

TOWN OF MALABAR

PLANNING AND ZONING ADVISORY BOARD
REGULAR MEETING
WEDNESDAY MAY 13, 2009
7:30 PM
MALABAR COUNCIL CHAMBER
2725 MALABAR ROAD
MALABAR, FLORIDA

AGENDA

- A. CALL TO ORDER, PRAYER AND PLEDGE
- B. ROLL CALL
- C. ADDITIONS/DELETIONS/CHANGES
- D. CONSENT AGENDA
1. Approval of Minutes
Planning and Zoning Meeting- none
Exhibit: Agenda Report No. 1
Recommendation: Action
- E. PUBLIC HEARING: none
- F. ACTION:
2. Request for extension to Site Plan – RR Avenue Storage – Mark Archer
Exhibit: Agenda Report No. 2
Recommendation: Action
3. Continue Review of E.A.R. Maps
Exhibit: Agenda Report No. 3
Recommendation: Action
4. Set May 27, 2009 at Joint Workshop to Discuss Fence Regulations
Exhibit: Agenda Report No. 4
Recommendation: Action
5. Capital Improvement Projects for 2010 – 2015
Exhibit: Agenda Report No. 5
Recommendation: Action
- G. PUBLIC:
- H. OLD BUSINESS/NEW BUSINESS:
- I. ADJOURN:

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 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
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: May 13, 2009

Prepared By: Denine Fusco-Scarbro, Planning Zoning Secretary

SUBJECT: Approval of minutes

BACKGROUND/HISTORY:

There are no minutes ready for review. I am working on the DRAFT minutes from 03/25/09 and 4/22/09 for Board review.

The minutes must reflect the actions taken by the Board:

- Who made the Motion
- What is the motion
- Who seconded the motion
- What was the vote

Malabar has historically included discussion to provide the reader the understanding of how the Board came to their vote. It is not verbatim and some editing is done to convey the thought. People do not speak the way they write.

ATTACHMENTS:

TOWN OF MALABAR
PLANNING AND ZONING
AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: May 13, 2009

Prepared By: Denine Fusco-Scarbro, Planning Zoning Secretary

SUBJECT: Request for Site Plan Extension

BACKGROUND/HISTORY:

The Malabar Council adopted Ordinance 2008-09 per the recommendation of P&Z to require requests for Site Plan Extensions to first be heard by P&Z.

Mr. Archer's Site Plan for the expansion of the storage facilities at Railroad Avenue Storage expires on June 4, 2009.

ATTACHMENTS:

- Request from Mr. Adams
- Portion of Ordinance 2008-09

Railroad Avenue Storage

Railroad Avenue Storage, LLC
1450 West Railroad Avenue
Malabar, Florida

To The Members of Planning and Zoning for The Town of Malabar:

The property owners and operators of Railroad Avenue Storage would like to request an extension of the current site plan approval. Please see the attached site plan detailing the proposed improvements originally designed for more indoor self storage.

Together with the Saint Johns Regional Water Management District and The Town of Malabar, we made a significant contribution of time and money dedicated to improving our property and the Towns services.

Unfortunately, the national and local economy has changed in many ways since we began the required process for site plan approval, from increased competition to an economic recession, however, we believe in Malabar and the future and want to be fully prepared to respond when it positive changes are apparent.

We have reviewed our current zoning and permitted uses for other options but decided it would not be beneficial to build anything right now.

Our engineers have indicated that a site plan approval extension request would be reasonable and pose no potential harm as the property is located on the 100 year flood plain and the future request and subsequent submission of construction plans and permits will determine the future feasibility of whatever project is deemed appropriate through a number of checks and balances.

We are committed to investing in the future success of The Town of Malabar and only time will tell us when we can begin considering plans for improvement again and that is what we are asking The Town Council to consider. We request the current site plan approval be extended through June 2011.

Thank you for your time and consideration when reviewing our request.

Sincerely,

Mark Archer
Railroad Avenue Storage
321-725-0739

Article VII of Code changed with adoption of Ordinance 2008-09

SECTION 1. Section 1-7.5 of Article VII of the Land Development Code of the Town is hereby amended in full to read as follows:

“ Section 1-7.5. Termination, extension and transferability.

The site plan approval shall terminate twelve (12) months thereafter, if construction has not been started as evidenced by steady and continuous progress, including the pouring of footings by said termination date. Extensions may be granted by the Town Council at its sole and absolute discretion. Any request for extension shall be made in writing prior to the expiration of the site plan and such request for extension shall be reviewed by the Planning and Zoning Board which shall make a recommendation on the request for extension to the Town Council. In the event the property receiving site plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the site plan approval shall be transferrable.”

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 3
Meeting Date: May 13, 2009

Prepared By: Denine Fusco-Scarbro, Planning and Zoning Board Secretary

SUBJECT: Review Maps for Evaluation and Appraisal Report Amendments

BACKGROUND/HISTORY:

The ordinance adopting the amendments to the Evaluation and Appraisal Report was tabled at the RTCM of 4/06/09 to give the P&Z Board time to review the maps.

P&Z asked Council to approve the attendance of Lorraine Tappan of Calvin-Giordano and Associates, Inc. (CGA), and they did not approve the request. They felt that the Planning and Zoning Board should review the maps and provide local information for CGA to review and use to update the maps. They also agreed that CGA should provide the agency source for each map and the date of the data used. We have relayed the earlier comments to CGA and Lorraine is working on the updates. Debby and I conducted a teleconference with Lorraine to go over the list from P&Z. Lorraine will be providing a status of these comments in this packet.

The color coded legends are unique to each map.

ATTACHMENTS:

Memo 09-AABO-004

Agenda Report and portion of Minutes from RTCM 5/4/09

Memo from Lorraine Tappen of Calvin-Giordano & Associates, Inc.

FLU Maps - bring from last meeting

CST Maps - 4 each

TRN Maps - 7 each

TOWN OF MALABAR

MEMORANDUM

Date: April 26, 2009 09-AABO-004
To: Debby Franklin, Town Clerk- Treasurer
From: Denine Fusco- Scarbro, Administrative Assistant to the Building official
Ref: Recommendation to Council from Planning & Zoning Board to Review Maps for Evaluation and Appraisal Report Amendments

The Planning & Zoning Board met on 4-22-09, and made the following recommendation to Council concerning the maps:

It is suggested that all maps be looked at carefully, the P & Z Board went through each map individually with the following below recommendations:

1.) Existing Land Use Map- FLU-1

Comments:

- Non comparable legends
- Land use designation to multiple land uses
- Yellow for Residential & yellow strip for vacant
- All along west side of railroad tracks Commercial General (?)
- Green color is conservation areas
- The Park land is changing
- The elimination of future land use is all vacant commercial land, the whole area by Harris Corp. is rural residential.

2.) Historic Sites Map- FLU -2

Comments:

- The star marking the old school house (Marie Street) is in the wrong spot
- Please add the mail boat docks in the proper locations

3.) FEMA Flood Zones Map- FLU-4

- Please review

4.) Topography Map- FLU-5

- Better Topography for Town Zeros to nine feet ridge to look at it again and review

5.) Town of Malabar Water Bodies Map-FLU-6

- Please review

6.) Existing Pond Map- FLU-7

- Weber Woods on Weber Road
- Oakmont Preserve on Marie Street
- Still Water Preserve on Corey Road

7.) Habitats and Landcover Map- FLU-7

- Habitat to find areas on the disc

8.) Parks and Conservation Area Maps- FLU-8

- The disc park was added and Valkaria park was taken out
- Sand Hill trail green way trail extends to the southern border to Marie Street by Public works dump area.

