR FIRE CHIEF: Will speak as the items come up on agenda.**

PUBLIC s HEARINGS: 1

2. Request for Land Use & Zoning Change with Recommendation from P&Z Board

Applicants Salvatore Tabone and Pastor Duncan - **(Ord 2014-005)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; RECLASSIFYING THE COMP PLAN MAP AND REZONING THE PROPERTY AS FOLLOWS: THREE PARCELS OF LAND LYING ON THE NORTH SIDE OF BOOTH ROAD, BETWEEN BABCOCK AND LETT LANE, AKA TOWNSHIP 29, RANGE 37, SECTION 10, PARCELS 278, 299 AND 266 ALSO KNOWN AS 6855 BABCOCK STREET, IN THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; FROM OFFICE INSTITUTIONAL (OI) TO COMMERCIAL GENERAL (CG); PROVIDING FOR AMENDMENT TO THE OFFICIAL TOWN ZONING MAP; PROVIDING AN EFFECTIVE DATE.

Exhibit:

Agenda Report No. 2

Recommendation:

Request Action

PUBLIC HEARING OPENED:

Mr. Jeffrey Bloom: He represents the Tabone family and related parties involved. Average daily traffic count on I95 in this section is 40K per day. They are asking for this change to make it consistent with other parcels in the area. He went through power point presentation showing the six points they had in support of the requested change. He also provided population, residences and traffic counts. Presentation is attached to minutes.

Tony Rosaci, 1765 Sandy Creek Lane, owns the lot across the street from Tabone's – east side of Lett Lane, north of Booth Road. He tried to get his parcel rezoned five years ago and it was voted down. He wasn't here the day of the meeting.

Ken Shafer, 3035 Lett Lane, wants to get clarification on agenda – it says consider rezoning and P&Z recommendation. He was at the P&Z meeting and they voted 5-0 to turn it down. He drives down Booth Road to get to his house every day. There are homes right across the street from the applicant's properties. He remembers a similar discussion five years ago and Attorney Bohne said the Charter would have to be changed to allow such a change. Has the town changed the Charter? He has empathy with the church guy. He has less empathy for Tabone as it was Tabone that cut down the oak tree. He said you are not supposed to have commercial right next to residential. He understood that from town attorney.

Donna Hedberg, 45 Booth Road, directly across the street from applicant's properties. She had been here before when the request was made then. She is opposed to commercial, opposed to the increased traffic and supports what her neighbors have said. She has five children and four grandchildren; they have been raised here and walk to the bus stop.

David Scardino, 3035 Lett Lane, not opposed to church, but is opposed to commercial on that corner. He used to be a planner so he understands the principles of land use. Church facilities and doctor's offices are meant to be buffer type development. CG zoning would allow adult entertainment, bars, all night arcades, etc.

Charles Smutko, 3085 Lett Lane, no empathy for either applicant. He came home from Columbia two days after the oak tree was taken down. It sounds like the applicants don't understand. In the charter they put forth an element for future construction of I-95 or Babcock St. or filling the parcels and the gas stations. He brought this up the last time. They have problems with water quality.

The I-95 widening also has adversely affected the storm water. They all raised their kids here. The own a unique portion of Malabar. He was here the day they voted down the cheer gym. They were going to use the entire parcel for the building and use the road for parking. Smutko said there is a real sense of community in this area; they are not just an outskirt of the community but are a part of Malabar. He asked Council not to cut them off because we are on the other side of I-95.

Bloom – redress – they do not intend to work against the neighbor's considerations. There are methods in place already that provide for such protections. They are dealt with at the site plan review; staff, applicant and Town work together on the conditions and/or restrictions to be imposed on project. Across the country, commercial development is going forward adjacent to the existing residences. An example is a block wall to buffer commercial from residential. Those provisions are in place in the Malabar Code. These can be done with a good site plan. They also offer the stipulation of not allowing businesses that operate 24/7 or any other reasonable requests. They are willing to create a deed restriction that would run with the land that would mitigate any use that would go against the moral fiber of the area. He will go on record that the deed restriction would provide that a strip joint brought up at P&Z meeting would not be allowed. He has driven the streets in the subject area and there are several homes in this area, not just five, but there are also deeded rights-of-way in the area. You don't see them because they have not been improved yet, but they were platted and put in place for planned future responsible growth. He asked the Chair and the Council to consider these factors in their deliberations. He thanked Council.

Scardino asked Council to remember this was not a site plan review. Once the zoning is changed the Jeanie is out of the bottle. He disagrees with redress. He believes Tabone is dovetailing off of the church property because his property is behind and it is worthless without access. He said it was public record that the Booth property has wetlands. They want it rezoned to commercial so they can make viable to sell.

PUBLIC HEARING CLOSED.

MOTION: Dick / Wayne to accept the P&Z recommendation.

Discussion: Dick thinks they should leave the OI where it is; there is still vacant CG in the area to the north that has not been developed. If you moved into a place, they can develop into OI. They have a right to ask for the rezoning.

ROLL CALL VOTE: Milucky, Aye; 1)Abare, Aye; Rivet, Aye; Korn, Aye; Acquaviva, Excused.
Motion to accept P&Z recommendation is approved and the Request to change land use and zoning FAILS 4 to 0.

Attorney Bohne asked Council to restate the motion to address the ordinance allowing the change.

MOTION: Dick / Wayne to approve Ord 2014-05.

ROLL CALL VOTE: Milucky, Nay; 1)Abare, Nay; Steve Rivet, Nay; Dick Korn, Nay; Marisa Acquaviva, Excused. Motion to approve ordinance 2014--05 FAILS 4 to 0.

