

## **TOWN COUNCIL SPECIAL MEETING MINUTES**

### **June 20, 2002**

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

ROLL CALL: MAYOR/CHAIR:	PHILLIP CREWS
VICE-CHAIR:	CHARLENE HORTON
COUNCIL MEMBERS:	BOBBI MOCCIA
	BOB ROSSMAN
	NANCY TINIO-BORTON
	STEVE RIVET
ADMINISTRATOR:	WILLIAM HALL – LISTENING BY PHONE
ATTORNEY:	KARL BOHNE
CLERK:	SUSAN KABANA

The meeting was called to order at 7:30pm by the Mayor. The prayer and pledge were lead by Mrs. Horton.

#### **DISCUSSION: TOWN ADMINISTRATOR**

Mayor – there was an article in the paper this morning stating that this meeting is being held in lieu of Monday's cancelled Council meeting. Crews notes that this is not true, this is a special meeting unrelated to Monday's meeting.

Mayor – states that Hall went on vacation last Friday and is in Canada. On Monday the Mayor received a call asking for a special meeting. The rationale was to allow for citizen complaint against Hall. The Mayor would not call that meeting because he felt that longer notice was needed and also because he thought the timing was very poor given that Hall is out of the country and he did not feel the subject matter rose to the level of a special meeting.

Crews explains that as provided in the charter, three or more members of Council may call a meeting. That was done and that is why we are here tonight. He notes that the purpose of this meeting is to discuss the town administrator. Because the Mayor wants to avoid a circus atmosphere he will enforce Robert's Rules more strictly. Also because there is not adequate notice we will not take public comment tonight.

#### **MOTION: Moccia/Rossman to appeal the decision of the chair not allowing the public to speak.**

Tinio-Borton – will support opening discussion to the floor providing it doesn't become a zoo. Wants to hear facts, not bashing. Moccia – feels the same. Mayor – we have not given proper notice for a public hearing and he is concerned about the legal ramifications. Crews asks the attorney to comment.

Bohne – there is a fine line between public hearing and public input. He is of the opinion that if the public is allowed to speak, it is just for them to speak. It is not to gain evidence, nor for the Council to base a decision on employment status. He asks the Council not to present a motion regarding employment status tonight because it is his opinion that the Town Administrator is entitled to due process with a further evidentiary hearing and proper notice, and the opportunity to present his own evidence.

Moccia – this is not a disciplinary meeting. Rossman – he feels the intent is to listen to the community and address any problems. Mayor – during every regularly scheduled Council meeting the opportunity is there for public input. And those meetings are properly

noticed. He is not aware of any critical reasons why we are calling a special meeting on such short notice. Rossman – there seems to be citizen information that is of an important nature and cannot wait to be discussed. Mayor – but the Town Administrator left the country on Friday and this meeting was called for on Monday and it looks like a witch hunt.

Moccia – has read management periodicals that say the best time to check on employee is when they are on vacation. Mayor – has never heard that. Rossman – has read that the best time to investigate an employee is while they are out of the office. Rivet – does not feel that the intent is for this meeting to be a hearing. Mayor – feels that if the Council takes public comment then this meeting will meet the legal definition of a public hearing because you are going to be hearing input on both sides of a single issue that will be decided by this body at some point in time. Rossman – but our attorney said that he does not agree with you. Taking public comment is fine as long as this is just a fact finding mission. Mayor – do you expect to hear from both sides? Moccia – definitely. She has nothing to hide and is not going to do anything illegal. Mayor – he has nothing to hide either but feels this could be handled at any regular meeting. Moccia – that is a matter of opinion.

Bohne – right now the motion is to appeal the Mayor's decision. It could be appropriate for another motion to set the guidelines for the meeting.

**MOTION: Rossman/Rivet to call for the question. VOTE: All aye.**

**VOTE ON MOTION TO APPEAL: Aye – Rossman, Rivet, Moccia. Abstained – Tinio-Borton, Horton.** Mayor – it appears we have a majority.

