

MALABAR TOWN COUNCIL REGULAR MEETING MINUTES

OCTOBER 15, 2018 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 Reilly called the meeting to order at 7:30 pm. CM Ball led P&P.

B. **ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

STEVE RIVET

COUNCIL MEMBERS:

GRANT BALL

LAURA MAHONEY

DICK KORN, excused

DANNY WHITE

TOWN ADMINISTRATOR:

DOUGLAS HOYT

TOWN ATTORNEY:

KARL BOHNE

TOWN CLERK/TREASURER:

DEBBY FRANKLIN

C. **APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:** Chair added BCSO and PW Director report.

D. **CONSENT AGENDA:**

1. **Regular Town Council Meeting Minutes 10/1/18**

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

MOTION: CM Rivet / CM White to approve the 10/1/18 minutes as presented.

Discussion: CM Mahoney said no more detailing like the Chief's report. Clarifications of Liz Ritter should be made – she was giving Board report.

Vote: Ayes, 3; Nay, 1 (CM Mahoney) (CM Korn excused).

BCSO Report: August and September stats were provided

E. **ATTORNEY REPORT:** Painted Acre ligation has just been sitting. So, the Town's legal is asking for it to be stricken from docket.

F. **STAFF REPORTS:**

ADMINISTRATOR: Nothing

PW DIRECTOR: Tom Miliore – postponed from 10/1/18 – 3 weeks ago got Gradall and have 40 hours on it and it is great. Main ROW have been mowed and 2 new employees hired, and Billy will not be back. Glatter to – Marie Street pipes were put in back in 2007 and need to be fixed. After that finish headwalls and then do a small grass repair for damage by grader. CM White asked about time expended on mowing. Tom said they had finished the paperwork and he will get exact figure. CM Mahoney asked about finishing the ends of roads that the grader can't turn around. Tom has a plan to finish those dead-end roads.

CLERK: nothing

G. **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 card:

Brian Vail: He asked about the latest on FDOT SR514 widening if traffic lights could be installed before the widening. Please investigate. CM Mahoney said we were given safety money immediately; that got shifted because we really didn't want them. TA said none of the projects include traffic lights. Brian Vail said the people he has talked to and they want a traffic light more than they want the road widened.

H. **PUBLIC HEARINGS/SPECIAL ORDERS: 0**

I. **UNFINISHED BUSINESS/GENERAL ORDERS**

ACTION ITEMS: **RESOLUTIONS:** All resolutions were read by title only.

2. Reso 11-2018 Drew Thompson, T&G Committee

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ANDREW "DREW" THOMPSON TO THE MALABAR TRAILS & GREENWAYS COMMITTEE AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Rivet / CM Ball to approve Reso 11-2018. Discussion:

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

3. Reso 12-2018 Bob Wilbur, T&G Committee

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ROBERT "BOB" WILBUR TO THE MALABAR TRAILS & GREENWAYS COMMITTEE AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Ball / CM White to approve Reso 12-2018. Discussion:

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

4. Reso 13-2018 Annelie Harvey, T&G Committee

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ANNELIE HARVEY TO THE MALABAR TRAILS & GREENWAYS COMMITTEE AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM White / CM Rivet to approve Reso 13-2018. Discussion:

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

5. Reso 14-2018 Vickie Thomas, Park & Recreation Board

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF VICKIE THOMAS TO THE MALABAR PARKS AND RECREATION BOARD AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Rivet / CM Ball to approve Reso 14-2018. Discussion:

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

6. Reso 15-2018 Doug Dial, Planning and Zoning Board

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF DOUG DIAL TO THE MALABAR PLANNING AND ZONING BOARD AS A REGULAR MEMBER; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Mahoney / CM Ball to approve Reso 15-2018. Discussion:

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

7. Reso 16-2018 Doug Hoyt, new to Planning and Zoning Board

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF DOUG HOYT TO THE MALABAR PLANNING AND ZONING BOARD AS A ALTERNATE MEMBER; PROVIDING FOR REPEAL OF

RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Rivet / CM White to approve Reso 16-2018.

Discussion: CM Mahoney – Council could formulate a roads and drainage committee and Doug could be on that and Andy could start next Wednesday on P&Z.

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

8. Reso 17-2018 Approving a Three-year Interlocal Agreement with Brevard County for Administration of the Malabar Stormwater Program

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR COUNCIL APPROVAL OF A THREE-YEAR INTERLOCAL AGREEMENT WITH BREVARD COUNTY FOR STORMWATER PROGRAM ADMINISTRATION AND MANAGEMENT; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: CM Rivet / CM Ball to approve Reso 17-2018.

Discussion: CM Ball said it is more cost effective for the Town. It would be a monumental expense to do in house.

Roll CALL Vote: CM Ball, Aye; CM Mahoney, Aye; CM Rivet, Aye; CM Korn, excused; CM White, Aye. Motion carried 4 to 0 (CM Korn excused).

MISCELLANEOUS: none

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

J. DISCUSSION/POSSIBLE ACTION:

9. Coastal Preservation Land Use Along Indian River Lagoon

Discussion:

Grant Ball, 1190 Highway 1. Stepped down from dais to speak as a resident/property owner. Council has had a request to change the CP to correspond to zoning on west side of Highway 1. He is one of the people that own land along there. We should consider what that allows the property owner to do but also do we want to change how Malabar looks. We have a beautiful view of the Indian River through Malabar. Look at the ramifications of how we are going to go forward from here. Thank you.

Mayor said there are some parcels on east side that could be developed. CM Rivet said allowing development would increase the tax base. Would be willing to listen to what P&Z Board recommends. CM White said his concern would be the individual property owner.

MOTION: CM Mahoney / CM Rivet to send this to P&Z with a detailed black and white map showing potential parcels for development. **Vote:** Ayes, 3; to 0 (CM Korn excused, and CM Ball recused himself).

K. PUBLIC COMMENTS: General Items (Speaker Card Required) none

L. REPORTS – MAYOR AND COUNCIL MEMBERS

CM Ball: nothing

CM Mahoney: Thanked Tom for his explanation of how he plans to finish the grading on lanes. She asked TA about drainage assessments. TA explained it was a letter sent to the property owners. CM Mahoney said it would be good for Council and P&Z to know about this before letters went out. She got Jeff McKnight's comments and wants to provide them. The Mayor said he disagrees with Jeff McKnight's. Each member of P&Z had a copy of the letter. She then requested a copy of the medical agreement. Did the Atty help with negotiations. MCA regular mtg at 5:30 to dark.

CM Rivet: Thanked Mr. Hoyt for helping him clean up the tires that were illegally dumped in ditch on Rivet Lane.

CM Korn: excused.

CM White: nothing.

Mayor: Contacted FDOT regarding MPH signs on Malabar and Highway 1.

Q. ADJOURNMENT:

There being no further business to discuss and without objection, the meeting was adjourned at 8:45 PM.

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

ATTEST:

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

Date Approved: 11/05/2018