

**PARK AND RECREATION ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, OCTOBER 15, 2008
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**
Regular Park and Recreation Meeting – 9/17/08
Exhibit: Agenda Report No. 1
Recommendation: Motion to approve
- E. PUBLIC**
- F. ACTION**
 - 2. Council Acceptance of Park Fee**
Recommendations from Park Board
Exhibit: Agenda Report No. 2
Recommendation: Review and approve
- G. DISCUSSION ITEMS**
 - **Report on First Meeting of Trails & Greenway**
 - **Status of Fencing for Disc Golf Park**
 - **Status of East/West Boundary Trail**
- H. OLD BUSINESS/NEW BUSINESS:**
- I. 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 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
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 1
Meeting Date: OCTOBER 15, 2008

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Approval Park Board Minutes

BACKGROUND/HISTORY:

Attached are the summary minutes for the following meetings:
Regular Park & Recreation Board Meeting – 9/17/08

ATTACHMENTS:

- Draft Minutes from Park and Recreation regular meeting September 17, 2008

ACTION OPTIONS:

Recording Secretary requests approval of the minutes

The following draft minutes are subject to changes and/or revisions by the Park Board and shall not be considered the official minutes until approved by the Park Board.

**TOWN OF MALABAR – PARK AND RECREATION ADVISORY BOARD
9/17/08 MEETING MINUTES**

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

A. CALL TO ORDER - Meeting was called to order at: 7:30 pm by Chairperson, Hans Kemmler. Prayer and Pledge led by Chair Hans Kemmler.

B. ROLL CALL OF MEMBERS

ROLL CALL:

Hans Kemmler – Chair

Dick Korn, Vice-Chair

Bob Siegmann-excused

Vickie Thomas

Scott Pollard

Josh Treadwell, Alt. #1-excused

Maryann Marsh, Alt. #2

Cynthia Kelley, Recording Secretary

C. ADDITIONS AND DELETIONS: Kelley needs to re-send mailing address for Josh Treadwell.

D. CONSENT AGENDA

1. Approval of Minutes

Regular Park and Recreation Meeting – 7/16/08

Exhibit: Agenda Report No. 1

Recommendation: Motion to approve

Discussion: On page 3, Brook Glen should be stated as Glen Brook. Under H Old Business, the reference to the Trailhead throughout this section refers to the Boundary Canal Trail. Where Trailhead is mentioned, it should be changed to Boundary Canal Trail.

MOTION: Pollard/Thomas to approve minutes of July 16, 2008 as with corrections as stated.

VOTE: All Ayes.

E. PUBLIC: None

F. ACTION: None

G. DISCUSSION ITEMS

2. Consider Amending Park Fee Resolution

Exhibit: Agenda Report No. 2

Recommendation: Discussion and direction

Discussion: The discussion started with inquiries as to how often the park is reserved. Kemmler reported to the Board that during the peak season, the park facilities are rented several times a week; off season is a lot less.

MOTION: Korn/Pollard recommends to Council that a kiosk be placed at the entrance of the park showing the reservations, information and activities be posted.

Discussion: Kemmler states if there is no more discussion regarding placing a kiosk, the Board can review and discuss the park fees; making recommendations to Council.

VOTE: All Ayes.

Discussion: After reviewing and discussing the categories and rates in the draft resolution, the Park Board made several recommendations to Council. Marsh stated it looks like the fees have been taken out and the Town is only charging for damages.

MOTION: Korn/ recommends \$75 per week for soccer. Motion dies for lack of second.

MOTION: Korn/Marsh categories 1-3 \$50 deposit \$10/hr with the same rules applying for any reserved facility. VOTE: All Ayes.

MOTION: Marsh/Pollard commercial rental involving a private business and/or for profit activity rental fee be \$20/hr \$100 deposit and eliminate 10% gross proceeds on gate, merchandising and concessions. VOTE: All Ayes.

Categories 5 & 6 are similar in speaking about sports leagues and seasons. This would apply to soccer and baseball fields. Thomas reported to Board that she was able to get information on the soccer field fees that Palm Bay receives. The City of Palm Bay receives \$350 per season for the use of the soccer fields; an average of \$85 per month.

MOTION: Thomas/Korn makes recommendation to 5 & 6 apply to any sports league for seasonal reservations of a field @ \$375 fee a season; eliminate % of gross concession proceeds.

Korn asks if we charge a deposit. Kemmler states we don't charge a deposit; they sign a contract with the stipulations of the rules of the contract. Korn is questioning the food concession. Marsh states this is between the Town and the vendor. Kemmler states that the contract states the type of insurance that is needed.

