

MALABAR TOWN COUNCIL REGULAR MEETING

May 6, 2013 7:30 PM

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER:

The meeting was called to order at 7:32 pm by Council Chair Steve Rivet. The prayer and pledge were led by Council Member Marisa Acquaviva, District 5.

B. ROLL CALL:

COUNCIL CHAIR
VICE-CHAIR/MAYOR:
COUNCIL MEMBERS:

STEVE RIVET
CARL BEATTY
JIM MILUCKY
WAYNE ABARE
JEFF MCKNIGHT
MARISA ACQUAVIVA
BONILYN WILBANKS
KARL BOHNE
DEBBY FRANKLIN

TOWN ADMINISTRATOR:
TOWN ATTORNEY:
TOWN CLERK/TREASURER:

For the record, Fire Chief Bob Strandell is not present.

C. **ADDITIONS/DELETIONS/CHANGES:** Certificate of Appreciation for Dick Korn moved to front of meeting. No objections.

D. **CONSENT AGENDA : To Be Approved as a Group with one Roll Call Vote on All Items if Resolution is included, otherwise a voice vote.**

(Any Council Member may request an item on the Consent Agenda to be removed and placed on regular agenda immediately after new business to be discussed and voted on separately by the Town Council)

1a. **Minutes of 4/1/13 & 4/15/13**

Exhibit: Agenda Report No. 1a

1b. **Budget Adjustment (Reso 18-2013)**

Exhibit: Agenda Report No. 1b.

Resolution read by title only.

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET ADJUSTMENT IN THE FISCAL YEAR 2012-2013; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

1c. **Acknowledge Receipt of March Financials**

Exhibit: Agenda Report No. 1c.

Recommendation: Request Action on all with one motion and a roll call vote

MOTION: Jeff / Marisa to approve the consent agenda.

Discussion: Mayor questioned page 1 of minutes of 4/1/13 regarding his question under **ADDITIONS/DELETIONS/CHANGES** he asked why appointment of Dick Korn couldn't go forward and Chair refers to allegations about the Board members and he wants to know about those allegations. Clerk said she did almost verbatim minutes on all sections that seemed controversial.

Jeff said on Pg 6, the 4th para, loose sb lose in two places.

None on 4/1513 minutes.

VOTE: 1) Jim Milucky, Aye; Wayne Abare, Aye; Steve Rivet, Aye; Jeff McKnight, Aye; Marisa Acquaviva, Aye.

Motion carried 5 to 0.

E. PUBLIC COMMENTS: Five Minute Limit. Comments may not address subsequent Agenda Items. Does not require Council response. (Speaker Card Required)

Franklin told Chair that she learned late from TA that Mr. Eden's speakers card under M. TA report is wrong as her report is to Council and shouldn't have speakers cards. Chair called Mr. Eden up to podium.

Paul Eden 2045 Corey Road. Re: the County ordinance on animal control regarding the number of chickens allowed in residential areas and no roosters; Malabar is not following that code. He has complained about it to no avail. They are using the part that is in the County code. The county commission upped the number of allowed chickens but still no roosters. The county has made the rules but Malabar doesn't enforce. He wants to get rid of the roosters. He has counted 8 different rooster sounds. He has lived here 33 years and he seems to be ignored.

TA asked Chair if he wanted her to update Council with her report while Mr. Eden is here. Yes. TA said when Council adopted Chapter 4 of our code the major problem was pertaining for loose animals, if you remember when the bull got loose and the cows and horses that got loose. Also picked up dead animals. Also have copy of the agreement with county and she will go back to them about that. If she can get them to give direction to draft ordinance with the same language as was in an 1983 ordinance that said Council could determine that an animal is a nuisance. This will give her authority to go after them as a noise nuisance.

Jeff asked Attorney. He agrees with TA on the animal control. IHB has same agreement. He has concern with adopting an ordinance having retro active affect. The existing roosters would be grandfathered in. Can't tell them now they can't have them. He is letting them know there will be that issue.