**MOTION: Moccia/Rivet for public input at the end of Council discussion only concerning the matters Council has identified. VOTE: All aye.**

Mayor – gives floor to Moccia.

Moccia – thanks Council and citizens for attending this special meeting. She was advised not to have this meeting and that the Mayor's wife did not want to have this meeting. As she looks around and sees that all the Council seats are full she knows that they must see the importance of discussing the issues regarding Bill Hall. She wants to be perfectly understood: this is not a disciplinary action meeting. Before she became a Council member she heard many stories regarding Hall. She has had six months of time to begin to address those issues. Bill Hall works for the Council and as his employer she has a right to check on him as an employee, even if he is on vacation. During her informal investigation she found that Hall does indeed use the town credit card for personal use and there are no receipts to back up what he says are personal. He does payback the credit card with his own checks. She then went to the neighboring towns and cities to see if this was common practice. Here is what she found: in Palm Bay Mr. Nanni never used a city credit card, he has his own. The accounts payable director made the statement that employees are not supposed to use the city card due to tax exemptions that the city receives. The City of Melbourne purchasing administrator stated that the city manager does not use the credit card ever. Indian Harbor Beach accounting department said using the town credit card for personal use was not a normal thing.

The next issue is the town car. We allow Hall to use the town car for town business only. Yet there is no log being kept, which she is told is an IRS requirement. Last, the amount of overtime Hall receives bothers her. She was not aware that his salary position also has overtime. Year-to-date he has 101 hours of overtime at \$23/hr. That's \$2339.89, she asks if this concerns anyone else. States that this is a small town and we don't have a lot of money. She feels that it is important to let the Council and citizens be aware of this. She feels that she needs to show these things that are of importance to the town. She feels that it is necessary to take the burden off of her shoulders and share the responsibility with her fellow Council members. She has also had several phone calls

from people who were appalled by her ethics and this upset her deeply. She does not want to be harassed for the next two weeks on this issue. She was told by the Mayor that she could have a meeting in two weeks to discuss this issue. She could not carry on without getting this issue off her chest. By bringing these issues out in the open to the public she would like each citizen to contact their Council representative and voice their opinion on this matter. She took an oath in this town and she intends to uphold that oath.

Rossman – was told by a citizen that Hall was using the town credit card for personal purchases. He adds that he has had numerous people complain to him about the way this town is being run and he concurs with Moccia and agrees that the community needs to contact the Council. If there are specific problems then Council needs to address them.

Horton – also received complaints about the use of the town credit card. Six months ago she went over the card with Hall and Kabana and was informed that Hall does not purchase items tax free. At that time Horton told Hall that it would be best for him to get his own credit card to keep him above suspicion. Though she did not check back, she assumed that this was done.

Mayor – feels that the problem is the lack of policy, most of the other communities have written policy. However the practice of using a business credit card for personal use is not prohibited, it is common in the private and public sector. Every Air Force member is issued a credit card and they are free to purchase personal items with it as long as they pay it off at the end of the month. When he found out that this was the subject of tonight's meeting he contacted our auditor's, Bray, Beck, & Koetter and asked them for an opinion.

Mayor – reads the opinion into the record, the auditor's recommend the town adopt formal policies and procedures governing the use of the credit cards for reimbursable expenses. The policy should cover permitted and prohibited use of the card, procedures for submitting expense reports and documentation should be required to support expense reports. They recommend adopting policy permitting only official business and prohibiting personal use, this is common practice among local government. Such a policy is easily understood and administered.

Mayor – feels this is the crux of the problem.

Rossman – disagrees. He spent 37 years in the public sector, not in the Air Force, but in law enforcement, and was employed by different governmental entities and at no time was an employee allowed to use a government credit card for personal use, it is prohibited and most people employed in the public sector know this. And if Hall didn't know this then he should have known it. It is common knowledge that you don't use a government credit card for personal use.