VOTE: All Ayes.

3. Waterfront Improvement

Exhibit: Agenda Report No. 3

Recommendation: Discussion and direction

Discussion: Kemmler reports that the Board has been over this a few times. He wants to put the seeds in the Board's minds that we would like to improve the waterfront once the economy turns around. He is in favor of having a sidewalk along the waterfront from Palm Bay to Rocky Point. Keep this in mind as things go forward in the future.

4. Cleared Land Tree Use (Parks and Disc Golf Park)

Exhibit: Agenda Report No. 4

Recommendation: Discussion and direction

Discussion: Kemmler reported that there had been clearing across from the Fire Department. The people clearing the land owns the property to the south; they are clearing and planting more palm trees. Thomas makes a suggestion that a recommendation be made to have the Town Administrator notify the Park Board when land is being cleared to see if there can be any mitigation.

At this time, Kemmler reported the trees have been planted in the Community Park. Marsh asks if the Board's recommendations were taken into consideration when planting the trees. Kemmler states that it looks like the recommendations have been taken into consideration.

MOTION: Thomas/Marsh to get the Town Administrator to notify the Park Board if land is going to be cleared to use the trees in our parks.

Marsh asks if the Town has the equipment to clear land if someone was going to do this. The Town does not avail themselves to assist private citizens with projects they are involved in.

VOTE: All Ayes.

5. Bluegrass Bunch Pavilion Use (Electricity Access)**Exhibit:** Agenda Report No. 5**Recommendation:** Discussion and direction

Discussion: Kemmler brought this to the Board to ask if the Bluegrass Bunch is getting the electric they need to have their jam sessions at the Trailhead on Sunday afternoons. Kelley reported that the band does have electricity in the park. Marsh asks why they are not playing in the Community Park. Pollard reported that there is more shade at the Trailhead and Kemmler states that they enjoy playing at the Trailhead.

At this time, Thomas made mention of the article in the Hometown News regarding the potluck dinners that are put on by the Nobles at the old schoolhouse. Marsh asked when the dinners are. Kemmler stated they take place the last Sunday of the month from 3:00 to 5:00 pm.

H. OLD BUSINESS/NEW BUSINESS:**6. Trails and Greenways Meeting Reminder****Exhibit:** Agenda Report No. 6**Recommendation:** Reminder to Committee Members

Discussion: Kemmler reported that he has made contact with the members of the committee. The first meeting is to be held on Tuesday, September 23, 2008 at 7:30 at Town Hall. Bob Wilbur is to pick up a key. Anyone who would like to can join the committee. This committee is a group that gets together to take care of the trails and greenways. We do not meet at Town Hall and have minutes taken of the meetings; they do not fall under the Sunshine laws.

7. Cameron Preserve / EELs Property Access**Exhibit:** Agenda Report No. 7**Recommendation:** Discussion and direction

Discussion: Thomas advises that a lot of trees are down in the trails. The chain and lock were cut again at the Boundary Canal. Trash cans are needed in this area also. People are using the doggie pots for trash and they are splitting. Kemmler reported that this is EELs property and we cannot do anything on their property. This is something that can be addressed by the Trails and Greenways Committee. They will also address the golfer turtle holes.

I. ADJOURNMENT

There being no further discussion; **MOTION: Pollard/Marsh to adjourn meeting. VOTE: All Ayes.**
This meeting adjourned at 8:57 pm.

Cynthia Kelley, Recording Secretary

Hans Kemmler, Chair

Approved Date: _____

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: OCTOBER 15, 2008

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Council Acceptance of Park Fee Recommendations from Park Board

BACKGROUND/HISTORY:

At the last Park Board meeting of September 17, 2008, the Park Board members reviewed the Resolution for Park Board Fees. At the RTCM of October 6, 2008, Council accepted the recommendations from the Park Board. I have incorporated changes and present to Park Board for review before Council adoption.