Attorney said they would also have to know who has roosters and how many they have. There is nothing in nuisance code for her to use. Noise has to do with amplified music. Marisa asked about prior issue. TA said the other person is saying show me where it is in code she can't have rooster.

Attorney said it will be challenged. Mayor told story about man who kept chickens in Snedikers SD and that evolved to fighting cocks and he had up to 200. He could have grandfathered the chickens but the fact that he brought in roosters and expanded the intensity he had to move. Mayor continued that under the Right to Farm Act gives them protections; noise and smell related to the farm operation are not allowed to be used in nuisance complaint.

Mayor said our Code says you can't do commercial agriculture but the Ag Secretary said every agriculture activity is commercial. Attorney said Mayor is correct. It is intended for protection of farmers that are doing a "bona fide farming activity".

Mr. Eden approached Council with an Existing Use Map he got from the website. TA stated she uses the zoning map and the property in question is RR-65.

Chair gaveled and brought it back to Council. Chair asked Attorney if there is an enforcement method they could use. Attorney said incorporating language TA is suggesting may help. Wayne said but under the Right to Farm Act they can't go after them. Attorney said by state law if it is a bona fide farm operation. What is a definition of a bona fide farm operation. Attorney said having an Agricultural Exemption does not qualify you or disqualify you as a farming operation. Attorney gave example of south Florida that had a horse operation in the middle of the housing subdivision. Mayor

gave story of beekeeper and cattle again on Snedikers SD. He had located his hives by the fence and when they took off they soiled neighbors laundry. He also had barking dogs. His cattle became more like a feed lot. He had to move also.

Wayne suggested Attorney look into what comprises a bona fide farming operation and get back with the TA and if it is not a bona fide farm operation she can go forward with preparing the suggested language so they can deal with the issue.

F. ATTORNEY REPORT

Attorney stated he had sent proposed request for opinion to Council and asked that Council send their comments directly to him and he received nothing. He asked if they had any comments. The proposed letter is in back of council package. Jim said in the document it says "husband" and maybe it should say "spouse". Attorney will fix it. Wayne said he used relative and that includes spouse.

Mayor said he didn't get it. TA stated it is in back of his package.

Wayne asked about last page on question B3 and what does he mean by no council can vote on it. If that is the case then the town should disband. Atty said the person he talked to at Ethics Commission said it could be a problem. That is why he wants an official opinion. Wayne said when he went to IEMO he was told that if there is even a hint, then step down and abstain. Attorney said if he is considering an issue that he could benefit from but this issue only deals with appointments and advocating for appointments. If there is a conflict of interest regarding any other issue, Wayne is correct and you fill out the form provided by the Clerk. Jim said if Attorney is mistaken the Ethics Commission will let him know. Attorney agreed. Attorney will send it out tomorrow.

G. BREVARD COUNTY SHERIFF'S OFFICE REPORT – no Deputy present

H. PUBLIC HEARINGS: 1

2. Ordinance 2013-61 – 2012/2013 Budget Amendment

Ordinance read by title only.

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET AMENDMENT IN THE FISCAL YEAR 2012/2013 TO PROVIDE FOR THE INCREASED REVENUES RECEIVED IN THE FIRE DEPARTMENT; TO PROVIDE FOR ADDITIONAL EXPENDITURES IN FIRE DEPARTMENT FOR TRAINING AND BUILDING MAINTENANCE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Recommendation: Request Action

Chair declared Public Hearing open – no public comment.

Chair declared Public Hearing closed

MOTION: Jim / Wayne to approve Ordinance 2013-61.

Discussion: Wayne asked if this was cash neutral. No. It was due to the donation letter brought in additional revenues. FF1 requires a burn building and that requires 2800. It is not an overage. We are increasing budget by 11,000.00. Jeff said the training was going to make money. The burn building is now a requirement for new recruits going for their FF1 certification. When we planned the budget we did not accommodate for that. They used Melbourne's burn building. It had to do with exposure to a burning building after some FF died in a fire.