Mayor – he disputes this given the fact that the Air Force allows this. Rossman – the Air Force and the US government are not local government. Mayor – he understands that and agrees that using the card is not a good policy and that is why we need to set one. We need to have a policy and in the absence of policy he does not know how you can find fault. Rossman – for years the auditors have said that the town does not have proper written policy. It was supposed to be done last year, and the year before and he is willing to bet that it is not done now.

Rivet – in the meantime we have a serious issue with the appearance of gross impropriety. He believes Council needs to fully understand what is going on with the credit card charges. We need to gather as much evidence as we can and find out if the use of the credit card was, or was not, improper. He is concerned about tax avoidance, and is concerned about the town paying late charges or interest due to any personal charges by Hall. Would like an independent investigation. He also agrees that Council cannot make any decision without giving Hall a chance to defend himself.

However, Rivet feels that there is a good reason that we are here tonight, we have what looks like a serious problem and we need to address it ASAP, it cannot wait. Rossman – he has been out of town and has not had a chance to look at the credit card charges and to be fair he will have to look at them in depth. Mayor – the bills go through October of last year and he spent a lot of time today looking at them and the only abnormalities he saw was that there were three instances of late fees that were paid by the town. One of those was credited back and the reason for the late fee is unclear from the record and that could require further investigation. Although in one case the check that was issued by the town was dated a day after the payment was due and he does not know if we can blame that on Hall. He does not feel there is any clear evidence of any wrong doing at this point.

Rossman – agrees with Rivet, we need to address the use of the car and the use of the overtime. Feels that there are a lot of issues and Council has a responsibility to the community and to Hall and to each other on Council and thanks Moccia for doing this and feels this is the right time and this is long over due.

Mayor – feels that it is way past due to get some of these policies in place. But he does not think it is fair to put all the burden on Hall for the absence of policies. Rossman – he does not feel we are going there, that is not Halls problem.

Moccia – this has bothered her all day – yesterday she called Bray, Beck & Koetter and asked them to look for any red flags that they might have seen. She asked this of them as Mr. Hall's employer. When he called to see what information they had gathered she was told by Raymond McDermitt that the Mayor had already called in and McDermitt felt that Malabar needed to put something in place and the auditors did not find anything unusual during their audit. And it bothered Moccia that the Mayor, who is not supposed to talk to Moccia about anything, would know the issue before she came before the Council.

Mayor – had one conversation with Moccia about calling the meeting, he had not spoke to any members about this issue. His knowledge came from the town attorney. Moccia – is that a conduit? Bohne – the information concerning the use of the credit card was brought to his attention and it was a deep concern to him. He too contacted Bray, Beck and Koetter and he received similar information that Moccia received. He also received a response that if they would have seen any impropriety they would have red-flagged it immediately. So he is concerned that the information they gave the Mayor is different than the information they gave him and Moccia. But he never discussed calling Bray, Beck and Koetter with the Mayor at all. Moccia – is talking about the entire issue as to why we are here tonight. But that is OK, she just wanted to bring that out tonight.

Rossman – if one of us contacts someone and then they contact someone else, is that a conduit? Bohne – it would be, if that is how it happened. Rossman – then how did it happen? Rossman states that he has been gone since Monday.

Bohne – his understanding is that Moccia brought up the issue of the meeting and the Mayor said he was opposed. Then Moccia called Bohne and they discussed how a special meeting would occur for this issue. Bohne explained that the charter said that there needed to be consensus of three council members to have a special meeting. Then Moccia and Bohne did discuss the issue at hand. There was then a discussion at some point between himself and the Mayor but he does not know if the Mayor told him it was a credit card issue or if he told the Mayor. He believes that the Mayor brought the issue up to him. Mayor – and he may have because he had conversations with Hall. Bohne – at that point, if the Mayor asked him anything, then he would have to respond. But Bohne knows he did not say 'Bobbi Moccia told me that it is going to be a credit card issue.' It is his understanding that it was a discussion between Hall and the Mayor that precipitated a

conversation between the Mayor and himself. Mayor – he was looking for the true nature of the meeting because the request for the meeting was for a different subject than was on the agenda tonight. Moccia – there was no subject brought up. She didn't tell the Mayor the subject for a specific reason. Moccia was trying to see if the Mayor would allow her to have the meeting.

