

**PARK AND RECREATION ADVISORY BOARD
REGULAR MEETING
WEDNESDAY, JANUARY 20, 2010
7:30 PM
TOWN OF MALABAR
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 – 12/16/09
 Exhibit: Agenda Report No.1
 Recommendation: Motion to approve
- F. PUBLIC:**
- G. ACTION:**
2. **17 Acre Parcel Entrance**
 Exhibit: Agenda Report No. 2
 Recommendation: Discussion and action
- H. DISCUSSION:**
3. **Transplanting of Sea Grapes**
 Exhibit: Agenda Report No. 3
 Recommendation: Discussion
4. **Board Member Reporting on Individual Parks**
 Exhibit: Agenda Report No. 4
 Recommendation: Discussion
- I. OLD BUSINESS/NEW BUSINESS:**
- New Business:**
- Old Business: Disc Golf Park Apron**
- J. BOARD MEMBER/STAFF REPORTS:**
- **Signage for Huggins Park – Staff Report**
 - **Playground Equipment Maintenance/Warranty Requirements – Staff Report**
- K. ADJOURNMENT**

NOTE: THERE MAY BE ONE OR MORE MALABAR ELECTED OFFICIALS ATTENDING THIS MEETING.

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: January 20, 2010

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 – 12/16/09

ATTACHMENTS:

- Draft Minutes from Park and Recreation regular meeting December 16, 2009

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
12/16/09 MEETING MINUTES**

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

CALL TO ORDER - Meeting was called to order at 7:30 pm by Chair 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

Vickie Thomas

Scott Pollard

Maryann Marsh, Alt. #2

Cynthia Kelley, Recording Secretary

C. ADDITIONS/DELETIONS/CHANGES: Swearing in of re-appointed members by Town/Clerk Treasurer Franklin; Vickie Thomas & Scott Pollard.

D. NOMINATIONS FOR CHAIR AND VICE-CHAIR TO SERVE 2009/2010

Kemmler stated he had been the Chair of the Board since 2003; he would like to have someone else take the reins. He gave a brief overview of the accomplishments during his tenure as Chair. Kemmler nominated Dick Korn as Chair and Bob Siegmann as Vice-Chair. He then asked the other Board Members if they would like to have an opportunity to Chair the Board. Everyone was in agreement with the nominations that were made by Kemmler. Kelley advised the Board that the nominations need to be in the form of a motion.

MOTION: Pollard/Thomas to nominate Dick Korn to serve as Chair for 2009/2010 fiscal year. VOTE: All Ayes.

MOTION: Pollard/Thomas to nominate Bob Siegmann to serve as Vice-Chair for 2009/2010 fiscal year. VOTE: All Ayes.

Kemmler asked if the Board was aware of the memo sent by Franklin regarding Josh Treadwell; he was made an alternate in 2008 because he would be out of the country on TDY. Franklin made contact with him about renewing his term; she was advised that he would get back with her and he didn't. Two subsequent calls were made to him by the Town Clerk/Treasurer; neither call was returned. Council did not re-appoint him to the Board; we now have an alternate position available. Thomas stated she had someone who was interested in volunteering. Kelley advised that the person could come in and see either Franklin or Kelley for an application. An article would also be placed in the Mailboat if the position remains open.

Kelley advised the Board that Maryann Marsh is the second alternate. The Board may want to consider moving her to the first position and have the vacant position as the second alternate.

MOTION: Siegmann/Thomas to move Marsh to 1st alternate position. VOTE: All Ayes.

E. CONSENT AGENDA**1. Approval of Minutes****Regular Park and Recreation Meeting – 11/18/09****Exhibit:** Agenda Report No. 1**Recommendation:** Motion to approve

Discussion: Thomas stated that the prayer and pledge was done by Vice-Chair Korn.