Chair recognized Brian Vail. Thought the cost was cash positive. Jeff doesn't think it is fair that the state changes the curriculum mid stream. TA said her granddaughter learned after the scholarship

had to pay additional. Jeff would push back on unfunded mandates. TA said we are going to pay for ten FF1 training in next budget year. The FF with existing FF1 don't have to retrain.

VOTE: Jim Milucky, Aye; 1)Wayne Abare, Aye; Steve Rivet, Aye; Jeff McKnight, Nay; Marisa Acquaviva, Aye.

Motion carried 4 to 1.

I. PUBLIC: ITEMS DIRECTLY RELATED TO RESIDENTS AND RECOMMENDATIONS FROM TOWN BOARDS/COMMITTEES PRESENT AT MEETING

3. Recommendations from Park & Recreation Board

- **Code Amendment re: Board Procedures**
- **Huggins Park Closure**

Exhibit: Agenda Report No. 3

Recommendation: Request Action

Chair asked TA. Dick Korn had reported at last meeting that CM Abare had him look at it and they also want to all review it. The other issue about closing the Huggins Park. Somehow they have been told that they answer to Council not TA. Same thing last time. She only closed it until staff had time to address the unsafe conditions. But now Board wants to keep it closed. She does not intend to keep it closed after the unsafe condition. Mayor said that the park is not used. Bent leg on swing set. He had already talked to Park Board. There are other issues. If he isn't going to push it then Mayor won't either. Mayor has done inventory of the stuff and the seats on the swing set are moldy. He would like to keep the bouncy animals. Keep the handicap picnic table. Anytime you clean a ditch and have clean fill take it to Huggins and spread it out. Wayne asked about conditions on the park; what was the requirement? Franklin stated that the County deeded to land to the Town for a park with condition that we develop it within five years of receipt, which we did by bringing in some fill and placing a concrete picnic table there. Atty suggested TA talk to Rick Hood in Grant Valkaria. They worked a deal with the County for a similar park area that they are going to use now for their town hall. Chair asked TA to include Park Board in her emails.

4. Declare Some of Huggins Park Play Equip Surplus for Donation to Malabar First Baptist Church

- **(3) Bouncy Animals, (1) Swing Set, (1) Slide**

Exhibit: Agenda Report No. 4

Recommendation: Request Action

Marisa asked question. If it is unsafe why give it away. TA wasn't aware of bent leg on swing set. Her other question is, are other churches going to want it? Mayor stated that the First Baptist Church of Malabar allows us to use their building for elections each year and they have also support the scouts. They are going to re-do their playground as an Eagle project. Jeff said staff could bring it back to Council after it goes to Park Board for their evaluation of equipment and their recommendation. Jim said this was discussed at Park Board.

MOTION: Wayne / Jim to accept the Park Board's recommendation and get rid of the unsafe equipment and declare the other as surplus and approve donation to Malabar First Baptist Church with inclusion of a liability assumption on their part.

Discussion:

VOTE: All Ayes

**J. ACTION ITEMS:
ORDINANCES: First Reading – 0
RESOLUTIONS: 0**

MISCELLANEOUS:

5. Authorize Reimbursement of BTR fees paid – Farm Fresh Produce - Mr. Hiers

Exhibit: Agenda Report No. 5

Recommendation: Request Action

Franklin said she thought it was the right thing to do. TA said it is not our responsibility to monitor BTR holders. TA has to look at fairness. Wayne knows the woman and her daughter has cancer and her husband is ill. Marisa would support it. Jim said the Brevard County has a procedure for filing for homestead exemption. You can't apply for it retroactively. TA suggested giving the notice out as part of the renewal process. Jeff said we shouldn't take the person into the discussion; should think about this logically. Take the opinions out of it. Marisa agrees. Where would the money come from.