Rossman – if Moccia didn't tell the chair the reason for the meeting then he can't see how Crews found out. If the only person she spoke to was Bohne how did the chair know the subject of the meeting. He didn't know the subject. Mayor – he was looking for possible reasons for the meeting. Rossman – then maybe you thought there was a problem with him using the credit card. Mayor – no, he talked to the clerk who said Moccia had been in looking through records. And by the way, this is not anything new, we have citizens who come and check Hall's credit card on a regular basis, Hall is under constant scrutiny. So, that would be the first thing on Crews' mind when hearing of this.

Rivet – we are getting off on a tangent. It's a small town, there are lots of communication paths, he does not feel that anything improper went on. He'd like for Council to get back to the issue at hand. He feels that we need an independent, unbiased, opinion on whether there was any impropriety that happened. He does not feel that anyone in this town, or employed by the town, is capable of giving an unbiased assessment.

Rivet would like to make a motion to appoint an independent auditor to determine whether there was any improper use of the credit card. That would be the specific area of scrutiny though he would not require that it be limited to that.

Rossman – is concerned about the overtime and the use of the car also. He used a government car and he was held strictly accountable to it and he knew exactly what he could and could not do with it. He feels that is misuse of town property. He agrees with Rivet, we need someone who is unbiased and open-minded. But he does think that there are other areas that should be addressed.

**MOTION: Rivet/Moccia that we appoint an independent auditor to be agreed upon by the Council to investigate the credit card and any other issue that may arise out of that.**

Mayor – suggests Bray, Beck and Koetter. Council – declines. Rivet – they have a vested interest in not finding anything else.

**VOTE: All aye.**

Mayor – would entertain a motion on who to use and how to do this. Rossman – what about the Florida League of Cities? Bohne – asked that question already and they said they won't do it and they won't recommend anyone, they do not get involved in these issues. Tinio-Borton – suggests going out of county. Rossman – feels that might be a good idea. Bohne – there are auditors that can do this or an outside attorney can do the same. Rivet – is not tied to the fact that it be an auditing firm. Bohne – if you are looking for something illegal or unethical under the Florida statutes then an auditing firm may not be able to help you with that, that would be better handled by an attorney. He recommends using an attorney familiar with municipal law. Rivet – agrees with that assessment and we should address that with our accounting and auditing firm but it appears to him that we are looking for violations of law or ethics. It seems to him that a firm familiar with municipal law would be the best choice. Rossman – agrees with Tinio-Borton, it should not be someone within this County. Bohne – makes a few suggestions. Rossman – is not comfortable with those suggestions, would like to look in Indian River County. Bohne – there are a bunch of choices in Orange County.

Rivet – we are asking for a recommendation from Bohne for an independent assessor. Bohne – he will present at least three names so Council can choose. Would like that

information in about one week from now so they have some time to look it over before the next Council meeting.

Mayor – at this point Council needs to form the methodology on how to take public input. Rossman – we should maintain a time limit and he asks the audience not be nasty or rude. Be factual and do it in a manner that is “gentlepersonly”. Mayor – how much time? Rossman – how about five minutes? Mayor approves without objection.

Bohne – wants the audience to understand that comments are to be limited to what Council has discussed. Rivet – it is just the issues of the credit card use, the car use and the overtime. Mayor approves without objection.

Mayor – informs the public that they are allowed five minutes to speak, they will get a yellow light at the two minute warning and there will be a beep at the end of five minutes.

There is discussion as to what citizen will speak first.

Skip Hard – this could be investigated by the state attorney general at no charge to the town. The IRS could investigate any benefits without disclosure. Bohen – this is a possibly but the attorney general’s office won’t investigate an ethics violation, that would be the Florida Commission on Ethics committee.

