

MALABAR TOWN COUNCIL REGULAR MEETING
May 16, 2016 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 7:35 pm by Council Chair Mayor Phil Crews. CM Krieger led the prayer and pledge.

B. ROLL CALL:

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| COUNCIL CHAIR: | Mayor PHIL CREWS |
| VICE-CHAIR: | BRIAN VAIL |
| COUNCIL MEMBERS: | GRANT BALL |
| | DON KRIEGER |
| | DICK KORN |
| | RICHARD KOHLER |
| TOWN ADMINISTRATOR: | DOUGLAS HOYT |
| TOWN ATTORNEY: | KARL BOHNE |
| TOWN CLERK/TREASURER: | DEBBY FRANKLIN |

For the Record, the Fire Chief Christopher Robinson was also present.

C. APPROVE AGENDA - ADDITIONS/DELETIONS/CHANGES – CM Krieger asked about two items from prior unfinished business – piggybacking and purchasing. They will be brought before council when TA drafts his recommendations. No objections.

D. APPROVE MINUTES – 4/18/16

1. Regular Council Mtg of 5/2/16

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

MOTION: CM Korn / CM Ball to approve RTCM 5/2/16

Discussion: CM Krieger had questions about how certain comments were made – need clarification as he did not understand from listening to verbatim. He referenced page 4/31 at bottom, then 3rd para down, then 5/31 the last 2 sentences don't make sense. Clerk will clarify. **VOTE: All Ayes.**

Chair said minutes should be short. CM Krieger said minutes should follow tape which they seem to do now. Chair suggests minutes should be about two pages; the audio will remain online indefinitely. CM Ball and CM Vail agree. Chair said without objections they would try it for the next two meetings.

E. SHERIFF'S REPORT: no one present – CM Korn asked why BCSO is not here? They should have someone here one meeting a month. TA will give them a reminder for a monthly report in front of council. CM Vail wants a verbal report from the Fire Chief also. Chief said he would summarize the prior month and outline plans for the upcoming month at the second mtg of the month. Chair asked for consensus. Yes.

F. ATTORNEY REPORT: Atty said re: All Aboard Florida (AAF) a CM in Grant-Valkaria is following closely and she send him info and he forwards to his other cities. Latest is the US Army Corp of Engineers is requiring more information from AAF on their permit. May slow them down a little but probably not much. Has been keeping Clerk and TA abreast and he passes it on. CM Vail asked what position the SCLC and FLC have on this topic.

Franklin – check FLC resolutions submitted for consideration at annual conference. I think we submitted the high speed rail reso and they said no, it must affect the majority of the state.

CM Korn said FLC is ignoring it and the Mayors of Palm Bay and Cocoa are both aggressively speaking out in favor of this. Next agenda – FLC and SCLC position on AAF. What is Malabar position on AAF? Franklin said the Council did a reso on high speed rail.

G. STAFF REPORTS: ADMINISTRATOR:

TA briefed Council on multiple subjects:

- 1) Slope mower is back in operation as of tomorrow.
- 2) 4 bids on septic system for ADA restrooms; two thrown out as not compliant, remaining two are being reviewed and ultimate bid will be let out tomorrow. Contract price will be 11K. Part of that will be "in-kind"
- 3) Cell Tower lease - He referenced the packet in the council package.

Recommends a one-time buyout with those funds put into reserves. He asks Council to read package and contact him. CM Ball, he has two friends that are in this business. Both of them agree that celestial is the way they are going. The plan is to use small lower satellites. There will still need tower for microwave. Will not need as many. The celestial is more prone to atmospheric conditions. Ball is concern – if they get this money, it may be spent rather than saved. Put on next agenda for discussion.

CLERK: This year's SpringFest, for the first time, we did not spend the entire budgeted amount; we came in less than budgeted amount of \$6,350.00 by 1,050.00. In addition, with the increased participation by Council we brought in \$885.00 more revenue than we paid out in expenses. Also, am working on newsletter articles so if you have any ideas or want to contribute, please let me know. Lance from Aitkens Engineering has asked why Council recommendation on SR514 widening is not on tonight's agenda. I explained Council wanted to get input from constituents and he seemed surprised.

H. 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) **Five (5) Minute Limit per Speaker.**

PUBLIC HEARINGS/SPECIAL ORDERS: 0

J. UNFINISHED BUSINESS/GENERAL ORDERS: 0

K. ACTION ITEMS: ORDINANCES FOR FIRST READING: 0; RESOLUTIONS: 0; MISC: 0

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME – after next item – consensus. Karl left at 8:05 pm.

L. DISCUSSION/POSSIBLE ACTION:

2. Results of Resident/Citizen contacts re: SR514 widening Proposals

CM Vail, his calls – 4 lane it or do nothing.

CM Korn – dominant feeling was do nothing unless they can do something with the turn lane issue at Corey and Weber. Property owners have questioned how this is going to involve them.