9.) Soil Map- FLU-3

- Please review

10.) Future Land Use Map – FLU- 9

- Coastal Planning area please update accordingly
- Transportation for Greenway Trails
- Coastal high areas, i.e. Brook Hollow, Turkey Creek
- Evacuations with storm search zones
- There are existing roads with no north side, LaCourt Lane , no Atz Road east of LaCourt Lane, no Marie Street south of Public Work dump site, Isasa Lane not on north side of LaCourt lane, the road maps are not consistent
- Glatter Road, east of Marie Street extends past the last residence, north on Marie Street up to school house
- On these road maps LaCourt Lane is showing as being a collector same as Marie St. , Hall Rd., & Atz Rd
- Road maps need to correlate with other roads , Glatter Rd not shown

11.) Wetland Map-FLU-10

- Update map with new subdivision

The Motion to Council from Planning & Zoning Board is the following:

To request a complete updated set of maps in color for each P & Z member and to provide source dates to all maps and certified that it is the most current dates available. Another suggestion was made to have another meeting with Lorraine Tappen, who is with Calvin, Giordano, & Assoc, Inc to discuss these issues about the maps.

Motion: Kreiger/ Ryan to Council for P & Z to have two more weeks to go over color maps and discuss, then give back to Council with a better source understanding, and to be aware of any dead lines that are in place for this review process. **VOTE: All Aye**

TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 5
Meeting Date: May 04, 2009

← Town Council

Prepared By: Debby Franklin, Town Clerk

SUBJECT: Maps from EAR Amendments

BACKGROUND/HISTORY:

The P&Z Board reviewed the color maps at their meeting on April 22, 2009. They asked for two more weeks to review the maps and provide information to Council on their findings.

Staff had provided all members with a CD of the maps. Cindy Zindel got a paper copy of the color maps since she has no computer. We also had the color maps on the overhead. Each member was given a B&W copy in their packet. They requested and received individual color copies of the maps at the meeting.

They have also asked for another meeting with the Calvin Giordano and Associates, Inc. I have requested the cost for this extra visit and will have the amount for the meeting Monday.

The comments from their review on April 22 have been forwarded to CGA for review.

FINANCIAL IMPACT:

- \$1,015.00 per meeting

ATTACHMENTS:

- Memo 09-AABO-004

ACTION OPTIONS:

Staff requests action – do you want Lorraine Tappen to attend P&Z meeting on May13, 2009?

5. Recommendation from Planning and Zoning Board – E.A.R. Maps

Exhibit: Agenda Report No. 5

Recommendation: Action of Recommendation

Mayor was at P&Z meeting when this was discussed and he told them it would cost money to have her attend. He also told them that her attendance wasn't necessary for the review. What P&Z was doing in their review was injecting local knowledge of the maps. Vail said one of the issues that he had was that the maps weren't using current information. New ponds weren't shown on the wetlands maps.

MOTION: Vail / Dezman to approve \$1,015.00 to Calvin-Giordano and Associates, Inc. to allow Lorraine Tappan to appear at P&Z meeting. Discussion: McKnight said he heard that the past maps and the future maps were color coded and the colors weren't consistent so you couldn't compare. The research needs to be done and it doesn't need to come from her attending the meeting. She needs to check their research sources. They need to put more diligence into the detail. The maps need to have sources identified that include the year of the data. Council is more concerned with getting it right. Dezman said the P&Z Board has the local information. We need to communicate that and the maps need to identify where the sources are coming from and getting the dates correct. We should not be using three year old data if the maps are updated by St. Johns every six months. The maps need to provide the local knowledge. Dezman said it needs to be right. Borton said it needs to be right. Dezman asked how we communicate. Franklin stated we communicate through email. Rivet said we can mark up the maps and send them to her. People on P&Z are the people that know what the maps should show.

Vote: 0 Ayes; 5 Nays

Motion failed 5 to 0.



**TO: Debby Franklin, Town Clerk
Bonilyn Wilbanks-Free, Town Administrator**

FROM: Lorraine Tappen, AICP, Senior Planner

DATE: May 8, 2009

RE: EAR-based Amendments Map Revisions

The Planning and Zoning Advisory Board has provided comments on several of the maps in the EAR-based Amendments. This memo serves to summarize the Planning and Zoning Advisory Board comments and Town staff comments on the maps.

Please note that Florida statutes require EAR-based Amendments to be adopted within 120 of the issuance of the Objections, Comments, and Recommendations Report (ORC). Therefore Malabar must adopt their EAR-based Amendments before June 19, 2009.

Overall comments on the maps:

- Sources: Sources will be corrected to show the agency that provided the data for the map and when the data was created.
- Color coding/legends: Each map is intended to be a unique representation of the data. Therefore, there may be variation in the legend and color coding.

FLU-1 Existing Land Use Map

The Existing Land Use Map portrays uses that exist on the ground within the Town. It is important to note that it is not a regulatory map.

- Data Management and Harris Corporations have an existing land use designation of Industrial. Industrial uses can incorporate various uses including light manufacturing, warehousing, and often commercial activities.
- Commercial General is a zoning designation and therefore would not be designated on the existing land use map.

FLU-2 Historic Sites Map

- Old School House location will be corrected.
- Mailboat dock will be added.

FLU-3 Soils

- The source and year will be added. (US Department of Agriculture, 2008.)

FLU-4 FEMA Flood Zones

- The most recent data is dated 1997. Per Brevard County's Floodplain Manager, the County is expected to adopt a new map in 2010.

Engineering
Construction Engineering
& Inspection
Municipal Engineering
Transportation Planning
& Traffic Engineering
Surveying & Mapping
Planning
Landscape Architecture
& Environmental Services
Construction Services
Indoor Air Quality
Data Technologies
& Development

1800 Eller Drive, Suite 600
Fort Lauderdale, FL 33316
Phone: 954.921.7781
Fax: 954.921.8807
www.calvin-giordano.com

FLU-5 Topography

- The original data set came from Brevard County. We reviewed St. John's River Water Management District (SJRWMD) and US Geological Survey (USGS) data and it seems to be more accurate including areas near the railroad track. The USGS data is dated 1997 (most recent available.) This map will be corrected using SJRWMD/USGS data.

FLU-6 Waterbodies

- USGS maintains the hydrography data and USGS staff indicated their data needs updating. We are getting more information on whether or not there are immediate plans to update their data.

FLU-7 Habitats

- Habitat category definitions can be added to the Conservation Element text to assist in understanding the map.

FLU-8 Parks and Conservation Areas

- The greenway from Sandhill Trailhead to the Public Works facility should be added.

FLU-9 Future Land Use Map

- Show Serene Harbor property as Residential/Limited Commercial (RL/C) based upon Future Land Use Map amendment first adopted in 2004 and finalized in 2007.
- Show property east of US1, north of Passaic as Residential/Limited Commercial (RL/C) based upon Future Land Use Map amendment first adopted in 2004 and finalized in 2007.