MOTION: Siegmann/Marsh to approve minutes from 11/18/09 as with corrections showing Dick Korn leading the prayer and pledge. VOTE: All Ayes.**F. PUBLIC:****G. ACTION:****2. Signage for Huggins Park****Exhibit:** Agenda Report No. 2**Recommendation:** Discussion and action

Discussion: Kemmler stated that he understood, after reading the minutes from last month, the right-of-way along Malabar Road is DFOT and a sign cannot be placed there. He asked the Board if they would like to have it placed out of the FDOT easement. If we do this, can we see if from the road? Korn stated at last month's meeting that the sign was removed by Public Works at the request of the residents that live in the area of the park; don't want any bad element making use of the park. Previous Mayor asked that it be removed. Kemmler stated this issue came up because the park is not being used; it was thought that the park may need a sign to advertise it. Thomas asked what this information was based on. Korn stated it had a history of being used inappropriately. Kemmler stated the park has equipment for small children; Thomas stated the park should be called Huggins Toddler Park, this is just a suggestion. Kemmler thought it would be appropriate to put an article in the Mailboat to get feedback from the public as to what they feel the park should be used for. Korn would like to see a main focal point for the park. Kelley advised the Board that the green/white sign is now available; it was found in the Public Works Complex. Kemmler stated he would like to have a motion from someone to recommend to Council that Public Works put the sign back along Malabar Road

MOTION: Korn/Pollard to recommend to Council for Public Works to place the sign along Malabar Road out of FDOT right-of-way

Siegmann stated that we need to get the people's input for the park. Thomas volunteered to draft an article for the Mailboat and take a picture of the park.

VOTE: All Ayes.**H. DISCUSSION:****3. Transplanting of Sea Grapes****Exhibit:** Agenda Report No. 3**Recommendation:** Discussion

Discussion: Kemmler reported to the Board that he has a call into Kathy Petroglow with FEC Railroad. He will report his findings when she returns his call. He will ask if the price of the lease can be reduced due to the decline in property values in Malabar.

4. 17 Acre Parcel Entrance**Exhibit:** Agenda Report No. 4**Recommendation:** Discussion

Discussion: Kemmler stated this may need to be on the next agenda; we need to know why the engineer says we need so much pipe for this project. Korn stated that it is behind a commercial property and may be required to have that much pipe. Marsh stated at the last meeting they voted to postpone this indefinitely due to the cost of the project. Kemmler stated that we supported the Boy Scouts with this project; Korn, as new Chair, will need to explain why the decision was made. Kelley advised the Board that an e-mail was sent to the engineer; he is on vacation until the 18th of December. When a response is received, it will be included in the packet for next month's meeting. Marsh stated we mentioned several other projects that could be completed by the Boy Scouts; Fern Creek Crossing with botanical signs for the species of trees is one project that could be done. Kemmler requested that we wait to speak to the Boy Scouts until we have a definitive answer from the engineer. If it comes back with the high cost, then it will be explained by Korn. We will need to find a compromise to this before speaking to the Boy Scouts. This will be placed on the agenda for the January meeting.

I. OLD BUSINESS/NEW BUSINESS:**New Business: Property along South US #1**

Kemmler asked that this be placed on the agenda. He provided pictures of the property to be viewed. This property is located just south of Orange Avenue on US 1. Kelley also provided pictures of some ideas that the land could be used for. Again, it was stated by Kelley that no action is required by the Board at this time. This is something that Council is considering and no final decision has been made at this time. Thomas stated she had offered her real estate services to the Town pro-bono.

Old Business:

Siegmann reported that he is still working on the toilets; putting together a packet to explain port-o-lets and composting for the Community Park.

Disc Golf Park Apron

Kelley reported that the apron for this park was approved by Council and the funds would come from the Developer Recreational Fees to pay for it. We have had a lot going on with failing pipes throughout the town; the target date to have this project done was by the end of the calendar year. We are working on getting this done as quickly as possible; it may be that our Public Works crew may be doing the work and they have been very busy with other priorities. Kemmler asked that staff put together a time line to show the progress of the project and a targeted completion date.

J. BOARD MEMBER/STAFF REPORTS:**• Additional Outlet at Malabar Community Park – Staff Report**

Kelley reported that the outlets have been added at the baseball field and the vendor had been paid for their services.

• Playground Equipment Maintenance/Warranty Requirements – Staff Report

Kelley reported to the Board that we have a vested interest in maintaining the equipment. A water faucet has been added in the area so pressure washing the equipment can

be done more frequently to keep the salt off of t. As reported at last month's meeting, there is no set maintenance schedule; should the members of the Board see an issue, please let staff know so that we can take of it in a timely fashion. Kemmler stated he would like to know the warranty requirements. Kelley stated research would be done; she would get with Franklin to see if a regular maintenance schedule can be drafted and provided to the Board at the next meeting.

Thomas reported she sent an article to Kelley for the Mailboat for the "wish list". Kelly asked that it be sent again, it was not received.