I. PUBLIC: ITEMS DIRECTLY RELATED TO RESIDENTS AND RECOMMENDATIONS FROM TOWN BOARDS/COMMITTEES PRESENT AT MEETING

J. ACTION ITEMS:

RESOLUTIONS: 1

3. Adopt Mayoral Duties (Reso 10-2014)

POSTPONED

4. ROW Vacate for 20' of W. Railroad Ave (Reso 13-2014) moved to after item 10.

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA PARTIALLY VACATING AND ABANDONING A PORTION OF THAT CERTAIN RIGHT OF WAY KNOWN AS WEST RAILROAD RIGHT-OF-WAY LOCATED IN THE TOWN OF MALABAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Recommendation: Request Action

Speaker's Cards: Brian Vail. As he stated at last meeting he is against giving up any right of way. He supports having the Town purchase Lot 10. He said Council has vacated ROW in the past and then regretted it.

MOTION: Dick / Wayne to approve Reso 13-2014

Discussion: He is well aware of Brian's concern. Are we guaranteeing that the people using that ROW will continue to have access? Attorney can't say that for absolute as the railroad could block off their 20 feet at Malabar but that would still leave 20' at Malabar Road. Wayne said this is a complicated issue. Don't lose sight of the big picture. We used to have 60' along there. Kempher went 2.5' into the r-o-w. Much later AAA put in the fence using the wrong pin. This is the solution that bubbled up. Give them what they need and now they are not violating the town code.

Jim said we give up the R-O-W what responsibility does the town have? This eliminates the Town's liability. Dick said tractor trailers have been there for years. Franklin said they are not permanent structures. The vacate cures the issue of permanent structures within the r-o-w. Jim asked if the r-o-w goes away could Kempher's still access their property. Yes. Could AAA access? Yes. Businesses to the north? Yes.

Mayor restated the issue and said he thought the easiest way to fix it is for the town to buy the property. He said the railroad will be fencing all along the tracks and crossings. If town buys it and then sells it to the property owner. Then their septic would be on their property.

Franklin was recognized and said re: Brian's statement, the Town has on many occasions vacated rights-of-way when asked after the Council determined they did not serve a greater public purpose. She gave the example of the r-o-w vacates done in Melbourne Heights subdivision where the lots have r-o-w on all four sides of their property. There was the incident when Council vacated what they thought were just the interior r-o-w in the Malabar Scrub Sanctuary at the request of the EELs. We found out later the vacates also included Marie Street as it was labeled State Street.

Dick also said we approved the fence, whether it was on correct line or not; the Town accepted the landscaping and the fence. He went to Kempher's and looked for the 2.5 foot extension on the east side and could not find it. There was an extension done on the north side. He said Archie Richards made it a feed store a long time ago; then Paul Marpil and now Dr. Ireland. For the last three owners it has been there for all these years. We have a responsibility to these businesses. He was here one morning and saw TA, Engineer and Clerk reviewing records and working on a solution. Attorney was also involved. A lot of work has gone into this.

Jim – called for the question; (no second). Wayne and Dick object. (There is not a 2/3 vote to call for the question.) Wayne not ready to vote. He wants to state he does not think the town is at fault if the inspector goes out and sees a survey stake and the fence is in line with the stake; it is not his job to do GPS to verify the stake. The stake was correct; there was just a subsequent one placed when additional r-o-w was dedicated. TA said at a minimum it would be fence contractor responsibility.

Attorney – said the litigation to fix the fence and Kempher encroachment would cost town much more than the cost to purchase but still would not resolve the issue.

ROLL CALL VOTE: Milucky, Aye; Abare, Aye; Steve Rivet, Aye; 1) Dick Korn, Aye; Marisa Acquaviva, Excused. Motion approved 4 to 0.

MISCELLANEOUS:

5. **Method for Mayoral Veto Process (will be Ord)**

POSTPONED

6. Council Review of TA and Contract**POSTPONED****7. Council Review of Clerk/Treasurer****POSTPONED****8. Approve Revised Shift for Fire Dept – 24/72****Exhibit:** Agenda Report No. 8**Recommendation:** Request Action

Discussion: Chief said M-F 8-4 and then overnight schedule Sat and Sun. They currently don't have full coverage with Lt on shift for supervision. This would provide 24/hr coverage with a Lt. on each shift. TA explained the annual cost and the difference. Delta is 100K for annual cost. TA said she also handed out a spreadsheet showing what the annual cost would be for next budget. Dick said he remembers discussion about 23K from a couple of meetings ago and asked TA if that had to do with the increase in FF pay. TA is unsure.

Jim asked for the white board. He got these financials from the Clerk's office. He wrote the salary and expenditures for the Fire Dept from 2008 thru 2013 and rounded some numbers. Wages are on top. Expenses are on bottom. Then he totaled them. He said if you add the 100K you then have 320K. Council must recognize this doesn't include anything in budget for equipment or vehicle replacements. Wayne said several months ago, people said lets go to county. Let's look at what we have. We have holes in what we have. Chance of having a Lt there now is about 50%. The Lt. know what the Chief wants and how he wants them to respond. So to have a Lt. there all hours is a benefit. Wayne said a lot of people like the idea of having their own fire dept. TA said the other part is the increase in the pay per call (ppc). Chief said he has been staying over with whatever individual there is not right. This is a temp fix. PPC is also temp fix. As the program expands they will have more regular hours. Chief said they can't risk the FF's safety by leaving them by themselves. Also we have to keep them interested – give them an incentive to put in the hours. Chief said he has also started the stair stepped method. For the FF that puts in 140 hr per month will get a little more than the ones putting in 20 hr per month. Wayne said if they come back in a few months and ask for another 100K that might be problematic. Chief explained that the requirement for 12 hour shifts. It will provide better protection for the residents. He said there are a lot of needs at the Fire Dept but they want to work together with Council to resolve and correct the deficiencies.

Jim asked what the 1 mil equaled. They recall Mayor Tom saying 0.01 mil was valued at 27K (Clerk checked and it is closer to 21K.) If they told Chief the FD had 50K for equip in addition to the increase to salaries how much would the millage have to be raised? Wayne said he liked his idea; raise the millage to cover that. Dick said the residents are sharp enough to understand the need to approve the increase to cover the expenditures.

