

**MALABAR TOWN COUNCIL  
REGULAR MEETING MINUTES  
September 25<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 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 - EXCUSED

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: None**

**4. CONSENT AGENDA:**

**4.a. Approve Minutes of 9/11/2023 RTCM**

Exhibit: Agenda Report Number 4a

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

**Vote: All Ayes (4-0).**

- 5. BCSO REPORT:** Deputy Wheeler states he apologizes for their past absence from Council Meetings. He states there were 5 business alarms, 1 residential alarm, 2 battery, 1 burglary, 6 VC with no injuries, 4 VC with injuries, 31 business patrols, 69 residential patrols, 13 reckless driving, 13 suspicious people, and 22 traffic stops. CM Vail asked about the string of recent vehicle thefts along Hall and Howell. Deputy Wheeler states they are aware and are increasing patrols to counter the issue. He recommends locking the doors to cars and homes. He states Malabar has the lowest crime rate in the county. He suggests residents take actions to protect their property. CM Hofmeister reports that several cars were broken into on LaCourt Ln while on camera. She asks if there has been an influx of homeless individuals? Deputy Wheeler states not that he is aware of. If there is, it would be along US 1 on the river. CM Vail states he has seen an increase in medical calls along the river. CM Hofmeister asks what the requirements are for berry pickers? Deputy Wheeler states the pickers must be permitted and are usually collecting for a university. They can not trespass. CM Acquaviva states the most important thing is for residents to call and report crimes to the Sheriff.

**6. STAFF REPORTS:**

**6.a. Town Manager – Matt Stinnett** informed Council that we have begun interviews for the administrative assistant position. Mayor Reilly asks for an update on Rocky Point Road. TM states the contractor owes us documents. They have completed 80% of the plans, we need the final 20. Mayor Reilly asks if we have the funds to pay this? TM states yes we do. CM Scardino asks if that is the final step? TM states yes, once we receive the RFP we can seek bids. Mayor asks for a timeline. SPM Morrell states that the contractor has missed the two most recent deadline. Hopefully we will be able to push the RFP in November. CM Scardino asks when we may get reimbursed from FEMA? SPM Morrell

states that after Irma it took 2 years. Mayor asks for a Code Enforcement List with the open dates. TM states he will have it prepared for the next meeting. CM Hofmeister asks what positions are being interviewed? TM states the Administrative Assistant and Receptionist. The Permit Tech should be posted around October 1<sup>st</sup>. CM Hofmeister asks when he expects to fill these positions. TM states we will be done with interviews this week, but should have someone shortly after that.

**6.b. Town Clerk – Richard Kohler** States that the Agricultural Unit for BCSO patrolled the Cameron Preserve for berry pickers and any other illegal activities on Thursday of last week. They did not report back after gaining access. BTR renewals have been sent to over 250 businesses in Town. We have already received about 6k and have about 17k still due. Also, the Space Coast League of Cities and Brevard Public Schools are hosting an ethics training seminar on Tuesday October 17, 2023, 9:00am at Educational Services Facility, 2700 Judge Fran Jamieson Way, Viera, FL. The deadline for RSVP is October 2<sup>nd</sup>. Please let me know if you would like to attend. Mayor Reilly states he will be going to that seminar.

**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: 2**

**8.a. FINAL READING – Approve Millage Levy for FY 2023/2024 (Ordinance 2023-04)**  
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA;  
ADOPTING THE MILLAGE RATE OF 4.5000 FOR THE LEVY OF AD VALOREM TAX WITHIN  
THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2023, THROUGH  
SEPTEMBER 30, 2024, AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10.d.

Ordinance Read by title only.

Town Clerk states that the 2023/2024 Fiscal Year proposed milage rate of 4.5000 mils on property values. This rate represents an increase of 7.86% over the roll-back rate of 4.1721. The final millage rate of 4.5000 to fund the general fund expenses commencing October 1<sup>st</sup>, 2023, and ending September 30<sup>th</sup>, 2024.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Staff: SPM Morrell reviews the agenda report provided in the agenda, highlighting the goals of the budget for the coming fiscal year.

**MOTION: CM Scardino/CM Hofmeister to approve the final reading of Ordinance 2023-04.**

Discussion: None

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

**8.b. FINAL READING – Approve Budget for FY 2023/2024 (Ordinance 2023-05)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING  
THE BUDGET OF \$4,959,685 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1,  
2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance read by title only.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Staff: No Comments.

**MOTION: CM Scardino/CM Acquaviva to approve the final reading of Ordinance 2023-05.**

Discussion: None

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

**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: 0**

**MISCELLANEOUS: 0**

**11. DISCUSSION/POSSIBLE ACTION: None**

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

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

**CM Acquaviva: None**

**CM Vail: None**

**CM Clevenger: Excused**

**CM Scardino: None**

**CM Hofmeister: None**

**Mayor Reilly: None**

**14. ANNOUNCEMENTS: (1) Vacancy on the Planning & Zoning Board; (2) Vacancies on the Parks and Recreation Board; (1) Vacancy on the 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 7:58 P.M.**

BY: \_\_\_\_\_

*Patrick T. Reilly*

Mayor Patrick T. Reilly, Council Chair

ATTEST:

*Richard W. Kohler*

Richard W. Kohler  
Town Clerk

Date Approved: 10/02/2023