Korn reported that he will not be in attendance for the first meeting as new Chair; he will be out of town; Siegmann will chair the meeting. Korn asked the Board to forward any and all ideas for the agenda to Kelley. Kelley will put together the agenda and e-mail it to Korn for approval; Korn asked that Kelley call and let him know the agenda was sent to him for review. He will then make contact to go over the agenda with Kelley.

K. ADJOURNMENT

There being no further discussion, **MOTION: Siegmann/Pollard to adjourn meeting. VOTE: All Ayes.** This meeting adjourned at 8:20 pm.

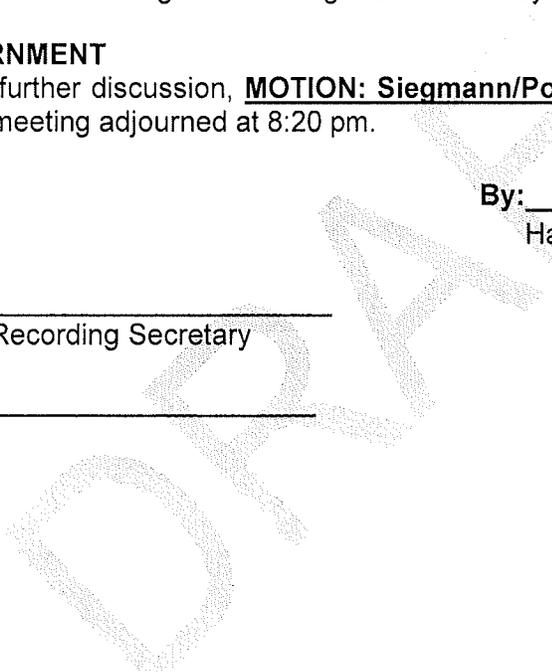
By: _____

Hans Kemmler, Chair

ATTEST:

Cynthia Kelley, Recording Secretary

Date Approved: _____



TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 2
Meeting Date: January 20, 2010

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Engineering Requirements for Culvert at 17 Acre Parcel

BACKGROUND/HISTORY:

At the last Park Board Meeting, Cindi Kelley reported that the Town Engineer had been out to the site and taken pictures. He has prepared a cost sheet to show what the costs for installing this culvert as a donation and the total costs including the culvert (in case culvert is not donated) will be. This culvert is to provide access to the 17 acres off of Weber Road as part of the grant received from the Florida Communities Trust. Upon installation of the culvert, Eagle Scout Scott Prasse will be submitting a proposal to cut in trails and build a bridge as his Eagle Scout project.

While discussing this item at the November meeting, the Board, with budget constraints, made a decision to table this item indefinitely until viewing the budget for the 2010/2011 fiscal year. This item was provided to Council for approval at the RTCM of September 9, 2009; Council sent it back to the Park Board for ideas of how to fund the project; i.e. Developer Recreational Fees or donations from local businesses. Korn stated at the meeting in November that he would rather not use Developer Recreation Fees; other projects may be coming that may need these funds. Thomas advised the Board that the Town needs to take care of what it already has and not to spread ourselves too thin; it's a lean year.

Chair Kemmler requested this be placed on the agenda for further discussion. This Board was in agreement to support Eagle Scout Scott Prasse; once the culvert was put in, Prasse would cut in trails and build a bridge in the park as his Eagle Scout project. This project must be completed by him by August of 2010. Kemmler would like to discuss alternative ways to access the property so that he can continue with his project.

Morris Smith, the Town Engineer, will be at the meeting to discuss and explain the length of pipe needed for this project. Any questions that you may have for him can be asked at that time.

ATTACHMENTS:

Portion of Park Board minutes of December 16, 2009
Portion of RTCM of September 9, 2009
Cost sheet as prepared by Morris Smith, Town Engineer
Portion of Council minutes from July 17, 1995
Resolution 10-1995
Portion of Greenway II Management Plan – Goals, Objectives & Policies

ACTION OPTIONS:

Discussion and action

4. 17 Acre Parcel Entrance**Exhibit:** Agenda Report No. 4**Recommendation:** Discussion

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developed along the river in Palm Shores and also the 1.1 acre site Sebastian developed across from their Main Street, with grant monies. There are FIND and USFW and other funds available to improve access for water use even with the present economy.

Vote: All Ayes.

