

MALABAR TOWN COUNCIL REGULAR MEETING
November 03, 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 7:30 pm by Council Chair Steve Rivet. The prayer and pledge were led by Mayor.

B. ROLL CALL:

COUNCIL CHAIR	STEVE RIVET
VICE-CHAIR/MAYOR:	CARL BEATTY
COUNCIL MEMBERS:	JIM MILUCKY
	WAYNE ABARE
	DICK KORN, excused
	MARISA ACQUAVIVA
TOWN ADMINISTRATOR:	BONILYN WILBANKS
TOWN ATTORNEY:	KARL BOHNE, excused
TOWN CLERK/TREASURER:	DEBBY FRANKLIN

For the record Fire Chief Christopher Robinson, PW Director Tom Miliore and Town Eng Morris Smith are also present.

Chair then declared there was a quorum present of three council members. He then stated that CM Dick Korn is in TN and has asked to participate via telephone. Chair asked for a motion. Request by Council Member Korn to Appear by Telephone (Verbatim):

Rivet stated that we have a quorum for this evening's meeting. Also, a request to appear by telephone by Council Member Dick Korn was requested. This needs to be approved by Council for Mr. Korn to participate. Rivet asked if there is a motion to allow Mr. Korn to participate via phone.

MOTION: Abare / Acquaviva to allow Council Member Dick Korn to participate via telephone.
Discussion: Acquaviva stated she had no problem with this.

Milucky stated that in the long two years, there have been other Council men and women that have missed meetings for business purposes or being out of the country. I don't recognize that anyone has made a big deal about asking to participate electronically versus being here present. The implication is that the business before this council is more important than any business that preceded this council. So what we are telling previous councils are it was okay for someone to be absent at the meeting that the council person was on. We are also telling subsequent councils that if it's important to you, it's important for the Council to allow you to not be present at a meeting. He doesn't support a business purposes or out of town, that's not a valid reason for attending this meeting electronically. We have other circumstances that I would consider satellite attendance; someone in the Air Force that was called away from time to time by the United States government, circumstances that he could not control that they had a system set up in place and he attended those meeting and responded to those meetings, audiences, to Council and answered questions and was very interactive. I don't know that tonight's scenario is that, not to take away from the subsequent agenda but it is to say that he doesn't think the Council person's reasons for not being here rise to that standard.

Mayor Beatty stated that he would like to relate the time that he made the request and basically he was told if he chose to be out of town he knew the time to call in but that was elective missing a meeting versus an emergency meeting call out or whatever or quarantine because of Ebola or something. He's just relating to that because that's what happened in the recent history that he was discouraged for even trying because he chose to be out of town.

Abare stated that Dick Korn asked if he could do this. He thinks it's a reasonable request; we have a changing of the guard coming. This is the last council meeting that three council members will be here and as things come before us that we participated in. It makes perfect sense to me for him to do what he's asking.

Acquaviva stated that she also felt that any time someone wanted to, for emergency reasons or excused reasons why we couldn't be here; she's asked for things to be taken off the agenda and has supported other members when the council person asked for postponement until they are present. We've always been very gracious to each other in that way and if Mr. Korn feels the need and importance for his vote tonight, she respects that. She felt that she's been respected on a lot of things when she couldn't be here for the debate and vote; you ask the Chair and things are pulled if possible. It's a courteous and gracious thing to do.

Milucky responded to that. If that is the case, then his suggestion would be, instead of changing what has been past practice, we should be go with past practice and pull items from this agenda until a full seated council can listen to this. **Acquaviva** stated that it this wasn't his request. **Milucky** stated that this is what was done in the past; you implied that in the past that we were courteous to the council people in allowing things to be moved to another agenda. That's not what the request is; so if we'd like to move items, then let's move those items so Mr. Korn can participate. **Acquaviva** stated that was not his request and she agrees with Mr. Abare in the fact that there are things that we've had two public readings on and that a lot of money and time has already been spent. She's sure that Mr. Korn wants his voice to be heard; that he was involved in all of that. She would feel the same way in his shoes. Rivet asked Franklin if this needed to be a roll call vote; Franklin stated no, it does not.

