

MALABAR TOWN COUNCIL REGULAR MEETING MINUTES
JUNE 5, 2017 7:30 PM

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

A. CALL TO ORDER:

Chair, Mayor Patrick T. Reilly called the meeting to order at 7:30 pm. CM Kohler led the prayer and pledge.

B. ROLL CALL:

CHAIR:	MAYOR PATRICK T. REILLY
VICE CHAIR:	STEVE RIVET
COUNCIL MEMBERS:	GRANT BALL
	LAURA MAHONEY
	DICK KORN
	RICHARD KOHLER
TOWN ADMINISTRATOR:	DOUGLAS HOYT
TOWN ATTORNEY:	KARL BOHNE, Excused
DEPUTY TOWN CLERK/TREASURER:	MATTHEW STINNETT

For the record, Fire Chief Leonard Thomassen is also in attendance.

C. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:

J. 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) Three (3) Minute Limit per Speaker.

Speaker's Card: Dawn Danielson – Commented regarding 5/22/17 minutes – “CM Mahoney talks till she is blue in the face” – challenged their correctness suggesting that the Clerk be reined in on her personal opinions being inserted into the minutes.

- CM Korn commented that he was not at the meeting – and looked for clarification
- Mayor Reilley stated that the minutes are summary of what is said at meeting; the audio recordings will be checked.

(Post Meeting Note: Ms. Danielson sent follow-up email the next day apologizing; the words in question were said by CM Mahoney herself.)

Speaker's Card: Bud Ryan – Commented about the Route One Motorsports packet previously presented and approved by Council. He referenced the “digital display” on the sign (RGB Display) requested that there be a delay in the changes of frame. Alluded to the dangers of signs changing.

D. APPROVAL OF THE MINUTES:

1. Regular Town Council Meeting Minutes 5/15/17

Workshop Meeting Minutes 5/22/17

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

MOTION: CM Kohler / CM Ball to approve RTCM minutes of 5/15/17.

Discussion: CM Mahoney stated that the minutes don't reflect citizens well enough – not the information they want to give out. **Vote:** Ayes, 4; Nay, 1; (CM Mahoney).

MOTION: CM Rivet / CM Kohler to approve WS minutes of 5/22/2017.

Discussion: CM Rivet said check for “blue in the face” comment. (Post meeting Note: that is what was stated.) **Vote:** Ayes, 4; Nay, 1; (CM Mahoney)

E. BCSO REPORT: None

F. ATTORNEY REPORT: None

G. PRESENTATION BY GOD'S HEALING HOLINESS CHRISTIAN CHURCH

Rev Borland introduced the Project Architect Mr. Vaughn Holeman and the Project Economist Ms. Thalia Burnett who then went through the Power Point presentation on their proposal to widen the community outreach within Malabar through the church. They spoke of their progress with the Ester Theological Seminary of Malabar (E.T.S.M.)

CM Korn asked for an explanation as to what the Church was expecting from the Town - he didn't feel that the Town could endorse any programs that the church was proposing. Mr. Holeman stated that they desired to work with the Town to identify the needs of their mutual constituents. Mayor asked if they were looking to expand the development of the land on which their church is located. CM Korn stated that we do have a community and would like to see it grow. CM Mahoney said that she would like to see a community center but that the church needed to go before P&Z. CM Rivet point of order.

Economist – discussed the value of engaging the community, improving employment and education. Mr. Holeman – stated that they are looking for guidance on what Council thinks would improve our community. Area is not now served with a Community Center.

Mayor recommended they talk to staff and expanded saying that the church was looking for buy in from the Town. Perhaps they are getting grant money and need to show the Town is in support of their activities. Staff can guide them on what is allowed in the zoning and per the Code. Mayor asked if they wanted something in writing in support of their plans. Rev said perhaps later.

H. BOARD/COMMITTEE REPORTS:

Trails and Greenways Committee: Drew Thompson, Chair, went over the newly placed signage at the CTS to advise users of how the structure was built and to encourage all to take care of it.

CM Korn – asked about the problem of motor vehicle traffic on the trail?

Mr. Thompson stated that there did not appear to be an issue.