Marisa to not do anything. It was nice that Debby cares but we can't do that. Steve said we can all buy her produce. No action by Council.

6. Advertise in Conference Issue of Quality Cities

Exhibit: Agenda Report No. 6

Recommendation: Request Action

MOTION: No motion made. No action taken. Where it would come from just like previous issue.

Attorney leaves at 8:50pm

K. PRESENTATIONS:

- **Certificate of Appreciation to Dick Korn – done earlier**
- **Certificate of Completion for attending the ICS-402 Incident**
 - Command System Overview – Bonilyn Wilbanks Mayor read and then said the previous class on this was not so good. He attended this with her. TA said a lot of these can be done online per the NIMS system and elected officials can and should attend. She will send information to Council.
- **Certificates of Completion for Attending FLC Regional Summit Series: “Developing and Communicating Your City’s Budget” to**
 - Mayor Carl A. Beatty
 - Town Administrator Bonilyn Wilbanks
 - Deputy Town Clerk Cindi Kelley

I. PROCLAMATIONS: National Public Works Week May 19-25, 2013 - Mayor read.

L. STAFF REPORTS:

ADMINISTRATOR - Animal Control was discussed earlier. The other issue is the one Don Krieger brought to the Park Board. People using the Disc Golf Park abuts his property and players stray over onto his property. Regarding fencing, when there was an issue with the hogs in Country Cove. I don't know if a fence is an option. Marisa said it sounded to her like he wanted it marked not fenced; people don't know if it is not delineated. She didn't understand that to be a fence. She didn't go back there. Steve had people riding ATVs through his property and he put up a fence. Mayor said for factoids the Malabar Community Park has fencing. TA said that was done by the County. Fern Creek has fencing and town paid for it and got free labor. TA said it was done as an Eagle project. Marisa said Council used their discretionary money for that. Mayor said it was done to delineate the private property and the parking. Maybe they could look at helping him mark it. Wayne said it would be an attractive nuisance. He does have liability and Don has some concerns. Jim asked what line item are we going to take it from. Who benefits from this. Wayne said you are protecting persons from trespassing. Jim said no it is one person benefitting. Send to Park Board for their recommendation.

Jim said he is looking at March financials and has some questions he would like clarification on; it does not have to be tonight. On pg 7, account 364.1000, payment of 125K is due – when will it be paid? TA and Franklin said that it will be paid by September 30. It is the second payment on the sale of the utility to Palm Bay.

389.9020 - TIFT (transportation impact fee) – Franklin said we have that money is in the bank. We received it after applying for it with various projects proposed to improved transportation in Malabar. The money is restricted and is in a separate account. Council has discussed a right turn lane on south side of Malabar Road at Corey Road.

Cash for 389.9030 for 125K. It is the first payment from sale of water utility. If financial statement is correct or not correct. She will get the description from accountant. It is the out of town accountant. Wayne said that we pay \$1,600 to each month.

179K for SW expenditures.

541.4630 – paving/capping expense would be shown in April financials

541.6300 – not clear Staff will look into and get back with Jim.

Franklin explained that the same scenario Jim mentioned on the TIFT is applied to the stormwater account.

Marisa said she comes in and asks Debby questions related to finance as she is the Treasurer and she asks the TA about other issues. Marisa does not see what the issue is. Jim said it was not meant to be critical of staff. Wayne also added to that. Wayne reviews bills and asks questions and he has learned much since doing that. He also said that every time he comes in they are all doing much work; like a short order cook; they are busy. He said that the auditor has reduced his costs but accountant has not. TA said he agreed that he would reduce his costs because the part time accounting clerk was going to come online but she hasn't committed the ten hours a week we expected of her. We have invested a lot to get her trained on the Cougar Mountain software and are reluctant to deal with this but both TA and Clerk have discussed it and something is going to have to be done. TA said since she has not come up to speed the accountant is still doing the same amount of work. The work is the same even though the utility is no longer; he does the same number of reports. TA will get an answer to that. It is a defined amount of work. Wayne referred to the way TA and Clerk worked on getting a cheaper program written to save money on the software that we were going to use – he would like her to do something similar. TA said we can work on it.

