

**MALABAR TOWN COUNCIL
REGULAR MEETING MINUTES
August 21st 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 7:32 pm. CM Acquaviva 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

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: Mayor Reilly requests to add a presentation by the EDC after the consent agenda.

4. CONSENT AGENDA:

4.a. Approve Minutes of 8/07/2023 RTCM

Exhibit: Agenda Report Number 4a

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

Vote: All Ayes (5-0).

Added Presentation: Angela Neal, Economic Development Commission. Ms. Neal introduced herself and explained that the EDC is hoping to advertise our area as a community. They plan to find a Brand for Brevard County, using the one mission one voice program. They have connected with over 2k residents in Brevard. The goal is to provide outsiders with the complete story of Brevard County, as it is a fantastic community. They hope to promote the brand launch at the end of September. They will provide logo options for review on 9/20/2023. They hope to include the community in this project, so that it sees community support. They have a post card contest, where residents can submit pictures from across Brevard County which will then be made into a postcard. The website for the program is SpaceCoastEDC.org. Mayor Reilly asked how far the survey reviews went? Ms. Neal states they surveyed people from across the country, focusing on areas where Brevard gains talent from, as well as competitive markets. CM Acquaviva asks if "Launching a Legacy" is the brand. Ms. Neal states they are still developing the official brand, but a similar option is being reviewed. CM Vail asks if there will be a website or social media page for this? Ms. Neal states that is part of the plan, but they don't want to be too heavy handed in how they govern it. CM Acquaviva asks if there will be commercials? Ms. Neal states possibly if the program expands, hopefully it will be advertised internationally. Council thanked her for the presentation.

5. ATTORNEY REPORT: None

6. STAFF REPORTS:

6.a. Town Manager – Matt Stinnett informed Council that he has provided a list of active Code enforcement cases. He states there has been 39 applications for the 2 posted positions. He hopes to set up interviews in the next few weeks. Weber Road is being paved. It is getting 2 inches of asphalt. Mayor Reilly requested dates be applied to the Code Enforcement information provided. CM Hofmeister asks what the

difference between open and pending? TM Stinnett states that pending is reported, and open has had action taken on them. CM Scardino asks if Council should rank them to ensure the worst are addressed first? CM Vail states the number of complaints per violation should be included as well. CM Scardino ask if pictures can be provided. CM Acquaviva states she doesn't feel that is necessary and would be micro managing staff. CM Vail agrees. TM Stinnett explains that some of these will be easy fixes, and some will be a drawn-out process. This is a starting point. CM Vail reiterates that these are all complaint based. CM Acquaviva asks how many cases the Attorney is involved in? He states there are 2. He is hoping to move to summary judgement on one of them soon. CM Hofmeister asks about the boat in the Isasa Lane ROW. TM Stinnett states he will work to prioritize that case.

6.b. Town Clerk – Richard Kohler stated that Qualifying for Council Seats #4 & 5 has ended. Council Members Scardino and Hofmeister both met the qualification requirements, and upon approval of qualification will be running unopposed. He also informed Council that Mr. Mark Britt has resigned from his position on the Trails and Greenways Committee.

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)

8. PUBLIC HEARINGS/SPECIAL ORDERS: 0

9. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO TOWN APPOINTED BOARDS/COMMITTEES: 1

9.a. Trails and Greenways Purchase Request for Bike Repair Station

Exhibit: Agenda Report Number 9a

Staff: Clerk Kohler states that the Committee has discussed purchasing a purpose-built bike repair stand, which cost from \$775 to \$1,799. The Committee has selected to build their own repair stand, which will be affixed to the Cameron Trail Shelter in the Cameron Preserve. The goal is to provide the tools and equipment required for basic trail maintenance, such as a broken chain or a flat tire. The funds for this project will come from the Trails and Greenways account, 572.4930.

MOTION: CM Vail/CM Hofmeister to approve purchase request.

Discussion: CM Acquaviva asks about security. Clerk Kohler states they plan to affix the tools to the CTS using the cables and clamps in the purchase request. Mayor Reilly states the risk of homeless people helping themselves to the supplies. CM Vail states he supports it. CM Acquaviva states she supports it as well.