(Note: using last year's gross taxable value of 184,065,562.00 you would need to set millage at 2.4100 to provide an additional 150K to fund the increases in the Fire Dept.)

MOTION: Jim / Wayne to approve the changed structure of the FD to add hours for the 4 Lts, so you have 24 hours on and 72 hours off.

Discussion: Dick suggested approving the additional funds needed for this FY and then discuss it at budget time to continue. Dick says people in Malabar are smart enough to realize the need. Mayor said be prepared to deal with the impact during next budget year. TA said 11,599.00 is correct number for the remainder of this year.

VOTE: All Ayes.

9. Approve Increase in Pay Per Call & Overnight**Exhibit:** Agenda Report No. 9**Recommendation:** Request Action

Discussion: Chief can answer any questions.

MOTION: Jim / Wayne to approve the increase in PPC as proposed by Chief in memo 14-FC-001 (attached).

TA said the money left in current budget will cover this change to the structure. **VOTE:** All Ayes.

10. Approve Purchase of New Vehicle for Fire Chief Thru Sheriffs Assc State Bid

Exhibit: Agenda Report No. 10

Recommendation: Request Action

MOTION: Jim / (died for lack of second) to purchase a used/not new Chief's car; not the new one proposed.

Discussion:

Chief as a former car salesman, the best economical deal is going with a new vehicle. Car Sales persons encourage people who buy used vehicle to buy a new car very soon. Car dealers make 100% profit on sale of used car.

Dick asked if they can get by with just one vehicle. Yes. Both were necessary before – red one and white one. What Chief is presenting is this: the two vehicles are costing more and more to keep running. Two vehicles would be ideal. Chief said the object is to downsize and use what they have. We won't find a better deal than what he found - it's a 4-door to carry crew and portable stop signs. They can get in with gear on. They would get rid of the Crown Vic and the SUV.

MOTION: Wayne / Dick to approve the purchase of the new vehicle as proposed by Chief.

Wayne said get rid of the two that are worthless. Mayor supports the same thing. He saw it is a 4-wheel drive 1500 series. Chief said the 2500 series was 35K. Mayor said the doors are big enough for FF to get in and out with gear on. Yes. Dick said it is a quad cab. Chief said he presented the Chevy because they are very reliable. Nobody gets rid of them so you can't find a used one. Jim said it is not in the budget. He would suggest it go into the next capital budget. He wants to see warranty on this vehicle that will drive through the brush. Wayne said we have the money in bank so do a budget amendment.

VOTE: Ayes, 2; Nays, 2 (Steve, Jim). Mayor votes Aye.

TA said the budget amendment will be on next agenda for first reading.

(No Recess – Attorney Excused)

K. PRESENTATION: Certificate to Clerk for completion of 8 hours of the required annual investment training at no cost to the Town. Clerk stated that every other year she attends the training provided by one of the local vendors. This saves the Town a considerable amount of money. On the other years I attend the FGFOA pre-conference investment training which is more focused on small and medium size local governments. This year's training provided a better understanding of the impact the economy has had on the local governments. The Finance person is mandated to protect the principal, provide for liquidity and then if possible invest to maximize the return. Our investment policy states that we should strive to attain a rate of return comparable to that of the market (for other public monies). The surplus money for Malabar is held in multiple MM accts as well as in the Local Govt Surplus Funds Trust Fund as provided for in FS 163. I am exploring other investments but will bring the information to you before acting.

L. PROCLAMATION:

M. STAFF REPORTS:

ADMINISTRATOR:

TA said on May 19 Council will get the bid packets; May 27th will be the oral presentations and June 2 will be the final ranking and then on the 16th it will be awarded.

The markings on SR514 – they are for All Aboard Florida. Extra rail will be on west side of existing rail. TA said at the TAC meeting today, Blue Ribbon Committee presented on Monday, there was a proposal to join with the two counties to the south in opposition to the rail system. Submit a letter or resolution asking for an extension on the comments back. Send letters of support for 45 days to review. Wayne do the cities have any say so? Jim said yes. Jim said the

safety and the disturbance of the rural nature of Brevard County. TA was showing list of all the crossings and Jordan Blvd is not on it. The list of crossings are the "public" ones they will pay to improve. She asked about it to Kamm. He said Jordan is on their private road crossing list. She asked Debby to pull the road file and the FEC agreements. AAF will pay for the initial improvements. You will have a lot more to pay when they have to do repairs. Dick said they should have some say so on this project. Mayor said the crossings will be fenced so you can't walk across them. They will have sensors in tracks. Dick said we need to make our voices heard.

TA said we should be considering requesting the pedestrian crossing at Marie Street.

TA said on May 14, Grant Valkaria has invited Rusty of All Aboard Florida to come and answer their questions. They have invited anyone from any of the other cities to attend and ask their questions.

In April, she sent a memo re: road repairs. They emphasized the importance of fixing the roads before they have to be completely rebuilt.

TA said she has been contacted by multiple companies offering us lump sum payments to buy out the lease on the cell tower. If TC wants it on agenda she will put it on for discussion. Clerk said that the current lease holder just got a new customer so we will be getting 1580/month (200 more per new customer on tower)

CLERK:

Clerk reminded all of the FDOT SR514 widening project presentation at Palm Bay Hospital Auditorium from 5PM until 7PM on Tuesday. If you have comments we have comment cards in back of the room. You can also email your opinions. Written comments will become part of their packet and do hold weight.

I am working on compiling all of Council recommendations for the Board Procedures Ordinance and will have on next agenda for discussion. The Boards have all asked to have an opportunity to review and comment before it goes for first reading

SB846 passed which will go into effect 7/1/14 and will require annual ethics training for local officials. Has not been signed by Governor yet.

SB1030 passed - the Compassionate Medical Cannabis Act, authorizing specified physicians to order low dose for use by specified patients, creating a use registry, authorizing certain medical centers to conduct research and appropriating 1mil. It will become effective upon signature of the Governor and he has said he would sign it. SCLC Dinner is next week.