Wayne asked about EELs update. TA said they met with them. 750K in jeopardy. They are at war with Clerk of Court over the interest money. If they could free that up then they would not have to touch the 700K. That is per Mr. Tipton and so it is still in danger. She asked if it was going to do a referendum 2014 ballot. Do they have another meeting planned?

Chair recognized Leeanne Saylor. She sits on the EELS Procedure Committee representing County Commissioner Andy Anderson. They met last Thursday and voted to send a memo to the Commissioners. They are focused on the interest earned on the bonds. They have asked the County Atty to review the issue. Leeanne said the 700K is off the table for now. She also said that she asked the Committee if they were aware that Malabar did a resolution supporting the keeping of the 700K for the educational center; they were not. She provided a copy of the one TA had sent to Mike Knight. Leeanne explained the difference in SMC (Selection & Management Committee) that TA sits on and the Procedures Committee that she sits on. Wayne thanked her for her efforts.

Wayne asked TA about ADA retro for restrooms. TA said it is out for bid.

CLERK – nothing

N: DISCUSSION ITEMS:

7. Roles and Responsibilities of Town Administrator and Town Clerk (McKnight)

Exhibit: Agenda Report No. 7

Recommendation: Request Discussion and Direction

Abare wants to make a general statement. The Charter defines the Clerk's duties and the code defines what the Town Administrator does. He asked that Franklin provide to Council; she will send it out.

McKnight brought this to Council. It's not as detailed as you think; he only has one concern here. It refers to the minor conflict he's seen between the Town Clerk and Town Administrator with resources and where the actual responsibility lies. His opinion is that one person should be responsible; the buck stops here. Right now, there are grey areas where we don't know who really knows who's doing what. He's had discussions with Town Administrator; there is a lot of stuff going on and resources that are not being utilized and he would like to see the Town Administrator in charge of this.

Acquaviva stated that when she first got here she remembers doing a workshop on this as well. There was a chain of command; the Town Administrator is at the top. She asked if Franklin reports to Council; the answer is yes. Rivet stated that both the Clerk and Town Administrator report to Council. Sometimes she forgets that Franklin reports to Council. They both work together; that was what her take is. She goes to Franklin for the financial information and the Town Administrator for other information; as far as decision making goes, the buck does stop with the Town Administrator. Human Resources is Town Administrator and Franklin does payroll.

McKnight stated he sees potential for conflict because you have the Town Administrator and the Town Clerk/Treasurer sharing resources; the CFO and the CIO don't really share the same resources. They are totally separated. Wilbanks stated that it ultimately could as she has had discussion with Bohne regarding this; one of the things that is spelled out in the code is that the Town Administrator handles the day to day operations; at the end of the day, it's going to stop with her as she can be held accountable for every facet of the day. The communication between the Town Administrator and Town Clerk has to be the paramount issue because they both have to work in the little responsibilities that each of them hold. Franklin has particular issues as the Clerk because they are statute driven in some cases. There's places where things come in and goes straight to her because she handles that. They work together on the preparing of the budget and work together when we have an unusual expense to figure where the funds will come from. She always will ask for input from Town Administrator. As far as personnel issues, they come under the Town Administrator with the exception of Franklin who reports to Council. McKnight asked who Kelley reports to; Acquaviva stated she reports to Franklin. Wilbanks stated that department, if you listen to Bohne, is personnel. The Clerk is the only one that reports to Council; not the Clerk's staff.

