

**TOWN OF MALBAR WORKSHOP
WITH CITIZENS OF VALKARIA
DECEMBER 9, 2003**

This meeting of the Malabar Town Council was held at the Fire Station located at 1840 Malabar Road. The meeting was called to order at 7:00pm by the Chair, Bobbi Moccia. The prayer and pledge were led by Mr. Rivet.

ROLL CALL:MAYOR:	PHILLIP CREWS
CHAIR:	BOBBI MOCCIA
VICE-CHAIR:	STEVE RIVET
COUNCIL MEMBERS:	JANE HAVET
	BRIAN HUNTER - EXCUSED
	BOB ROSSMAN
ADMINISTRATOR:	ED BOOTH
CLERK:	SUSAN KABANA

**DISCUSSION WITH THE CITIZENS OF THE VALKARIA HOMEOWNERS
ASSOCIATION AND CITIZENS OF VALKARIA**

Moccia – thanks the Malabar Fire Department for preparing the fire station for use tonight. States that we are here to find out how the citizens of Valkaria feel about becoming part of Malabar. We are not here to take over Valkaria, we want to know where your interest lay. If there is a majority interested our planner will perform a feasibility study to determine if Malabar can provide the services required to support the area.

Booth – this all started when individuals from Valkaria came to the Council asking if it was feasible to annex into Malabar. The State requires a study so that we don't overwhelm the Town with the new services needed. Water and sewer are not an issue. The study will look at stormwater, drainage, roads, police protection and redistricting for additional Council members. A positive is that if Valkaria comes to Malabar their citizens will get a voice in the local government.

Len Walters, Valkaria – asked who brought this forward from Valkaria.

Rossman – was approached by two people some time back regarding some land that was to be annexed into Palm Bay. Rossman then asked the Council if they were interested in listening to these people. We are rural and Rossman likes that, south of us is the same, but west of us is sprawling urban development. He des not want to see us look like Palm Bay. Then a month ago there was a meeting between the Council and some residents of Valkaria and, as a result of that meeting, we are here tonight.

Note: those who spoke did not spell their name therefore name spelling may be incomplete or incorrect.

Moccia – read the names of some who were at the meeting a month ago.

Pat Randolph, Valkaria – lives near the piece of land that was annexed into Palm Bay and is very disturbed by the water lines that are being put in by Palm Bay. Her fear is that Palm Bay will push east and we will end up like them. She is interested in being part of Malabar and maintaining her way of life. Strongly supports annexation.

Rossman – we mirror Valkaria, we have small livestock. We do not intend to have a high density, we will maintain 1 ½ acres.

Beverly Harris – moved to Valkaria for the atmosphere and the low traffic count. Her neighbors want to remain Valkaria but would rather be part of Malabar than Palm Bay. How can we stop the 178 acre development? Rossman/Moccia – we can't because it is not in our jurisdiction. Harris – do we vote on an annexation? Rossman – yes, and 51% would have to be in favor. Discussion of the proposed 178 acre development.

Janet Mantz – her property abuts the 178 acre development, Pence wants to buy the land but there is a lawsuit. She does not believe that we can do anything because there is a binding development plan. Mantz considers Malabar a very 'horse unfriendly' place, you have to build a house before you can build a barn, the roads are paved and they have gravel shoulders. If Malabar is annexed would this continue? Rossman – does not see Malabar as 'horse unfriendly'. Mantz – do you have to build a house before building a barn? Havet – yes, to keep from having issues with unattended horses. She notes that horses can be ridden on pavement as long as you don't canter. Mantz – states that there is no problem with unattended horses in Valkaria at this time.

Ron McClelland, McClelland Ave, Valkaria – the best thing for the citizens of Valkaria to do is to go to Viera and voice their opinion. The reason Barefoot Bay gets their way is because they come to the County, attend the meetings and voice their opinion. There are a lot of rumors and myths about Valkaria annexing into Malabar. First, there are issues to study and then this subject should be approached. This meeting should be the beginning of this process.

Rossman – this is why we had this meeting, to dispel rumors.

Jim Tante, Valkaria – people move to the County so they can do what they want to do on their property. However, that means anyone can do anything on their property, which means they can build what they want. States that you have to give up some rights in order to protect what you have. If we are part of Malabar it gives us a handle on how property is used so it can be to the benefit of everyone. Compare what you would gain compared to what you would lose.

Steve Cavalousa – can Valkaria still keep their name? Moccia – yes. Havet

– yes, we are not trying to be aggressive.

Curt Lawrence – is trying to understand the Palm Bay annexation, asks how are we in danger? What happened with the strip mall area that was a voluntary annexation. To be voluntary you have to be right on the city limit of Palm Bay. That person wanted to be part of Palm Bay. What we are discussing now is annexation by referendum where everyone gets to vote. He does not see Valkaria voting to be part of Palm Bay, he doesn't think they would vote that way. He does not see Valkaria voting to raise their taxes in order to become part of one of the most corrupt governments in Brevard County.