VOTE: ALL Ayes (5-0)

10. ACTION ITEMS:

ORDINANCES for FIRST READING: 0

RESOLUTIONS: 1

MISCELLANEOUS: 3

10.a. Appoint Mark Gunter to the Trails and Greenways Committee (Resolution 07-2023)
A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF MARK GUNTER TO THE MALABAR TRAILS AND GREENWAYS COMMITTEE AS AN ALTERNATE MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10a

MOTION: CM Scardino/CM Hofmeister to approve Resolution 07-2023

Discussion: None

Roll Call Vote: CM Hofmeister, Aye; CM Acquaviva, Aye; CM Vail, Aye; CM Clevenger, Aye; CM Scardino, Aye. Motion Carries 5-0.**10.b. Council Qualifies Council Candidates**

Exhibit: Agenda Report Number 10b

Staff: Clerk Kohler states that Malabar Charter 2.06 requires the seated Council to qualify the candidates. As both are running unchallenged, they will be sworn in for new terms on November 9th.

MOTION: CM Vail/CM Acquaviva to qualify the candidates.**Vote: All Ayes (5-0)****10.c. Engagement Letters for Florida Municipal Loan Council Financing Program (FMLC) and Public Resources Advisory Group, Inc. (PRAG)**

Exhibit: Agenda Report Number 13c

Staff: TM Stinnett states that this program is designed for smaller cities by the Florida League of Cities. At the last workshop, we discussed seeking a loan to accomplish more road paving projects. This program provides assistance in seeking the loans and finding the best deal. There is a small up-front fee, but he feels it will be worth it in the long run.

MOTION: CM Scardino/CM Vail to authorize the Town Manager to execute the engagement letters and proceed with securing financing for road resurfacing projects.

Discussion: CM Vail states this is a great program. They do the research and hard work. He feels it is a no brainer. CM Acquaviva states she feels the fee will be well worth it when they secure a good loan. TM Stinnett states there will be a significant cost associated to this. The Town could be looking at 1.7 million in interest payments. CM Vail states he hopes to ensure the increased taxes provide for paving, in the loan payments as well as progressive ad valorem taxes. CM Scardino agrees. Treasurer Morrell provides additional explanation that this will provide future Councils with debt. The engagement letter allows you to shop the market and make a decision. CM Scardino asks if we would be able to renegotiate the contract? Treasurer Morrell states that would be decided in the loan process. CM Acquaviva states she supports it. CM Vail states he agrees.

Vote: All Ayes (5-0)**10.d. Federally Funded Subaward and Grant Agreement (FDEM)**

Exhibit: Agenda Report Number 10.d

Staff: TM Stinnett states that this is how the state disperses FEMA funding. This is required to receive the funds required to repair Rocky Point Road.

MOTION: CM Scardino/CM Vail to approve and execute the agreement and designate the Town Manager as the authorized agent.

Discussion: None

Vote: All Ayes (5-0)**11. DISCUSSION/POSSIBLE ACTION: None****12. PUBLIC COMMENTS: General Items (Speaker Card Required)****13. REPORTS – MAYOR AND COUNCIL MEMBERS**

CM Acquaviva: She states she is very thankful for the paving starting along Weber Road.

CM Vail: Unfortunately, Dickey Cameron passed away. This Saturday will be a remembrance celebration in Grant.

CM Clevenger: None

CM Hofmeister: She states that at the Malabar Scrub Sanctuary, a sign has been posted informing people that the Main Concrete Trail have been closed. She believes one should leave something better than they found it, and the County is not in this case.

CM Scardino: States that he has noticed traffic is increasing.

Mayor Reilly: He informed Council that there will be a controlled burn in the Malabar Scrub Sanctuary. He also informed them that he attended the Florida League of Cities annual conference. One class he attended was AI in Government, and he also attended a Form 6 seminar. He heard of plans to resign in December and be appointed in January. If your term is less than a year, you do not have to file one. He states several people got up and left. Another event he attended was the affordable housing seminar. He asked what the difference was between affordable housing, and low-income housing, but could not get an answer. As of July 1st, municipalities must allow affordable housing in commercial land districts, and can build to the max height of other buildings in the Town. He has received multiple calls about this project and warns Council to beware.

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

15. ADJOURNMENT: There being no further business to discuss and without objection, the meeting was adjourned at 8:30 P.M.

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

ATTEST:

Richard W. Kohler
Richard W. Kohler
Town Clerk

Date Approved: 09/11/2023