Juliana Hirsch came forward and addressed Council. This discussion you were just having; does this pertain for just the staff or the inner workings of Town Hall. We don't have a so-called receptionist. If she comes to Town Hall with a question, does she go to Town Administrator? Wilbanks stated that whatever the need is, they are directed to the person they need to speak to; either by Kelley or Sherear. Everyone gets used to having assistance from someone in the office. She always asks Franklin and has gotten

the right information thus far. The Town Administrator will have to deal with Franklin later if the information is not correct. Hirsch stated the buck stops with Town Administrator; McKnight stated that is what he is saying. She can't imagine too many wrongs information coming from Franklin. Wilbanks stated that no one is saying anyone is wrong. Hirsch asked if the discussion is for Council tonight or are we talking about in general. Wilbanks stated is it in general but has encompassed both. Hirsch stated that if Kelley gives information and it turns out to be incorrect, then it will be dealt with. Wilbanks stated that if an employee gives mis-information, we will correct it. The most important thing is to get the correct information to the residents. Hirsch stated that Council cannot afford one less head in this place. It's explained to her. It gave her the impression that if Hirsch has a question, she must come to the Town Administrator. Wilbanks stated that when she comes in, she can speak to anyone she wants to. Wilbanks stated that everything is status quo. Hirsch stated that she is always feels welcomed when she comes to Town Hall; she also stated that there may be times that Franklin wished there were less questioning as she is very busy. Wilbanks stated that there are times that she probably would.

Abare stated that he would like to tweak the information for finances. If you go page 44 to the 6th bullet; preparation of budget and forecasting of Town funds, he would suggest that it be "shared". Wilbanks stated that they do share this. If you go down two more bullets; monthly, quarterly and annual reports to local, state & federal, he thinks this should be shared also. Franklin stated she does all the finance stuff and Rivet stated that this has to be just the one person. Wilbanks stated it is Franklin's and that is why it is under her. Then go to page 45, the top bullet, he would say the second sentence just after running errands, the rest of the sentence should be Town Administrator's responsibility. Franklin stated that the description in your packet is one that was used when Kabana went out on disability. Franklin has one that's modified that was agreed upon when she was senior management in 2007. She stated that she had been very busy and only had this afternoon to work on this information. She does supervise community service workers and volunteers that work within the Clerk's office. Wilbanks stated that the Public Work Director also supervises community service workers in his department. When the workers call in or come in with their paperwork, they do see the Town Administrator. She determines their skill level and sends them to the appropriate department. Rivet asked if that portion of the sentence will show up several times; both Wilbanks and Franklin stated yes. Town Administrator is the overseer of the program.

Abare stated that, the same page, we go down to the bullet with administers personnel policies. Franklin stated that this has been taken out. Wilbanks stated that with Franklin doing payroll, she is not allowed to be in the Human Resources end of it at all. Go to the last bullet in the same section for hurricane preparedness. Wilbanks stated she is responsible for her department. The Emergency Management Program for the Town is between the Town Administrator, the Fire Department and the Mayor. Franklin stated she is the department head for the Clerk's office. Wilbanks stated that Sherear has the responsibility in the Building Department; when that comes into play is if we are preparing for a storm all the equipment has to be picked up, bisquane has to go down and the records need to be moved to a safe location. Each department has to take care of their own. Acquaviva asked if this information is spelled out; Wilbanks stated yes.

Abare stated he had two more questions and he would be done. Under technology, performs preventative maintenance on network server and workstations; Franklin stated that she does this. A back-up tape is put in the server daily and the end of the month tape once a month. Wilbanks stated that this is not preventative maintenance; Susan used to do all that. We don't do this; it's done by IT. Franklin stated

she updated this section as well. Wilbanks stated that overall it is done by our Palm Bay contractors. Abare stated the last one is updating the website. He asked who does this. Both Franklin and Wilbanks stated that this is done by the Town Administrator.

