

**TOWN OF MALABAR
TOWN COUNCIL MEETING
MONDAY JANUARY 4, 2016
7:30 PM
2725 MALABAR ROAD
MALABAR, FLORIDA**

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:**

- D. APPROVAL OF THE MINUTES:**
 - 1. Regular Council Mtg of 12/07/15**
 - Exhibit:** Agenda Report No. 1
 - Recommendation:** Request Approval

- E. SHERIFF'S REPORT:**
- F. ATTORNEY REPORT:**

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

- H. PUBLIC HEARINGS: 0**

- I. ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING (RECOMMENDATIONS FROM BOARDS/COMMITTEE; RESIDENT GRIEVANCES; HOA REQUESTS)**
 - 2. Agenda Request from Resident Jeff McKnight re: Malabar Volunteer Fire Department Budget**
 - Exhibit:** Agenda Report 2
 - Recommendation:** Request Action

 - 3. Recommendation from Planning & Zoning Board re: Removing CUP from Residential Zoning for Churches**
 - Exhibit:** Agenda Report 3
 - Recommendation:** Request Action

 - 4. Agenda Request from Resident Wayne Abare: Reject Proposed Non-motorized Boat Launching Area north of Rocky Point Road**
 - Exhibit:** Agenda Report 4
 - Recommendation:** Request Action

- J. ACTION ITEMS:**
 - ORDINANCES FOR FIRST READING: 0**

RESOLUTIONS: 1

5. RESOLUTION 27-2015 - A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR REVISION OF BUILDING, FENCE, ROOFING, ELECTRICAL, PLUMBING, GAS, MECHANICAL, SWIMMING POOL, FIRE PROTECTION SYSTEMS, SIGNS, IRRIGATION SYSTEMS PERMIT FEES; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report 5
Recommendation: Adoption of Reso 27-2016

MISCELLANEOUS:

6. Set Workshop Date for Council & Rep from P&Z re: FLUM & R/LC

Exhibit: Agenda Report No. 6
Recommendation: Request Action

7. Action on 2nd Meeting Dates in Jan & Feb Due to Federal Holidays (CM Korn)

Exhibit: Agenda Report No. 7
Recommendation: Request Action

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

K. BOARD & COMMITTEE MONTHLY STATUS REPORTS:

L. DISCUSSION/POSSIBLE ACTION:

M. STAFF REPORTS:

ADMINISTRATOR:

CLERK: Cut-off for Newsletter Articles 1/8/16

N. REPORTS – MAYOR AND COUNCIL MEMBERS

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

P. ANNOUNCEMENTS:

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

Q. ADJOURNMENT:

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to insure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105). The Town does not provide this service. In compliance with F.S. 86.26 and the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 1
Meeting Date: January 4, 2016

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

Attached are the summary minutes for the following meetings:

- Regular Town Council Meeting – 12/07/2015

ATTACHMENTS:

Draft Minutes of the following meeting:

- Regular Town Council Meeting – 12/07/2015

ACTION OPTIONS:

The Town Clerk requests approval of the minutes.

MALABAR TOWN COUNCIL REGULAR MEETING
December 7, 2015 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 7:30 pm by Council Chair Carl Beatty. CM Korn led the prayer and pledge.

B. ROLL CALL:

COUNCIL CHAIR:	MAYOR CARL BEATTY
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 is also present.

C. APPROVE AGENDA - ADDITIONS/DELETIONS/CHANGES –

Mayor passed out paper showing the agenda he sent to clerk on 12/01/15. MOTION: Korn / Vail accepts agenda as submitted posted, publicized and sent out last Wednesday.

VOTE: All Ayes

D. APPROVE MINUTES – Meeting of 11/16/15

1. Approval of Minutes	Regular Council Minutes – 11/16/15
Exhibit:	Agenda Report No. 1
Recommendation:	Request Approval of Minutes
<u>MOTION: CM Vail / CM Krieger moved to approve the minutes from November 16, 2015 as corrected.</u>	

Discussion: CM Ball under G public -; liable is misspelled

VOTE: All Ayes.

BCSO – gave report next. Any questions? None. Gave his business card and monthly report for Nov to TA Douglas Hoyt.

E. 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.**

Speakers Cards: Jim Mountjoy, north end of Rocky Point, representing Coquina Point HOA. This is a staging area for theft in their areas. Also a commercial enterprise – trucks full of

canoes, teach wind surfing. Then a rave on the island, called the BCSO and there was nothing they could do. They are opposed to this.