FLU-10 Wetlands

- Per the Planning and Zoning Advisory Committee, there are wetlands at the northwest and southwest of the intersection of Malabar Road and Marie Street and southeast of the intersection of Glatter Road and Marie Street. The data for FLU-10 came from the Florida Fish and Wildlife Conservation Commission (dated 2003). The wetlands not shown in FLU-10 would need to be surveyed and validated by state or federal agency. Finally, such information would need to be converted into a GIS format in order to be displayed on the map.

TRN-1 Existing Roadway System

- Glatter Road will be changed to show extending past Marie Street.
- There are some roads marked on the maps where right-of-way exists, but the road has not been developed yet. The Planning and Zoning Board requested removal of the following roadway sections from the road layer (and show as right-of-way only, keeping roadway name.):
 - Remove LaCourt Lane north of Hall Road
 - Remove Atz Road from the midway point between LaCourt Lane and Marie Street heading east
 - Remove Isasa Lane north of Hall Road

- Remove Admiral Drive

TRN-2 Existing Number of Lanes

- Glatter Road will be shown as a two lane road.

TRN-3 Existing and Future Roadway Classifications (2025)

- LaCourt Lane is highly trafficked and used for movement to many intersecting roadways. However, reclassifying LaCourt Lane as a *collector* would be detrimental to adjacent property owners as it would require property owners to provide an additional 20-50 feet of right-of-way from their own property. The Town intends to improve Marie Street which would alleviate traffic on LaCourt Lane.

Also, Town staff has requested correction of the Town boundary. The Town boundary should go out to the waterline and southern boundary should be horizontal east of Valkaria Road (not "zigzagged."). CGA staff has requested a correction of the Town boundary from the Brevard County Property Appraiser. Additionally, Town staff requested that that FLU-1 Existing Land Uses and CST-1 Coastal Planning Area Existing Land Use show areas within the Coastal Preserve Zoning Area east of US 1 as Aquatic Preserve.



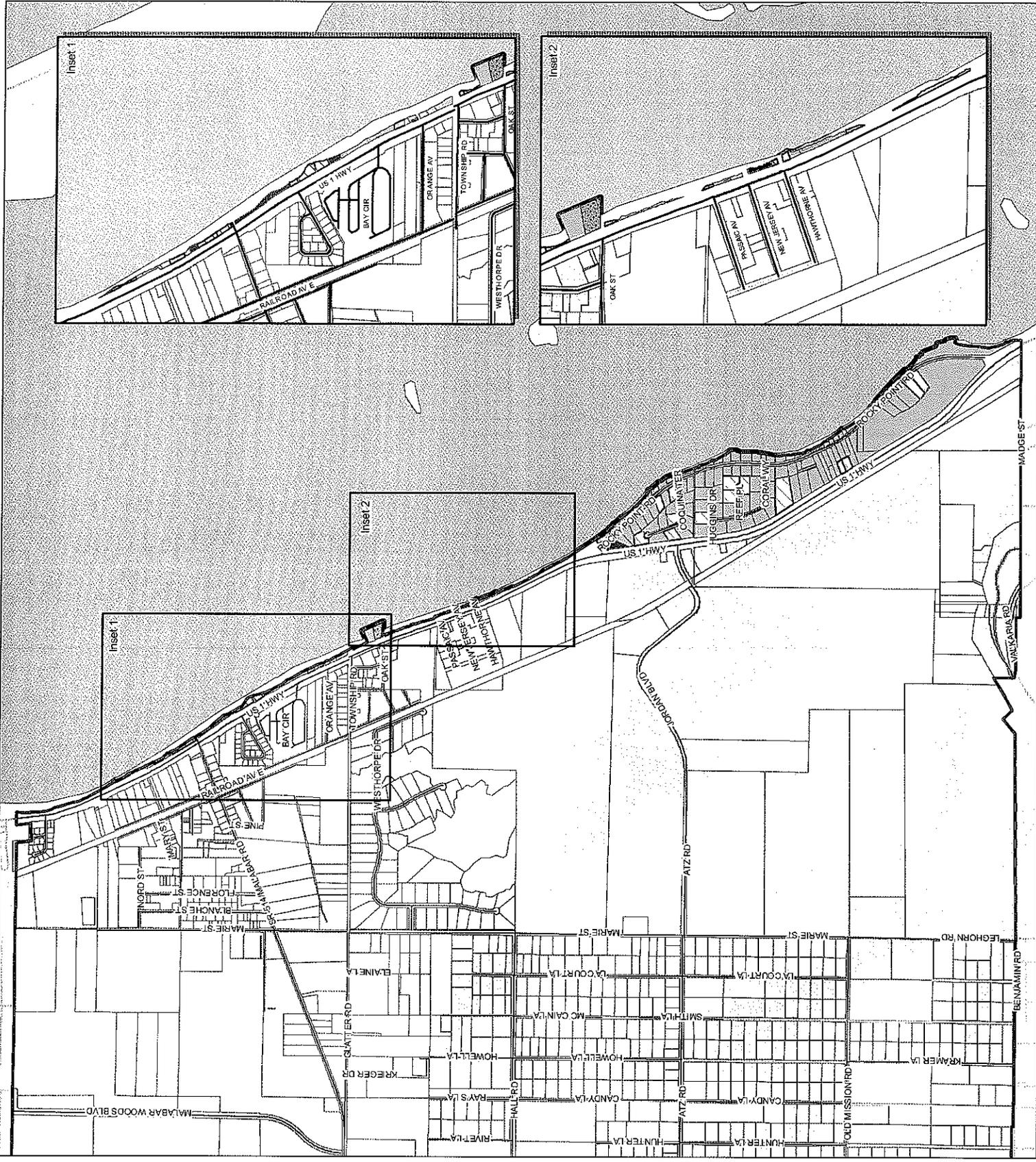
Coastal Planning Area Existing Land Use

CST - 1

	Malabar Town Boundary
	Road
	Coastal Planning Area
	Existing Land Use
	SINGLE-FAMILY RESIDENTIAL
	MOBILE HOMES
	INSTITUTIONAL
	COMMERCIAL
	INDUSTRIAL
	VACANT COMMERCIAL
	VACANT RESIDENTIAL
	VACANT RECREATIONAL
	WATER

