

**MALABAR TOWN COUNCIL  
RECONVENED MEETING MINUTES  
OCTOBER 03, 2022, 7:00 PM  
(FROM RECESSED BUDGET HEARING OF 9/27/2022)**

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

Note for the record: Governor DeSantis Declared State of Emergency on 9/23/2022 and signed Executive Order 2022-218 and 219. F.S. 200 has a provision to permit local governments to recess and reconvene an advertised scheduled Budget Hearing under these circumstances. Due to the State of Emergency the Town Manager was called up for active duty and one of the Council Members was unable to attend due to an emergency related to this Declared State of Emergency. Council carried on the regular business of the meeting and set a re-hearing date for the Budget Hearing for Tuesday September 27, 2022 at 7:30PM. At that time, the emergency conditions had worsened, and Council voted to again recess the Budget Hearing to October 3, 2022 at 7:00PM as permitted under the Declared Emergency of Hurricane Ian.

**1. CALL TO ORDER:**

Council Chair called meeting to order at 7:00 pm and led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

STEVE RIVET

COUNCIL MEMBERS:

MARISA ACQUAVIVA, by phone

BRIAN VAIL

DAVID SCARDINO

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT, Excused

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN ATTORNEY:

KARL BOHNE, Excused

TOWN CLERK:

RICHARD KOHLER

**3. APPROVE THE AGENDA – no changes**

**MOTION: CM Vail/ CM Scardino to allow CM Acquaviva to attend via phone. Vote: All Ayes.**

**(This portion reconvened from recess on 9/27/2022)**

**4. PUBLIC HEARINGS: 2**

**4.a. 2nd Reading: Adopt Millage Levy for FY 2022/2023 (Ord 2022-06)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 4.5001 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN FOR THE PERIOD FROM OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:**

**Agenda Report No. 8.a.**

**Ordinance read by title only.**

Clerk reads: The process requires we announce the maximum proposed millage of 4.5001 is an increase of 48.4% over the rolled back rate of 2.2565. The final adopted millage rate is to fund the expenditures commencing October 1, 2022 and ending September 30, 2023.

PH Opened: none. PH Closed.

**MOTION: CM Rivet/ CM Hofmeister to adopt Ordinance 2022-06 2nd Reading.**

Discussion: None

**ROLLCALL VOTE:** CM Acquaviva, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 5 to 0.

**4.b. 2nd Reading: Adopt Budget for FY 2022/2023 (Ord 2022-07)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$6,963,825.00 FOR THE FISCAL PERIOD FROM OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit:**

**Agenda Report No. 8.b.**

Ordinance read by title only.

PH Opened: Barbra Cameron noted a typo in the agenda, referencing the fiscal year of the budget. Staff noted it is a scrivener's error, and it will be corrected.

**MOTION:** CM Vail / CM Hofmeister to adopt Ordinance 2022-07 2nd Reading.

Discussion: CM Vail requests the typo in the agenda be corrected

**ROLLCALL VOTE:** CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, Aye. Motion carried 5 to 0.

5. **ADJOURNMENT:** The business of the budget is complete, Council adjourns this Budget Hearing at 7:05 P.M.

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

ATTEST:

Richard Kohler  
Richard Kohler, C.M.C.  
Town Clerk

Date Approved: 10/17/2022