7. **Recommendation from Park and Recreation Board – Culvert to Access 17 acre conservation parcel on Weber Road**

Exhibit: Agenda Report No. 7

Recommendation: Request Action

Franklin said the property is located just south of Dr. Leedy's property on the west side of Weber Road. How can we get access. McKnight asked if the pepper busters group are still active. Borton said not very. BWF said it should not be a priority in such a lean year. Vail said for the price of a culvert we could get volunteers to clean up the property. Let them come in and help. As long as it is not an excessive cost for the culvert. Borton said once we clear it we must maintain it. Rivet said to ask Park Board to come up with ideas on how to pay for it; developer's recreation fee monies or donations from local businesses. Mention the incentives to the Scouts to allow them to use it for their scout meetings. They could solicit donations.

MOTION: Rivet / Vail to request Park Board to recommend a funding source and provide a plan to maintain the park.

Discussion: Franklin said management is required in the plan. Borton said we don't want to go overboard. What type of commitment for long term care? Franklin said we are responsible to manage the property. That includes eradicating the invasives and surveying the plant and wildlife. BWF said we pay \$250/month to mow the 8.48 acre parcel. Franklin said managing does not mean mowing; it is conservation land. We developed that parcel into a golf disc park. It could be left natural. Franklin said we maintain the other FCT properties – the Fern Creek Crossing was just cleared of invasives using a crew of prisoners from the County. The Cameron Preserve has had wetlands work and plant survey and a recent fire break installed. It is conservation land and it should not require mowing.

Vote: All Ayes

8. **Request from Sandra Tyler regarding Marie Street Improvements**

Exhibit: Agenda Report No. 8

Recommendation: Request Action

Sandra Tyler, 1360 Blanche Street, own property on Marie Street. Several people are interested but we want to determine what the requirements are. They want something in writing from the Town. The road is in place, and they have had it bore tested and it is good; it just veers to the east. They had it surveyed. Nothing has been done to that road. Can she get a letter from the Town stating what the requirements are? She has been here for years. She babysat for people on Marie that still live there. Mayor asked who she babysat for. She baby sat the Souter's. Franklin said our engineer Bill Stephenson reviewed the soil borings and the survey. It is good base but is not entirely in the right of way.

Franklin explained the situation with the road and the recent meeting with EELs. There are lots beyond the Town's property that are available for development. The Town has been maintaining the road to their PW yard. The east side of the property never gave road ROW. Vail said the question is do we have to improve to get access to land if we don't develop. Franklin said we require residents to improve the roadway if they wanted to fence. Rivet said it is our responsibility to comply with our own requirements. Mayor said we have two roads that were accepted; Kelly and Beekeeper. Franklin said that Beekeeper is not an accepted road. There was a property owner that paid money to the Town. They later requested their money back and were given a full refund. The only improvements done were by order of Town Administrator, PW took millings to the roadway. Beekeeper was named for fire-fighting response purposes only. Franklin will check on Kelly Lane. Town will be improving the south end of Marie for the trail. BWF asked when the property was donated. 1983. When did road



JAMES MORRIS SMITH, JR.
 Professional Engineer
 Professional Surveyor & Mapper

Town of Malabar - 17 Ac. Park Entrance Drive

Weber Road

Engineer's Opinion of Probable Costs

Prepared for: Cindi Kelley

Prepared by: J. Morris Smith, Jr., PE

Sq.Ft. = Square Feet

11/13/2009

Ft. = Feet

L.S. = Lump Sum

Ea. = Each

Sq.Yd. = Square Yards

L.F. = Lineal Feet

C.Y. = Cubic Yards

Item No.	Description	Quantity	Units	Unit Price	Total Price
1	Land Surveying for Permit Application and Engineering Design	1	L.S.	\$ 400.00	\$ 400.00
2	Create CAD File of Survey Data for Basis of Engineering Design	1	L.S.	60.00	60.00
3	Engineering Design	1	L.S.	240.00	240.00
4	Mobilization	1	L.S.	200.00	200.00
5	Silt Barrier (Rolled Hay Wattle) Best Management Practice	2	Ea.	80.00	160.00
6	Erosion Control Soil Management - Silt Fence	150	L.F.	1.20	180.00
7	Saw Cut Asphalt to True Edge Prior to Excavation	72	L.F.	2.00	144.00
8	Remove Existing Asphalt, Base Rock, Stabilized Base	72	Sq.Ft.	3.00	216.00
9	Excavation of Installation Area	20	C.Y.	16.00	320.00
10	Install and Compact Base for Concrete Driveway	18	C.Y.	28.00	504.00
11	Install Concrete Driveway	20	C.Y.	210.00	4,200.00
12	Install Mitered End Section	2	Ea.	260.00	520.00
13	Install Stop Sign	1	Ea.	200.00	200.00
14	Install Pavement Markings	1	L.S.	150.00	150.00
15	Install Badia Sod	144	Sq.Ft.	0.25	36.00
16	Maintenance of Traffic	1	L.S.	\$ 200.00	\$ 200.00