VOTE: 3 Ayes; 1 Nay (Milucky). Motion passed 3 to 1.

Franklin attempted to call on the phone on the dais and it went to voice mail. She tried the alternate number and again got voice mail.

C, ADDITIONS/DELETIONS/CHANGES: Chair said no changes.

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. Minutes of: RTCM 10/20/14
Exhibit: Agenda Report No. 1a.

1b. Budget Adjustment (Reso 40-2014)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET ADJUSTMENT IN THE FISCAL YEAR 2014-2015; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1b.

Recommendation: Approval of Consent Agenda with roll call vote on Reso 40-2014

Chair read by title only.

MOTION: Marisa / Wayne to approve the consent agenda as presented.

Discussion/Correction to minutes. Pg 6 – next to last - sb belly mower. Jim pg 2, "town eng check his bias" – check the tape he doesn't think he said it like that. (Tape checked and minutes revised.)

ROLL CALL VOTE: 1)Milucky, Aye; Abare, Aye; Korn, excused; Acquaviva, Aye; Rivet, Aye.

Motion carried 4 to 0.

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: Attorney excused.

Milucky stated he had a comment in the middle of the attorney report. He would like to comment that he sent a note to the Town Clerk regarding tonight's meeting being a little thin considering the magnitude of what we're doing tonight without attorney. Here's my suggestion since this is attorney report time; that in the future for Council's, maybe when you know the Town's attorney is not going to be here, it might be a good idea to get a substitute. Just ask the Town attorney to phone in a substitute so the Town doesn't have to sit here without any legal counsel; just sayin'.

G. BREVARD COUNTY SHERIFF'S OFFICE REPORT: none

H. FIRE CHIEF REPORT:

I. ACTION ITEMS: Override Mayoral Veto of Ord 2014-14

2. Override or Let Stand Mayoral Veto of Ord 2014-14

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; RECLASSIFYING THE COMP PLAN MAP AND REZONING THE PROPERTY AS FOLLOWS: THE 3.22 ACRE PARCEL IN TOWNSHIP 28, RANGE 38, SECTION 31, LOT 750, LYING ON THE WEST SIDE OF HIGHWAY 1, NORTH OF MALABAR ROAD, AKA 1300 HIGHWAY 1, MALABAR, FLORIDA, FROM RESIDENTIAL/LIMITED COMMERCIAL (R/LC) TO COMMERCIAL GENERAL (CG); PROVIDING FOR AMENDMENT TO THE OFFICIAL TOWN ZONING MAP; PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Recommendation: Request Override of Mayor's Veto of Ord 2014-14

Chair asked if there was a motion to override veto of Ord 2014-14. Wayne asked if we could try Mr. Korn again. TA tried both numbers again and got voice mail. Jim objected to continued attempts.

MOTION: Marisa / Wayne to override veto.

Discussion: Marisa said everyone knows how she feels. She felt threatened for a veto at last meeting. Council had two public hearings with 3 to 2 votes and another public hearing by P&Z with a 4 to 1 vote.

Mayor, first the legal is not clear. Second, the point is he is allowed to have a larger building in RLC. He said a better approach would be a CUP.

Speaker's Card:

Attorney Patrick Healy, attorney with the law firm of Gray Robinson, 1795 W. Nasa Boulevard. Unfortunately, for my client, this veto ordinance that you have recently adopted, creates a number of unique legal issues in my mind. The first one which I raised in my letter to the Council today relates to the requirement of a 4/5 vote override and the circumstance that we find ourselves in and you only have four members of the Council present. It's my opinion that it's a denial of his due process for you to vote on this without all members of the Council present. The situation is exacerbated by the fact that you've got an election tomorrow and the fact that your ordinance precludes you to from doing what Mr. Milucky suggested which was tabling the matter to a later meeting. So, for the record, we would object to this matter being considered based upon the fact that we don't have a full Council.