Jennifer Mountjoy, declined

Skip Hard, drainage, 2560 Hard Lane, drainage issues were listed. Have they been seen? Yes, establish an inventory of culverts in town. Hopefully they will list all of them

Wayne Abare, 2530 Rocky Pt Rd, is against the boat launch. He shows the land owned by Skora. He called town and asked for sign to put up the sign. There is some precedent for that to be a no parking area. Just south of Malabar limit, there is a mile or two available for launching. Wanted to give history of area. Mayor said he put up signs way back when and there were five.

Christine Filiberto, lived there 25 years, is the first house and gets all the riff raff – there is always trash, they bring trailers and try and launch. If the launch area goes forward, who is pushing this? County? No. Hope they can stop it. What is town going to do to protect residents? It has been a nightmare.

CM Korn said a similar request was made 12 years ago and had similar problem, CM Vail asked resident if they could develop it and monitor it and maintain it and have security. CM Krieger asked how they found out about this. She scanned Dick Korn's website. No one in neighborhood knew about this.

Wayne will contact him. To get signs back up.

Drew Thompson is not from Rocky Pt Rd. He would like to have access
It is not a whole lot of property. Non-motorized launch area. No overnight parking, no motorized watercraft. This would provide the rest of the residents an access point. He would like to have a win-win project. No boat ramp, keep it clean and keep it clear. It would lock down what is now open game. As a citizen he thinks this could be worked out for the benefit of all.

Bob Wilbur, 2500 Glatter Road wants to support this water front access. All the areas south of Malabar have been armored with rocks (after storms in 2004). It is not currently being patrolled; once it is designated for this legitimate use, the sheriff can patrol. It is a real good thing, providing a blueway/greenway connection.

- F. **ATTORNEY REPORT:** Painted Acre settlement, they have postponed the enforcement of the settlement. Mr. Foley is not doing well. It is all on hold for now. Krieger thinks there was a time limitation. Attorney will check. CM Korn asked Atty, they went through procedure, what happened? Foley presented agreement with site plan attached.
- G. **BCSO REPORT: done earlier**
- H. **PUBLIC HEARINGS: 0**
- I. **PUBLIC – RESIDENTS, BOARD RECOMMENDATIONS, HOA REQUESTS**
 - 2. **Recommendation from P&Z Board re: FLUM and R/LC Definition**
 - Exhibit:** Agenda Report No. 2
 - Recommendation:** Discussion and Direction

Speaker Cards:

Mr. Moia representing property owner of 24-acre east of three vacant parcels at SE corner of Malabar and Weber Roads.

Skip Hard, stated that the Town needs to get right-of-way from the three lots on SE corner of Weber and Malabar – who is going to ensure that? Re: proposed changes to R/LC, we have many absentee property owners – how do they get noticed. Clerk explained that there would be multiple notices sent to parcel owners via USPS as well as legal ads and property postings. This is a long process.

Juliana Hirsch, asked to pass stating her comments may be premature. She reiterated her previous statement to Council to not decrease the density from six (6 units per acre) to four (4 units per acre) in RLC.

Chair of P&Z Board Pat Reilly, then presented the Board's recommendation. He stated the last FLUM update was done in 1994. They have been working on this for the last five years. He is giving the top view of the Board's recommendation and asked if Council was looking for joint workshop to discuss this in detail? He asked if they wanted to break it up into sections. Or move forward with it as is?

CM Korn had some concerns over changing land use on Babcock that abutted residential uses. Mr. Reilly gave the rationale for their recommendation.

CM Vail said to CM Korn that this is just a presentation and at a later date they can go into workshop so it can be discussed in detail.

Mayor said P&Z should break it down. CM Vail said it should be discussed at a workshop – CB Ball agreed. CM Vail said he would like to see the added language underlined and the deleted areas shown with strike throughs for the workshop.

CM Ball said move forward with a WS – can EELs ever sell it. Mayor said conservation designations should be their first items for action.

CM Korn said lets define the workshop rules. CM Krieger said it should just be Council at first. CM Vail said there should be one representative from P&Z Board. Attorney said no final action is taken at a workshop. Generally not open for public input. He said input from staff is appropriate and perhaps a representative from the P&Z Board as well.