Rivet – there have been Palm Bay Council members who have said that Palm Bay will go to the Indian River. Maybe they can't do that but it can happen piece meal by voluntary annexation, it may or may not happen in our life time. No one in Malabar wants to force something down your throats. He feels there are advantages to both areas if we join but if that is not the feeling in Valkaria then we are not forcing anything on you. If we join forces we can deal with outside influences better than if we are alone. He feels that united we can fend off the big developers. His view is to keep Palm Bay as far away from his house as possible.

Francis, Valkaria – he does not feel that 'keeping Palm Bay away' is not a solid argument for annexing to Malabar. He did not like the voluntary annexation that happened but he couldn't do a thing about it. He does not see how Council Member districts would be rearranged. He feels it would be good if Valkaria could keep their own name. He is concerned what the Council will look like, how soon it will look like that and if Valkaria can still form its own destiny. States the two areas are different no matter what anyone says.

Rossman – we would have to redistrict and it is probable that two people would represent the Valkaria area. If there is enough interest tonight then we will do the feasibility study.

Susan Clark – how do the people of Malabar feel about this? Rossman – he has talked to people in his area and they are for this. For the most part only the residents of Valkaria have been questioned regarding this issue.

Vicki Thomas, Malabar resident – came from Miami and did not move to the County because it was unincorporated and saw what happened to unincorporated areas in Miami-Dade, does not want to be part of that.

Dewie Lyle – are Malabar and Valkaria the same size and population? And, as of now he has seen what Palm Bay is doing and he does not like what they can do and will probably do. He votes in favor of annexing to Malabar. Rossman – the two areas are roughly the same size.

John Henkleman – lives on the west side of I-95. How far south of Valkaria Road are we discussing? And as you do the feasibility study it should cover only these areas. So there is the possibility of only annexing part of Valkaria.

Rossman – we will go from Palm Bay to the river, and how far south is yet to be determined.

Reverend Borland – Palm Bay has a vested interest in this area because of the taxes involved. It is time to make a decision. She has rental property in Palm Bay and in Valkaria but chooses not to live in Palm Bay. Now is the time to make a decision and it should be to go with Malabar.

Mayor Crews – has been in Malabar politics for 15 years and in the past, Valkaria could have been a city but that is not a choice now due to new population size and location requirements by the State.

Curt Lawrence – you can get waivers on the 2 mile limit and on the population. Right now he gets good service from the County and he does not feel that Malabar can offer the same level of service.

Booth – if there is a problem with services you can come straight to him. There is an issue over the police MSTU. By State law the Sheriff must provide protection and the County cannot force the 1.2 mills on the citizens. Booth notes this is probably one of the few cases where land would be annexed and taxes would go down. This is why he must look very carefully at what services are needed, and can we provide them at a lower tax rate. This will be discovered in the study.

Rossman – three years ago Rossman would not have even approached this subject. We are doing much more with less money. Things here have improved 1000% in the last year.

Jerry, Valkaria – has no desire to be part of Palm Bay. Asks about paying for garbage, is concerned that the cost will increase just like in Palm Bay. Also asks if people who abut Malabar could annex into Malabar. Moccia – they can. Rossman – we pay garbage directly to Waste Management.

Ron Renconis, Valkaria – this subject has been bantered around for about 10 years. Palm Bay is moving like a cancer. Annexation into Palm Bay can happen on a piecemeal basis to the point where they can control the area. As far as garbage service he had garbage sit in front of his house for a month, he doesn't think garbage service can get any worse if they annex. Rossman – does not have any problems with getting his trash collected.

Renconis - Notes that the guy who annexed into Palm Bay bought the next two pieces.

Del Yantz, Valkaria – states that this is only the beginning of this process. If we want to move to the next step, where money will be spent, this is the time to decide. Malabar may decide that they don't want us to come in. States that both the planned park and the greenway in Valkaria will go in whether we are part of Malabar or not. The fire station in Valkaria is another issue and will have to be worked out. Asks how Country Cove and Brook Hollow came to be when the zoning is 1 ½ acres? Rossman – that was a previous Council and that wouldn't have happened with this Council. Notes that there are parts of Malabar that are grandfathered in and their lot sizes will remain what they are now. Just as there are parts of Valkaria that are established and Malabar would have to accept those areas.

James Wilson, Valkaria – what will happen to the State property? Will it be annexed? He has no problem with his services but his friends that live in Malabar do have problems. The guy who annexed into Palm Bay may have bought the next two pieces of land but there is no more for him to buy. Between the lake and the existing homes there is no where to go. He thinks that Valkaria should incorporate and stay Valkaria. Rossman – developers can buy whatever land they can get and annex into Palm Bay, so it can happen. Notes that the State land will continue to belong to the State and that about 25% of Malabar is owned by the EELS and the State.

Francis, Valkaria – who is to say that another Country Cove can't happen. Who knows what the next Council will want. He does not feel that he can get better representation from Malabar, he has not had one problem getting a phone call returned from the County. Tonight he is hearing that Palm Bay wants to go all the way to the river. He is also hearing that Malabar wants to go all the way to Grant. So, what is the difference? Moccia – we will keep it 1 ½ acres. Francis – he does not buy that, the next Council could change their minds. Audience member – it is in Malabar's charter. Francis – the only way Palm Bay can eat away at Valkaria is if they voluntarily want to do this. He has learned that if you are going to make a decision don't run from something, run to something. When someone said we have time to think about this, and Council agreed, he was glad to see that, does not want to see this jumped into.