O. DISCUSSION ITEMS:

O. REPORTS – MAYOR AND COUNCIL MEMBERS

) Wayne, Malabar website does not have FD listed under departments. He could not find FD on google. TA said problem has been fixed. Put in a new town hall in front of fire dept. Wants to do a feasibility review on it.

) Steve, nothing

) Marisa, excused

) Mayor, teen council as a field trip is going to SR514 presentation, then come back here for roundtable. Sheila is bringing pizza. Will be a surprise. All Aboard Fla was talked about at Mayor meeting.

) Jim, kudos to staff for the budget to actual report. Can be exported and TA does not have to use the excel spreadsheets. Also admitted the mistake about the bidders. Brevard County Schools was incorrect. The Town Atty got it right. He sent it to the County and they said oops. Came by Town Hall between 12-1 and all doors were locked. He encouraged staff to keep the doors open. TA said Jim was short with her – she tried to explain. The side door was open. Jim said sign on front door said go to TA door and it was also locked. So change the sign. Don't change the tone – if there is staff here then doors should be open. Jim asked - does staff have a paid lunch period. Yes. Then the phones should be manned and the doors kept open. He knows there are exceptions.

) Dick has often come here and played Russian roulette. Can they have an exterior bell on doors if they are locked. Dick has put a lot of flyers and comment cards at Loreen's Café regarding the road widening project (SR514).

Wayne said it is ok for two or more elected officials to attend and it will not be violating sunshine. They can all ask questions, they just should not engage in dialogue with one another.

Dick thanked Wayne for bringing up the new town hall and still wants to revitalize the committee for new town hall. Dick told TA he had to look pretty hard but he did find the fertilizer ordinance on the website. He suggested it be put in a more visible spot since it goes into effect June 1, 2014.

Dick then asked about Weber Woods. How did they get away with using the Whimsical Lane area as part of their lots? Whimsical Lane is all part of their front yards. Jim said he sat thru the platting. Franklin said staff tried unsuccessfully to make them dedicate the road to town as a public r-o-w. Both Whimsical and the Stormwater pond in the back make up the required SF for some of the lots. The Engineer for the project refused to dedicate the r-o-w and instead gave the town an easement so he could use the area in order for the lots to meet the minimum SF requirement. If they had been required to dedicate the road and make the lots larger they wouldn't have been able to carve out 13 lots. Mayor said what it was was that originally lots went out to Weber Road. Then developer was told you can't have that many driveways on a collector. That is why they did the access road. Dick said it is not in character with Malabar's rural atmosphere.

P. PUBLIC COMMENTS: General Items (Speaker Card Required)

Q. ANNOUNCEMENTS:

One (1) vacancy on the Planning & Zoning Board

One (1) vacancy on the Board of Adjustment

Three (3) vacancies on the Park and Recreation Board

One (1) vacancy on the Trails & Greenways Committee

R. ADJOURNMENT:

There being no further business to discuss, Chair asked for a motion.

MOTION: Dick / Wayne to adjourn. **VOTE:** All Ayes. The meeting adjourned at 10:15 PM.

BY: Steve Rivet
Steve Rivet, Council Chair

ATTEST BY:

Debby K. Franklin
Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

Date Approved: 5/19/2014 AS CORRECTED

(seal)

Attached: Outstanding Actions List
Chief's memo re: pay per call increase

TOWN OF MALABAR

MEMORANDUM

Date: April 21, 2014 14- FC-001
To: Bonilyn Wilbanks, Town Administrator
From: Christopher Robinson, Fire Chief
Ref: Increase in pay per call

We would like to present an increase to the volunteer overnight and pay per call to counsel. There have been no changes since 1 August 2011.

With an increase in the pay per call, and overnight/dayshift 12 hour shift. We hope to increase the amount of volunteered hours to cover duty shifts especially during peak call hours, during the day and overnight shifts. Members would be required to schedule or come in and cover a complete 12 hour shift to receive. Also maintaining the required monthly hours associated with pay amount.

Currently we are often understaffed during the day with only the duty lieutenant on shift, and unmanned after 16:00 (4PM) sometimes until 20:00 or later (8PM). Duty lieutenants have been staying over to cover until someone arrives for coverage, but not all have been able to stay when needed most. Myself, assisting with coverage to limit unmanned periods of time, many times resulting in a 12 hour day.

The increase would be performance based on the number of hours the member volunteered.

Current pay per call:
\$5 per call.
\$10 per overnight.

Recommendation:
0 to 24 hours: \$5 per call only
25 to 55 hours: \$5 per call, \$12 per 12 hour shift.
56+ hours: \$8 per call, \$15 per 12 hour shift.

We may be able to sustain this program with current amount budgeted. Should the program result in the desired increase in volunteered hours, we can adjust amount for budget FY15.

TOWN OF LABAR
OUTSTANDING ACTIONS LIST

4/30/14

No.	Description	Originator	Owner	Date Assigned	Due Date	Status
1	Fire Dept. Website non-operational	Abare	TA	03/26/14	05/01/14	Done - Open OPERATIONAL
2	Malabar Website Upgraded to include Parks & Trails	Abare	TA	12/01/13	05/01/14	Open Professional photographer pictures uploaded
3	History of MSTU milage rate	Abare	TC	03/01/14	05/01/14	TC requested from County
4	Review of Public Works Fleet and Equipment	Abare	TA	03/01/14	05/01/14	Open - PW Dir is putting the data together
5	Fire Dept. Lieutenants FT	Abare	TA	10/01/13		Will bring to Council in May effective 6/1/14
6	FEC RR Agreement	TA	TA	02/01/14		Pending Attorney Review
7	PW Street Project	Abare	TA	09/01/13		Waiting on Mayor's list (TOM)
8	PW Special Projects	Abare	TA	02/14/14		Will be brought to Council in May
9	P&Z Scope of Duties - FS driven or TC directed	Milucky	TC	02/14/14		
10	Special Assessments	Abare	TC	02/14/14		
11	BS Trailers	Tom	Abare	01/14/14		Waiting on meeting with CM & Liz
13	ROW Maintenance	Staff	TC	2012		
14	Referendum Questions	TC	TC			
15	Howell Country Lane	Resident	TA	02/01/14		
16	Smith & Waring petition to hard surface	Residents	TA			RFP going out 4/28/14 - 5/7/14
17	Quartermen Speed lower	Residents	TA			
18	Brook Hollow Bridge Repair	TA	TA			
19	Brook Hollow Sidewalks	TA	TA			
20	Draft Ord for Bd Procedures	RTCM	Clk	04/21/14	05/19/14	For Council review & direction 5/19/14
21						
22						
23						
24						
25						
26						