Mia Crews – she objects to Moccia using her name in regard to this situation without using the name of anyone else who contacted her. Rossman – Mrs. Crews left a message on his machine and though he did appreciate the fact that she called as a citizen, he did not appreciate the tone and verbage of the message. Moccia – she never said that Crews called her, she was told that Crews did not want this meeting.

John Detwiler – this audit is going to be ultra-expensive, how are we going to pay for it? Detwiler was on Council when the use of the vehicle was approved. Hall was told to drive the vehicle home in case of emergency, he has been doing what was directed by Council. He did not understand that anyone is paid overtime. Kabana – Hall and herself are paid overtime after 80 hours of comp is accrued.

Yovonne Razor – when she was on Council Hall was allowed to use the car in cases of emergency but not for personal use. The credit card issue was brought up by herself when she was on Council and she has always been politely ignored. She has spoken to Council members regarding this issue and is one of the people who spoke to Moccia about holding this meeting. Razor had been trying to get something done for years. She has been politely ignored by the Mayor. If the Council does not want to spend the money to have an independent audit then maybe a committee can do the investigation. She and her husband own their own business and they do not mix business expenses with personal expenses.

Lorraine Callagy, Coquina Terrace – has been one of the ones who has been checking on the credit card. Hall seems to purchase many of his items outside of the town, he also purchases many meals outside of the town. Notes that Hall spent way too much for tires that were discontinued. It seems like he would at least find out what the tires cost in Malabar before searching elsewhere and spending too much.

Mr. Purden, Kramer Lane – is one of the ones who supported Moccia in this effort. Thinks that it is evident to all that the Mayor is prejudice in favor of Hall. There are many more issues dealing with Hall and the Council needs to make time to address those issues. Mayor – his job is to avoid a witch-hunt, he feels that it is not fair to do this to a party that is not here. He does not think it is fair to do this when someone is out of the country. A meeting of this nature is not the appropriate forum, and that there was not proper notice. Rossman – disagrees with that statement, feels the meeting was noticed and the Mayor is out of order.

Judith Hard – this is the first meeting where she feels that the Council is listening. In the past she has felt like the enemy. She is not the enemy, she is a citizen of this town

and she cares very much for it and that is why she is here. Is not here to attack anyone, is here to discuss her concerns. She appreciates the people who are willing to stand up and do their job, she feels now we can get things done that should have been done a long time ago. The citizens are tired of being told to sit down and shut up, the citizens have many complaints and want to be heard. Thank you for standing up for us.

Nona Swann – asks who is paying for this phone call? Rossman – the town is. Swann – notes that the special meeting held to discuss the EELS issue was not told repeatedly that it was ‘not given enough notice’ and it happened the same way this meeting happened. She also has other issues with Hall. Asks what the Mayor was going to ask her when he called her on the phone. Mayor – former Council Member Henry Dekker told Crews that Swann had issues with Hall and Crews was calling at the request of Dekker.

Yovonne Rasor – the reason that she felt this meeting should be done without Hall present, even though he is on the phone, was that she is intimidated by Hall. He makes her feel that she is being put on trial and that is why we wanted this meeting without him present. There are other people who would like to come to this meeting but they won’t because they have issues pending with the town and are afraid of repercussions.

Susan Detwiler – for the many years she sat at Council meetings when her husband was on Council she never saw hardly any of these people here.

Rene Purden, Kramer Lane – feels that Hall tried to intimidate her. She is in support of this meeting and the investigation into the credit card and is not afraid of Mr. Hall.

Richard Cameron, Hall Road – does a lot of volunteer work for the town. This has always been a neighbor-friendly town in years past and it seems that for the last 3 or 4 years all we do is fight. He would like to see the community come back together. Notes that Hall was not given criteria as how to run his office. Most of the town is run out of his head. He feels that Hall works for each Council Member. Feels that the town administrators need guidelines as to what to do. There have been previous Council Members who have given permission to allow Hall to do certain things but did not take time to write down how they wish to have it implemented. It is costly to do the type of audit that has been spoke of tonight. Feels that Hall can still do a good job for the town if there was written policy. Hall has a lot of the knowledge about what it takes to keep this town moving forward and has an open line of communication to the other governments around us who support and help us in many ways.