Print Date : August, 2008

Source :
Calvin Giordano and Associates





Evacuation Routes with Storm Surge Zones

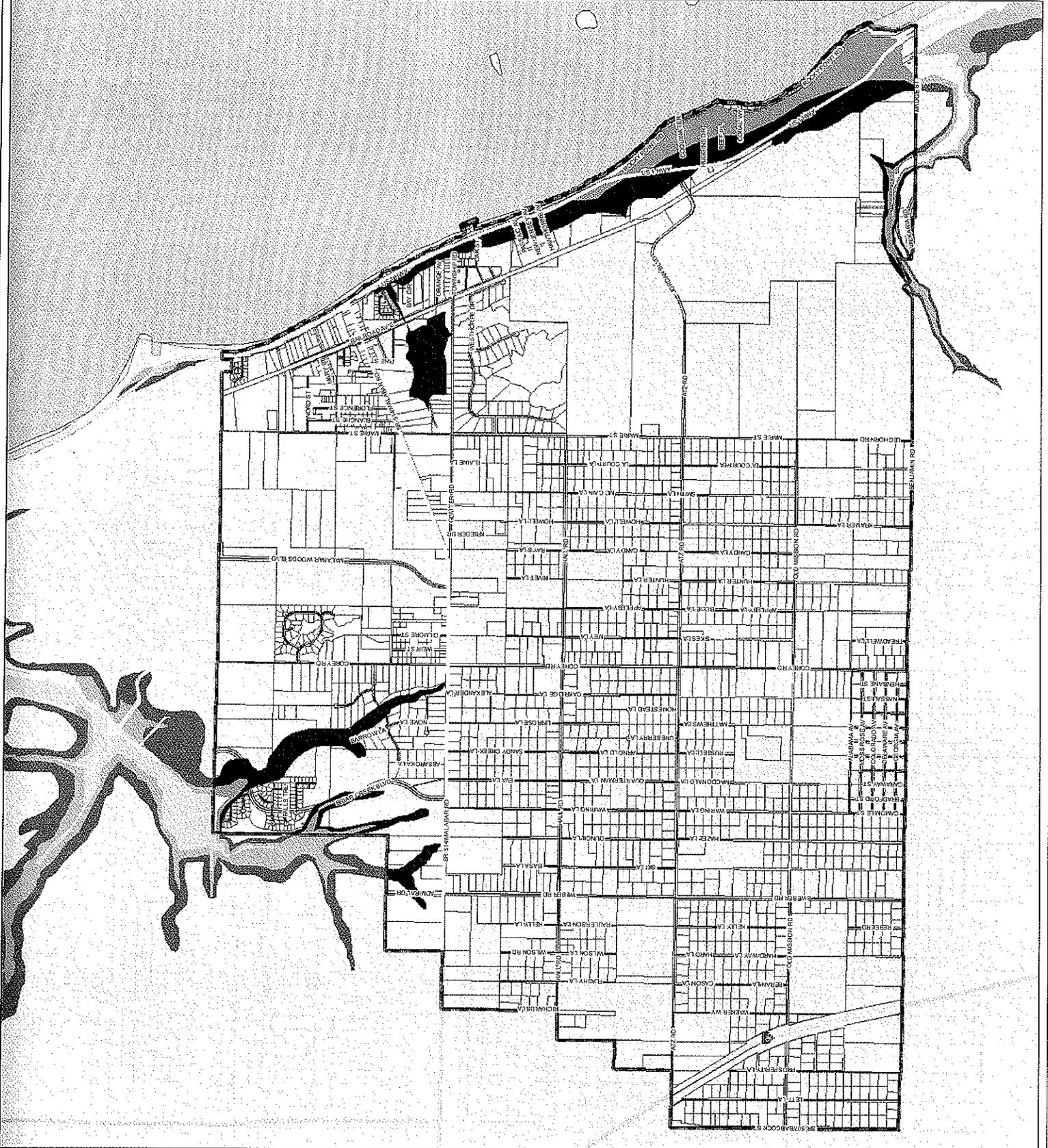
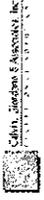
CST - 3

Legend

- Malabar Town Boundary
- Roads
- FDEM Evacuation Routes
- FDEM Surge Zones
 - Tropical Storm
 - Category 1
 - Category 2
 - Category 3
 - Category 4
 - Category 5

Print Date : August, 2008

Source : Florida Dept of Emergency Management





Brevard County Hurricane Shelters

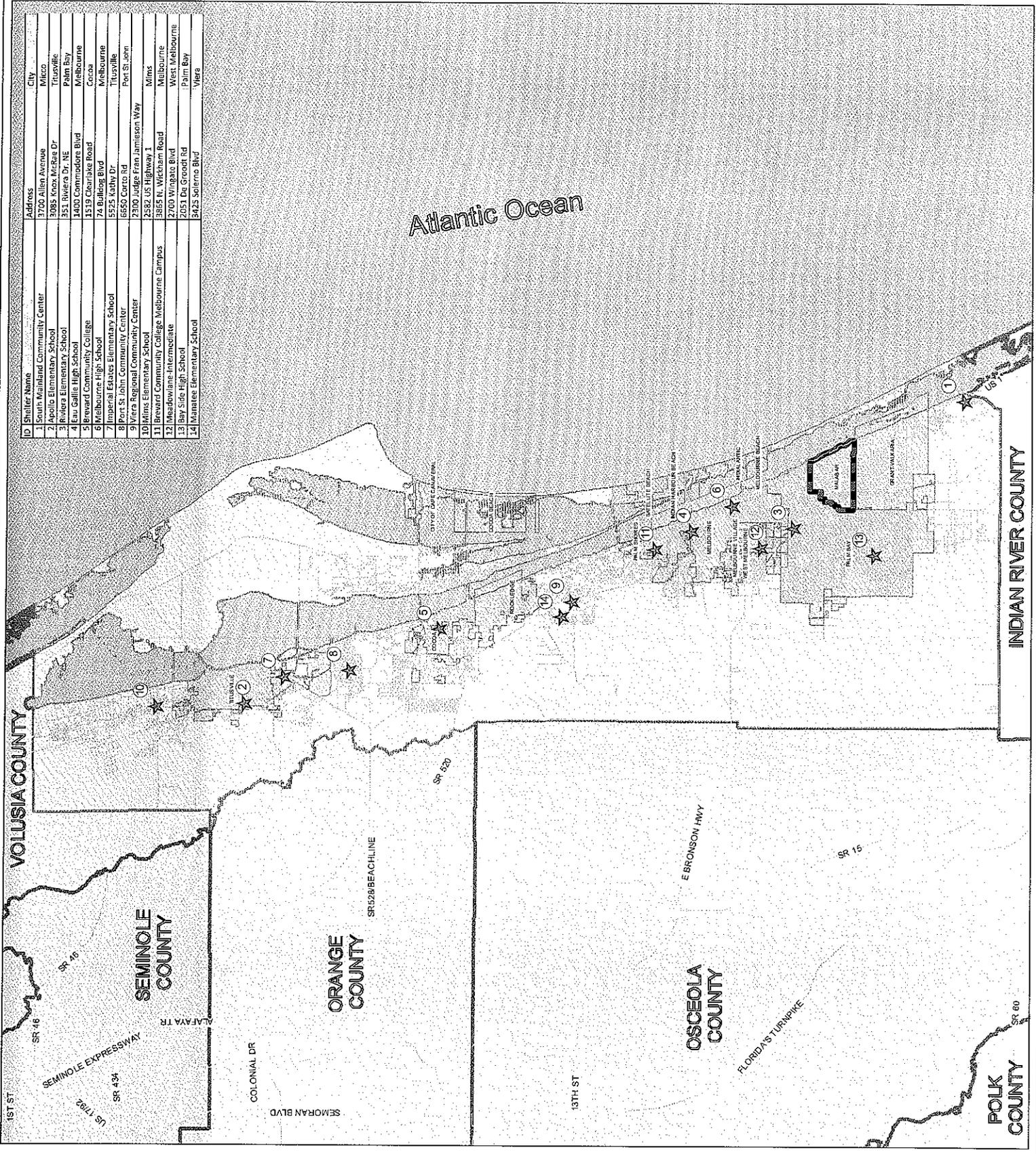
CST - 4

Legend

- Roads
- Malabar Town Boundary
- Brevard Hurricane Shelters

ID	Shelter Name	Address	City
1	South Mainland Community Center	3700 Allen Avenue	Melco
2	Lochlo Elementary School	3085 Krosa McEae Dr	Troisville
3	Widener Elementary School	353 Widner Dr. NE	Palm Bay
4	Eau Gallie High School	2400 Commodore Blvd	Melbourne
5	Brevard Community College	1519 Clearlake Road	Cocoa
6	Melbourne High School	74 Bullock Blvd	Melbourne
7	Imperial Estate Elementary School	5525 Kathy Dr	Titusville
8	Port St John Community Center	6650 Corto rd	Port St John
9	Viera Regional Community Center	2300 Judge Fran Jamieson Way	Viera
10	Mims Elementary School	2582 US Highway 1	Mims
11	Brevard Community College Melbourne Campus	3865 N. Wickham Road	Melbourne
12	Meadowlane Intermediate	2700 Wingate Blvd	West Melbourne
13	Ray Side High School	7051 Die Groodt Rd	Palm Bay
14	Manatee Elementary School	3425 Solenne Blvd	Viera

