

## MALABAR TOWN COUNCIL REGULAR MEETING MINUTES

FEBRUARY 03, 2020

7:30 PM

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

**1. CALL TO ORDER:**

Council Chair, Mayor Patrick T. Reilly called the meeting to order at 7:30 pm. CM Vail led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

STEVE RIVET

COUNCIL MEMBERS:

GRANT BALL

BRIAN VAIL

DAVID SCARDINO

DANNY WHITE

MATT STINNETT

TOWN MANAGER: (TM)

KARL BOHNE, excused

TOWN ATTORNEY:

TOWN CLERK/TREASURER:

DEBBY FRANKLIN

Clerk said for the record the PW Director Tom Miliore and Fire Chief Mike Foley were also present.

At this time the Mayor recognized the Town Manager Matt Stinnett on his recent completion of the Master's Program in Public Administration.

**3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:** Chair added an 11.b. cancelling the 2<sup>nd</sup> mtg in Feb due to Presidents Day.

**4. CONSENT AGENDA:**

**4.a. Regular Town Council Mtg Minutes of 1/14/2019**

**4.b. Workshop Council Mtg Minutes of 1/27/2019**

**4.c. Approve Selection and Recommendation Committee for RFQ 20-03**

**4.d. Approve Quote for Building Dept Upgrade**

**MOTION:** CM Vail / CM Ball to approve consent agenda. **VOTE:** All Ayes.

**5. ATTORNEY REPORT:** not present

**6. BCSO REPORT:** not present

**7. BOARD / COMMITTEE REPORTS:**

**7.a. Drew Thompson, Chair, T&G Com:** had a brief report. He attended a meeting at the City of Palm Bay with City Manager Lisa Morrell, TM Matt Stinnett and TA Jason Mahaney of Grant Valkaria to discuss the seven connecting trail projects within the community. To pursue federal funding they would need a Local Agency Programming (L.A.P.) certified person and were hoping Palm Bay or the County had one. Space Coast TPO first said three of the seven projects could be supported. Looking for connections to the paved sections of trails. Palm Bay was interested in helping on the project connection from the south shore of Tillman to their bicycle trail.

**7.b. Eric Bienvenu, Chair Park & Rec Board:** not present

**7.c. Wayne Abare, Chair, P&Z Board:** not present

**8. STAFF REPORTS:**

**8.a. MANAGER:** Nothing .

**8.b. PW DIRECTOR:** PW Director Miliore gave annual report for regular work assignments completed in the calendar year 2019. The January activities were submitted in a written report. CM Vail thanked him for cutting edges on Hall Road. CM White said good job on cleaning up road corners. CM Rivet asked about spoil material from ditches - Dir. Miliore said many residents ask for it but most goes to yard.

**8.c. FIRE CHIEF:** Gave brief report.

**8.d. CLERK:** Pancake Breakfast February 8.

**9. PUBLIC COMMENTS:** Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required) Five **(5) Minute Limit**

Susan Shortman – spoke on a variety of topics: meeting not posted until 5pm, workshop mentioned citizen trust, reallocating resources of the Town, railroad offer to build a new town hall and meetings with large groups should be moved to another location.

**10. PUBLIC HEARING / SECOND READING: 1**

**10.a. Ord 2020-01 - Amend Chapter 13 of Code to Provide for Waivers**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADDING A NEW SECTION 13-38(c) RELATING TO WAIVERS AUTHORIZED BY THE TOWN COUNCIL; ESTABLISHING GROUNDS FOR A WAIVER; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 10.a.

Ord read by title only.

PH open – none

PH closed

**MOTION:** CM Vail / CM Rivet to adopt Ord 2020-01 as submitted.

Discussion: CM Vail asked about fee. Franklin will have Fee Reso on next agenda.

**Rollcall VOTE:** CM Ball, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM White, Aye.  
Motion carried 5 to 0.

**11. UNFINISHED BUSINESS/GENERAL ORDERS:**

**11.a. Approve Temporary Trailer at 2295 McCain Lane**

**Exhibit:** Agenda Report No. 11.a.

**MOTION:** CM Rivet / CM Ball to approve temporary trailer. **VOTE:** All Ayes.

**11.b. Cancel the 2<sup>nd</sup> mtg in Feb due to Federal holiday**

**MOTION:** CM White / CM Vail to approve cancelling the 2/17/20 mtg. **VOTE:** All Ayes.

**12. ACTION ITEMS: ORDINANCES FOR FIRST READING: 1**

Ord read by title only.

**12.a. Ord 2020-02 - Amend Art III Table 1-3.2**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE AMENDMENT TO TABLE 1-3.2 IN ARTICLE III OF THE LAND DEVELOPMENT CODE, PROVIDING FOR FINDINGS; PROVIDING FOR TRADES AND SERVICES IN COMMERCIAL GENERAL (CG) ZONING TO BE A PERMITTED USE INSTEAD OF A CONDITIONAL USE AND PROVIDING FOR THE ADDITION OF GARDEN AND PINE STREETS TO THE FOOTNOTE WHERE THESE USES ARE ALLOWED; PROVIDING FOR CODIFICATION AND REPEAL OF ORDINANCES OR PART OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 12.a.

**MOTION:** CM Rivet / CM White to approve first reading of Ord 2020-02 as submitted.

Discussion: none

**Rollcall VOTE:** CM Ball, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM White, Aye.  
Motion carried 5 to 0.

Route to P&Z Board for courtesy review.

**RESOLUTIONS: 0**

**MISCELLANEOUS: 0**

**13. DISCUSSION/POSSIBLE ACTION: 0**

**14. PUBLIC COMMENTS: General Items (Speaker Card Required) none:**

**15. REPORTS – MAYOR AND COUNCIL MEMBERS**

CM Ball: Asked TM on status of removing foliage from riverside.

CM Vail: 12-15 Volunteers did lots of work on historic building last weekend. Discussion on others on property.

CM Rivet: Boats are back on the property on Hall between Rivet and Rays. Asked TM to follow up.

CM White: Asked TM about RR offer of a new town hall. TM said they did not make that offer to us. He Met with RR staff and Town brought up the potential for a stop. They are not interested in making any stops until they are up and running. He did research on paper as part of his undergraduate work.

CM Scardino: Nothing

Mayor: Nothing

**16. ANNOUNCEMENTS:** Openings on Bd of Adjustment, T&G, P&Z and Park and Rec Bds.

**17. ADJOURNMENT:** There being no further business to discuss and without objection, the meeting was adjourned at 8:08 PM.

BY: original signed  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

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

Date Approved: 3/2/2020