There is an issue that I didn't express in my letter and it's strictly a legal issue but I think it's a significant issue which is related to the legality of this process altogether. I would suggest to you

that it's inappropriate for this veto ordinance to be applied to a re-zoning matter. As all of you know, re-zoning is a quasi-judicial action; the Council decision is based upon a record presented to it in a hearing and competent substantial evidence has to support that decision. I believe it is inconsistent with the legal precedent and applicable law for a one person, one member of the Council to be able to veto the collective will of the Council in a quasi-judicial matter. I think it's appropriate for a legislative matter but not for a quasi-judicial matter. Essentially, the ordinance creates a situation for one member of the Council; in this case, a non-voting member, can circumvent the will of the entire Council on the decision which it made based upon competent substantial evidence at the hearing. This decision relates to individual property rights. Applying the ordinance to re-zoning decision essentially confers the authority for the decision on one person; particularly here where we have missing council people. This, I say, sets a disturbing precedence for you when it comes to potential property right cases that may be brought before you. If you would consider what you have in your ordinance; you have a situation where, potentially, a future Mayor could veto a re-zoning ordinance adopted by your Council at a meeting where he wasn't present and heard none of the evidence. I think there is a fatal flaw here in your ordinance. In this particular case, I'd respectfully request that to Council Member that voted no that you should vote yay for the motion to override the Mayor's veto if only to confirm the principle that it's inappropriate for the Mayor to have the authority in a quasi-judicial decision process to override the decision of the Council as a whole. I think you can make that yay vote and still hold to your principle vote on the re-zoning that in your judgment you don't believe that the zoning, the heavier commercial use is appropriate.

The other issue which I addressed to you in my letter was the ability to control the future development of this property through a binding development plan. Stated in my correspondence and I'm stating in here on the record, that my clients are willing to enter into a binding development plan which will restrict the future use of this property. To preclude, its use for what was mentioned in your minutes was an adult entertainment facility or other uses that would generally be considered to be incompatible with the residential commercial uses that are adjacent to it. I've reviewed your ordinance and the uses that are authorized both with and without conditional use permits in the two commercial zoning classifications that are relevant to this particular project and it appears to me that most of those uses that would be found objectionable require a conditional use permit. So, it is not fair to say that the property owner, if the veto overridden could build anything he wanted. It was theoretically available under the general commercial classification. If you are willing to override the veto and move forward with the re-zoning, there are two avenues that you could use by my reading of the ordinance to require the adoption of a development agreement, a binding development agreement with the city which would protect the city from what Mr. Milucky described as the unintended consequences of a commercial re-zoning. One would be to, after this ordinance is adopted by overriding the veto, would be to adopted a subsequent ordinance that amends that ordinance so that it's effective, it doesn't become effective until there is a binding development plan approved by the city and the property owner. And that is consistent with the recommendation from Mr. Bohne at your last meeting. The second would simply to make it a condition of site plan approval which I'm sure you've done many time with projects in the city. Mr. Milucky was quoted in the minutes as saying he thought this was a great project; I think it's a good project proposed by good people; it ought to go forward and there's certainly avenues available to you to let the zoning go forward so the project can proceed and still protect the city from some of the concerns that some of the members of Council have and I would ask you to consider doing that tonight. Thank you.

Mayor Beatty asked if he could respond. Rivet stated yes.

Mayor said Atty Healy kept referring to the ordinance but the veto power comes from the charter and the charter says that the Mayor has the authority to veto any ordinance as way above the

ordinance was passed on how to handle it. There was no procedure; Council thought that this would handle it and maybe there's some issues with the procedures. But the authority comes from the charter and it says any ordinance and that precedes this procedure ordinance if that's what you want to call it. Mr. Healy stated he recognizes that, but he thinks the legal argument I have made is applicable none the less. The idea that the Mayor has the ability to veto a quasi-judicial action of the Council, I believe, is inappropriate.

Rivet asked if there are any more questions for Mr. Healy. Milucky stated that he would like to call the question. Rivet thanked Mr. Healy and asked if there are any objections to calling the question.

Abare stated he had an objection; he would like to make a comment and he would like to call Pat Reilly, the Chair of P&Z, who is in the audience and I'd like him to come up to the podium and comment on the Mayor's statements. The Mayor said a few minutes ago that you can build 10,000 square feet in the existing zoning and I don't believe that is right. I'd like for you to comment on that.