support

TOWN OF MALABAR
Fire Department Volunteer Stipend Increase

FY 13-14

Approximate number of days left in FY	Average Number of Incidents/Day
152.05	1.25
Number of 12 shifts/day	Average Number of Responders/Incident
2	3
Average Number of Responders/12 hour shift.	~ Number of calls expected for the rest of the FY (number of days left x ave numbers of incidents per day)
2	190.0625
Number of 12 hour shifts left	
304.1	
Number of Responders receiving \$15 stipend per day	
4	
Total 12 shift stipend (number of days left*number of responders* \$15)	Total Incident Stipend (number of incident expected x ave number of responders x \$8)
\$9,123.00	\$4,561.50

Tabone + Duncan
5/5/14

14 pgs.

Reasons for Change of Zoning from OI to CG at 6855 Babcock Rd (SR 507), Malabar Florida

1. Consistency with other uses along BABCOCK (State Road 507) in Malabar.
2. Existing impacts of Interstate Highway (I-95) and BABCOCK to the subject area.
3. Increase in population growth within one (1) mile and three (3) miles of the site.
4. Scarcity of opportunity for commercial development in subject area.
5. The traffic that is generated due to the uses that are permitted within the OI zoning will be similar to that of the CG zoning, according to typical office and institutional users seeking highway frontage.
6. Diminishing usefulness of OI as a "buffer zoning" due to different types of traffic increases and population increases.

1.

Consistency with other uses along
BABCOCK (SR 507) in Malabar.

2.

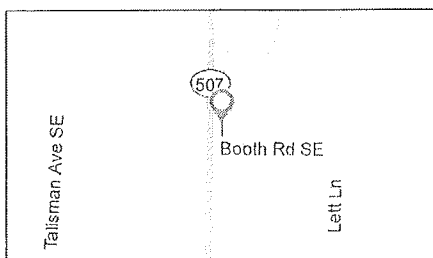
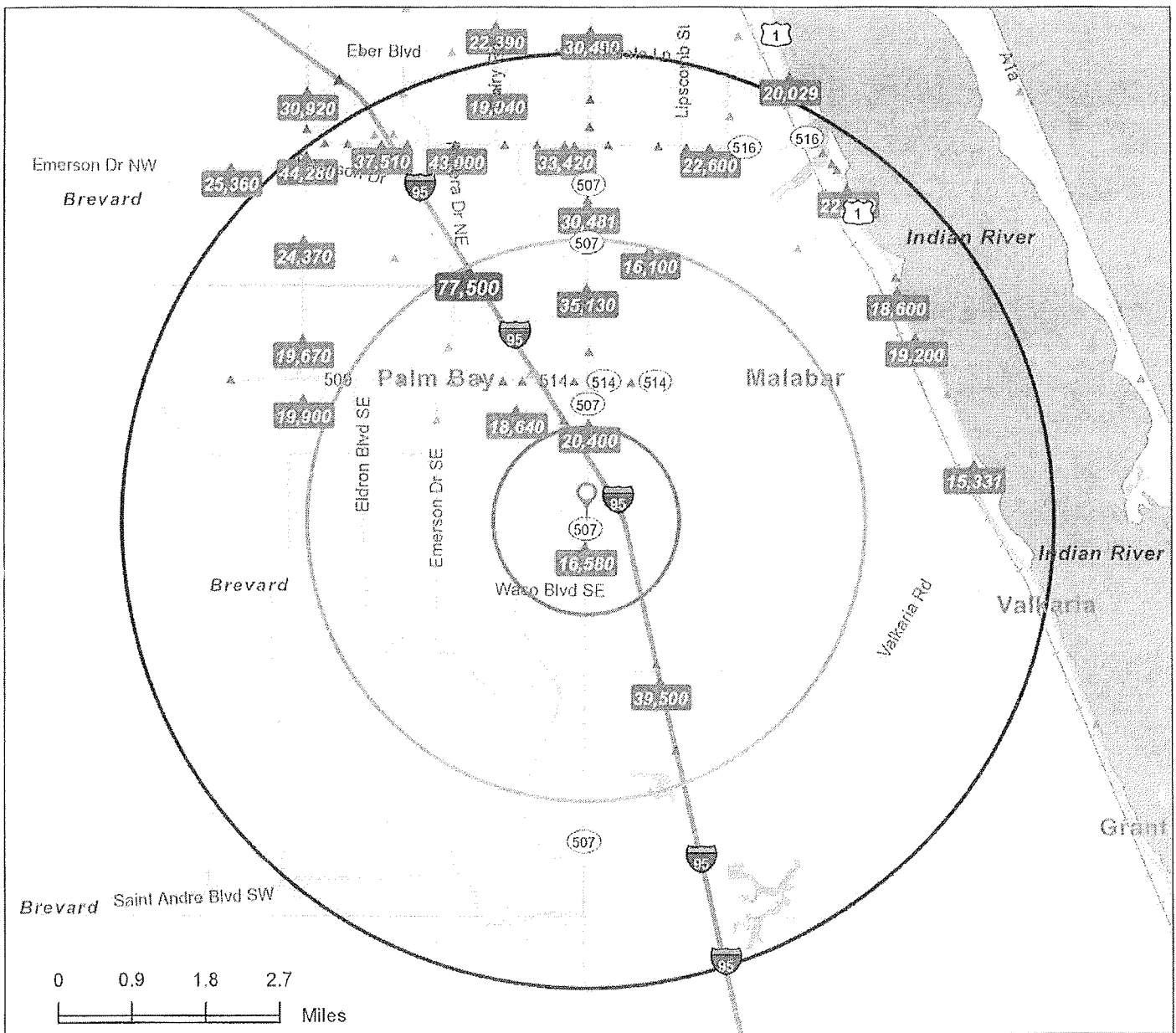
Existing impacts of Interstate Highway (I-95) and Babcock (SR 507) to the subject area.