MOTION: CM Korn / CM Vail to place on next agenda the setting of a date for a workshop with up to one P&Z member picked by Chair of P&Z. **VOTE:** All Ayes.
Set workshop date at the 1/4/16 meeting. Do they want Chair Reilly there? Yes.

J. ACTION ITEMS:

ORDINANCES -0

MISCELLANEOUS: 0

RESOLUTIONS: 2

3. Terminate Agreement with Nationwide (Reso 25-2015)

Exhibit: Agenda Report No. 3

Recommendation: Approval of Reso 25-2015

MOTION: CM Vail / CM Korn moved to approve Reso 25-2015.

Discussion: housekeeping - fix typo in #1 sb is not are.

ROLL VOTE: 1)CM Ball, Aye; CM Vail, Aye; CM Krieger, Aye; CM Korn, Aye; CM Kohler, Aye.

Motion approved 5 to 0.

4. Eliminate Dept 539 (Reso 26-2015)

Exhibit: Agenda Report No. 4

Recommendation: Approval of Reso 26-2015

MOTION: CM Vail / CM Kohler moved to approve Reso 26-2015

Discussion: housekeeping.

ROLL VOTE: CM Ball, Aye; 1)CM Vail, Aye; CM Krieger, Aye; CM Korn, Aye; CM Kohler, Aye.

Motion approved 5 - 0.

Atty leaves at 9:20; Council took 10 minute break; reconvened at 9:30pm

K. BOARD AND COMMITTEE REPORTS

Hans Kemmler, P&R Chair, went on field trip with TA. Going to rearrange parking at Fern Crk and went to Tom Eschenberg Conservation Area. Went to Malabar Community Park and he got some measurements to define the shade sails so it will make it a lot easier to put on and off. They will get some quotes and maybe get it into the 2016 budget. They will be fixing the surface rust. And then will paint it. He wasn't aware of the north end of Rocky Point Road. He sent letter with TA authority. There is a big caved in place and it will need fill material and putting together maintenance costs. Mayor sees Jerry all the time. If you don't lease it for at least 35 years, the property will not be eligible for grant money. So do the 99 year lease. **Malabar Madness on Jan 9 at Disc Golf Park.**

Drew Thompson, Chair of T&GC, (report attached)

L. STAFF REPORTS – TA – Rain Drop Walk

TA went over the report where he summarized the tour of the first area done by he and CM Vail over the course of the last several Saturdays. He then invited Council to participate in a "Follow the Raindrop" tour of some of the stormwater problems facing the Town. It will be Saturday at 7:30AM starting with coffee and donuts at town hall followed by a 1.5 hour tour to go over these areas. CM Krieger asked what about people that can't make tour; will there be a report?

Clerk – Newsletter articles

M. REPORTS – MAYOR AND COUNCIL MEMBERS

1)CM Ball – trash on Weber Road. Told BSO of derelict boat dumped in woods off of Beekeeper.

2)CM Vail – spoke of the inability of staff to contact Mayor. As Chair he must get input from staff, residents, and daily business requirements. He believes there should be a verbal communication between Chair and Clerk's office. The emails sent back and forth are not clear. We as town representatives need to do our job. The job of Chair is to represent people and leave personalities at the door. CM Korn concurred and said it is Chair's duty to go to Clerk; that is the way it has always been done. The responsibility is yours. CM Vail asked for a commitment from Chair to communicate with the Clerk. To start the process of getting with Clerk. Work with staff on agenda preparation.

3)CM Krieger – nothing

- 4)CM Korn - nothing
- 5)CM Kohler - nothing
- Mayor/Chair - nothing

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

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 asked for a motion.

MOTION: CM Ball / CM Korn to adjourn. **VOTE:** All Ayes. The meeting adjourned at 10:30 PM.

BY: _____
Mayor Carl A. Beatty, Council Chair

(seal)

ATTEST:

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

Date Approved: 01/07/15

OFFICE OF THE TOWN CLERK
(321) 727-7764
FAX (321) 722-2234



2725 MALABAR ROAD
MALABAR, FLORIDA 32950-4427

#2

**AGENDA ITEM REQUEST FORM
MALABAR TOWN COUNCIL**

Please mail completed form to:

Town of Malabar
2725 Malabar Road
Malabar, Florida 32950

NAME: Jeff McKnight

ADDRESS: 2005 Flashy Lane
Malabar, Florida 32950

TELEPHONE: (321) 952-8101 (321) 633-2135
(Home) (Business)

Please state the item you wish to have placed on the Town Council Agenda.