Pat Reilly, 1985 Howell Lane, Chairman of the P&Z Advisory Board. Yes, that is an incorrect statement. I spent three hours looking at this last night plus many hours over the last six months and CG is the only zoning that we have that can permit any building greater than 4,000 square feet. You cannot bring it down to CL; CL has a 4,000 square foot limit and so does R/LC has a 4,000 square foot limit. So that's why it went ahead as a CG project.

Abare thanked Reilly. Rivet asked if there was any more discussion. Marisa had a comment... Milucky stated with all due respect; we've given you sufficient time and I've called the question and the question is about the Mayoral veto and I think this is a stall tactic. Abare stated "don't you need a second to call the question"? Rivet stated that yes we had a second but you need a 4/5 vote to override the veto.

Acquaviva stated she just has to say something personally for the veto process here in the Town of Malabar. What concerns her as citizen, not even as a Council person, moving forward on this we obviously have to clean up some things but I don't like that our Mayor can veto and not have to do it in public circumstance. He can say anything and just with a flick of a pen veto Council action. This is a strong Council-weak Mayor form of government, and I'm sorry, you were a Council Member and chose to quit the job to run for Mayor; that you could've voted and be a part of a Council and so now I have a problem with you not having to do veto in a public setting. We just get phone calls that the Mayor just vetoed all this work that everyone just did and it doesn't have to be done in a public forum. I have a problem with that and that's just something about the veto ordinance. I don't think that's right.

Rivet asked if Mayor Beatty wanted to respond.

Mayor Beatty stated that he doesn't think that's totally correct; I did voice opinion against what was going on initially. I said I thought we could do this under CL and what I saw on the chart over to the right, it shows maximum lot coverage and it's .20 just like other designations and that the 4,000 square feet MBC would be considered a scrivener's error because it doesn't coincide with the lot coverage and that was my conversation with the attorney. But aside from that's how vetoes are done; a lot of places start threatening they're going to do it. I just stated my facts and I was not agreeing with what's going on. I'm not sure if I have to scream loud or anything, I just said I didn't like and thought there was a better way to do it. From the get go, I said I didn't like the legal description because it stated 3.22 acres and that's not a true statement; it's only the land west of Highway 1, which is a smaller parcel. So that was another problem I didn't like and I expressed it at the meeting.

Rivet asked for any further discussion.

Abare stated that it's 3 acres or 2.9 acres, does that change anything? I don't see where that would change anything.

Mayor Beatty stated he applied for something but didn't use it correct and I was afraid at the time I expressed that if you used the full 3.22 you automatically included the east side.

Abare stated he can't build on the other side; it's CP (Coastal Preservation). Mayor Beatty stated it's a re-zoning and someone could come in with a lawyer and say that was what the intent was. And that was my points and that's my job as Mayor if I'm not comfortable with something then I do veto it and the charter says I have the authority. Abare stated that in Rocky Point, there were two lots that were ½ acre on the river side; plenty of room for the house. They legally challenged Coastal Preservation and the both lost; it's already been challenged. I don't see that as a threat. And, plus, if you look at that site, to meet the setbacks you still can't put anything there, that's a mute- point as far as I'm concerned.

Rivet asked for further comments; there being none, he asked the Clerk to call the roll.

VOTE: Abare, Aye; Acquaviva, Aye; Milucky, Nay; Rivet, Nay.

It's a 2 to 2 vote. Rivet stated that the motion to override failed. Mayor Beatty stated it's a tie vote so he can vote. Rivet stated no; it needs to be a 4/5 vote.

J. PUBLIC HEARING: 2nd reading of Ord 2014-17

3. Budget Amendment for FY 2014/15 (Ord 2014-17)

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET AMENDMENT IN THE FISCAL YEAR 2014/2015 TO PROVIDE FOR ADDITIONAL REVENUES REALLOCATED FROM SURPLUS FUNDS ON DEPOSIT; TO PROVIDE FOR THE ADDITIONAL EXPENDITURES APPROVED FOR THIS FISCAL YEAR BUT AT LESSER AMOUNTS, SPECIFICALLY FOR LEGAL, LEGISLATIVE, PARKS AND RECREATION AND STREETS AND ROADS DEPARTMENTS; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3

Recommendation: Request Adoption of Ord 2014-17 at 2nd Reading

Chair read by title only and then asked TA to explain.

