

**MALABAR TOWN COUNCIL  
REGULAR MEETING MINUTES  
October 16<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 Clevenger led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

DAVID SCARDINO

COUNCIL MEMBERS:

MARISA ACQUAVIVA

BRIAN VAIL

JIM CLEVINGER

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:** CM Acquaviva requests to add a discussion item to discuss the planning of a Fallfest or Springfest. Added as Item 11.a.

**4. CONSENT AGENDA:**

**4.a. Approve Minutes of 10/02/2023 RTCM**

Exhibit: Agenda Report Number 4a

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

**Vote: All Ayes (5-0).**

- 5. ATTORNEY REPORT:** None

**6. STAFF REPORTS:**

**6.a. Town Manager – Matt Stinnett** informed Council that the final plans for Rocky Point were submitted over the weekend. He will finalize the RFP and begin to seek bids. The new receptionist began today, and the Executive assistant will begin Monday. Collete's last day is tomorrow. There is also a written report for both the Fire Department and Public Works Department. CM Vail states that he has heard positive feedback from the residents on the Public Works Department. CM Scardino asks how much fill dirt we have on hand? PW Director Johns states that they have about 4 loads left. He is hoping to have a company begin to deliver the fill dirt. He suggests replacing the slope mower with a hydrostatic tractor with a bucket. CM Scardino asks how much that would cost? PW Director states there is a brand called Diamond, which he feels would be the most effective machine for the Town. He also plans to mow the sides of the roads to improve the image of the Town. He also feels that all of the culverts in the park should have guards. CM Scardino states that PVC pipe works well for that project. CM Vail asks if the Town is getting quotes for the new machine? TM Stinnett states no, but there are other possibilities. It costs about \$150,000.00. CM Hofmeister asks how long the slope mower has been down? PW Director states 3 months. He feels the slope mower is the incorrect tool for the Town. He recommends the Diamond machine TM Stinnett mentioned earlier.

**6.b. Town Clerk – Richard Kohler** informed Council that he would be attending the Florida Association of City Clerks Fall Conference in Daytona Beach from Monday



through Thursday of next week. Classes scheduled include Election Management, Local Government Budgeting, Parliamentary Procedures, Employment Laws and many more. I will have my computer and work phone with me, so please feel free to contact me with any questions.

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: 0**

10. **ACTION ITEMS:**

**ORDINANCES for FIRST READING: 0**

**RESOLUTIONS: 1**

**MISCELLANEOUS: 2**

**10.a. Resolution 09-2023 Florida Municipal Government Week**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; RECOGNIZING FLORIDA MUNICIPAL GOVERNMENT WEEK, OCTOBER 16<sup>TH</sup> TO OCTOBER 22<sup>ND</sup>, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.**

Resolution Read by Title only.

Exhibit: Agenda Report Number 10.a.

Staff Comments: Clerk Kohler states this same Resolution was approved last year, and Staff is planning a series of events to help increase awareness of the Town of Malabar. Some events are employee spotlights and a Malabar history survey.

**MOTION: CM Hofmeister/CM Scardino to approve Resolution 09-2023.**

Discussion: None

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

**10.b. Draft Contract for Lisa Morrell to become Town Manager – Mayor Reilly**

Exhibit: Agenda Report Number 10.b.

Discussion: Mayor Reilly states that he has requested a contract be presented tonight to appoint Ms. Morrell as the next Town Manager of Malabar. He believes in hiring from within, as the Town has done with both Mr. Stinnett and Mr. Kohler. The Town may choose to advertise the decision, but he feels that Ms. Morrell will be the best candidate. She has served the Town since October of 2020, and served as Town manager for 15 months during Mr. Stinnett's deployment, as well as during 2 hurricanes. She has implemented new processes across the Town and brings with her 23 years of municipal government knowledge and experience. He requests a motion to move forward with the proposed contract, and a second motion to negotiate a final contract.

**MOTION: CM Vail/CM Scardino to move forward with the Draft Contract.**

CM Acquaviva states she feels Council did not have a lot of time to process this. She feels that as a strong Council form of government, this should have come from Council, not the Mayor. CM Vail states that he spoke to Ms. Morrell and asked her if she wanted the job, and she said yes. He feels confident she will do a good job and will support appointing her. CM Hofmeister states she also spoke with Ms. Morrell.



Staff Comments: Ms. Morrell states she is excited and appreciates the opportunity to take on additional challenges. She is looking forward to continuing the path of progressiveness. She also looks forward to continuing to work with Council to accomplish the goals of our Town and its residents. She hopes to negotiate and provide a final contract for November 6<sup>th</sup>.

**Vote: All Aye (5-0)**

**MOTION: CM Scardino/CM Hofmeister to appoint CM Scardino to negotiate the final salary and benefits for final approval at the November 6<sup>th</sup> RTCM.**

**Vote: All Ayes (5-0).**

#### **10.c. Town of Malabar Staffing Needs – Mayor Reilly**

Exhibit: Agenda Report Number 10.c.