Atlantic Ocean



Print Date : August, 2008

Source :
Florida Dept of Emergency
Management



Chm, Gordon & Associates, Inc.
GIS



Existing Roadway System

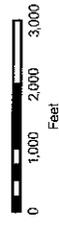
TRN - 1

Legend

- Roads
- Malabar Town Boundary
- Florida East Coast Railway

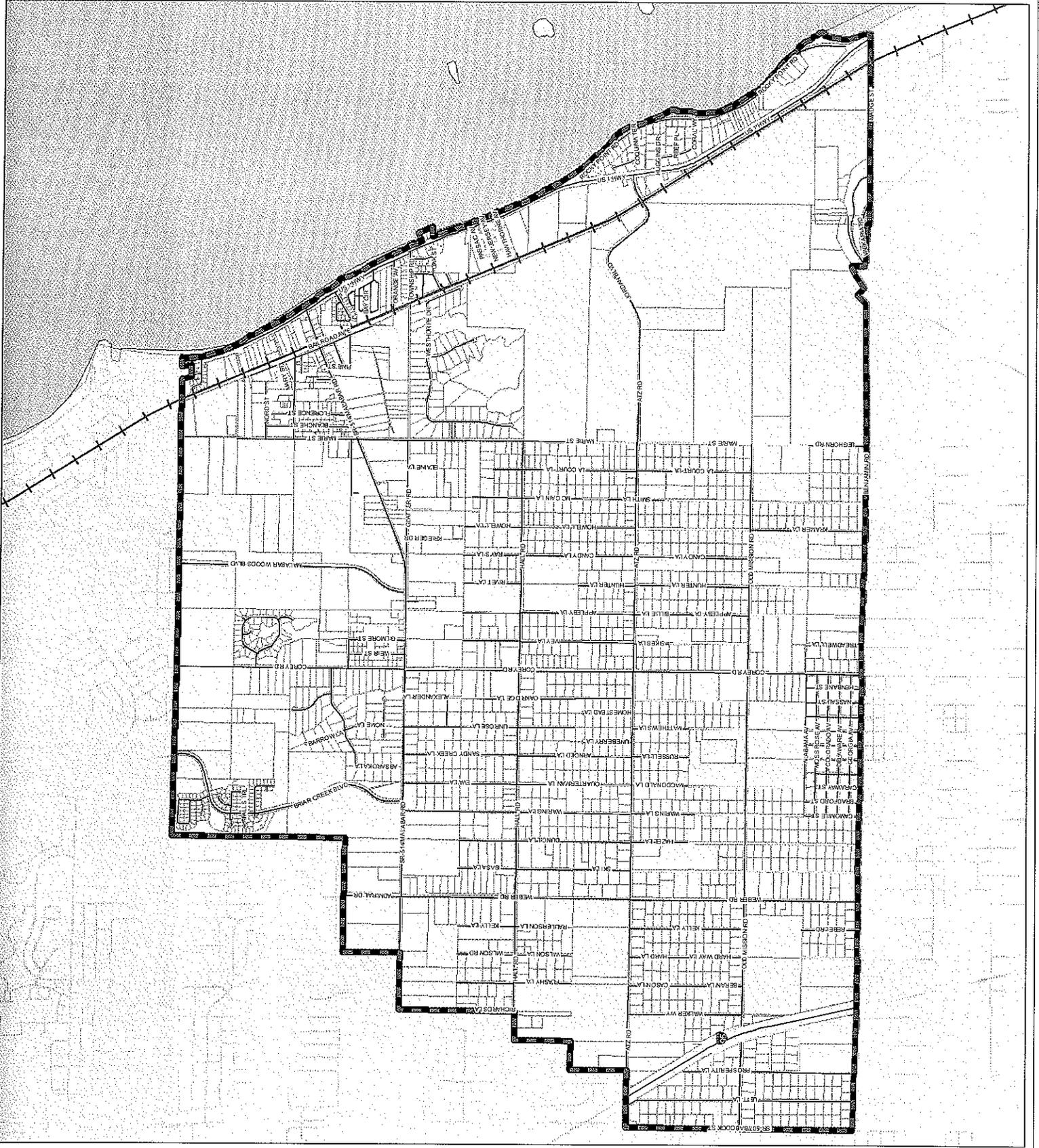
Print Date : July, 2008

Source :
Calvin Giordano and Associates



Calvin Giordano & Associates, Inc.
PLANNING AND ENGINEERING

GIS
PROVIDED AND MAINTAINED BY CALVIN GIORDANO & ASSOCIATES, INC.
CORPORATE RESOURCE SYSTEMS





Existing Number of Lanes

TRN - 2

Legend

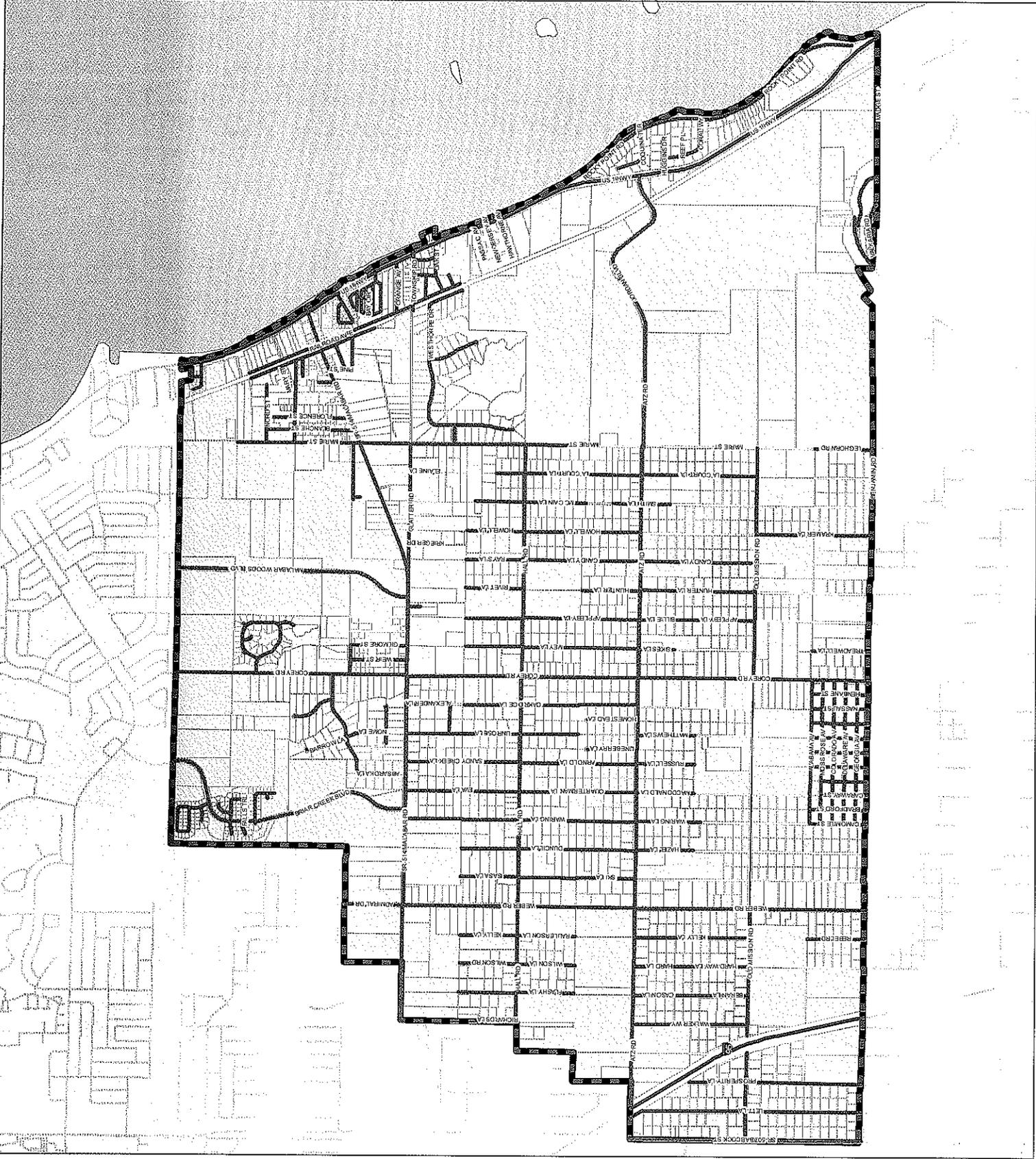
- Roads
- Malabar Town Boundary
- Existing Number of Lanes
 - 2 Lanes
 - 4 Lanes