Town of Malabar Volunteer Fire Department Budget

Please summarize pertinent information concerning your requested Agenda item and attach applicable documents.

Please review Town of Malabar Volunteer Fire Department Budget for 2013-14, 2014-15, 2015-16. I would like to give a five minute presentation on this item.

Please state desired action by Town Council.

Please demonstrate fiscal responsibility.

Signed: *Jeff McKnight*

Date: 1 Dec 15

TOWN OF MALABAR

MEMORANDUM

Date: December 11, 2015 15-AABO-036

To: Debby Franklin, Town Clerk/Treasurer
Town Council

From: Denine M. Sherear, Administrative Assistant to the Building official DS

Ref: Recommendation from P&Z to Council for Article III District Provisions
Table 1-3.2 Land Use by Districts Community Facilities RE: Churches &
Conditional Uses.

The PZ Board discussed Table 1-3.2 at the last few PZ Meetings, they reviewed this Table 1-3.2 and made suggestions to remove the "C's" which represents Conditional Use that are listed under the Community Facilities in reference to Churches, Synagogues, and Other Places of Worship in the Town of Malabar.

This suggestion came as a result of persons walking into PZ Meetings presenting a scenario of purchasing a residential home in a designated residential area and converting it into a place of Worship. The PZ Board explained the issues of roads, water/septic availability, traffic flow, and the process of the Board of Adjustment for a Conditional Use and notification of the 500 ft. radius package. The Board explained that adjacent neighbors to this projected use do not want traffic and commercial buildings in a residential area. The PZ Board always presented to the "scenario seekers" that there are plenty of areas in Malabar that do permit these use. It was after this that the PZ Board suggested to have this as an Agenda Item to revise/remove the conditional use in residential areas for Churches, Synagogues and Other Places of Worship and those that wish to have this use would look under permitted areas.

It is the suggestion of the PZ Board to remove the "C's" (Conditional Use) in the following residential zoning districts RR-65, RS-21, RS-15, RS-10, RM-4, and RM-6. There were also corrections made on Table 1-3.2 Land Use by Districts under "Community Facilities" under the, "OI" zoning for Churches, Synagogues and Other Places of Worship (P,A,1) per foot notes, and Educational Institutions (C,A,1) to make larger #1's not small #1's per footnotes. This is noted on attached Table 1-3.2.

Motion from the December 9, 2015 PZ Meeting:

Motion: Abare/Foster: Recommendation to Council Amending Article III- District Provisions Table 1-3.2 Land Use by District to remove the Condition Uses "C" out of the following Residential Zoning Districts RR-65, RS-21, RS-15, RS-10, RM-4, and RM-6, All Vote; Aye
Motion Carried: 4 to 0

ATTACHMENTS:

- Table 1-3.2 Land Use by District, with corrected recommendations

TABLE 1-3.2. LAND USE BY DISTRICTS

	RR-65	RS-21	RS-15	RS-10	RM-4	RM-6	R-MH	OI	CL	CG	R/LC	IND	INS	CP
RESIDENTIAL USES														
Duplex					P	P					P			
Mobile Homes							P							
Multiple Family Dwelling					P	P					P			
Single Family Dwellings	P	P	P	P	P	P	P				P			
COMMUNITY FACILITIES														
Administrative Services (Public and Not-for-Profit)								P	P	P	P		P	
Child Care Facilities								C			C		C	
Churches, Synagogues and Other Places of Worship	C	C	C	C	C	C		P, A	P	P	P		P	
Clubs and Lodges (Not-for-Profit)									P	P				
Cultural or Civic Activities								P	P	P	P		P	
Educational Institutions								C, A					C	
Golf Course Facilities	C													
Hospital and other Licensed Fa- cilities								C					C	
Nursing Homes and Related Health Care Facilities					C	C		C					C	
Protective Services					C	C	C	C	C	C	C	C	C	C
Public Parks and Recreation	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public and Private Utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C
COMMUNITY RESIDENTIAL HOME														
Level 1 (1 to 6 residents/beds)	C ³				C	C								
Level 2 (7 to 14 residents/beds)					C	C							C	
ASSISTED CARE COMMUNITIES														
I Assisted Living Facility														
Level 1 (1 to 5 residents/beds)		C	C	C	C ⁴	C ⁴					C			
Level 2 (6 to 15 residents/beds)					C ⁴	C ⁴								
Level 3 (16 or more residents/ beds)					C ⁴	C ⁴								
II Adult Family-Care Homes (1 to 5 residents/beds)	C ³	C	C	C	C	C					C			
III Adult Day Care Centers					C	C		C			C		C	
AGRICULTURAL ACTIVITIES														