Discussion: Mayor Reilly explains to Council that the Town Treasurer position is now vacant. Clerk Kohler explained that he felt he could perform the position in addition to his current duties. Ideally, an accounting specialist or payroll clerk would be hired for assistance, while he maintains a high level decision and oversight position. Alternatively, Council could decide to advertise the Treasurer position. He felt that combining the positions would provide continuity at the highest levels of the Town and allow for a quick transition. Mayor Reilly states when the Town posted for the Treasurer position, they did not find any qualified applicants. CM Scardino asks if any of the recent applicants for Executive Assistant could fill the position? Clerk Kohler states that there were a few with minor accounting experience, including one with payroll experience in the military who could likely perform minor accounting duties. CM Vail states he feels it would be a good transition. CM Acquaviva states she feels this is moving to quickly. She believes this is an interesting and possibly great idea but is not ready to vote on it tonight. The Town did a lot to separate the position, and the Town Clerk is a big job. CM Vail states he feels this is the natural progression. He called Mr. Kohler and asked if he felt he could perform the duties of the position, and Mr. Kohler said yes, with the requested assistance. He believes in advancing internally and would like to see Mr. Kohler perform the position with the requested support. Clerk Kohler states he is very interested in doing the job and doing it well. If that includes getting additional accounting knowledge, or working extra hours until assistance is hired, he is willing to do the extra work needed to succeed. CM Vail believes Mr. Kohler has proven his ability in his time with the Town, and asks how long he has worked here? Mr. Kohler states he was hired as a Special Projects Manager, was promoted to Medium Equipment Operator, then promoted to Deputy Clerk/Treasurer, and again promoted to Town Clerk for a total of 5 years. CM Vail states that he has shown he is willing to do more and accomplish the job. CM Hofmeister states this conversation is the first time she has heard of this proposal. CM Scardino suggests making a motion to bring in a payroll specialist and to appoint Mr. Kohler to the position. He feels the Town waits too long to do things. CM Clevenger asks how much experience would the new hire have? CM Scardino states someone to do the inputting. Mayor Reilly states we hired the executive assistant to assist all of the Charter offices, its possible she will be able to assist in this field. CM Clevenger asks Mr. Kohler what the limits are for what he can and will do. Mr. Kohler states he can complete payroll and is familiar with the new accounting software. He can input invoices and cut checks. He would like to have someone to input bills as they come in and perform tasks such as payroll and taxes. He acknowledges that it is a busy building, and he is willing to take on the additional workload and responsibilities, but requests assistance in the future. CM Acquaviva states she has seen Ms. Morrell be overwhelmed with treasurer duties at times. How does she feel Mr. Kohler would be able to handle that? Ms. Morrell states the job is much more than data entry. She has been inundated with Audit requests, she is working through the TRIM process, and many other tasks. There is a lot of minutia work that could be given to a data entry clerk. She spoke with Mr. Kohler and would like to have Mr. Kohler oversee the position because he is knowledgeable in the overall specialties. The perfect position to fill would be a paymaster. The paymaster would be the doer, and Mr. Kohler would review for competence. When Ms. Franklin



was the Town Clerk/Treasurer, Mr. Kohler performed a lot of the Treasurer tasks as the Deputy Clerk/Treasurer. CM Acquaviva states we just hired someone who reports to the Clerk. Ms. Morrell states that the receptionist reports to the Town Manager. CM Acquaviva asks if the new position would report to Mr. Kohler? Staff states yes. CM Scardino asks if the new receptionist or executive assistant could be capable of growing into a finance position? SPM Morrell states possibly in the future, but not yet. She reiterates that the goal of this agenda item is to decide if we wait, promote, or advertise.

**MOTION: CM Scardino/ to have Mr. Kohler become the Clerk/Treasurer and hire a Paymaster/Payroll Specialist.**

**Motion Fails due to lack of a second.**

CM Vail requests this be on the next agenda as well. CM Scardino states he would like to see the Town move forward.

**11. DISCUSSION/POSSIBLE ACTION: 0**

**11.a. Town Event Discussion (CM Acquaviva)**

CM Acquaviva spoke about the possibility of having a future Town event. She feels the Malabar Markets were amazing. She would like to see if there would be volunteer support. She doesn't feel it needs to be a Committee or Board. CM Vail states there used to be a SpringFest and FallFest Committee. CM Acquaviva states she feels there is a want and a need for the events, and she suggests calling on volunteers for a meeting. CM Vail suggests planning for Springfest. PW Director states the Grant Valkaria Seafood Fest would be a great event to recreate. CM Vail states he agrees and would like to see it done through volunteers. CM Scardino suggests branding the event. Grant has a Seafood Fest, what should we do? CM Hofmeister suggests Trail days. CM Acquaviva would like to see who shows up. She remembers the 50<sup>th</sup> anniversary party and would love to see it recreated. CM Acquaviva asks staff to collect info on this in the future. SPM Morrell states staff can do a survey. CM Acquaviva suggests having a sign-up sheet for volunteers at the Christmas Tree Lighting. Mayor Reilly suggests having a Christmas party.

**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 Reilly states that tomorrow is his final ethics training as Mayor. He also found a mistake in Table 1-3.3(A) and is bringing it to the P&Z board for future review. It will be on their second next meeting. He also thanked Matt for his years of service in Malabar, as this is his last Council Meeting before he begins to work at the County. TM Stinnett thanked Council, and states he hopes to have left a positive impact on the Town. He feels the Town has really come along way and is happy to have shared the experience.

**16. 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.

**17. ADJOURNMENT:** There being no further business to discuss and without objection, the meeting was adjourned at 8:23 P.M.





RTCM 10/16/2023

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

ATTEST:

Richard W. Kohler  
Richard W. Kohler  
Town Clerk

Date Approved: 11/6/2023

