

**MALABAR TOWN COUNCIL  
REGULAR MEETING MINUTES  
January 9<sup>th</sup>, 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 Vice-Chair David Scardino called meeting to order at 7:30 pm. CM Vail led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY (EXCUSED)

VICE CHAIR:

DAVID SCARDINO

COUNCIL MEMBERS:

MARISA ACQUAVIVA (EXCUSED)

BRIAN VAIL

JIM CLEVENGER

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT

TOWN ATTORNEY:

KARL BOHNE (EXCUSED)

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

**3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:**

**4. CONSENT AGENDA:**

**4.a. Approve Minutes of 12/05/2022 RTCM**

**MOTION: CM Vail / CM Scardino to approve Consent Agenda. Vote: All Ayes (4-0).**

**5. ATTORNEY REPORT: None**

**6. BSCO REPORT:** BCSO Lt. gave monthly statistics in December. 283 calls for service. CM Vail asked if there were any major increases in any specific topic? Deputy states these are standard numbers below the county average.

**7. Board/Committee Reports:**

**7.a. T&G Committee – Chair Drew Thompson** reported that they are still looking to get more fill at the ENT. It is the dry season, and we would like to get the base level up to spec before the seasonal rains. The committee will be meeting this weekend to put in directional signs. Early returns on the instillation of the Cameron Preserve Signs have been very favorable. The Committee is also thinking of adding a “Thank You” to the exits. He then asks Council if there is any action the Council would like to see? CM Scardino asks about the availability of maps at trailheads. Thompson states yes there is. The Cameron Preserve is going to be the focal point of our committee in the future.

**7.b. Parks and Recreation Board - None**

**7.c. Planning and Zoning Board - None**

**8. STAFF REPORTS:**

**8.a. Town Manager – Matthew Stinnett** – TM Stinnett informed Council he will be out of office next week. He also informed them that a PW employee started before the holidays and did not return after break. Atty requested permission from Council to go to the VAB. Consensus is reached for him to go. The paving assessment study is almost done.

**8.b. Special Projects Manager – Lisa Morrell** – Written report included in agenda.

**8.c. Town Treasurer – Lisa Morrell** - Written report included in agenda. SPM Morrell gave a brief overview of the financial report. CM Scardino asks about getting a headhunter to find a Treasurer. CM Hofmeister asks how long the post has been up? SPM Morrell stated a headhunter would likely be a firm, and that the post has been up since October and will stay open until the position is filled.

**8.d. Public Works Director – Written Report**

**8.e. Fire Chief – Mike Foley - None**

**8.f. Town Clerk – Richard Kohler** – Wished Council a happy New Years and I Hope you all had a wonderful holiday season. We have hired a new Deputy Town Clerk/Treasurer, Ms. Mandy Updegraff. Ms. Mandy has prior local government experience, as she worked in the Melbourne Beach Town Hall. The second meeting in January is scheduled for Monday January 23<sup>rd</sup>. Town Staff currently has no time sensitive agenda items and is seeking Council direction on scheduling. Council reaches consensus to cancel the second meeting in January.

**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.**

**Speaker: Mr. Adera** from the Small Business Association (SBA) is here to speak about the disaster assistance available for Hurricane Ian. The deadline for submissions is in 3 days for Hurricane Ian. SBA has a long-term low interest loan program that can assist repair storm damage. The interest rates are as low as 2.8%. You have up to 30 years to pay back the loans. He provided additional information on how to seek assistance, including a disaster recovery center in Cocoa Beach and their website.

**10. PUBLIC HEARINGS / SPECIAL ORDERS: 1**

**10.a. Public Hearing – Vacate Request within Section 11, Melbourne Heights subdivision (SD) Section “E” east of Corey Road (Resolution 01-2023)**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE VACATE OF ONE FIFTY (50) FOOT-WIDE UNIMPROVED PLATTED RIGHT-OF-WAY THAT RUNS APPROXIMATELY FOUR HUNDRED AND SEVENTY-FIVE (475) FEET BETWEEN PARCELS 29-37-11-75-18-3, 29-37-11-75-24, AND 29-37-11-75-17-1 IN SECTION “E” MORE SPECIFICALLY KNOWN AS GINSENG STREET AS DESCRIBED HEREIN; AUTHORIZING THE TOWN CLERK TO RUN A LEGAL ADVERTISEMENT OF THIS ADOPTED RESOLUTION; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.**

Resolution read by title only.

Chair calls applicant to the podium.

**APPLICANT Gregory Massey: 1455 Moss Rose Ave.** Mr. Massey passed a photo of the area to Council. He states that Ginseng Road ROW is covered by water, that is a natural waterway.

**STAFF COMMENTS:**

**PH OPENED: Fritz Braun, 1505 Delaware Ave,** is here in support of the applicant.

**PH CLOSED.**

**MOTION: CM Vail /CM Hofmeister to approve Resolution 01-2023.**

**Discussion: None**

**ROLL CALL VOTE: CM Acquaviva, Excused; CM Vail, Aye; CM Clevenger, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 4-0.**

**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: 0**

**MISCELLANEOUS: 1**

**12.a. Approval of Contract for Shoreline Repair to Rehabilitate Rocky Point Road Damage caused by Hurricane Nicole.**

Chair asked TM Stinnett to introduce this item. TM Stinnett introduced the President of Coastal Waterways Engineering, Steve Boning. CM Scardino asks if the permitting will be expedited. Mr.

Boning says yes, the permitting should be expedited. They have a year from the issuance of the EO to get the expedited permits, so they should be able to finish the project on time.

**MOTION: CM Vail/CM Scardino to approve the contract for Shoreline repair to rehabilitate Rocky Point Road damage caused by Hurricane Nicole.**

**Discussion:** None

**Vote:** All Aye (4-0)

**13. DISCUSSION/POSSIBLE ACTION**

**Chair excuses Attorney**

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

**15. REPORTS – MAYOR AND COUNCIL MEMBERS**

**CM Acquaviva:** Excused

**CM Vail:** Flowed water through the Brush Truck over the break! The project has been a great success, and he wants to thank resident Chris Peters for his extensive work.

**CM Clevenger:** None

**CM Hofmeister:** Saw lots of speeders on Corey Road, but otherwise had a great holiday.

**CM Scardino:** Thanked the Clerk for his preparation for this meeting.

**Mayor Reilly:** Excused

**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 8:19 P.M.

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

ATTEST:

Richard Kohler

Richard Kohler  
Town Clerk

Date Approved: 02/06/2023