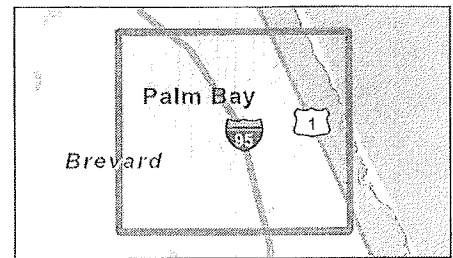
Traffic Count Map

Babcock and Booth
 Malabar FL site
 Ring: 1, 3, 5 Miles

Prepared by Robin Webb
 Latitude: 27.976372
 Longitude: -80.622062



Average Daily Traffic Volume
 Up to 6,000 vehicles per day
 ▲ 6,001 - 15,000
 ▲ 15,001 - 30,000
 ▲ 30,001 - 50,000
 ▲ 50,001 - 100,000
 ▲ More than 100,000 per day



3.

Increase in population growth within
one (1) mile and three (3) miles of
the site.



Population Growth Chart

Babcock and Booth
Malabar FL site
Ring: 1 mile radius

Prepared by Robin Webb

Latitude: 27.976072

Longitude: -80.622262

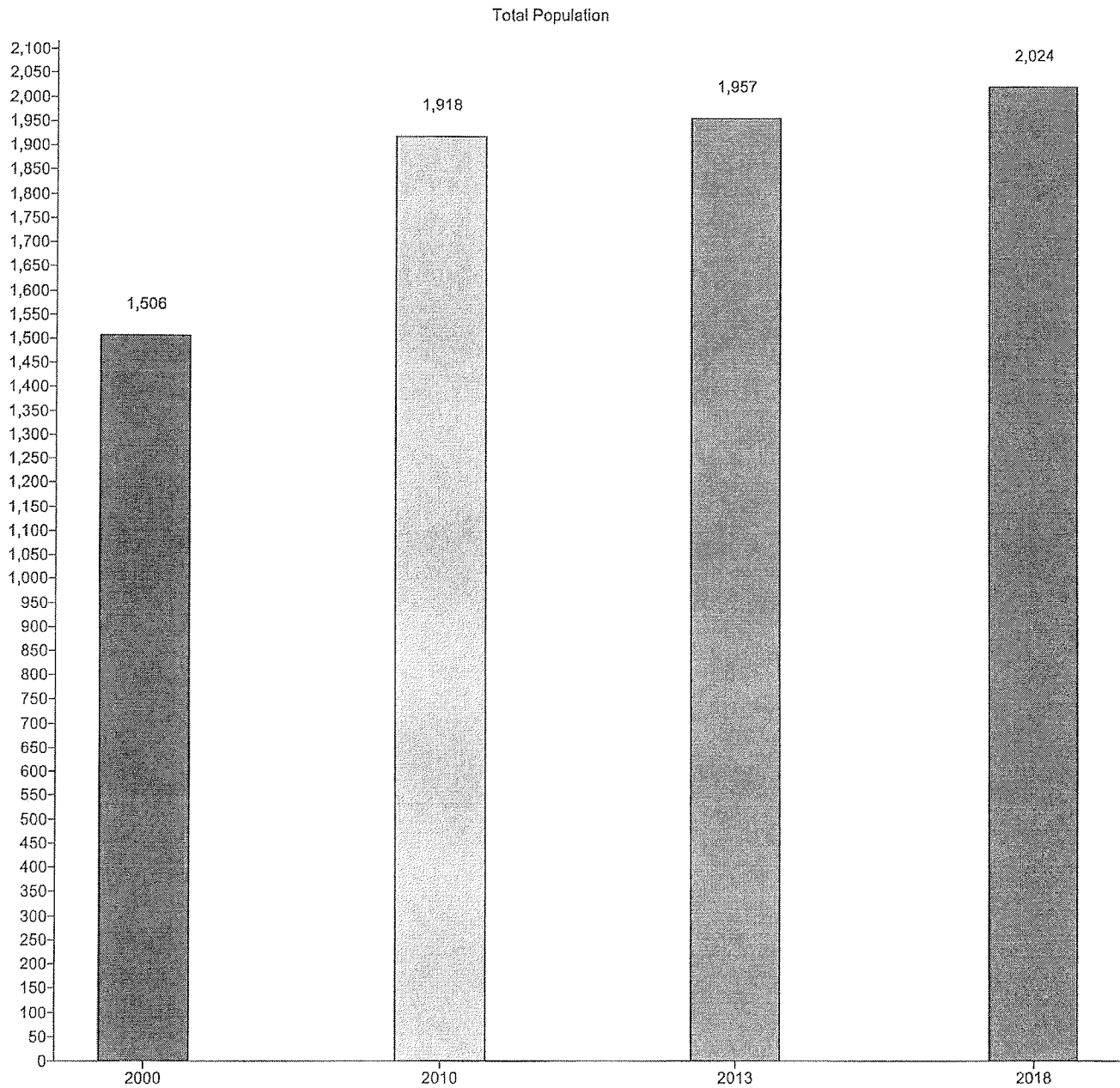
2010-2013 Grwth Rt: Population

1 mile

0.62%

2013-2018 Grwth Rt: Population

2.45



Source: Esri forecasts for 2013.