ATTACHMENTS:

- Resolution 99 (39) 2008
- Mayor's Recommendations
- Section of RTCM draft minutes of 10/86/08 with Council's approval of park fee recommendations
- Section of Park Board draft minutes of 9/17/08 with Park Board recommendations to Council

ACTION OPTIONS:

- Review and approval of Resolution 99 (39) 2008

PROPOSED RESOLUTION 99 (39) 2008

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ESTABLISHING A POLICY FOR THE USE OF PARKS AMENDING RESOLUTION 01-2002; SETTING FEES AND DEPOSITS PER CHAPTER 12.5 SECTION 20 AND 22 OF THE CODE OF ORDINANCES; PROVIDING FOR WAIVER OF SAID FEES AND DEPOSITS; PROVIDING FOR CERTAIN PROCEDURES FOR USE AND RENTAL OF THE PARK; PROVIDING FOR THE REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Malabar adopted Ordinance 06-00 which became Chapter 12.5 of Malabar's Code of Ordinances providing for rules and regulations within Malabar parks; and

WHEREAS, this Chapter also provides that in order to designate an area of any Malabar park as reserved, a permit must be issued; and

WHEREAS, the Town Council of the Town of Malabar has determined that a resolution providing for the various fees be established; and

WHEREAS, it is the clear intent of the Town Council to only require a fee when the applicant clearly desires to reserve that area of a park for their use. All rules regulations adopted as Chapter 12.5 of the Code of Ordinances must be met prior to issuance of a permit.

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

SECTION 1. USER CATEGORIES

When determining if deposits or user charges are applicable the Town staff shall use the following categories:

CATEGORY	FEE	COMMENTS
1. Government agency, school district administration (under 30 in attendance & limit of 1 time a month only) Non-profit/fundraiser or special event (Scout groups, Charter Schools, youth sports.) Private – any event not open to the public.	60% of normal rate, youth group may be exempt from fees for meeting rooms. Damage deposit may be required, depending on activity. <u>\$50 Deposit; \$10 per hour</u>	Maintenance, cleaning staff and any other direct costs will be included in the rental to be charged. <u>Same rules applying for any reserved facility.</u>
2. Commercial – any venture that involves a private business and/or a “for profit” activity.	Charge rental fee, damage deposit of \$100 , and all appropriate direct costs plus 10% of gross proceeds on gate, merchandising, and concessions.	Commercial contracts may require additional negotiation, depending on function or event. Contracts to have Town Administrator or designee approval.
3. Civic organizations – <u>youth league sports, adult league sports</u> non-profit groups that benefit the local community.	Rental fees waived, damage deposit required. <u>No damage deposit required</u>	These groups use the park to practice disaster preparedness or otherwise benefit the community. <u>The league sports will be</u>

		<p><u>charged a seasonal fee of \$375 per season; youth and adult sport leagues.</u></p> <p><u>Could be 2 seasons in one calendar year</u></p>
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SECTION 2. USE OF PARK WITHOUT PERMIT FEES.

It is the clear intent of the Town Council to not require a user fee for individuals or families that desire to use the park on a first come, first serve basis, without a reservations.

SECTION 3. PERMIT USER FEES.

Reservation of the large pavilion at Malabar Community Park: \$10.00 per hour. Hours must be stated on the application.

Reservation of the ball field: \$10.00 per hour or seasonal rate.

Reservation of the soccer field: \$10.00 per hour or seasonal rate

Reservation of the tennis, volleyball, or basketball courts: \$3.00 per hour

SECTION 2. CONFLICTS. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this resolution.

SECTION 3. SEVERABILITY. In the event a court of competent jurisdiction shall hold or determine that any part of this resolution is invalid or unconstitutional, the remainder of the resolution shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this resolution without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

The foregoing 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 Nancy Borton _____
- Council member Brian Vail _____
- Council member Charles "Chuck" McClelland _____
- Council member Jeffrey "Jeff" McKnight _____
- Council member Patricia D. Dezman _____

This Resolution was then declared to be duly passed and adopted this _____ day of October, 2008.

TOWN OF MALABAR

BY: _____
Mayor Thomas Eschenberg, Chair

Approved for Legal Sufficiency:

Karl Bohne, Jr., Town Attorney

ATTEST:

Debby K. Franklin
Deputy Town Clerk

(Seal)

**MAYOR'S RECOMMENDATIONS
RESOLUTION 99(39)-2008**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ESTABLISHING A POLICY FOR THE USE OF PARKS; SETTING FEES AND DEPOSITS PER CHAPTER 12.5 SECTION 20 AND 22 OF THE CODE OF ORDINANCES; PROVIDING FOR WAIVER OF SAID FEES AND DEPOSITS; PROVIDING FOR CERTAIN PROCEDURES FOR USE AND RENTAL OF THE PARK; PROVIDING FOR THE REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Malabar adopted Ordinance 06-00 which became Chapter 12.5 of Malabar's Code of Ordinances providing for rules and regulations within Malabar parks; and

WHEREAS, this Chapter also provides that in order to designate an area of any Malabar park as reserved, a permit must be issued; and

WHEREAS, the Town Council of the Town of Malabar has determined that a resolution providing for the various fees be established; and

WHEREAS, it is the clear intent of the Town Council to only require a rental fee when the applicant is a commercial entity and clearly desires to reserve that area of a park for their use. All rules regulations adopted as Chapter 12.5 of the Code of Ordinances must be met prior to issuance of a permit.