Mayor – Hall has a job description attached to an ordinance. It has been given to Council in the past. Horton – agrees. Tinio-Borton – has been asking Hall for a current job description and she never received one. Rossman – has what he considers a finished copy of a draft job description. Rivet – has reviewed this and doesn’t have any issues that haven’t been addressed. Mayor – feels this is an appropriate item for a future agenda. Tinio-Borton – does Hall have an application or a resume? Kabana – yes. Tinio-Borton – would like a copy of this tonight.

Cindy Zindel, Weir Street – from what she knows about a town administrator’s position that person is supposed to implement the comp plan and seek funding for the infrastructure, using grant money first and the general fund second. Also, she does not feel that if you are salary you should receive overtime.

Ed Egan – apologizes for not voting for Rossman. Hall has been a controversial figure for quite a while. This is nothing new. Egan is for all that is being investigated, states that John Kelvington tried to do the same thing years ago.

Mike Stork, Howell Lane – thanks Council for donating all their time. It is no secret that he does not like Hall, he doesn’t feel that it would be a bad idea if Hall wasn’t employed by Malabar but he thinks that it is just a terrible thing that Hall is not here. He would only hope that if he was an employee of Malabar that he would be here for no other reason

than to look his accusers in the eye and defend himself, it is the right way to address this issue. He would hope that we would be better people, then rip Hall's heart out if necessary.

Tom Eschenberg – early in his tenure as a Council Member he heard things about Hall. He asked these people to bring their complaints before Council but they wouldn't. He notes that there have been many Council members over the years and it appears that until now there has not been a particular make-up of Council who are willing to address this issue. In the past there might have been one or two people who would maybe address this issue but now it's different.

Late into his six years on the Council he found out that Hall used the town car. He did not know anytime when he was on Council that Hall used the credit card for his personal charges. He probably thought Hall received overtime because he himself is salaried and receives overtime. He feels that if there was any criminal activity there should be no question as to what should happen. If there is only something that just doesn't look right then Council should tell Hall that he should have known better.

Feels that the past 15 years of Council let this happen. He notes that former Council Member Julane Kikla insisted on a formal evaluation of Hall every year. The Council was all given forms, and Eschenberg even filled his out, but nothing ever became of it, it was never followed through. He feels that if there was something that wasn't addressed over the past several years then it is the fault of all the past Council Members. He is glad this is finally being dealt with, and no matter which way the Council goes that the citizens will accept the decision and forget the whole thing. Horton – agrees with Eschenberg.

Mayor – recesses the meeting for 5 minutes (plus).

Rivet – this is a very emotional issue and many people have a lot of comments on this but lets try not to attack each other, lets find out the factual issues and Council can either take action or not take action, but we are all neighbors and lets all still respect each other. He knows he disagrees with almost everyone in here on some issue but he tries not to dislike anyone and he hopes that not too many people dislike him. Asks the audience to show some respect and some restraint.

John Geil, Rocky Point Road – he was the Chairman of Malabar when Hall was hired. Feels that there is a bit of history that needs to be added to this meeting. Feels that the unpaid position of Council is grass roots government at its best but what was happening without an administrator was that every Council Member had to work at something to keep the town moving forward and stay in-tune with the County as well as all the varied inter-governmental agencies.

Geil notes that the town code at that time provided for an administrator but it had never been exercised. The Council talked about it because it was so difficult to get prepared for a meeting and because they were always being caught short and embarrassed that something didn't get done that was supposed to be done. So they finally decided to look at the administrators position. They talked it over extensively with the attorney at that time (Rick Torpy) and came up with a working job description. They discussed also whether it was to be an administrator or a manager and they stuck with administrator because this is a strong Council form of government and having a manager changes that in subtle ways.

The Council advertised and received a stack of applications. Everyone looked at all of them and they narrowed it down. The vote for Hall was not unanimous, but it was enough to hire him subject to a six month review of both the person and the position.