Corrected
↓
P, A, 1
DISTRICT PROVISIONS
C, A, 1

OFFICE OF THE TOWN CLERK
(407) 727-7764
FAX (407) 722-2234



2725 MALABAR ROAD
MALABAR, FLORIDA 32950-4427

1/4/14 4

AGENDA ITEM REQUEST FORM
MALABAR TOWN COUNCIL



Please mail completed form to:

Town of Malabar
2725 Malabar Road
Malabar, Florida 32950

NAME: Wayne Abare
ADDRESS: 2530 Rocky Point Rd
Malabar, FL 32950
TELEPHONE: 727-8559 727-5092
(Home) (Business)

Please state the item you wish to have placed on the Town Council Agenda.

Proposed Boat Launch north Rocky Point Rd.

Please summarize pertinent information concerning your request Agenda item, and attach applicable documents.

I will supply hand-out material later this week.

Please state desired action by Town Council.

Reject project

Signed: Wayne Abare

Date: Dec 8, 2015

Debby Franklin

From: Abare, Wayne <wabare@harris.com>
Sent: Tuesday, December 08, 2015 8:18 AM
To: Debby Franklin
Cc: wayne abare
Subject: Boat Launch north end of Rocky Point Road

Debby

I would like to add a discussion item for the next Town Council meeting concerning the proposed Boat Launch on the north end of Rocky Point road. Do you need more than this Email?

Wayne Abare



Dana Blickley, CFA

Brevard County Property Appraiser



North Government Complex
400 South St, 5th Floor
Titusville, FL 32780
Phone: (321) 264-6700
Fax: (321) 264-6954

Merritt Island Services Complex
2575 N Courtenay Pkwy
Merritt Island, FL 32953
Phone: (321) 454-6620
Fax: (321) 454-6618

Viera Government Center
2725 Judge Fran Jamieson Wy
Viera, FL 32940
Phone: (321) 690-6880
Fax: (321) 690-6883

South Services Complex
1515 Sarno Rd
Melbourne, FL 32935
Phone: (321) 255-4440
Fax: (321) 255-4439

Palm Bay Service Complex
450 Cogan Dr, SE
Palm Bay, FL 32909
Phone: (321) 952-4574
Fax: (321) 952-4573

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TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 5
Meeting Date: January 4, 2016

Prepared By: Debby Franklin, CMC, Town Clerk/Treasurer

SUBJECT: Request to Increase Building Permit Fees (Reso 01-2016)

BACKGROUND/HISTORY:

This Reso would provide for increased fees for building permits to offset the cost of operations within the Building Department. Although the Building Department is not supposed to be a revenue generating department, it is supposed to charge adequate fees to cover the expenditures within that department. This includes overhead, salaries, training, equipment, etc.

The Town Administrator will speak to this at the meeting.

ATTACHMENTS:

Reso 01-2016

Schedule showing current fees charged by other cities and Malabar for same permits with column at end showing the proposed rates for Malabar

Spreadsheet showing last ten years of income vs. expenditures in Building Department

ACTION OPTIONS:

Staff recommends approval of Reso 01-2016

RESOLUTION NO. 01-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR REVISION OF BUILDING, FENCE, ROOFING, ELECTRICAL, PLUMBING, GAS, MECHANICAL, SWIMMING POOL, FIRE PROTECTION SYSTEMS, SIGNS AND IRRIGATION SYSTEM PERMIT FEES; PROVIDING FOR THE REPEAL OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, before an applicant can obtain a permit as prescribed in the Town of Malabar Building Code, the appropriate fees must be paid; and

WHEREAS, these fees have been determined to be necessary and sufficient to compensate for the time and expense of processing the various permits; and

WHEREAS, after a review of the current building permit fees the Malabar Town Council has determined that a rate adjustment is appropriate at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. That the following fees are hereby established for building, fence, roofing, electric, plumbing, gas, mechanical, swimming pool, fire protection system, sign and irrigation system permits in the Town of Malabar.