May 05, 2014



Population Growth Chart

Babcock and Booth
Malabar FL site
Ring: 3 mile radius

Prepared by Robin Webb

Latitude: 27.976872

Longitude: -80.622362

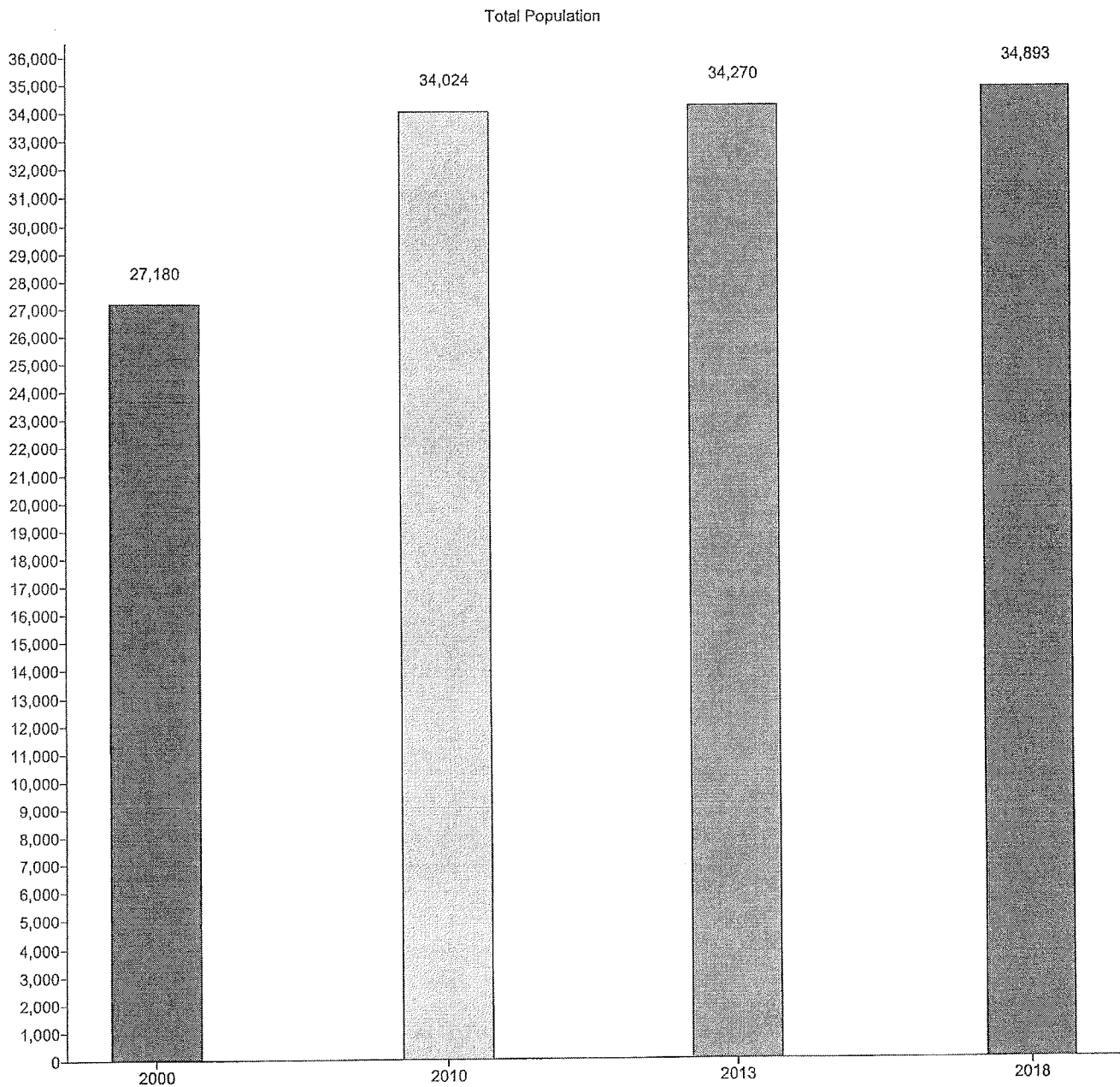
3 miles

2010-2013 Grwth Rt: Population

0.22%

2013-2018 Grwth Rt: Population

2.27



Source: Esri forecasts for 2013.