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

SECTION 1. USER CATEGORIES

When determining if deposits or user charges are applicable the Town staff shall use the following categories:

CATEGORY	FEE	COMMENTS
1. Government agency, school district administration (under 30 in attendance & limit of 1 time a month only)	60% of normal rate, youth group may be exempt from fees for meeting rooms. Damage deposit may be required, depending on activity, and all appropriate direct costs.	Maintenance, cleaning staff and any other direct costs will be included in the rental to be charged.
2. Civic/non-profit/fundraiser or special event (Scout groups, Charter Schools, youth sports.)	Rental fee, damage deposit and all appropriate direct costs.	Request groups pay % of gross concession proceeds in addition to defray cost for usage of facility.
3. Private – any event not open to the public.	Charge rental fee, damage deposit, and all appropriate direct costs.	Includes all functions not open to the public.
4. Commercial – any venture that involves a private business and/or a “for profit” activity.	Charge rental fee, damage deposit, and all appropriate direct costs plus 10% of gross proceeds on gate, merchandising, and	Commercial contracts may require additional negotiation, depending on function or event. Contracts to have Town Administrator or designee

<p><u>5. Youth sports league season reservation of a field.</u></p>	<p><u>Damage deposit, and all appropriate direct costs.</u></p>	<p><u>Seasonal reservation may require a contract with the league. Contracts to have Town Administrator or designee approval.</u></p>
<p><u>6. Adult sports league season reservation of a field.</u></p>	<p><u>Damage deposit and all appropriate direct costs.</u></p>	<p><u>Request groups pay % of gross concession proceeds in addition to defray cost for usage of facility.</u> <u>Seasonal reservation may require a contract with the league. Contracts to have Town Administrator or designee approval.</u></p>

SECTION 2. USE OF PARK WITHOUT PERMIT FEES.

It is the clear intent of the Town Council to not require a user fee for individuals or families that desire to use the park on a first come, first serve basis, without a reservations.

SECTION 2. RENTAL PERMIT USER FEES.

Reservation of the large pavilion at Malabar Community Park:

\$10.00 per hour. Hours must be stated on the application.

Reservation of the ball field by Category 2 users:

\$10.00 per hour.

Reservation of the soccer field by Category 2 users:

\$10.00 per hour

Reservation of the tennis or basketball courts by Category 2 users:

\$3.00 per hour

SECTION 3. DEPOSITS

Damage deposit shall be \$2.00 for each person in attendance with a minimum of \$50.00. All or part of the damage deposit shall be returned after inspection of the event area by the Town. The Town shall retain all or part of the deposit required to cover the cost of clean up or repair.

SECTION 4. CONFLICTS. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this resolution.

SECTION 5. SEVERABILITY. In the event a court of competent jurisdiction shall hold or determine that any part of this resolution is invalid or unconstitutional, the remainder of the resolution shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this resolution without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon

its adoption.

The foregoing 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 Nancy Tinio-Borton
- Council member Brian Vail
- Council member Chuck McClelland
- Council member Jeff McKnight
- Council member Pat Dezman

This Resolution was then declared to be duly passed and adopted this xth day of xxxxx,
2008.