Print Date : July, 2008
 Source :
 Calvin Giordano and Associates



Calvin Giordano & Associates, Inc.
 10000 W. US HWY 1, Suite 100
 Fort Myers, FL 33907
 Phone: 813-938-1100
 Fax: 813-938-1101
 Email: info@calvingiordano.com
 Website: www.calvingiordano.com

GIS
 Research and Development, Inc.
 10000 W. US HWY 1, Suite 100
 Fort Myers, FL 33907
 Phone: 813-938-1100
 Fax: 813-938-1101
 Email: info@calvingiordano.com
 Website: www.calvingiordano.com





Existing and Future Evacuation Routes

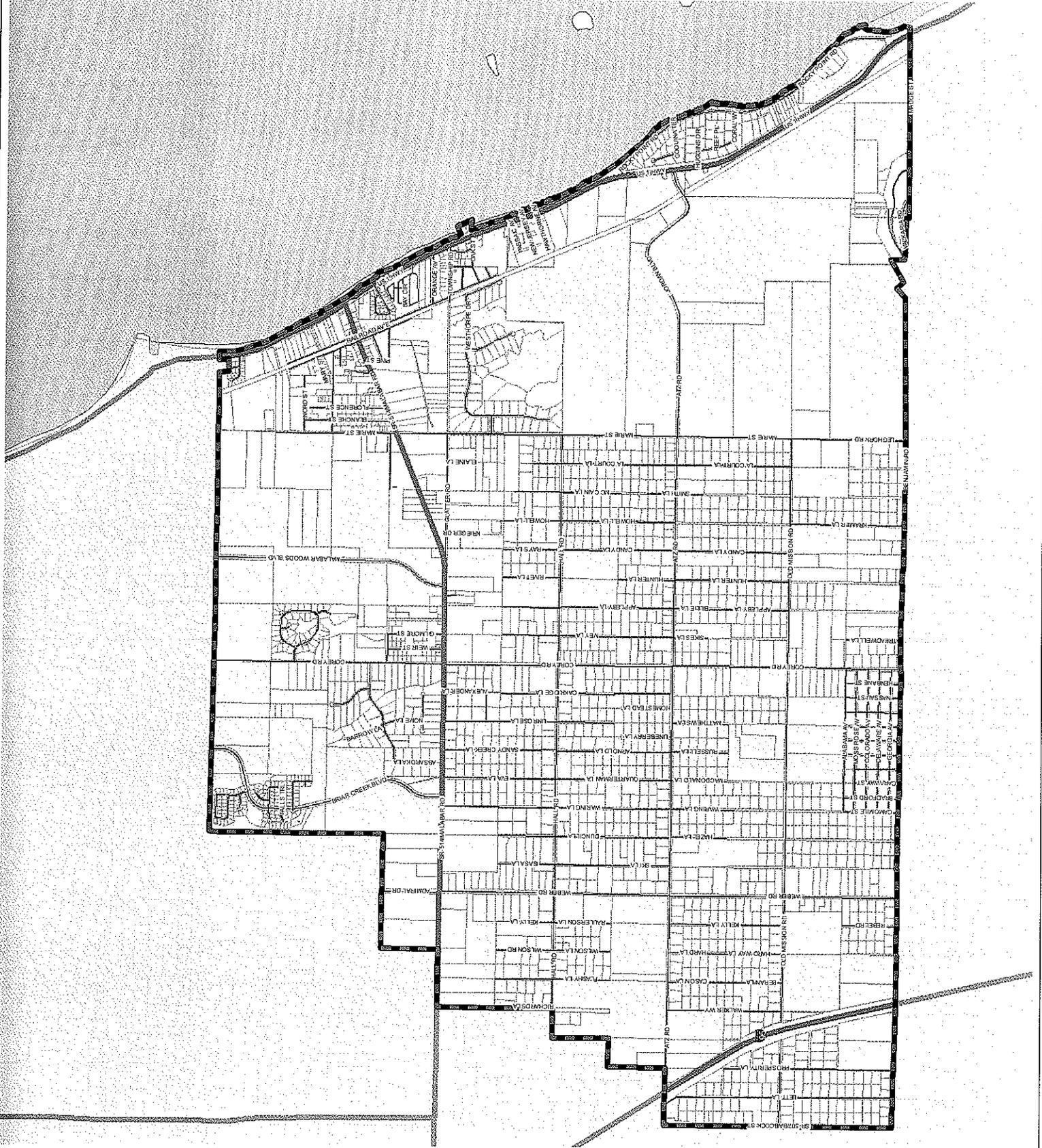
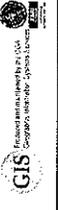
TRN - 5

Legend

- Roads
- Malabar Town Boundary
- FD-EM Evacuation Routes

Print Date : August, 2008

Source :
Florida Dept of Emergency Management



TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: May 13, 2009

Prepared By: Debby Franklin, Town Clerk

SUBJECT: Joint Workshop for Fence Regulations

BACKGROUND/HISTORY:

Council would like to have a joint workshop with P&Z to discuss fence regulations. Would it be agreeable to use the second meeting of the month for a joint workshop. It could be May 27 or next month. Please provide direction.

