

**MALABAR TOWN COUNCIL
REGULAR MEETING MINUTES**

March 20th, 2023, 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 Scardino led P&P.

2. ROLL CALL:

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

DAVID SCARDINO

COUNCIL MEMBERS:

MARISA ACQUAVIVA

BRIAN VAIL

JIM CLEVENGER

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT

TOWN ATTORNEY:

KARL BOHNE - EXCUSED

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

FIRE CHIEF:

MIKE FOLEY

- 3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:** CM Vail requests an opportunity to delay item 11d, and states he is unprepared to make a decision. Mayor Reilly states it is discussion only.

4. CONSENT AGENDA:

4.a. Approve Minutes of 3/06/2023 RTCM

MOTION: CM Scardino/CM Vail to approve Consent Agenda.

Discussion: None

Vote: All Ayes (5-0).

- 5. ATTORNEY REPORT:** None

6. STAFF REPORTS:

6.a. Town Manager – Matthew Stinnett – TM Stinnett informed Council that the pre conflict assessment meeting with the county on April 10th. That will be the first meeting of that process. Public Works Truck was delivered today.

6.b. Special Projects Manager – Lisa Morrell – States she will be out of office at the end of the month, and requests Council to delegate a staff member to perform Payroll while she is gone. None provided.

6.c. Town Clerk – Richard Kohler – TC Kohler informed Council that at today's Brevard County City Clerks Association meeting, the Brevard County Director of Communications, Mr. Don Walker, presented an update on the County's Legal Ad Website. Due to the passing of HB 7049, municipalities can post their legal ads on a County website, as long as it is less expensive than the local newspaper. In the pricing structure presented today, our most recent legal ad, which cost us \$159.31, would have cost \$50.00. We are expecting and ILA from the County by the end of May, and should be able to post to their website by the end of June.

- 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. Public comments do not require a Council response. (Speaker Card is Required)

Five (5) Minute Limit per Speaker.

Speaker: None

- 8. PUBLIC HEARINGS / SPECIAL ORDERS:** 0

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

10. ACTION ITEMS:

ORDINANCES for FIRST READING: 0

RESOLUTIONS: 1

MISCELLANEOUS: 0

10.a. FDOT State Highway Lighting, Maintenance, and Compensation Agreement (Resolution 03-2023)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PERTAINING TO A STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE TOWN OF MALABAR; PROVIDING FOR AUTHORIZATION FROM COUNCIL FOR THE TOWN MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING FOR A REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Clerk Kohler read by title only.

MOTION: CM Acquaviva/CM Vail move to approve Resolution 03-2023.

Discussion: TM Stinnett states this is housekeeping. This funds our 335.4900, Traffic Signal Maintenance, and offsets account 541.4300, Street Lights and Signals.

ROLL CALL VOTE: CM Clevenger, Aye; CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, Aye; CM Vail, Aye. Motion Carries 5-0.

Chair excused the Attorney at this time.

11. DISCUSSION/POSSIBLE ACTION

11.a Roadway Asphalt Pavement Surface Evaluation.

Chair asked TM Stinnett to introduce. TM Stinnett introduced Mr. Baggett or EDC. Mr. Baggett stated his company has inventoried all asphalt roads in Malabar to provide information for future repairs.

Presentation available upon request.

Council thanked Mr. Baggett for his presentation. CM Hofmeister asked is he has a recommendation for the patch problem at Corey and Malabar. Mr. Baggett states patches are very rarely similar to the area around them. Mr. Baggett states that unpaved driveways can severely deplete the quality of a paved road. CM Vail noted the corners of many collector roads are not wide enough to handle Malabar's traffic. Mr. Baggett states his final recommendations are included in the report. The roads are all safe to drive, and there is no risk of road failure. The newer paved roads in Town look excellent, but should be maintained before they begin to show distress. He also states that poor drainage can contribute to road distress, particularly in Rocky Point. CM Acquaviva states we will need thermal painting in some roads soon, does he recommend the Town not paint until they repair the road? Mr. Baggett states it would not be advisable, as it will likely have to come up with the repairs on roads. He states Reflective Pavement Markers (RPMs) can be installed instead. CM Hofmeister asks about what would be best for the driveways? Mr. Baggett stated a 4-6 inch concrete or asphalt footer to connect to the road. CM Vail states when the Town did Hunter Lane, they paved about a foot of each driveway to act as a benchmark. He suggests aprons be included on minor roads and driveways during any reconstruction. Mayor Reilly asks TM Stinnett what the action is moving forward. TM Stinnett states he will meet with Mr. Rivet to create a top-10 list, and bring it back for Council review. He has also contacted Palm Bay about adding Briar Creek Blvd to their current paving project. CM Hofmeister asks why that is not ready now? TM explains there have been delays, and he only received the final presentation today.

11.b Town Manager to Perform Employee Reviews.