CM Krieger, this is not a yes or no question. It is separate proposals for different sections. He explained the EELs property and the Frisbee park. He discussed the two intersections. Weber and Corey they also thought. In May 2015 they come with the different versions. They are talking about bike tracks at the TPO. They are doing this in Titusville. He referred to discussions he had with multiple residents. He said for Corey & Weber do the intersection improvements; expedite those improvements. Re: multi-modal system; only if it is on north side of Malabar. He said the EELs also wanted the boulevard to be removed. There are bad errors on these plans. There is only 1 bottleneck – the railroad. TPO and FDOT need to look at the Malabar curve. It (EELs land on north side) would just be used for ROW; not looking to destroy. Do not take it from the south side. Why can't they dig pond in the EELs. They wanted to put pond where new church is being built and in the triangle. He showed information he put out to the "Leafs" (social media) in Next Door.

He has been pushing a little more. He said there is also a petition to reduce speed to 45. If you get Corey and Weber improvements the reduced speed will cure itself.

Mr. Kohler asked his neighborhood. If it is not broke then do not fix it. CM Krieger wants to contact Drew Thompson.

CM Ball, did not do the phone calls, it is not his way. Consensus is for the most part, why change what is not a problem. We are Rural Residential – why are we making it easier to get through our Town. Why don't they 4 lane it to Glatter and then make eastbound on Township and west bound from railroad to curve.

CM Vail kept his contact short – use 2-lane westbound, 2-lane east bound, and that would create a downtown area. That is one of the ideas. Sidewalks on north only. On the eastbound side, sidewalks would come with the development.

TA said in looking at the information FDOT on their website, their traffic counts are off. He also spoke to Rick Hood in GV and will meet with them on Weds. Their proposals are based on flawed data. At a minimum, turn lanes at Corey and Weber. Traffic accidents are nationally going down except for Malabar Road.

3. Teen Council – Purpose and Direction

CM Ball would like to see everyone take this home and the teen council to also have. What the teen council does and what the pamphlet says are vastly different. They are there to help us. The youth of today as they see, that we are not seeing that will be problems for them in the future. Have everyone take this home. Then do a resolution to formally create the teen council. Chair said Titusville and Palm Bay they have formal boards. Sees it more as a sponsorship that mirrors what they do up here. One elected official and most are home schooled. Should invite public school students. Krieger asked who the teen council constituents are. Good question for workshop.

CM Korn said Tom (Eschenberg) started Eagle Patrol and he did not want them to be like BCSO COPS. He started it rather informally. And he started Teen Council. Mayor Crews stepped in at his passing. Then Mayor Chatty took over and Dick Korn stepped in at conference. Do not over structure it and discourage them. The whole experience at convention and at SpringFest was positive. Should not limit it to Malabar teens residents. We need to very strongly support this concept. CM Ball said that is there needs to be a commitment by them.

CM Vail said it is definitely information teen council needs to review. Is workshop the better way? He thinks not. He thinks they should allow teen council to form something and then present to council.

CM Korn said do not underestimate the teens. Let them do the research and let them come up with a proposal. Then staff and legal can review it. Let them work on it and then bring it to council at regular meeting or have a special workshop.

Gideon Waldorf 2470 Hunter Lane, the reason they are asking for funding is for activities and to expand the program.

4. Population and Redistricting

CM Vail thinks voting should be from district. CM Krieger wants referenda question on the next agenda. Franklin will provide info on refenda deadlines to get on the next meeting.

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

N. REPORTS – MAYOR AND COUNCIL MEMBERS

Chair asked for items for next meeting:

Franklin: none

TA Hoyt: cell tower lease

CM Ball – nothing

CM Vail – newsletter, FDOT info, who owns old house in triangle. Is looking for history. Make something unique for the town.

CM Korn - nothing

CM Krieger – resolution purchasing plan – roads, referring to the drop from edge of road that need filling. TA will be soliciting bids for hot asphalt. In addition, the culvert at corner of Hall and Weber, west side – it is collapsing - metal culvert, has he looked at it? There is no riprap. North of Hall west of Weber. Also the oak trees.

Mayor – he will be attending Park Board on Weds. The ROW along the river; the other triangle. Hans Kemmler wants Council to authorize paying for a survey. He nailed down FDOT and they will not lease or pass down but you can get a permit. He has a meeting set for next Wednesday in Cocoa.

O. ANNOUNCEMENTS:

- (2) Vacancies on the Board of Adjustment;
- (3) Vacancies on the Park and Recreation Board;
- (1) Vacancy on the Planning & Zoning Board

P. ADJOURNMENT:

There being no further business to discuss, Chair stated without objection the meeting is adjourned. The meeting adjourned at 8:50 PM.

BY: 

Mayor Phil Crews, Council Chair

(seal)

ATTEST:


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

Date Approved: 6/6/2016