

**MALABAR TOWN COUNCIL REGULAR MEETING MINUTES
OCTOBER 19, 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 Rivet 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

TOWN MANAGER: (ITM)

LISA MORRELL

TOWN ATTORNEY:

KARL BOHNE

TOWN CLERK/TREASURER:

DEBBY FRANKLIN

3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: none

4. CONSENT AGENDA:

4.a. Regular Town Council Mtg Minutes of 10/02/2020

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

5. ATTORNEY REPORT: nothing

6. STAFF REPORTS:

6.a. Manager: Went over handout from WM on quarterly stats and will get more info on types of service requests. WM has a new route manager and they have done a complete sweep of Town on the uncollected yard waste. She also provided an updated yard waste list they are working on. She has addressed the temporary signs in ROW and those that exceed the maximum four-square feet for temp signs. She contacted all pollical parties and reminded them of Malabar code requirements. She called and emailed, and some were moved, others were not so PW picked them up. She said she was prepared to recognize the donation of the re-roof job on the large pavilion at Malabar Community Park. She would still like to publicly recognize Florida Native Roofing but has learned the owner Jason recently passed away and asked for one moment of silence. She then asked Council to consider possibly naming the pavilion after him or perhaps a plaque. RR did not close on Saturday. Has been updated and Malabar is not on a future closing. She will advise.

6.b. Clerk: Nothing

7. PRESENTATION: Sue Hann for the School Board – Asst Super of Facilities. Went through the services they provide and the PowerPoint presentation on how the surtax has been spent to date and how they plan to designate future funds if approved by voters on November 3.

8. 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. (Speaker Card is Required) Five **(5) Minute Limit**

9. PUBLIC HEARINGS: 0

10. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING (RECOMMENDATIONS FROM BOARDS, HOA REQUESTS, RESIDENT GRIEVANCES) 0

**11. ACTION ITEMS: ORDINANCES for FIRST READING: 0
RESOLUTIONS: 2**

11.a. Resolution 17—2020 – Face Coverings

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PURSUANT TO THE GENERAL POWERS RESERVED TO THE TOWN COUNCIL IN THE TOWN CHARTER; MAKING LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; REQUIRING ALL PERSONS TO WEAR FACE COVERING AT DESIGNATED TOWN FACILITIES; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SUNSET; PROVIDING FOR SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.

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

Reso read by title only. Attorney said they need to put a date in the Resolution. Council Chair said they can cancel or extend at the next meeting on November 2, 2020. Use 11/3/2020.

MOTION: CM White / CM Rivet to adopt Reso 17-2020. Discussion: none

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

11.b. Resolution 18-2020 – Appoint to T&G Committee

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF MURRAY HANN TO THE MALABAR TRAILS AND GREENWAYS COMMITTEE AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

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

Reso read by title only.

MOTION: CM Vail / CM Ball to adopt Reso 18-2020. Discussion: none

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

MISCELLANEOUS: 3**11.c. Consideration of Piggyback Contract Equipment Rentals**

ITM explained the benefit to the Town being able to use these vendors, contractors and suppliers at reduced costs that have already been through the bid and negotiation process. Currently must get three quotes. Allows for the competitive process already done and will enable us to use these companies at better rates than we could negotiate. CM Scardino asked if we have done an analysis of the use of certain equipment. Perhaps we should buy it if there is a threshold of value. ITM will check with PW Director. CM White said we would be able to utilize the lower costs that bigger agencies have already negotiated. Better pricing than we could negotiate.

MOTION: CM Rivet / CM Ball to approve the piggyback contract equipment rentals.

VOTE: All Ayes.

11.d. Consideration of Piggyback Contract: Florida Sherrieff's Association (FSA) – Cooperative Purchasing Program

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

ITM explained to Council similar to previous item. Gave example of cost of a new loader discussed during budget workshops. We got a cost from vendor and it was still much more than if we could use FSA Cooperative Purchasing Program. You have limited resources and this availability to use this contract. It is a great research tool.

MOTION: CM Vail / CM White to approve the piggyback contract Florida Sherrieff's Assc.

VOTE: All Ayes.

11.e. Consideration of Transportation Impact Fee Trust Fund Disbursement Agreement between Brevard County and the Town of Malabar for eligible project: hard surface paving improvements of Hunter Lane

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

ITM explained to Council this is a disbursement. We don't have our own impact fees. This is the Town share for the paving of Hunter Lane. They are still waiting on engineering specs to proceed. The Engineer wants to include stormwater improvements. CM White said he has talked to the Engineer about the purpose of the paving project; the residents want their road paved. We have not got the drainage assessment. Engineer told him that almost every driveway culvert would have to be replaced. That would increase this project by 100K and would not be paid with TIFT funds. That is a non-starter. WM White said when he spoke with the Engineer, Morris asked him to please put it in an email. That is why he copied Council on the email. He has contacted him a couple of times. We need to get this project moving. He has appealed to ITM Lisa. Maybe Morris has too much on his plate.

MOTION: CM White / CM Vail to approve the TIFT disbursement. Discussion: none

VOTE: All Ayes.

Chair excused Attorney at this time.

DISCUSSION/POSSIBLE ACTION: 0

12. PUBLIC COMMENTS: General Items (Speaker Card Required) None:

13. REPORTS – MAYOR AND COUNCIL MEMBERS

Mayor asked CM White about SCAT bus stop. CM White said he did a ride along and it seemed simple to him, but they said they would have to change the whole schedule at great cost. CM White did not pursue. Mayor got behind one.

CM Ball: He was asking about the possible business operating in town without a local BTR. He had Deputy Clerk run a search and it was first result. If you are running a business, you should pay for a BTR. He has a business since 1967 and he has paid every year. Asked Franklin. Franklin stated he did come in today and said he would drop off application. If it is appropriate in that zoning, then we should be getting paid for the BTR.

CM White said about a business on Billie that has heavy truck traffic. It can be done right. Operating a real business and not a family business then he needs to be on a commercial.

CM Vail: Jason Hungerbuhler recently passed and the idea of dedicating the pavilion or a plaque is a great idea. He was always helping the community and was a tremendous part of this community. Send this item to Park Board for recommendation.

CM Rivet: thanked ITM Lisa for attacking the sign issue. The update will help him share with his constituents.

CM Scardino: nothing

Mayor: Talked about a memorial wall at the Malabar Community Park. Construction is up and building contractors are busy. We should pursue. Put it back before Park Board.

Mayor: Referenced the recent Mayor's Breakfast meeting sponsored by Palm Bay Chamber and hosted by Sherriff Wayne Ivey. It was a zoom meeting. Thanked Rich. Will have seven new Mayors after the election.

14. ANNOUNCEMENTS: Openings on T&G and Park and Rec Bds.

15. ADJOURNMENT: There being no further business to discuss and without objection, the meeting was adjourned at 8:10 P.M.

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

ATTEST:

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

Date Approved: 11/02/2020