Project Sub-Total \$ 7,730.00

17 5% Contingency

400.00

Project Total Cost - With Donated Drainage Pipe \$ 8,130.00

18	Install 24" Diameter - Concrete Pipe	56	L.F.	65.00	3,640.00
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Project Total Cost - With Concrete Drainage Pipe \$ 11,770.00

19	Install 24" Diameter - ADS-HDPE Pipe	60	L.F.	35.00	2,100.00
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Project Total Cost - With Concrete Drainage Pipe \$ 10,230.00

Floor was opened to public regarding Public Hearing.

-John Kelvington thought charter states that Council will only have one meeting a month. Council and Attorney thought it read 'at least' one meeting a month. Attorney will check into this.

Floor was closed to public.

RESOLUTION 10-95:

MOTION: Kikla/Detwiler to read resolution 10-95 by title only.

VOTE: All aye.

Mayor read:

RESOLUTION 10-95

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, RECOGNIZING THE "INDIAN RIVER LAGOON AND TURKEY CREEK GREENWAYS"

MOTION: Detwiler/Kikla to approve resolution 10-95.

VOTE: AYE NAY
Rasor
Detwiler
Kikla

RESOLUTION 11-95:

MOTION: Detwiler/Kikla to read resolution 11-95 by title only.

VOTE: All aye.

Mayor read:

RESOLUTION 11-95

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, DOCUMENTING ON RECORD THEIR OPPOSITION TO THE BMPO PLAN TO EASE PALM BAY'S TRAFFIC CONGESTION BY MAKING BRIARCREEK BOULEVARD A MAIN CORRIDOR FROM PORT MALABAR BOULEVARD TO MALABAR ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Detwiler/Kikla to approve resolution 11-95.

VOTE: AYE NAY
Rasor
Detwiler
Kikla

RESOLUTION 12-95:

RESOLUTION 10-95

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA,
RECOGNIZING THE "INDIAN RIVER LAGOON AND TURKEY CREEK GREENWAYS"

WHEREAS, the Town Council of Malabar, Florida has made the following determinations:

1. The Town of Malabar adopted the Comprehensive Plan by Ordinance 88-22; and
2. The adopted comprehensive plan contains objectives and policies which protect the coastal zone and freshwater streams and sloughs; and
3. The Town has adopted policies and regulations which protect the habitat of viable populations of threatened, endangered or species of special concern; and
4. The Town of Malabar wishes to establish a greenway corridor through the Town to enhance the aesthetic values of its rural character; and
5. The County has utilized such available measures such as conservation zoning and fee simple acquisition to protect these conservation areas; and
6. The Town of Malabar and the City of Palm Bay in Brevard County and the State of Florida have worked toward the establishment of an "Indian River Lagoon Greenway" network which includes a coastal protection zone, the Indian River Lagoon Aquatic Preserve and environmentally endangered lands designated by the County; and
7. The Town of Malabar intends to continue to work toward linking these habitat greenway networks along the Indian River Lagoon and Turkey Creek.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Malabar, Florida, as follows;

SECTION I. Town of Malabar will initiate an amendment to its Comprehensive Plan which, if adopted, will establish one or more policies which will recognize the use of the Indian River Lagoon and Turkey Creek and adjacent lands by various plant and animal species, and which will provide for the protection of the unique habitat and native vegetative communities which may be found in this greenway network.

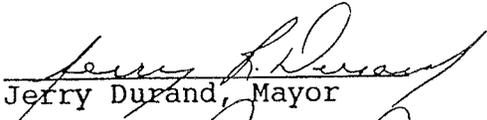
SECTION II. The Town of Malabar will continue to pursue regulatory measures and land acquisition programs which implement this ecological greenway network.