Planning and Zoning Board, None

Park and Recreation Board, None

I. STAFF REPORTS: ADMINISTRATOR: CLERK: FIRE CHIEF

- **ADMINISTRATOR:** PW pictures. Sign up at the park soccer field is closed for maintenance. \$2,300 Scotty McLaughlin donated \$1,000 to cover partial expense. Brevard County Health Department has reinspected the ADA restroom waterline at the Sandhill Trailhead and we are expected to have approval letter in hand two Fridays from now. Street specifications for Atz rd project have been received from the town engineer today. Will go out for bid within the next two weeks. CM Korn noted a problem with the drainage on Atz.

- **CLERK:** None

- **FIRE CHIEF:** Three new members – 1,309.5 hrs. training- 47 calls last month slightly down from prior month. Ladder truck is out of service; the hydraulic system failed. New brush truck coming online to replace the other old truck. Took 1.5 years to build. Fire 1 class coming again in Fall 2017. State Fire Marshal issued a 100% compliant report for safety - first time ever – 5 min response time.

K. PUBLIC HEARINGS/ UNFINISHED BUSINESS/GENERAL ORDERS: None

L. UNFINISHED BUSINESS/GENERAL ORDERS

ORDINANCES FOR FIRST READING: 0
RESOLUTIONS: 0

MISCELLANEOUS:

2. Authorize the Purchase of a New Slope mower.

Exhibit: Agenda Report No. 2

Recommendation: Request Approval

Speaker's Card: Bud Ryan – "Very familiar with the slope mower" it currently runs "do we intend to keep operating it" it appears that we are having a need to invest in allot of new assets – requesting that there be a moratorium on purchasing the slope mower so that a study can be done to investigate the potential savings of using a private contractor to replace public works.

Discussion: TA stated that staff has done an investigation into the cost of using private contractors. In 2014 the cost to outsource the mowing of the ditches was 183K. He also checked what G-V is paying 45K for mowing of 11 miles of rights of way (Malabar has 38 miles) not the ditches. It is more cost efficient to have our own equipment and personnel. That also allows use of our equipment and personnel if other needs come up between projects. With a contractor, you would have to amend the contract.

CM Korn noted that he asked for this to be on the agenda a few weeks ago but it has been brought up for a considerable amount of time that we need this asset to maintain our SW assets. This a municipal service that we are responsible for providing in a cost-effective manner.

TA stated that if approved we would pay for half of the machine in the current budget and the other half would be paid for out of the next annual budget. This will reduce repair expenses currently at ~\$13,000 per year and allow us to use the old tractor to reduce the strain on several other assets currently being used to maintain SW and ROW assets.

CM Ball asked if the slope mower was our most important asset needing to currently be replaced. TA stated that most of the equipment with hour meters have over 5000 hours – the slope mower has over 8000. There is no guarantee that another piece won't need replacing. He then showed the pictures of the PW yard and equipment before and how it is maintained now. It is a testament to how well the personnel take care of the equipment that it is still operational with the high hours. CM Korn asked about the other equipment. TA went through the equipment and vehicles and how they are used. CM Ball asked if they should wait to have budget workshops to see where the money is... TA said they have the money in Stormwater. If approved they propose to pay for half this year and half next year. TA strongly urged approval to go forward with purchase.

CM Kohler asked if he could put motion on floor. CM Mahoney suggested hiring it down for a couple of months and then the public would have an actual cost of what it would cost for a couple of months. And then by the time it was purchased there would be a place to put it so it wasn't out in the open. TA stated that they had already stated that the new slope mower would be kept in the building. He also stated the plans to remove half of the covered paddocks at the SandHill Trailhead and relocate the shelter to the PW yard to provide protection for the equipment. TA said if authorization is given he will make sure to get the best deal possible.

MOTION: CM Kohler / CM Korn to approve purchase of new slope mower.

Vote: Ayes, 4; Nay, 1; (CM Mahoney). Motion Carried 4 to 1.

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

M. DISCUSSION / POSSIBLE ACTION:

3. New District Precincts for Malabar

Exhibit: Agenda Report No. 3

Recommendation: Request Approval

Speaker's Card: None.

Discussion: Mayor said regarding the new District map – proposes Council either all agree to include all the streets or just the streets that are the boundaries of each district. Otherwise the map on the newsletter is going to be too confusing. It would be easier to understand if it didn't have all the street names but rather just the ones that identify the district boundaries. Council agreement.

Mayor asked for Council vote in support of just having the boundary streets on the district map. **Vote:** All Ayes. Motion Carried 5 to 0.