TOWN OF MALABAR

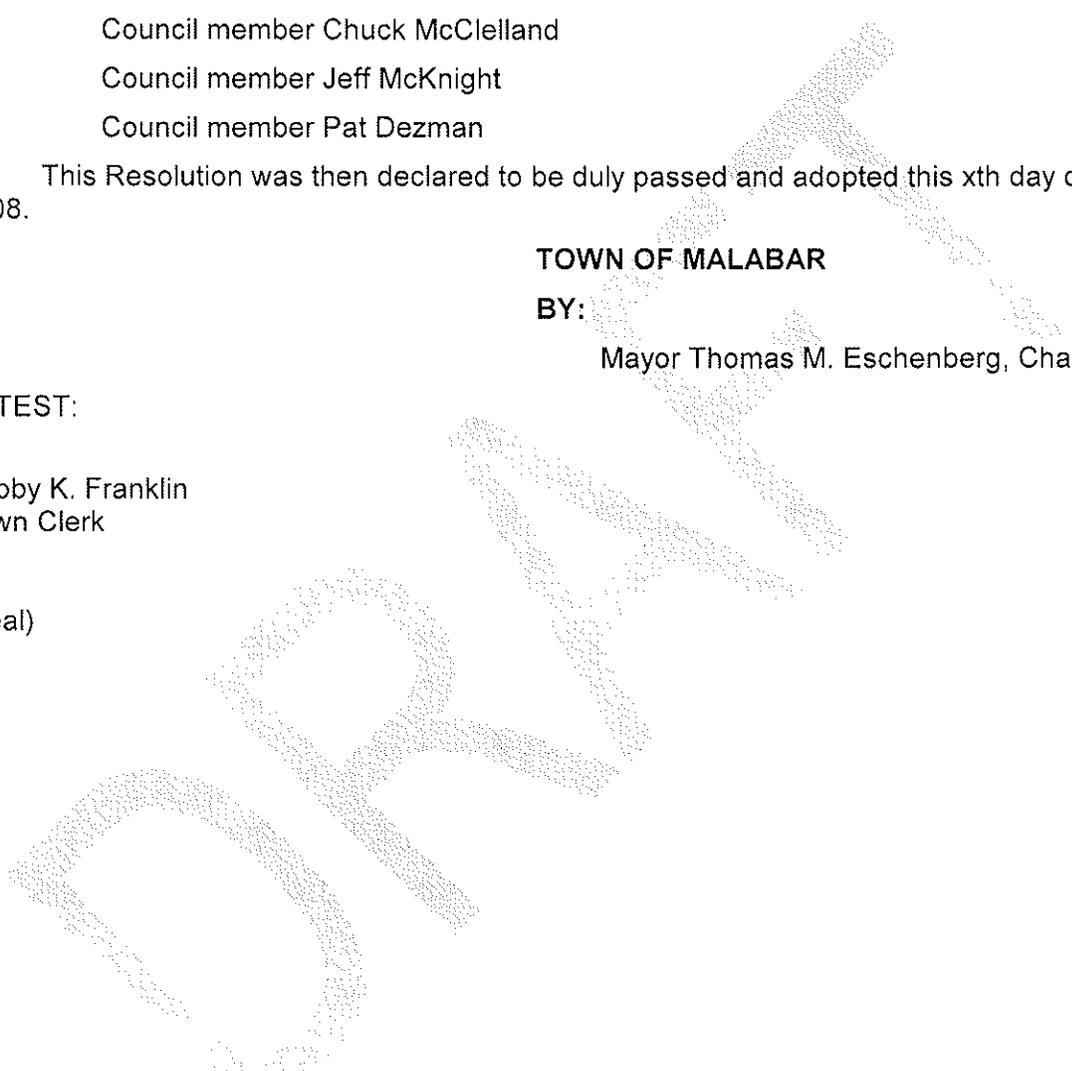
BY:

Mayor Thomas M. Eschenberg, Chairperson

ATTEST:

Debby K. Franklin
Town Clerk

(Seal)



DUTIES OF THE FIRE CHIEF; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Recommendation: Action on Second Reading of Ord. No. 2008-10

Public Hearing Opened:

No public.

PH Closed.

MOTION: Vail / Borton to approve Ord. No. 2008-10 clarifying the Fire Chief reports to TA.

Discussion: none.

Roll Call Vote: Borton, Aye; Vail, Aye; McClelland, Aye; McKnight, Aye; Dezman, excused.

Motion carried 4 to 0.

I. **PUBLIC: ITEMS DIRECTLY RELATED TO RESIDENTS AND RECOMMENDATIONS FROM TOWN BOARDS/COMMITTEES PRESENT AT MEETING**

3. **Recommendations from Park & Recreation Board**

- **Kiosk at Malabar Community Park entrance**
- **Park fees per categories 1 - 6**

Exhibit: Agenda Report No. 3

Recommendation: Action

McClelland asked if there is money. Franklin stated there is money in the funds from developer's recreation funds.

MOTION: McClelland / Vail to approve the kiosks: Withdrawn by McClelland / Vail.