Abare stated he is looking forward to seeing the updated information. Franklin stated that she did not want to hand it out at this time. She only had this afternoon to work on it. Acquaviva stated that she never meant to step on Town Administrator last year with her illness, information was still going out and it still falls to the Town Administrator whether it is good or bad. Abare stated that when he comes to Town Hall, he sees how hard everyone works; with a little tweaking it can work and everyone works well together. Wilbanks stated that Franklin's job description is more detailed with bullets; hers is broader because it's defined by the code because that is what her job is. She has individuals who do the work but it's her responsibility overall. Abare stated that he has had people (residents) ask what they do at Town Hall all day, are they playing bingo or something? He comes in here and there is so much going on. It's like they are short-order cooks and, sometimes with information, you get scrambled eggs, get over it. They are busy people. Wilbanks stated that was a good analogy. Acquaviva stated that it is good to sign the checks and review the bills. Rivet stated it gives you a lot of insight.

Mayor stated that he has a few and it's just for clarification; on page 44, manage and administers town approved benefits. Isn't that Human Resources? Franklin stated that it has been taken out; she does process the FRS. Wilbanks stated that it does cross over because as processing payroll, she makes sure that employees make their contributions for the insurances. This falls under both of us. Mayor brought up the supervision of the water utility fund. Franklin stated that this has been removed. When the other report is received, he will combine them to see what is over-lapping and where gaps may be and to see what items are shared. Right now, we have them as bullets; could we have them numbered to make it easier to read. Franklin asked if she should wait; Mayor stated no. Wilbanks would like to see it as well. It will be numbered and sent out.

Wilbanks stated that this is information for you; it's done for the future. Someday there won't be a Wilbanks or a Franklin here and you should be able to pull this out and say this is the job description. Even for interviewing purposes, you can provide it to the applicant and ask them to review it and let you know if they are interested in the position. That's the benefit of the document. Abare asked where the descriptions came from, the charter? Franklin stated that this has been an on-going process and it has been fine-tuned and added to; it has never been formally accepted or adopted. Abare asked that once we get one that we like, are we going to put it in ordinance form? Wilbanks stated that we could put it to Council; it would go in the Human Resource manual is where it would be put.

O: REPORTS – MAYOR AND COUNCIL MEMBERS (number indicates in which order they spoke)

- 3) Mayor Beatty – Many years ago, they all got on a PAL bus and went all over the town and they learned where all the subdivisions were, and problem areas and condition of roads, etc. Mayor said that they have never done it since. He suggested doing a video if they don't want to go on tour.
- 2) Jim Milucky – Looking at financials, looking at building permits, we have already collected 39K in Building Permit fees which is more than we budgeted for. He also said the Administrator took him out and showed him all the developments, parks and good to see what was going on he would know where they were talking about. He suggested they all do that. He got to see the micro-surfacing on Atz Road. It was very effective and he recommends it to other Council Members.

- 4) Wayne Abare – nothing
- 6) Steve Rivet – nothing
- 1) Jeff McKnight – asked about using interns. TA said they would want to be paid.
- 5) Marisa Acquaviva – she got email about the latest fatality on Malabar Road. TA said she is going to send email to FDOT and let them know that there has been another accident. TA said alcohol was involved in both of them.

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

Brian Vail said could we get the yellow signs. We have had many accidents there. Council had said what he was going to say. Mayor got invited to a meeting in Rockledge and the intersection is . He asked about putting an arrow there and they never did it. It is a State road and Town can't put signs on a State road.

Q. ANNOUNCEMENTS:


One (1) vacancy on the Board of Adjustment
Three (3) vacancies on the Park and Recreation Board
One (1) vacancy on the Trails & Greenways Committee

R. ADJOURNMENT:

There being no further business to discuss, Chair asked for a motion.

MOTION: Jeff / Wayne to adjourn. **VOTE:** All Ayes. The meeting adjourned at 9:55 PM.

ATTEST BY:


Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

BY: 
Mayor Carl Beatty

Date Approved: 5/20/13 as corrected

(seal)

