

**MALABAR TOWN COUNCIL
REGULAR MEETING MINUTES
January 08th, 2024, 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 CLEVINGER

MARY HOFMEISTER

TOWN ATTORNEY:

KARL BOHNE - EXCUSED

TOWN MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: None

4. CONSENT AGENDA:

4.a. Approve Minutes of 12/04/2023 RTCM

Exhibit: Agenda Report Number 4.a.

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

Vote: All Ayes (4-0).

5. ATTORNEY REPORT: None.

6. BCSO REPORT: Deputy Casteillo reported that there was only one major incident, a wrong way pursuit on US 1 on Christmas. They also performed over 80 enforcement patrols, and 24 traffic stops. He states the deputies in this area are very active.

7. BOARD/COMMITTEE REPORTS:

7.a. Trails and Greenways Committee

Exhibit: Agenda Report Number 7.a.

7.b. Parks and Recreation Board

Exhibit: Agenda Report Number 7.b.

7.c. Planning and Zoning Board

Exhibit: Agenda Report Number 7.c.

8. STAFF REPORTS:

8.a. Town Manager – TM Morrell began by informing Council that the NDPES and FDEP action plan have been accepted, and we will be working through to ensure continued compliance. The ITB for Rocky Point is in process. There were 65 additional questions from vendors, which were answered today. The bid process closes on 1/29/2024. We hope to bring it forward to Council in February. Once awarded, the contractor has 272 days to complete the project. VA Paving has been contacted about paving Rocky Point Road, and the surrounding roads. The second phase of paving would be Corey and Benjamin Roads, and the third would be Brook Hollow. Hopefully, we can accomplish all of these roads in the current Fiscal Year. PW will be returning to the Allen Street

stormwater project. DEP requires an onsite Sewer and Septic plan by March 1st. We are working to comply before the deadline. CM Vail asks if that is an unfunded mandate? TM states yes. VC Scardino asks what compliance the state wants? TM states all tanks must be anaerobic by 2030. As of January 1st, you can no longer install the old type of tanks. CM Vail asks if the SORIL funds can help pay for staff time? TM Morrell states no. She does have draft plans from Palm Bay on the water expansion. CM Hofmeister asks if there are any pressing citizen inquiries? TM Morrell states that all citizen requests are pressing, and she is working through the list.

8.b. Town Clerk – Richard Kohler states he hopes all of Council had a pleasant Holiday with their families. Malabar and Grant Valkaria will be co-hosting the March SCLOC Dinner on March 11th. As Grant Valkaria was the lead last year, we will take the lead this year. Up the Creek Farms has been contacted and is available for the event. All of the exterior doors of Town Hall received a new exterior film, directing all traffic to the front door. The new Form 6 requirements have taken effect. Staff has sent each member of Council some training material and is available for any questions.

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) – None

10. PUBLIC HEARINGS/SPECIAL ORDERS: 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: 6

12.a. Treasurer Position – Top Ranked Applicant. Resolution 01-2024

Exhibit: Agenda Report Number 12.a.

Town Manager Morrell states that the top ranked applicant, Ms. Austin is present. We interviewed 3 candidates, and Ms. Austin was the highest ranked. She has provided Council with a draft contract, which can be approved or amended tonight. Ms. Austin was called to the podium to respond to questions.

Resolution read by title only.

MOTION: CM Vail/CM Hofmeister to approve Resolution 01-2024, appointing Town Treasurer top ranked candidate, Makayla Austin, as the Town Treasurer.

Discussion: CM Vail asked if the applicant is aware of the small-town nature of Malabar. Ms. Austin states she is looking forward to being a part of the team.

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

12.b. Select Representatives to the TPO/TAC Board for 2024, and TPO Update.

Exhibit: Agenda Report Number 12.b.

Staff: Clerk Kohler states that Staff wishes to alter the current representative to the TPO and TAC. Clerk Kohler states he would like to be the selected representative, with TM Morrell remaining as the alternate. CM Vail states he supports this. TM Morrell gave an in-depth explanation of the reasoning behind the request.

Clerk Kohler also provided Council a brief update on Quiet Zones, and asked if they would like for staff to investigate further.

MOTION: CM Scardino/CM Clevenger to appoint Town Clerk Kohler as the TPO/TAC representative for 2024.