BUILDING PERMITS:

For any work requiring a building permit as prescribed in the Town of Malabar Building Code the following cost of said permits shall be based on the following:

- (1) For the purpose of determining the building permit fee, the estimated **value** cost of construction shall be determined by the Building Official using Florida Building Code formulas.
- (2) Permit fees are as follows:
 - a. Base permit fee - ~~\$30.00~~ **\$55.00** plus:
 - b. Inspection fee(s) shall be computed based on the following table:

See Next Page

<u>Estimated Cost of Construction</u>	<u>Fee – Inspection Fee</u>
\$ 1,000.00 and less	\$50.00 30.00
\$ 1,001.00 to \$50,000.00	\$50.00 30.00 for the first \$ 1000.00 plus \$ 15.00 5.00 for each additional thousand or fraction thereof, up to and including \$ 50,000.00
\$ 50,001.00 to \$100,000.00	\$785.00 260.00 for the first \$ 50,000.00 plus \$ 10.00 4.00 for each additional thousand or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,285.00 460.00 for the first \$100,000.00 plus \$ 5.00 3.00 for each additional thousand or fraction thereof, up to and including \$500,000.00
\$500,001.00 and up	\$3,285.00 1660.00 for the first \$500,000.00 plus \$ 3.00 2.00 for each additional thousand or fraction thereof.

(3) Additional fees:

- a. Moving a building or structure - \$100.00
- b. Demolition of any building or structure - ~~\$100.00~~ 50.00.
- c. Mobile home setup - ~~\$100.00~~ 50.00.
- d. ~~Construction of any parking lot where no building construction is permitted in association with the parking lot construction - \$75.00.~~

(4) Plan Review Fees:

- a. Building Construction: when valuation of the construction exceeds one thousand dollars (\$1000.00) a plan review fee equal to fifty (50) per cent of the building permit fee established above shall be charged.
- b. All building construction *EXCEPT single-family and duplex dwellings*: when the valuation of the construction exceeds one thousand dollars (\$1000.00), in addition to the fee established in 4(a) above, an additional plan checking fee shall be charged equal to twenty-five (25) per cent of the building permit fee established above for the life safety plan review pursuant to Florida Statute 633.
- c. If plans for a single project have received two (2) plan reviews and the plans are not approved for construction, an additional plan checking fee equal to one half (1/2) of the original plan checking fee shall be paid before any further plan review is done. This fee shall be applied for each subsequent review for the project.
- d. Placement of temporary construction trailer- ~~\$100.00~~ 40.00.
- e. Placement of temporary mobile home or RV while constructing home is limited to a period of six (6) months and requires a \$500.00 **refundable** cash bond.
- f. Review/verification to re-issue copy of approved building plans - ~~\$50.00~~ 30.00.

- (5) Double Fee: pursuant to Malabar Code of Ordinances, Chap 6, Sec 6-7, when work which requires a permit is started without first obtaining a permit, the fee specified for such permit shall be doubled or \$50, whichever is greater. The payment of such double fee shall not relieve any person from fully complying with the requirements of the Florida Building Code 2001 Ed. or from any other code or ordinance of the Town. The Town shall also have the right to pursue any other actions or penalties prescribed by law.
- (6) Re-inspection Fee: in the event it becomes necessary to make a re-inspection, due to improper work or permitted work not being ready, the contractor shall pay a re-inspection fee of **fifty dollars (\$50.00)** ~~thirty dollars (\$30.00)~~ for the first inspection, fifty dollars (\$50.00) for the second inspection and one hundred dollars (\$100.00) for each additional re-inspection thereafter.

Sign Permits:

For any work requiring a sign permit, the cost of said permits shall be as prescribed below:

- (1) Basic permit fee - \$30.00 plus:
- (2) Inspection fee – signs shall be calculated at one dollar \$1.00/per sq. ft of sign area. This calculation shall be based on the largest sign area in the case of a sign with more than one face. Minimum: \$30.00.

SECTION 2. Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 3. Effective Date

This Resolution shall take effect immediately upon passage.

This Resolution was moved for adoption by Council Member _____ The motion was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Council Member Grant Ball	_____
Council Member Brian Vail	_____
Council Member Don Krieger	_____
Council Member Dick Korn	_____
Council Member Richard Kohler	_____

This Resolution was then declared to be duly passed and adopted this 4th day of January, 2016.