ATTACHMENTS:

May Calendar

May 2009

**TOWN OF
MALABAR**

2725 Malabar Road
Malabar, Florida 32950
Phone: 321-727-7764
Fax: 321-722-2234

E-mail:

Town-
Clerk@townofmalabar.org

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
Town Council 7:30						
10	11	12	13	14	15	16
Space Coast League of Cities Dinner Meeting						
Malabar Mariners Association Meeting-5:00						
Teen Council 7:00						
17	18	19	20	21	22	23
Town Council 7:30						
Park Board 7:30						
24	25	26	27	28	29	30
Memorial Day Town Hall Closed						
31						

TOWN OF MALABAR
PLANNING AND ZONING

AGENDA ITEM REPORT

AGENDA ITEM NO: 5
Meeting Date: May 13, 2009

Prepared By: Debby Franklin, Town Clerk

SUBJECT: Capital Improvement Projects for 2010-2015

BACKGROUND/HISTORY:

We are working towards coming into compliance and conformance with the Capital Improvement Projects for the long range planning. Malabar had a Capital Improvement Projects list that was put together by P&Z in the mid 1990's. There was a Five-Year list that was reviewed by Council in 2001. We would like to get input from P&Z on projects you feel we should include in our list.

We would like to see Marie Street improved from Atz Road south to Leghorn. We would like to see the deep drainage ditches along Hall and Atz retrofitted so they don't have to be so deep. Perhaps Corey and Weber should be widened. Do you still want a Community Center? Do you still want to pursue purchasing land for a Town Hall?

Please discuss and provide a list I can forward to Council. It does not have to be done in one meeting.

ATTACHMENTS:

Capital Improvement Ideas

IDEAS FOR CAPITAL IMPROVEMENTS



TOWN OF MALABAR

Five Year Plan Priorities

January 29, 2001

Land Acquisition

- Town Hall/Municipal Complex
 - library
 - community center
- Well water sites
- Stormwater
 - Corey and Malabar \$300,000
 - Recharge Areas
- Parks and Recreation
 - Riverfront (FRDAP grant, boating grant)
- Industrial
 - Babcock area
- Right-of-Ways
 - Marie to Leghorn

Facilities

- Town Hall
- Community Center/Library
- Public Works storage
- Recreation
 - pavilions
 - trails
 - piers
- Expand water treatment facility

Equipment

- Mower/Slope mower
- Tractor & Accessories
- Dump Truck
- Pick-up Truck \$17,000
- Office Equipment
 - computers

Infrastructure

- Roads
 - 12 miles of collectors
- Pave dirt roads \$65,000/yr
- Water/sewer/stormwater
- Beautification
 - lighting
- Neighborhood revitalization
 - rehab
 - code enforcement

Fire Safety

- Vehicles
 - tanker
 - utility
 - squad
 - engine refirb
- Building
 - paint
 - overhead doors
 - replace concrete
- EMS
 - upgrade to BLS
 - add defibrillator
- Radio Communications
 - replace obsolete packsets
 - radio headsets
- Fire Fighting Equipment
 - fire hose
 - Scott Packs
 - Cascade air system
 - Bunker gear

**TOWN COUNCIL WORKSHOP MINUTES
MARCH 13, 2001**

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

ROLL CALL:	MAYOR/CHAIR:	PHILLIP CREWS
	VICE-CHAIR:	CHARLENE HORTON
	COUNCIL MEMBERS:	TOM ESCHENBERG
		HENRY DEKKER - EXCUSED
		NANCY TINIO-BORTON
		STEVE RIVET
	ADMINISTRATOR:	WILLIAM HALL
	CLERK:	SUSAN KABANA

Also present were Chuck McClelland, Fire Chief and Nancy Jewel-Vincent, grant writer.

The meeting was called to order at 7:30pm by the Mayor. Prayer and pledge were lead by Mrs. Horton.

The Council used the Five Year Plan Priorities list that was developed at the last five year plan workshop (held January 29, 2001) and developed priorities within each category. The result is the following list:

Infrastructure

1. Roads
2. Drainage
3. Fire Hydrants
4. Neighborhood Revitalization
5. Beautification

Public Safety

1. Purchase Defibrillator
2. Replacing Tanker
3. Engine 99 Refurb
4. Replace obsolete radio packsets
5. Paint Building
6. Refurb Overhead Doors
7. Purchase Bunker Gear
8. Purchase Radios Headsets
9. Purchase Fire Hose
10. Replace Concrete Around Building
11. Purchase Utility Vehicle
12. Purchase Scott Air Packs

EXCERPTS FROM P&Z MINUTES REGARDING SUGGESTED CAPITAL IMPROVEMENTS FOR TOWN

March 12, 1996:

CAPITAL IMPROVEMENT PLAN -

The Board reviewed and updated a 1994 "wish list" eliminating completed projects.

ACQUISITIONS -

1. Right-of-ways along West Railroad Avenue
Malabar Road to slightly south of Glatter Road
2. Right-of-ways south of Harris to Old Dixie Highway
3. Right-of-way - Marie Street - Along east side of scrub habitat
4. Water retention areas - north and south of Malabar Road
Alagood recommended the Town start looking toward purchasing sites now. Maybe this should be tied in with engineer's drainage plan.
5. Storm water retention areas - town-wide
Wilbur stated the time will come soon when we will not be able to discharge storm water into the river. There is an area in sec. 31 west of the railroad tracks and south of the (Camelot) ditch that would be ideal for collecting water from the Marie Street area. Could be dug and diked. Pull water up in storm event. Hold there and let it polish and run into shallow well injection. Injecting water into ground in order to get drinking water. Have to be careful not to pollute that aquifer. Boyer noted that some areas are using reverse well point with stormwater being pumped back into the ground.
6. Well water sites, possible utility plant
Discussed water and need for water & sewer plant. If Malabar does not take some initiative, Palm Bay will be using Malabar's water as a water farm. Consider possibility of utility plant to first serve Rocky Point area then moving northward up US #1. Alagood suggested Town should start looking for a parcel of land to purchase as the site for a proposed water processing plant. Boyer indicated RO plants are quite small these days. Flushing of RO system is where you could have a problem.
7. Property for new Town Hall or obtain option on it.
Recommend looking into acquiring property (with house) at southwest corner of fire station (parcel 502).
7. Property in the Town for Conservation/Development
8. Property for community center
The old schoolhouse would be ideal site.

COMPREHENSIVE PLAN ITEMS -

1. Complete drainage plan
2. Provide for bridle paths along Hall, Marie and Atz
3. Provide for bicycle and other trails
4. Preserve/restore historic homes

Paets organizing historical association which will look into possibilities.

5. Create boulevard effect with trees & shrubs when Malabar Road is widened
6. Designate certain 25-foot roads as one way
7. Insure dead-ended 25-foot roads have cul-de-sacs

Garbage trucks have to back up. Some streets like Kramer dead end at wetlands. These wetlands belong to some person(s) who cannot build. Ordinance says we cannot dead-end streets without a cul-de-sac. This should apply to Town, not just to developers.

RECREATION/GRANT FUNDING/CITIZEN PARTICIPATION GROUPS -

1. Baseball field/soccer field/playground - fire station park
2. Riverfront park at north end of Rocky Point
3. Boat dock
4. Link nature ways to Palm Bay and south to Valkaria
5. Fitness and nature trails
6. Clean up shoreline, remove non-native trees and shrubs, replant with native habitat

Wilbur suggested board members work on this list with additions, deletions, or revisions and improvements for later presentation to Council.

April 9, 1996

Capital Improvement Plan - Acquisitions

Rankins - We need more than a list. We need to prioritize items with statements identifying reasons for the proposed acquisitions.