PH opened / none / PH closed

MOTION: Wayne / Marisa to adopt Ordinance 2014-17.

Discussion: Wayne said TA made it pretty clear last time. Jim objects to dipping into reserves to cover operational costs. Mayor said his issue was 20 days into budget and are going back to the bank. TA said we had to provide for the Town's portion of the grant and provide for the extraordinary legal expenses anticipated from defending the lawsuit.

Marisa was in today signing checks. She signed a check for \$2500 for an out sourced company to do the slope mowing.

Wayne addressed the difference – last year Council approved four (4) fulltime Fire Fighters to provide 24h/7d coverage and that added 107K to the budget and he could get no support to increase millage.

ROLL CALL VOTE: Abare, Aye; Korn, excused; 1)Acquaviva, Aye; Milucky, Nay; Rivet, Aye.

Motion carried 3 to 1.

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

L. ACTION ITEMS:

RESOLUTIONS: 0

MISCELLANEOUS: 1

- 4. Preliminary Site Plan and Conditional Use Permit** for parcels 29-38-05-00-00502 (17.12 acres) and 29-38-05-00-00251 (1.76 acres) aka 2100 Highway 1, Malabar, FL 32950; Request is for Assisted Living Facility "The Shores" in RM-6 zoning. Applicant: Malbec Investments, LLC, represented by Mr. Joseph Paladin.

Exhibit: Agenda Report No. 4

Recommendation: Request Action on P&Z Recommendation

Speakers card: Pat Reilly, Chair of P&Z, Came before them and said their Board voted 4 to 1 in support of the CUP and preliminary site plan. Applicant asked the 1 "nay" vote why and he refused to state why.

They approved it because it met all of the requirements in the code. He listed the sections and tables in their ALF. Met most of requirements of staff. He hopes council will support.

Wayne said there was interest in past years for an ALF and we had nothing in the code. Malabar was not against the ALF they were opposed to it on a small parcel. They wanted large green areas and plenty of parking.

Jim the issue that goes around and around. Water is the topic. He has the P&Z minutes from Feb of this year. In order to build this does it require city water and sewer. Pat said he thinks they could build it without city water and sewer. Harris has its own water system.

Applicant Joseph Paladin, stated the intensity is much less than the condos he had approved for that site. He has been developing for over 40 years. He wants quality not quantity. He is a real developer. It is to his advantage to follow this ordinance that was passed and with very high marks. This is his last stop. He wants to do the right thing. This is less intense. He took it to highest level. Larger green area, larger parking. They have 20 acres; they have plenty of room. It will be a resort, not an institution. When he comes back with site plan the elevations will be much nicer. Above and beyond what anyone else would do. He will be with this project to the end. Even after it is turned over to management company he will still be involved. He wants to be a part of this. When they open 1st phase he will invite all there to see it and be proud.

Wayne said he did Venetian Bay – yes. He doesn't know why others don't follow his creed. Go down into IRC you will see Paladin Street, Paladin shores, etc. He puts his name on everything he does.

Jim recalls when they did condo thing; Paladin said that wasn't him. 35' is the limit. Discussion: Wayne said 283 but could go to 343. It didn't fit into his design. 1st phase will be 125 beds, 2nd 125, 3rd phase will be 33 beds. Wayne said you made a comment earlier. They were approved for 114 units x 4 persons in a family that would be 456 persons. So this is much less intense. Wayne said you are not relying on bank money, he has committed private money. Paladin said he could put in his own water system in, but that is not the way he wants to go, with all the testing, etc. It only makes sense to do the city water and sewer. He said anyone that wants to hook up can, but he will not force anyone.

Marisa memory care – Paladin said 30 beds; depending on demand.

Morris said they have met all of his requirements. He also said that he could show him how he could do project with septic.

MOTION: Wayne / Marisa to approve the preliminary site plan and CUP. **VOTE:** All Ayes.

MOTION: Wayne / Marisa expand the radius notification to all property owners within the 500' of project site and the 500' west of Highway 1 from the north end of town to south end of Rocky Point Road east and west side. **VOTE:** All Ayes 4 to 0

PRESENTATIONS: Mayor to Rivet, Milucky and Abare. Mayor read into record to certificate to Bill Sastram.

STAFF REPORTS:

Town Administrator: nothing

Town Clerk: nothing.

COUNCIL REPORTS:

Acquaviva – quick question for Bonnie regarding the grass as Corey and Malabar Road; Wilbanks stated that the original company that was doing this changed hands and she sent an additional letter out. The letter gives them 10 days to respond; she had not received the green card back as of today. Acquaviva stated that there have been complaints that the grass is high. Wilbanks stated that this does not stop the ditch work and DBI is working on this; that is going to take some of this down but not all of it. Acquaviva asked if we, the Town, can touch this; Wilbanks stated it is a state road and we cannot.

One other thing that she wanted to address was her colleagues that served with her; she thanked them for their time and it was a pleasure working with them. She knows they didn't always agree but there is a process and it's always a good thing for the Town.

Beatty – he had a couple things; one is the overlay on the roads. They are just finishing; he was out on Glatter Road with one of the owners of North Florida Emulsions and he was asked if they were going to fix this road. Mayor Beatty saw that there is a bad bump in the road about three feet over. He said he would throw that in for free; it appears he did a very good job on the road. Thinks they did a great job on resurrecting Glatter Road.

Wilbanks stated that there have been concerns regarding the white stripping on the roads; it will be done but we may need to wait for the road to be cured. It will not be done by the same vendor; it is done by another vendor that we used in the past because we can piggy-back on the County contract and they do quality work for us.

Mayor Beatty stated that he can see permanent marking on the road because it's been re-done. Corey Road, if it needs to be done, I would think that we would just use paint because we're only looking a year away and then doing it. Wilbanks asked instead of doing the thermal; Mayor stated yes, do a lesser grade as it is legal. Wilbanks stated that they are going to tie it into the 7 aprons on the roads; they will do it at the same time as we have to put the stop bars out. We will get a better pricing if we can do it all at one time.

Abare – he thanked the Council for helping him become a Council member; it is quite a learning experience. I've enjoyed it; I've learned a lot that I didn't know and I would especially like to thank Debby and Bonnie for helping me get my training wheels off. It's

quite a shock when you come in here when you only know where the bathroom is. They were extremely helpful.

Milucky – me too and all staff, you all were great. I have to laugh at all the hate and discontent cause, hopefully, that's all yesterday now and not part of our future. I would like to thank Grant Ball, Brian Vail and the absentee Don Krieger for stepping up and playing in the future. Thank you; I have your numbers on speed dial so I know who to call. Bonnie will tell you about that; she has inside knowledge. So anyway, thank you for stepping up guys.

Rivet – okay, well 6 years has gone by very quickly. I'm obviously term limited; I would have run again if I wasn't but I would like to say that term limits are a good thing, I fully support them. I would never vote to abolish them; it's always good to get new blood up here once in a while. I really appreciate all the effort from all of the staff; especially the folks that are here. You are the blood work; you have been extremely helpful, extremely understanding. Very diplomatic when disagreeing with me and very supportive when you agreed. So I appreciate all of your efforts and everything you've done personally to help me more effective as a Council member. Of course, for the rest of Council; Mayor, again, I appreciate your service as well. It's a tough job sometimes and obviously it doesn't pay anything so that's not the reason we're here. I've really enjoyed working with everybody here; even during the disagreements. It's always been a learning experience and I'd like to think I'm richer for having done it. Thank you all.

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

R. ANNOUNCEMENTS:

One (1) vacancy each on the Planning & Zoning Board, Board of Adjustment, Park and Recreation Board and the Trails & Greenways Committee

S. ADJOURNMENT:

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

MOTION: Jim / Wayne to adjourn. **VOTE:** All Ayes. The meeting adjourned at 9:15 PM.

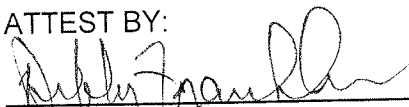
BY:



Steve Rivet, Council Chair, termed out on 11/6/2014

Mayor Carl Beatty, Vice-Chair, signs

ATTEST BY:



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

Date Approved: 11/17/2014

(seal)