

**MALABAR TOWN COUNCIL
REGULAR MEETING MINUTES
October 3rd, 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

COUNCIL MEMBERS:

MARISA ACQUAVIVA, Excused

BRIAN VAIL

DAVID SCARDINO

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT, Excused

TOWN ATTORNEY:

KARL BOHNE, Excused

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

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

4. CONSENT AGENDA:

4.a. Approve Minutes of RTCM of 09/26/22 & STCM of 09/27/2022

4.b. Annual Update Piggyback Cooperative Purchase Contracts

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

5. ATTORNEY REPORT: None

6. BCSO REPORT: None

7. BOARD/COMMITTEE REPORTS:

- a. **T&G Committee:** Chair Drew Thompson wished Council a happy new Fiscal Year. The Trails and Greenways Committee was able to procure 30 loads of fill dirt for the Eagles Nest Trailhead. A large amount of this dirt was spread by a volunteer vendor. They intend to soon be installing the culverts out there. The Committee also plans on improving the drainage in the area. There has been some activity in the Cameron Preserve. We have purchased signs for the area and will look to reroute some trails to maximize the preserve. A Committee member has volunteered to reach out to the Division of Forestry to discuss the maintenance of the fire breaks inside Cameron Preserve. The 100-acre site is very diverse, and we hope to have all areas highlighted. We are hoping to create a mosaic on the property, working on segments of the area at a time. It could provide a circular rotation for effective Scrub Habitat.

CM Scardino asks if we could supplant Scrub Jays into the preserve?

Chair Thompson explained the current process for relocating Scrub Jays, and states they are not easily moved. There are already Scrub Jays in the preserve, we just need to create the ideal environment for them to multiply. Requests Council approval for allowing Committee Member Hann to speak to the division of Forestry. Also requests assistance in speeding up the process of procurement of a pavilion for the Cameron Preserve. Council consensus is reached.

SPM Morrell informs Council that staff have already contacted an individual who is a certified burn master.

- b. **Parks & Recreation Board:** None

- c. **Planning & Zoning Board:** Mayor Reilly reported that the P&Z had not met since March, so he presented a proposal to allow light manufacturing in lower intensity commercial zoning.

8. STAFF REPORTS:

- a. **Town Manager - Matt Stinnett:** Excused
- b. **Special Projects Manager - Lisa Morrell:** Informed Council that the Town fared well in the recent storm. There was no major damage, and it was a good exercise for future issues. Staff is planning a post storm after action meeting. All power has been restored, and debris clean up is underway. SPM Morrell then gave Council a brief financial overview, including payroll updates and end of FY activities. For the Treasurer applicants, only one has responded, and it was to withdrawal.
- c. **Acting Fire Chief - Joseph Hooker:** None
- d. **Public Works Director - Tom Miliore:** Written
- e. **Town Clerk - Richard Kohler:** Informed Council of the success in the online BTR payment portal. Over 50 BTRs were processed through the new portal. This program has also been offered to the Building Department to accept online payment for Building Permits and has been heavily utilized.

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 per Speaker.

Drew Thompson: Suggests that the Town rezone the conservation land from institutional to conservation. We should try to create a Zoning Code that properly encompasses the environmental rarity of the land. We have beautiful land preserved in our Town, and we should work to keep it safe. CM Scardino suggests looking into the environmental impacts of all zoning changes. Mr. Thompson agrees, and states we should move to protect these lands. Mayor states we will ask Staff to look at it.

10. PUBLIC HEARINGS: 0**11. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO TOWN APPOINTED BOARDS/COMMITTEES: 0****12. ACTION ITEMS:****ORDINANCES FOR FIRST READING: 0****RESOLUTIONS: 2****12.a. Amend Administrative Fees (Resolution 20-2022)**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PERTAINING TO THE ANNUAL REVIEW AND APPROVAL OF ADMINISTRATIVE AND PERMIT FEES REQUIRED TO BE ESTABLISHED BY VARIOUS ORDINANCES OF THE TOWN OF MALABAR; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 12a

Resolution read by title only.

MOTION: CM Vail / CM Rivet to adopt Resolution 20-2022.

Discussion: None

ROLL CALL VOTE: CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, EXCUSED; CM Vail, Aye. Motion carried 4-0.

12.b. Town Manager Contract Renewal (Resolution 21-2022)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PROVIDING FOR THE APPROVAL OF A CONTINUING CONTRACT WITH MATTHEW STINNETT THE TOWN MANAGER; PROVIDING FOR DUTIES, REMUNERATION AND

BENEFITS; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 12b

Resolution read by title only.

MOTION: CM Rivet / CM Vail to adopt Resolution 21-2022.

Discussion: Mayor stated he spoke with the attorney, and it is legally appropriate. The only change is the term, making it at the pleasure of Council.

ROLL CALL VOTE: CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, EXCUSED; CM Vail, Aye; CM Rivet, Aye. Motion carried 4-0.

MISCELLANEOUS: 0

Chair excuses Attorney

13. DISCUSSION / POSSIBLE ACTION: 0

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

15. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Acquaviva: None

CM Vail: We were spared through the storm. He contacted staff and witnessed minimal damage. Public Works was active in the clean-up. Staff did a great job of pre storm prep. Kudos to them.

CM Rivet: Noted that stormwater appears to be receding well.

CM Hofmeister: Stated overall we came through the storm well. PW did a great job. Atz Road had an issue but was resolved quickly.

CM Scardino: States he was pleasantly surprised we avoided the worst of the storm. Even a few Towns away, the rainfall total was much more.

Mayor Reilly: Thanked PW for working so hard to clear the ditches. Also commended Richard and Lisa for keeping the Citizens informed.

14. ANNOUNCEMENTS: (2) Vacancy on the Planning & Zoning Board.

15. ADJOURNMENT: There being no further business to discuss and without objection, the meeting was adjourned at 8:02 P.M.

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

ATTEST:

Richard Kohler
Richard Kohler
Town Clerk

Date Approved: 10/17/2022