N. PUBLIC COMMENTS:

O. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Dist. 1: CM Ball - nothing

CM Dist. 2: CM Mahoney – “If you have a low level of citizen coming to your meetings, it is because everything is wonderful or because the citizens feel they are not being heard or valued.” Report attached.

CM Dist. 3: CM Rivet: nothing

CM Dist. 4: CM Korn – thanked all the great volunteers that have come forward throughout the years.

CM Dist. 5: CM Kohler – nothing. General discussion on attendance at the June SCLC dinner meeting where Malabar will be co-host.

Mayor – Code of conduct – next meeting discuss committing (signing) to the code of conduct – CM Korn commitment to “pledge of civility”

O. ANNOUNCEMENTS:

(1) Vacancy on the Board of Adjustment; (2) Vacancies on the Park and Recreation Board; (1) Vacancy on the Trails & Greenways

P. ADJOURNMENT:

There being no further business to discuss and without objection, the meeting was adjourned by the Chair at 9:15 PM.

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

ATTEST:

Debby K. Franklin

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

Date Approved: 6/19/2017

We can see by public record our community has shown extreme community involvement in the past years where the community has more than volunteered their time, services and money by volunteering to be most helpful and generous.

> Such as when needed to find a Town Administrator, the citizens worked together for the common good of the community.

> The Teens got together and put the town on the map compared to other like groups in the state.

> A Roads and Drainage committee helped develop an atrial drainage system.

> The Citizen's Budget Committee made recommendations for Town Council.

> The events committee helped "save" Springiest 2016 when they were led to believe that we always lost money. People all over Malabar volunteered and gave their time and resources because we were told the town was losing money and in need. We continued and even found a way to save staff expenses by volunteering minutes, agendas and everything needed to run the meetings. Of course, we have since received a variety of actuals revealing Springiest has always made a profit.

> Had a volunteer TAC representative until recently replaced with a paid employee.

> Had a citizen's patrol that reduced the crime rate more than 10% in Malabar.

> Citizens have mentioned a desire to help this Council as well on several matters.

> Not to mention citizen involvement in the more official committees, councils and volunteer services. (Planning & Zoning, Town Council, Trails & Greenways, Park Board, Board of Adjustments)

I believe it is our responsibility to seek out our citizens main needs and that has clearly been roads and drainage.

So, that brings us to the budget. If, as our TA has suggested and our town is in dire financial need, we need to do something about this trend.

I'd suggest Community Involvement.

A quote stated to be a basic truth for government by and for the people. Original source unknown.

"If you have a low level of citizens coming to your meetings the reason must be from 1 of 2 possibilities:

1. Everything is Wonderful
2. Waste of Time because citizens do not feel heard nor valued "

Now, we as a council must work hard against becoming

1. Apathetic to our citizens
2. complicate to citizens being harmed in any way due to our decisions
3. being unaware of our responsibilities to discover our citizen's desires and needs



om: Dawn Danielson dawn.danielson@gmail.com

ect: I apologize

ate: June 6, 2017 at 8:08 AM

To: Grant Ball CMDist1@townofmalabar.org, Laura Mahoney CMDist2@townofmalabar.org, Steve Rivet CMDist3@townofmalabar.org, Dick Korn CMDist4@townofmalabar.org, Richard Kohler CMDist5@townofmalabar.org, Pat Reilly mayor@townofmalabar.org

Cc: Town Clerk / Treasurer townclerk@townofmalabar.org, Matt Stinnett mstinnett@townofmalabar.org, Douglas C. Hoyt dhoyt@townofmalabar.org

All,

I offer you my most sincere apology both for wasting your time last night and for implicating the 5/22 workshop minutes recording/transcribing secretary.

I truly made an ass of myself.

I did not do my usual due diligence; I took the 5/22 minutes submitted for approval at face value, misconstrued what I read and prepared comments without listening to the audio recording. That was a horrible error in judgment on my part.

Upon returning home I did listen to the audio of the 5/22 workshop. At 48:01 into the minutes CM Mahoney says "I would talk until I was blue in the face sometimes about some of the things we've lost with the kids in the town."

I am embarrassed to the core. I made an unacceptable mistake. I utterly regret speaking before you.

I especially offer a completely heartfelt and profound apology to the Town Clerk.

I hope you can, over time, find it within to forgive me.

-Dawn