Chair asked CM Hofmeister to introduce, CM Hofmeister states that with all of the different issues around staffing, she feels it is important to do reviews. We want to retain our employees, and hear

from them. She remembers Council stated they would do reviews, and wants the action to expand. She believes everyone is doing a great job, and wants to look for ways to expand that success. CM Vail asks if she means all managers or the Town Manager? CM Hofmeister states she means the Town Manager, but each manager should review their employees too. CM Acquaviva believes Council should also review the Charter Offices. CM Hofmeister believes there have been a lot of changes in the last few years, and she would like to hear some feedback. CM Acquaviva states she is a big proponent of reviews. She has been regularly in contact with the Town Manager and is pleased with the information she receives. She does believe there should be reviews. CM Scardino asks if reviews are being done now? CM Acquaviva states no. CM Vail states reviews help employees that have room for improvement and may help employees that move on from Malabar. He believes they are constructive, and we should encourage them. He states the department managers should also review their staff. CM Acquaviva states that in the past, everyone did the reviews annually. She suggests selecting a date and having all reviews be due by then. She hears the informal information, but we should formalize them. CM Hofmeister states that this is to hold people accountable, identify strengths and weaknesses, and finding ways to improve. CM Clevenger states the department heads should keep tabs on their employees. He feels it would be micromanaging to review every employee but would support directing the Town Manager to perform reviews. Mayor Reilly asks what would happen to the data? He states it goes into their personnel file and doesn't go to Council. CM Hofmeister states when Ms. Franklin left, a lot of her duties have been spread out. We should do a review to determine where those duties went, and if they are being properly handled. Before we move forward in our staffing selection, we should review the staff we have. CM Hofmeister moves to table this for discussion at a future date. Mayor asks what the outcome goal is? He states the TM will do the review, and it goes in the file. CM Vail states if the Chief did a review, it stays with the Chief. However, if the employee needs improvement or is unfit, the Department head will request help. Mayor states we will continue the discussion at a future meeting.

11.c Expand Existing Town Hall or Build New Town Hall.

Chair asked CM Hofmeister to introduce. CM Hofmeister states that in review, she asks why we are expanding our old building, and not building a new one like the Town has planned for years. What is the possibility of checking that out? Can we combine with the Fire Department? What about Marie Street, the Old School House? Mayor Reilly states there is a proposal to build one in Malabar Park. CM Scardino states we don't have the money to build a new Town Hall. He does not believe the citizens want a new Town Hall. He believes they would rather see their roads improved. CM Vail asks if this was a referendum in the past? Mayor states it was, and it failed. CM Clevenger states people's minds don't change on issues like that. CM Scardino states we have about 300k to expand the existing building. CM Acquaviva states she understands CM Hofmeister's point, but historically it has not been well received by the residents. CM Hofmeister states we have an aging community, and pulling in and out of our building is dangerous. Mayor Reilly suggests CM Hofmeister look independently at a proposal. CM Vail states that in the past, he has supported building a new Town Hall. He encourages her to explore any options, and to report back. CM Scardino states his fear is we will explore this, and nothing will happen. CM Vail suggests continuing to move forward with the existing expansion, and explore the new building option as well. Mayor states when he was first elected, he made it a major goal to build a new Town Hall. Grant Valkaria built theirs for about 500k. We were planning to offset costs with the EELs program, and they pulled their support. CM Acquaviva states she would love to see a new Town Hall, but we just raised taxes on the promise to build roads. TM Stinnett's suggestion was a quick fix that will improve the day to day operations. CM Vail suggests doing both. CM Scardino, states fix what we have with the money we have but explore other options for future funds. CM Hofmeister states she will research this and bring back her findings at a future meeting.

11.d Organization Discussion Continued.

Chair began by stating he believes we do not need an assistant Town Manager. We need an Administrative Assistant to assist all charter offices. CM Scardino & CM Hofmeister agree. CM Hofmeister states while she appreciates the TM's service to our nation, but we never know when TM Stinnett may get called up, so having an assistant could help, but she is confident this method will

work effectively. CM Acquaviva asks who would fill the Project Manager/Treasurer? Mayor states potentially Ms. Morrell, but we will post the position. CM Hofmeister asks if we can renegotiate Ms. Morrell's contract to reflect the additional duties? Mayor states yes, we can. CM Acquaviva states we can not punish someone for their National Guard Duties. She does not want Council to take TM Stinnett's additional duties in the Guard to count negatively against him. CM Hofmeister states that Ms. Morrell was hired to oversee the Town when TM Stinnett is gone. She has gone above and beyond and should be recognized for it. A lot has changed since she was hired, and she feels we should review it. She admires TM Stinnett's service and commitment, but the Town should have someone in place to keep the Town running while he's gone. CM Acquaviva states she wants to retain what we have and make it work. Mayor states this discussion will continue at a future meeting.

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

13. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Acquaviva: None

CM Vail: None

CM Clevenger: None

CM Hofmeister: None

CM Scardino: None

Mayor Reilly: Mayor thanked Staff for their help in planning and preparing the SCLoC dinner last week. He thought it was an excellent event.

14. ANNOUNCEMENTS: (1) Vacancy on the Planning & Zoning Board; (2) Vacancy on the Parks & Recreation Board; (1) Vacancy on Board of Adjustment.

15. ADJOURNMENT: There being no further business to discuss and without objection, the meeting was adjourned at 9:02 P.M.

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

ATTEST:

Richard W. Kohler

Richard W. Kohler
Town Clerk

Date Approved: 04/03/2023