Vote: All Ayes (4-0)

Discussion: CM Vail asks if Jordan Blvd is a quiet zone already? Staff states no. CM Hofmeister and CM Vail asks to table this until a future meeting. CM Scardino asks if we would be liable? TM Morrell states it is simply a request. Also available is a nighttime quiet zone. CM Vail states he has heard residents along the tracks have complained to him about the sound.

MOTION: CM Hofmeister/CM Vail to table until a future meeting.

VOTE: All Ayes (4-0)

12.c. Procurement, Other Agency Contract – Court Resurfacing

Exhibit: Agenda Report Number 12.c.

Staff: TM Morrell states this item was discussed in the past SLFRF discussions. This will also include pickleball lines on the tennis court.

MOTION: CM Vail/CM Clevenger to approve utilizing 2-108, other agency contract, NCPA Contract number 08-42, awarded to Nidy Sports Construction, located at 751 General Hutchison Parkway, Longwood, FL 32750. and expend \$20,900 from State and Local Fiscal Recovery Funds (SLFRF) 525.3020.

Discussion: None.

VOTE: All Ayes (4-0)

12.d. Procurement – iWorQ Stormwater Management Software

Exhibit: Agenda Report Number 12.d.

Staff: TM Morrell states that this is related to our DEP compliance. Public Works is currently working out of the citizen engagement portal. This is inefficient for the NDPES requirements. iWorQs provides similar software which can assist in the scheduling and tracking of Public Works projects.

MOTION: CM Vail/CM Clevenger to waive the procurement process of three quotations as an add-on to existing software maintenance of a centralized repository of public data and reporting and approve the purchase.

Discussion: CM Vail states he supports this.

VOTE: All Ayes (4-0)

12.e. Dana Investment – Debt Service Proposal

Exhibit: Agenda Report Number 12.e.

Staff: TM Morrell states that Dana Investments has provided a proposal for short-term investment of debt service to take advantage of the current increase of the interest rates. The market is good right now, so if we invest a portion we won't use, it will be a success.

MOTION: CM Clevenger/CM Scardino to approve short term investment per financial advisors, Dana Investment.

Discussion: None.

VOTE: All Ayes (4-0)

12.f. Cancel Second RTCM of January 2024

Exhibit: Agenda Report Number 12.f.

Staff: Town Clerk Kohler states that traditionally, Council considers the need for the 2nd meeting in January, which falls on Martin Luther King Jr. Day. If Council wishes to meet, both January 22nd and 29th are available. The next RTCM is scheduled for February 5th.

MOTION: CM Vail/CM Hofmeister to cancel the second RTCM of January 2024.

Discussion: CM Vail asks if there are any time sensitive issues? Staff states not at this time.
VOTE: All Ayes (4-0)

13. DISCUSSION/POSSIBLE ACTION: 1

13.a. Continued Discussion of Board Appointments and Viability

Exhibit: Agenda Report Number 13.a.

Staff: Clerk Kohler states that Council previously discussed this during the November 20th RTCM, and no final decision was made. Council directed Staff to bring the item back for discussion in January. Staff have received no applications for Board Membership since the discussion. Both the Parks and Recreation Board and the Trails and Greenways Committee have expressed their desire to remain independent. The Parks and Recreation Board met in both November and December and has selected a date and scope for a 2024 Town event. However, due to Board Member commitments and quorum requirements, the Board will not be able to meet in January, and possibly not in February. CM Clevenger states we should give them a month or two.

Discussion: CM Vail states that he has been very busy around the holidays. He knows the board wishes to stay independent. He suggests promoting the vacancies around town aggressively. If they can't fill themselves, we should combine them.

Barbara Cameron TGC member, states their committee discussed that there would be a conflict if we apply for a Trails and Greenways Grant as a Park Board. We ran into that issue during the Sandhill Trailhead.

CM Hofmeister suggests tabling this item until a future meeting.

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

15. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Acquaviva: Excused

CM Vail: He is once again working on the Malabar Historical House. He is rebuilding it as time specific as possible.

CM Clevenger: None

CM Scardino: None

CM Hofmeister: None

Mayor Reilly: Excused.

16. ANNOUNCEMENTS: (2) Vacancy on the Planning & Zoning Board; (3) Vacancies on the Parks and Recreation Board; (1) Vacancy on the 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 8:18 P.M.

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

ATTEST:

Richard W. Kohler
Richard W. Kohler
Town Clerk

Date Approved: 02/05/2024