Unfortunately Hall fell ill shortly after his hire and was at death's door and everything at the town went on hold. Our engineer at that time (Bill Messersmith) tried to help because Hall was here long enough to get things in motion and everyone filled in. Hall was out for some time and when he did come back Council's sentiment was to let the evaluation slide.

The reason to hire an administrator was to have orderliness, continuity, and somebody who could do more than the town clerk and keep things organized. One of the things that Hall was supposed to do after that was to write the job description. They didn't have to worry about a car or a credit card then because they didn't exist. Geils feels that Council should not chastise themselves for not doing the job, it is very easy not to do the job along with your day job. Hall was supposed to write the job description and inform Council of anything else pertinent to his position, such as use of the car and use of the credit card.

Mayor – feels that it has been important that we have an administrator because Crews remembers the town prior to having an administrator and it was disorganized. It is important to know that Hall knows all the political players not only in our area but at the state level also. He does a very good job of communicating our needs to other agencies and his service is good. Feels that Halls name will be cleared and we can move on.

Dave White, Ivey Lane – most people will agree that to most jobs there are always some perks and we probably don't care if he uses those perks. White feels that most of the citizens are probably angry because they feel misrepresented. Hall is supposed to represent us and when we come to him with our issues some people say they feel intimidated. Feels that maybe it all boils down to an ethic thing because when you come to town hall you don't feel treated right. Feels that is what most people are angry about.

Gene Callagy, Coquina Terrace – is concerned about Hall's overtime. There are times Callagy is here between 9 and 10 in the morning and Hall is not here yet. Also, would like to know how overtime is determined on a salaried employee, and, is Hall paid when he is working for the League of Cities? As far as the automobile, Hall used to do business with him, though that is immaterial to Mr. Callagy. He notes that John Kelvington had a car ready for Hall when Hall got back from his illness. Callagy was Mayor at that time and Callagy's shop fixed the car to make it safe. Callagy then tells a story about Hall paying another repair shop to repair the cars' air conditioner while telling Callagy the other shop would do it for free. That event didn't put Hall at the top of Callagy's list. As far as the credit card Callagy states that Hall did very, very little business in Malabar, from the gas he bought, to the oil he had changed on the beach to the car washes he did on the beach. If Hall wants Malabar's support in giving him money then he should consider spending a little of it in Malabar.

Mayor – seen no more citizens seeking recognition. Brings discussion back to Council.

Horton – likes the idea of using the attorney general's office to do the investigation, would like to hear more about it. Moccia – can get Council the phone number for Skip Hards, he has dealt with this before. Horton – how do we look into contacting the attorney general's office? Bohne – he can contact both the AG and the Florida Commission on Ethics and see what is necessary to submit. Mayor – is that the consent of Council? Council – yes. Mayor – hearing no objection, approves the attorneys action.

Rivet – is the next Council meeting on July 1<sup>st</sup>? Mayor – yes.

Rossmann – thanks everyone for attending and realizes that there are other issues involved, appreciates the time the citizens took to come here. Feels this meeting was very beneficial for Council.

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

Moccia – thanks everyone for coming, to her this was important.

**WITHDRAW MOTION: Rivet/Rossmann to withdraw motion.**

Tinio-Borton – appreciates everyone for coming but wants to know what are we doing? Bohne – his understanding is that he is going to contact the attorney generals office to find out what the procedure is for beginning an investigation, and he is also to contact the Florida Commission on Ethics. Tinio-Borton – when can you get back to us? Bohne – it would be before July 1<sup>st</sup>. Tinio-Borton – can you call us individually? Bohne – yes.

**MOTION: Rivet/Rossman to adjourn. VOTE: All aye.**

Meeting adjourned at 9:30 p.m.

BY:

\_\_\_\_\_  
Mayor Phillip R. Crews, Chair

ATTEST:

\_\_\_\_\_  
Susan Kabana, CMC  
Town Clerk/Treasurer

DATE:

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