Rossman – the 1½ acres per home is in our charter, the Council cannot change that. It takes a referendum to change the charter. Crews – notes that you can build smaller than 1 ½ acres if the zoning district allows for this, RS-10 is one example.

Jo Fadden, Valkaria – heard they are going to lose the fire house on Valkaria Road which includes advanced life support services, would this be addressed? Havet – that will be in the feasibility study, tonight is only to see how the residents of Valkaria feel about this topic, it is just to find out if you are interested. Rossman – does not feel there would be a change in

services. Explains that right now we have a volunteer fire department and we also have working agreements with Palm Bay and the County to cover back-up fire services. Notes that tonight's issue may be a case of the minnow swallowing the whale, it may be something that Malabar can't do.

Sandy Bennant – can we get a copy of the charter. Mayor – you can link to it from our website (www.malabartown.org) or it is on the web at www.municode.com.

Walter, Valkaria – has lived in Valkaria for a couple years and until he received the flyer in the mail he wasn't aware that there was a Valkaria Homeowners Association. He called Ms. Walters in order to find out some information but Walters didn't seem too interested in telling him much. He told her he would like to be a member of the Valkaria Homeowners Association and would like to be aware of what transpires. He is very interested in the annexation but he would like to be part of Valkaria and be involved in his community.

Joe Shay, Valkaria – has been there for 13 years and is not a member of the Valkaria neighborhood association; however, he is interested in becoming a part of Malabar because Palm Bay is chasing after him right now. He wants to be part of a community that will receive him with the same values he has. Supports Malabar annexing Valkaria.

Dale Steel – when he thinks about the proposed development off Weber Road he thinks of each lot as a car on the road. He notes that Valkaria residents have banded together before and were heard at the County. He thinks the citizens can do that again and be part of Malabar which would be keeping with the lifestyle they already enjoy. He feels there is probably nothing that can be done about the development off Weber Road. Asks if there is any planned industry development?

Rossman – we want to promote ecotourism. Rivet – also commercial development along the US-1 corridor and along Malabar Road. The rest is designated as residential.

Curt Lawrence – brought a map that show EELS land that is owned and what they propose to purchase. They have never really mentioned this in public before but this is what will keep Palm Bay away because they cannot take EELS land. The developers cannot develop this land. Rossman – but they can get the other areas. Reverend – money talks.

Curt Lawrence – ecotourism is the use of trails and walkways, so what is with Malabar's Resolution 14-03 that halts the purchase of EELS land in Malabar? Moccia – we want them to take care of what they have. Rossman – that was a result of disappointment in the lack of communication, from now on we want to know what is going on.

Moccia – asks how many people are interested in doing a feasibility study. By a show of hands a majority are interested. Moccia – asks those to stand who do not want to see this happen. Three people stand. (editors note: a head count done approximately 30 minutes before this was 93 in attendance).

Citizen – if we don't want to be part of Malabar or Palm Bay can we stay in the County? Moccia – if 51% vote in favor of annexation you will be Malabar.

Havet – states that at Town Hall the Council replaced key personnel and addressed issues and she feels that Malabar can continue to provide problem-free service. Rossman – we have changed a lot.

Citizen – has lived on Weber Road for 18 years and has heard about all the problems in Malabar, such as how it was impossible to build, heard of people losing money. Feels that everyone wants to move to Valkaria. Has not been impressed with Malabar until tonight. But there is still a big difference in the way the County and Malabar provide service. The County provides better service which is evident in the mowing, the ditches and the garbage collection. Based on what they have known in the past, Malabar has much improved. Personally they have never had a problem with trash collection, they have only called road and bridges once in 18 years. She wants to see the feasibility plan to see if Malabar is capable of taking care of them the way they are used to. Havet – tonight is only about whether or not to have a feasibility. Citizen – two years ago she wouldn't have even considered this. Rossman – two years ago he wouldn't have suggested it. Malabar has made great improvements since then and will continue to do so.

Citizen – who gets to vote? Rivet – 51% of the registered voters in the area to be annexed.

Leroy Rodgers – if he bought the last lot at the corner of Malabar and Palm Bay and wanted to annex into Palm Bay so he could build on quarter acres, could Malabar stop that? Rossman – no. Rodgers – what if he had Malabar land and wanted to be part of Palm Bay, could that happen? Rivet – if your land is in Malabar then we have a say. Rodgers – asks how many people in here would vote for Palm Bay to annex them? Rodgers states that not the first person raised their hand, therefore these people would not let themselves be annexed into Palm Bay. We need the feasibility study.

Comment by a Valkaria resident about the development at Weber road – the only option Pence has is whether they will build on $\frac{1}{4}$ or $\frac{1}{2}$ acre lots. He asks that people please call Nancy Higgs and attend the meeting. Leroy Rodger – states that at the last meeting about this development there were only 4 people from Valkaria there. Discussion of this development.