Boyer indicated a lot of these items have been brought up to Council before. Rankins felt all we can do is keep bringing them up. Alagood questioned why keep doing it if there is no money. Rankins' opinion is that Council probably has the best of intentions and suggested that items such as long-term capital improvements be listed as agenda items every meeting. Rankins stated financing the projects is up to Administrator Hall.

Break 8:35; Resume 8:40.

1. Right-of-ways along West Railroad Avenue

From Malabar Road to slightly south of Glatter Road.

- This strip of right-of-way is needed to provide future access to the large land area even if there is already one access. The r-o-w would allow the area to the south to develop with reasonable access. This would allow connection to commercial district without going through the neighborhoods.
- Overpass would be needed if state straightened out and four-laned Malabar Road.
- The area north of Glatter and west of railroad tracks is good recharge area.

Rankins wondered if property owners would give up the right-of-ways. Eden felt it would be up to the people developing the southern area to give up the right-of-ways. This project is not top priority and should be moved down the list.

Brief discussion on Camelot ditch. It has been suggested the baffle boxes be installed on the west side of the railroad, not near US #1.

2. Right-of-Way south of Harris to Old Dixie Highway (in Valkaria)

- This r-o-w could be valuable if industrial area along Jordan Boulevard does develop.
- There are a lot of things in the works for Valkaria airport. If you wanted to get high tech industry to set up shop, they would want easy access out.

3. Right-of-ways - Marie Street, along east side of scrub habitat

- Right-of-way is required to provide access to the property owners north of Mr. Fenter's land.

Marie Street, north end, goes up to Zacke's, runs to Fenter who has never given right-of-way on his west side. Now the scrub habitat has come along, and something is going to have to give.

Boyer stressed that property owners along northeast side must have access to property. County bought the scrub land. They want to concede only 15 feet; they do not want to "give" Malabar the right-of-ways that were shown on the old subdivision plat from 1912. They want Town to vacate the other right-of-ways within the scrub area.

The Town received an inquiry re subdividing CITA property with a parcel being cut out for Ellison's son, facing Marie Street. Unless there is a 60-foot r-o-w, a building permit cannot be issued, nor can they subdivide until there is a 60-foot r-o-w.

It is the town's responsibility to work things out with the County. Since County wants to vacate r-o-w's, we are now in a bargaining position. We will not be able to obtain the r-o-w once the fence goes in. Wilbur indicated there is a good possibility

Marie Street will end up being part of trails from scrub area, etc., to Valkaria. This acquisition is priority at this time.

Suggestion made to write to the County noting that there is right-of-way in some places; and if a fence is put in now, they may be required to move the fence.

Mention made of obsoleted road ordinance 6-5-84 which required public hearing for vacating right-of-ways. Would the Town have to hold public hearing if the County wants to vacate right-of-ways?

Secretary to send memo to Council as follows: Regarding County Scrub Habitat and Right-of-Ways. It is our understanding that the County wishes to vacate certain right-of-ways within the habitat and that Malabar requires right-of-way along Marie Street. In view of the Town's bartering position in this issue, would Council consider having Mr. Hall negotiate to acquire a sufficient right-of-way on the east side of the scrub habitat in exchange for the r-o-w's the County wishes be vacated. According to the Land Development Code, future development along the northern part of Marie Street would require a 60-foot-wide road. If there are any questions, we will be glad to explain.

X. Right-of-Way, South end of Marie Street to eastern extension of Atz Road. (As previously recommended to Council.)

- This acquisition would help ease the traffic from LaCourt Lane and would simplify the traffic pattern.
- This additional right-of-way would also help make property in that area buildable.
- Digging a ditch on the east side of Marie would act as natural barrier and would allow for gates to be put up on the west end of Jordan Boulevard from Hall Road southward to Jordan Boulevard.

It was suggested that ordinances dealing with land, roads, right-of-ways, etc., be presented to P&Z before the Council hearings so that Council can be advised if there are problems that would be recognized by Planning and Zoning.

4. Water Retention Areas

Map indicating Malabar's recharge areas was reviewed. We should be looking at highest surficial aquifer recharge areas in our search for storage areas. The downstream end at railroad east end of Glatter Road, and ridge west of railroad is a natural dike or dam which would allow for percolation. That area had a deep layer of peat/humus and is great for porous filtering capability.

Eden suggested looking at central area between Corey and Weber which also has a natural dike. Area is not developed too much now. It is still a large area that is apparently very good as a recharge area, and we should look at it.

- Water retention areas help stop pollution of Turkey creek.
- These areas recharge aquifer for wells for Malabar residents.
- We are mandated to clean up the water that goes to Turkey Creek and then to Indian River Lagoon. Malabar would not want to be the town to contribute to the pollution.

Rankins is certain there are several agencies that would be happy to have a municipality take over these areas.

It was mentioned the 10-acre proposed Reilly subdivision has been identified for possible acquisition as a polishing pond to clean up water before it goes into Turkey Creek. There is an indication the Town may be able to obtain funds to purchase this property.

May 14, 1998:

Capital Improvement Plan - Regarding #4 on list - Acquiring right-of-way south end of Marie Street to eastern extension of Atz Road - Wilbur spoke with Hall who is to direct Carl Beatty to dig a ditch on east side of Marie to Atz and south of Atz. This would extend existing ditch. It was suggested that Hall check into ownership of property on the east. Eden felt right-of-way should be acquired before they dig a ditch. Wilbur indicated people on the east side apparently want it blocked off and probably would be open-minded to giving the right-of-way.

Boyer stated if we ask the people for right-of-way, we have to have a total of 100 feet to make it a major collector. Wilbur said it would eventually be 100 feet for bike trails, greenway, etc. County was not going to pursue giving right-of-way on Marie Street, and County will not give us the 15 feet that is already on the plat maps north of Malabar Road.

Some discussion questioning the need for requiring 100-foot r.o.w. for major collectors (ordinance 93-7) in areas such as Corey, north of Malabar Road and Marie Street, north of Malabar Road as it seems unlikely they will ever connect to other major collectors. It was felt the Town make a mistake in making these 100-foot roads.

Grady - The property owner on the east is liable if anything happens on their property. Alagood - This (acquisition) should be done before sending someone to dig the ditch.

A gate at LaCourt and Atz will not solve the problem. Solution could be to put a gate a Jordan Boulevard.

MOTION - Eden/Alagood - That we request William Hall to contact the owners on the

east side of Marie Street, south of Hall to as far south as possible, in a north/south progression (to the southern Malabar boundary) to obtain a 50-foot right-of-way east of the Marie Street section line where we would put in a drainage ditch along that east side. Vote: All aye.

May 28, 1996:

Capitol Improvement Plan - Hall - When we talk about right-of-ways, the Council thinks of cost/money.

5. Retention - We have selected property on Corey and Hall for retention area.

8. Conservation - We have enough.

Rankins asked how the Town could increase revenues. Malabar needs a new revenue source. Discussed possibility of a golf course.

Hall indicated the Grant residents, as well as Valkaria's, were asking if they could annex to Malabar. They may be "afraid of Palm Bay." Member felt that even if Valkaria and Grant were to come in, it would not help us that much because it would add to our worries.

Wilbur mentioned the railroad is divesting. Secretary indicated appraiser was here previous week asking about the property. Wilbur wonders if this might be a good opportunity to obtain some property from them for water retention.

Rankins asked what had happened to collecting stormwater fees. Hall indicated the amount was not that much and that Council did not pursue.

JUNE 25, 1996: