

**MALABAR TOWN COUNCIL
REGULAR MEETING MINUTES
JULY 18, 2022, 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 meeting to order at 7:30 pm. CM Hofmeister led P&P.

2. ROLL CALL:

CHAIR:	MAYOR PATRICK T. REILLY
VICE CHAIR:	STEVE RIVET, excused
COUNCIL MEMBERS:	MARISA ACQUAVIVA
	BRIAN VAIL
	DAVID SCARDINO
	MARY HOFMEISTER
TOWN MANAGER:	MATT STINNETT
TOWN SPECIAL PROJECTS MANAGER	LISA MORRELL
TOWN ATTORNEY:	KARL BOHNE, excused
TOWN CLERK/TREASURER:	DEBBY FRANKLIN

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

4. CONSENT AGENDA:

4.a. RTCM Minutes of 6/20/22

4.b. Budget Workshop of 6/27/2022

MOTION: CM Scardino / CM Vail to approve Consent Agenda. **Vote:** All Ayes.

5. ATTORNEY REPORT: not present

6. STAFF REPORTS:

6.a. Town Manager Matt Stinnett – New BO working with us on Tues and Thurs – Budget proposal is pretty much completed and ready for next Monday's WS.

6.b. Special Projects Manager – written – ARPA projects and Town's business. Restroom Invitation to bid. Oct 31 for opening.

6.c. Clerk – Have begun receiving applications for both positions and will have on 8/1 agenda for further direction from Council. Speaker at the BCCCA mtg today explained the impact of the new law from HB 921 that restricts the use of public money to provide information on referendum or election issues. Will have more clarification once it is challenged and goes to court. Right now, as long as we just state the facts, we will be fine.

7. 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.

7.a. PRESENTATION – Mr. Rodney Walton of Florida Municipal Loan Council (FMLC) on the Municipal Loan Program (Power Point Presentation)

Exhibit: Agenda Report No. 7.a.

This program helps small communities. 1.2B in loans to date. Always trying to improve. They are here to help. Board members are elected official from local cities. They have a bond atty to make sure everything is legal; they do all the paperwork. They are on retainer with the FLC and is a cost savings. Public Resources Advisory Board, skipped over the bond stuff to the loan program. The bond issue is fixed rate financing – it is long term financing interest rates are lower but cost of issuance is much larger. This is an option but not as much anymore. Bank loan more popular now; interest might be a little higher but more local involvement with local banks and as many as 400 other banking – prepayment concerns. They go to bat for the city to get the best deal. They understand the timeline, the goals etc. before going out for bids. They utilize the experts on staff.

If is not a commission based – they are a resource for small cities. Refinance, new, repeat, etc. bank loan program capital access program. They can't give financial advice. The bond council and the financial board can. Once the letter of intent is signed SEC requires these done first before financial advice can be given. Then went into scenarios. Current market info. Next statement is the engagement letter. Letter of intent if you are spending right away so those costs are captured and included. Any questions in the overview.

CM Scardino asked about rates – fixed rates.

CM Vail asked about cost for the bank loan and bond – could be 50K to 60K. They weigh is many ways. Negotiate the penalty or no fee for pre-payment. Cost includes the Town Atty.

CM Acquaviva a 5-mil loan – banks get involved on projects. That is not the case with a municipal loan. Use these monies to pave roads. You must have projects in mind. Have a capital plan. Spend proceeds within 3 years. Would you help with the writing up the proposals for the banks – 100%. They prepare and present the goals, funding sources, done before the do the RFP to the banks. They have had wonderful responses from local banks. CM Hofmeister asked how many small cities of our population – get an assessment on the properties that are being developed. 3000 residents – with similar financial data. Not just population. FMLC will be here to be a resource for us.

8. PUBLIC HEARINGS: 0

9. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO TOWN APPOINTED BOARDS/COMMITTEES: 0

10. ACTION ITEMS: 1

ORDINANCES FOR FIRST READING: 0

RESOLUTIONS: 0

MISCELLANEOUS: 1

10.a. DR-420 Set Maximum Millage and First Public Hearing Date for Property Appraiser Office to Mail out Truth in Millage Notice (TRIM)

Exhibit: Agenda Report No. 10.a.

Chair asked Clerk to introduce. Franklin explained that this process starts the millage and budget discussions. The submittal of the proposed millage and the date for the first Public Hearing is what is mailed out by the Property Appraiser Office to every property owner in Malabar. It is always recommended to set the proposed millage higher to start the process rather than low because you can always reduce the millage as you go through the budget process, but to increase it would be very expensive for the Town. We are working on methods to overcome the challenges imposed by the spec Law from 74, not signed by the Gov, that restricts cities in Brevard from raising the millage rates to provide adequate funding for necessary expenditures. She explained the DR420MM-P Max Millage Preliminary form provided by the State and that form allows us to set the millage at 4.5001 with a unanimous vote. We need to seek relief from this restrictive bill. SPM Morrell ran through a scenario that might work following the requirements of 74-340 but it would be very tight.

MOTION: CM Scardino / CM Acquaviva to direct the millage for TRIM notice be set at 4.5001 and the date be set at September 12, 2022, at 7:30PM.

Discussion: General discussion on various millages and how much revenue that will garner and how much money we need to accomplish some of the necessary

Vote: All Ayes.

11. DISCUSSION / POSSIBLE ACTION: 1

**11.a. Moratorium on Road Paving using the Special Assessment Process
(CM Scardino) Exhibit: Agenda report No. 11.a.**

Chair asked CM Scardino to start off.

CM Scardino stated his reasoning for this request. CM Acquaviva wanted Atty present. Franklin said the disclaimer was on the agenda report – it was drafted by staff and not reviewed by Atty. Need direction from Council to ask Atty to review and revise to provide a timeframe for a moratorium until we can get funding.

Much discussion on what TIFT monies can be used on. Franklin had suggested before to maybe revise the percentage the Town will pay since the preparation work comes out of Gen Fund and we have learned how expensive that is. Moratorium would not impact those petitions already submitted.

CM Acquaviva had called Atty about this – lawyer should be here to discuss and guide.

MOTION: CM Scardino / CM Vail to direct staff to forward the draft ordinance to Attorney Bohne for legal review and put on next agenda.

Vote: All Ayes.

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

Rene Purden – 3195 Kramer Lane. 20 years ago, she asked Town to pave Benjamin. 13 families live on the Malabar side. Traffic on Benjamin is incredible. Paved in 2007 and you can visually see the road narrows as you travel east. Going down Benjamin you literally have to get off of the road to allow traffic to pass.

Council discussed possible improvements for short term and asked TM Stinnett to discuss with G-V possible joint project to improve this roadway.

13. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Acquaviva:

CM Vail:

CM Rivet, excused:

CM Hofmeister:

CM Scardino:

Mayor Reilly:

14. ANNOUNCEMENTS: (1) Vacancy on the Planning & Zoning Board.

15. ADJOURNMENT: There being no further business to discuss and without objection, the meeting was adjourned at 8:50 P.M.

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

ATTEST:

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

Date Approved: 08/01/2022