Discussion: BWF stated Attorney stated the Developer Fee is restricted to projects adjacent to the development. He gave his opinion in writing. Bohne will review. McClelland withdraws his motion and asked that staff gets a price on the cost of a kiosk. Bohne said that it is in Malabar Land Dev Code, Art. XVII, it states it is restricted right after a sentence stating it should be used for recreation to benefit Malabar. BWF said it restricted her ability to use it for the fencing at the disc park. Bohne will amend code and delete the sentence.

Second part of recommendation is park fees. Mr. Hans Kemmler, Park and Rec Board Chairman, explained that the Board reviewed the marked up copy of the fee resolution from the Mayor. They suggested merging the first three types into one and have the same requirements. The 4th is a commercial type and they recommended a higher fee for that. The 5 and 6th dealt with league sports. They didn't see any difference and looked at them as the same and saw a need for an agreement with a seasonal fee. Considered the mowing, fertilizers, watering, this is the fee they came up with to be in line with what other charge in the area. The money they pay helps to cover the cost of upkeep. This does not pertain to hot dog vendors. Mayor would like to make a point. Renting the pavilion. If a family wants to reserve the park pavilion for a party, there should be some basis for the charge. If the pavilion is open on the kiosk.

You do have to keep up it. Do maintenance. And repair. So it is fair to charge some usage.

McKnight agrees with Mayor. He can see both sides.

MOTION: Borton / Vail to revise park fee resolution per the recommendation by the Park Board.

Discussion. Vail said there should be a small nominal fee. A fee makes them respect it more. The amount spent to maintain it is considerable. He suggested \$20 for half a day. Council further discussed pros and cons of charging for pavilion. Does not want to change the motion. McKnight agrees with no charge and only a security deposit. Electric is extra. How can you quantify it? All neighboring areas are attaching fees to their parks. They had a special event scheduled today and they were from Melbourne. They also have used it by home schools. McClelland said that he had rented.

Vote: All Ayes.

Discussion: After reviewing and discussing the categories and rates in the draft resolution, the Park Board made several recommendations to Council. Marsh stated it looks like the fees have been taken out and the Town is only charging for damages.

MOTION: Korn/ recommends \$75 per week for soccer. Motion dies for lack of second.

MOTION: Korn/Marsh categories 1-3 \$50 deposit \$10/hr with the same rules applying for any reserved facility. VOTE: All Ayes.

MOTION: Marsh/Pollard commercial rental involving a private business and/or for profit activity rental fee be \$20/hr \$100 deposit and eliminate 10% gross proceeds on gate, merchandising and concessions. VOTE: All Ayes.

Categories 5 & 6 are similar in speaking about sports leagues and seasons. This would apply to soccer and baseball fields. Thomas reported to Board that she was able to get information on the soccer field fees that Palm Bay receives. The City of Palm Bay receives \$350 per season for the use of the soccer fields; an average of \$85 per month.

MOTION: Thomas/Korn makes recommendation to 5 & 6 apply to any sports league for seasonal reservations of a field @ \$375 fee a season; eliminate % of gross concession proceeds.

Korn asks if we charge a deposit. Kemmler states we don't charge a deposit; they sign a contract with the stipulations of the rules of the contract. Korn is questioning the food concession. Marsh states this is between the Town and the vendor. Kemmler states that the contract states the type of insurance that is needed.

VOTE: All Ayes.

3. Waterfront Improvement

Exhibit: Agenda Report No. 3

Recommendation: Discussion and direction

Discussion: Kemmler reports that the Board has been over this a few times. He wants to put the seeds in the Board's minds that we would like to improve the waterfront once the economy turns around. He is in favor of having a sidewalk along the waterfront from Palm Bay to Rocky Point. Keep this in mind as things go forward in the future.

4. Cleared Land Tree Use (Parks and Disc Golf Park)

Exhibit: Agenda Report No. 4

Recommendation: Discussion and direction

Discussion: Kemmler reported that there had been clearing across from the Fire Department. The people clearing the land owns the property to the south; they are clearing and planting more palm trees. Thomas makes a suggestion that a recommendation be made to have the Town Administrator notify the Park Board when land is being cleared to see if there can be any mitigation.

At this time, Kemmler reported the trees have been planted in the Community Park. Marsh asks if the Board's recommendations were taken into consideration when planting the trees. Kemmler states that it looks like the recommendations have been taken into consideration.

MOTION: Thomas/Marsh to get the Town Administrator to notify the Park Board if land is going to be cleared to use the trees in our parks.

Marsh asks if the Town has the equipment to clear land if someone was going to do this. The Town does not avail themselves to assist private citizens with projects they are involved in.

VOTE: All Ayes.