(seal)

TOWN OF MALABAR

By: _____
Mayor Carl Beatty, Council Chair

ATTEST:

Debby K. Franklin, CMC
Town Clerk/Treasurer

Approved as to Form and Content:

Karl W. Bohne, Jr., Town Attorney

**TOWN OF MALABAR
PERMIT FEES FOR VARIOUS PERMIT TYPES**

PERMIT TYPE	VALUE	MELBOURNE	PALM SHORES	IND. HAR. BEACH	Palm Bay	State. Beach	Malabar Current Rate	Malabar- Proposed Rate w/Reso. 01-2016
NSFR (2500 SF UNDER AIR)	\$332,075.00	\$1,916.00	**\$3,816.50	\$2,138.00			\$1,159.00	\$3,757.50
Swimming Pool	\$30,000.00	\$262.50	\$523.25	\$195.00			\$145.00	\$540.00
A/C Change out (in & out)	\$7,500.00		\$161.00	\$64.00			\$95.00	\$210.00
Re-roof	\$8,000.00		\$221.00	\$110.00			\$95.00	\$210.00
Commercial Structure	\$525,000.00	\$3,018.75	***\$6336.00	\$4450.75+SC			\$1,670.00	\$5,976.25
SC = surcharge								
NSFR = new single family res.								
**=plus \$788 in impact fees to city (recreation & public facilities)								
***=plus \$10,000 in public facilities impact fee								

Debby Franklin

6+7

From: dickkorn <dickkorn@bellsouth.net>
Sent: Wednesday, December 16, 2015 9:51 AM
To: 'Carl Beatty '
Cc: Debby Franklin; Douglas C. Hoyt; Dick Korn
Subject: January and February RTC meetings

Chairman (Mayor) Beatty:

In looking ahead for the next few months I have questions about our scheduled Regular Town Council Meetings for January 18, 2016 and February 15, 2016. Jan18, is a federal holiday (Martin Luther King, Jr day) and Feb 15, is also a federal holiday (Presidents' Day)

In 2015, both of these meetings were canceled. If we do the same for 2016 we will have had 3 months running with only one meeting each month because we had no second meeting in Dec, 2015. (A year earlier we at least had 2 meetings in Dec. 2014)

I request this be an agenda action item for the January 4, meeting so we can officially determine if we will hold these meetings, cancel them or reschedule them.

I ask the Council to keep in mind that throughout the Fall of 2015, there was much confusion about meeting schedules and considerable straying from the normal dates. Also keep in mind we will be planning a workshop on the P&Z land use proposals and probably one on drainage issues within the next few months.

Respectfully,

Dick Korn
Malabar Town Council
District 4

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

TOWN OF MALABAR – 2725 MALABAR ROAD, MALABAR, FL 32950
 (321) 727-7764 (O) (321) 727-9997 (F) EMAIL: TOWNCLERK@TOWNOFMALABAR.ORG

JANUARY 2016

SUN	MON	TUE	WED	THU	FRI	SAT
31				31 TOWN HALL CLOSED	1 TOWN HALL CLOSED New Year's Day	2
3	4 TOWN COUNCIL 7:30 PM	5	6	7	8 SPRINGFEST COMMITTEE 9:00 AM	9
10	11 T&G 6:00 PM SCLC DINNER	12	13 P&Z 7:30 PM	14	15	16
17	18 TOWN HALL CLOSED M L King Day	19 TEEN COUNCIL 7:00 PM	20 PARK BOARD 7:30 PM	21	22 SPRINGFEST COMMITTEE 9:00 AM	23
24	25	26	27 P&Z 7:30 PM	28	29	30

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FEBRUARY 2016

SUN	MON	TUE	WED	THU	FRI	SAT
	1 TOWN COUNCIL 7:30 PM	2	3	4	5 SPRINGFEST COMMITTEE 9:00 AM	6
7	8 T&G 6:00 PM SCLC DINNER	9	10 P&Z 7:30 PM	11	12	13
14	15 TOWN HALL CLOSED Presidents Day	16 TEEN COUNCIL 7:00 PM	17 PARK BOARD 7:30 PM	18	19 SPRINGFEST COMMITTEE 9:00 AM	20
21	22	23	24 P&Z 7:30 PM	25	26	27
28	29					