May 05, 2014

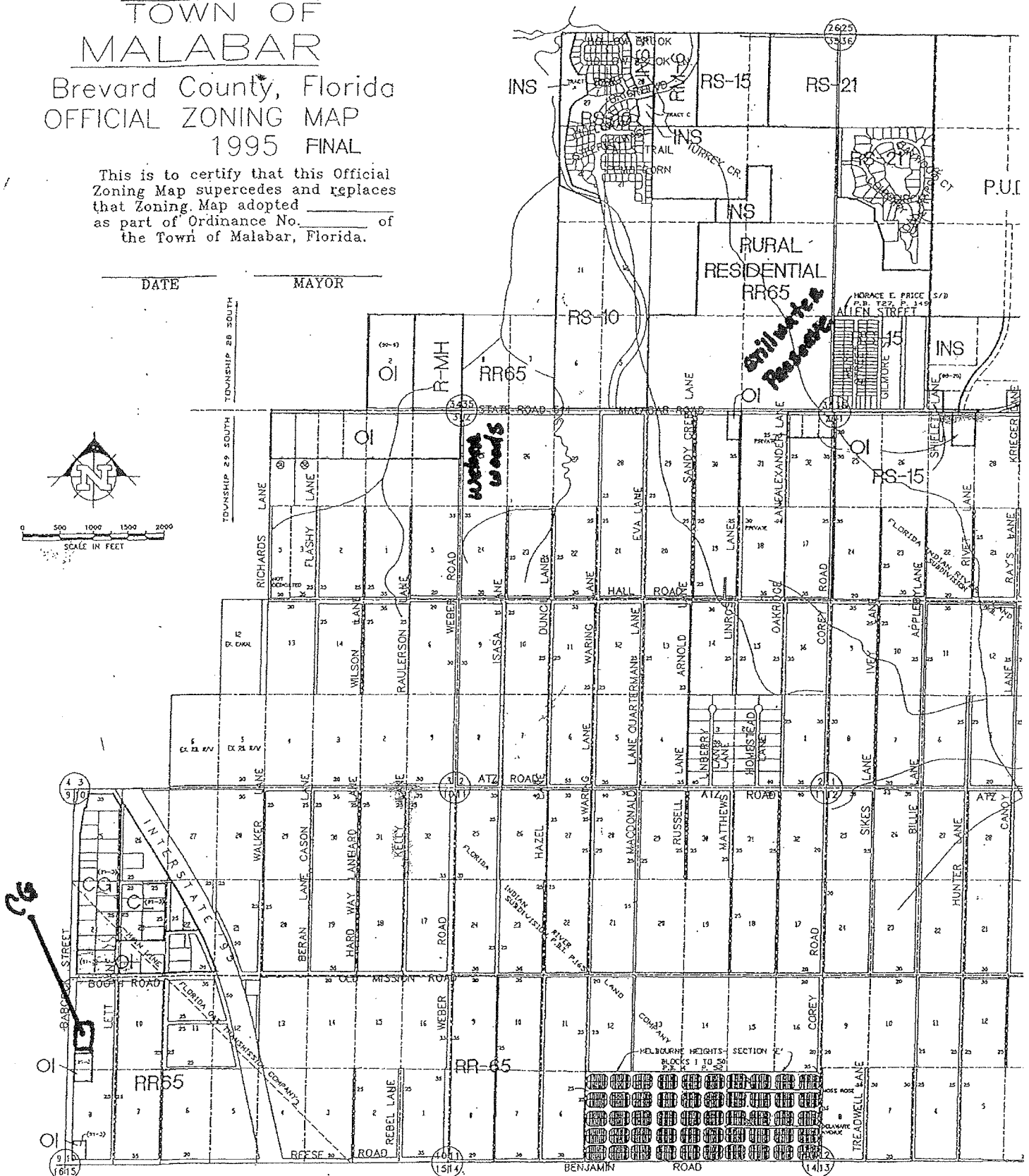
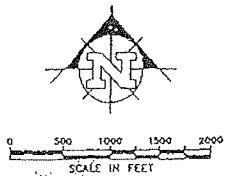
4.

Scarcity of opportunity for
commercial development in the
subject area.

This is to certify that this Official Zoning Map supercedes and replaces that Zoning Map adopted _____ as part of Ordinance No. _____ of the Town of Malabar, Florida.

DATE _____

MAYOR



5.

The traffic that is generated due to the uses that are permitted within the OI zoning will be similar to that of the CG zoning, according to typical office and institutional users seeking highway frontage.

6.

Diminishing usefulness of OI as a
“buffer zoning” due to different types
of traffic increases and population
increases.



E-Updates | FL511 | Mobile | Site Map

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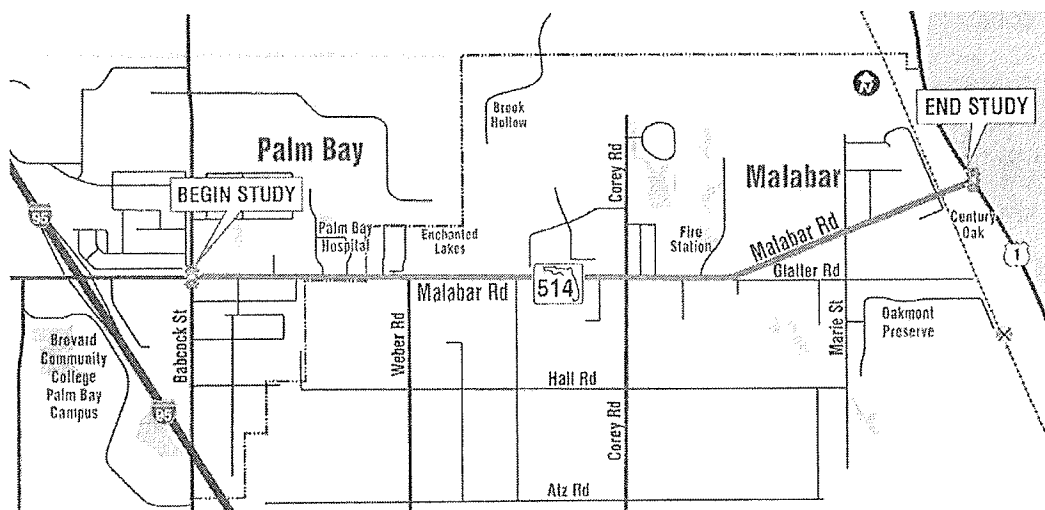
About the Study



Need for the Project

The need to widen Malabar Road is supported by many factors:

- SR 514 (Malabar Road) provides an important connection between US 1 and Interstate 95
- Projected traffic volumes are expected to exceed the adopted Level of Service
- The project is consistent with the Space Coast Transportation Planning Organization's 2035 Long Range Transportation Plan and local comprehensive plans
- The proposed roadway widening will improve traffic flow on SR 514 (Malabar Road) and improve intersection operations along the corridor



The study process is a blending of engineering analysis, environmental evaluations and public and agency involvement. The PD&E process is a planning tool used to develop transportation improvements that are technically sound, environmentally sensitive, economically feasible, legally defensible and socially acceptable. The following graphic illustrates Project Development and Environment (PD&E) process.

Due to the consistency of the CG zoning

With:

Other uses.

Existing impacts.

Population growth.

Scarcity of commercial development.

Current “by right” intensity

We seek your approval of the application to amend the zoning to CG.