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

SECTION IV. This Resolution was moved for adoption by Councilmember DETWILER, seconded by Councilmember KIKLA and, upon having been put to a vote, the vote was as follows:

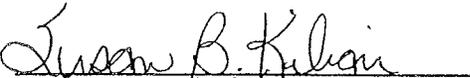
Yovone Rasor	<u>AYE</u>
Phillip Crews	<u>-</u>
John Detwiler	<u>AYE</u>
Julane Kikla	<u>AYE</u>
Connie Chiles-Cooke	<u>-</u>

Passed and adopted by the Council of the Town of Malabar, Brevard County, Florida, this 17 day of JULY, 1995.


Jerry Durand, Mayor


Yovone Rasor, Chairwoman

ATTEST:


Susan B. Kilian, Clerk

Approved as to Form and Content:


Richard E. Torpy
Town Attorney

FROM GRNWAY II
Mgmt PLAN

GOALS, OBJECTIVES, AND POLICIES RECREATION AND OPEN SPACE ELEMENT

GOAL 7-1: PROVIDE ADEQUATE RECREATION AND OPEN SPACE. INSURE PROVISION OF AN ADEQUATE COMPREHENSIVE SYSTEM OF PUBLIC AND PRIVATE RECREATION AND OPEN SPACE SITES WHICH MEET THE NEEDS OF EXISTING AND PROJECTED USER GROUPS.

OBJECTIVE 7-1.1: SYSTEM OF PARKS AND RECREATION. The system of parks and recreation facilities shall be improved and maintained over time in order to meet the needs of the existing and projected future population.

Policy 7-1.1.1: Level of Service Standards for Parks and Recreation Facilities. In systematically planning for needed recreation land and facility improvements, the Town shall apply the level of service standards cited in Tables 1 and 2 of the Comprehensive Plan: Goals, Objectives, and Policies. These standards shall be used as level of service criteria in reviewing proposals for development orders or permits.

Policy 7-1.1.2: Monitor and Update Recreation Demand and Supply Analysis. The Town shall update on a continuing basis the recreation land and facility demand/supply analysis contained in Tables 12 and 13 of the Comprehensive Plan: Data Inventory and Analysis. The Comprehensive Plan: Data Inventory and Analysis indicated that existing recreational lands and facilities identified in Table 11 satisfy the existing demand. However, the Town shall refine the land development regulations in order to assure that new development provides necessary recreation lands, facilities, and/or fees in lieu thereof in order to accommodate respective demands of such new development.

Policy 7-1.1.5: Maintenance of Existing Recreation Land and Facilities. The Town shall maintain existing recreation and facilities through the use of proper management and funding techniques.

OBJECTIVE 7-1.2: PROTECT OPEN SPACE SYSTEMS. The Town shall protect lands designated as open space from incompatible land uses and such designated lands remain functionally intact.

Policy 7-1.2.1: Implementing Land Development Regulations. The Town shall adopt, within one (1) year after plan submission, land development regulations which include specific open space definitions and standards addressing protection of open space, natural vegetation, landscape, and signage. Regulations shall include stipulations governing the provision and use of open space for buffering, protection of natural corridors, including drainageways, as well as other commonly accepted uses.

OBJECTIVE 7-1.3: ACCESS FACILITIES. By 1992, all public recreational facilities shall have operational automobile, bicycle and pedestrian access facilities as deemed appropriate by the Town Council.

Policy 7-1.3.1: Right-of-Way Improvements. The Town shall improve rights-of-way as needed for access to public parks and facilities.

Policy 7-1.3.2: Design of Access Facilities. Public parks and facilities shall be designed and constructed with accessways which are compatible with the character and quality of on-site natural resources.

OBJECTIVE 7-1.4: ACCESS TO INDIAN RIVER LAGOON AND TRIBUTARIES. The Town shall promote new access to points and preserve existing access facilities to the Indian River Lagoon and its tributaries.

Policy 7-1.4.1: Require Access Points be Provided as Needed. The Town shall assure that appropriate access is provided to the Indian River Lagoon, Turkey Creek and Goat Creek through the most economically feasible methods. The Town has no beach frontage.

OBJECTIVE 7-1.5: PUBLIC AND PRIVATE COORDINATION IN PLANNING FOR RECREATION IMPROVEMENTS. The Town shall coordinate planning for recreation improvements with each level of government, including the Brevard County School Board, the Audubon Society, and the private sector in order to promote recreational opportunities in a cost effective manner.

Policy 7-1.5.3: Coordinate with the Private Sector. The Town shall coordinate with the private development sector as well as existing and future industry located within the Town in order to develop additional fair and equitable measures for accommodating future recreation land and facility needs.

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 3
Meeting Date: January 20, 2010

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Transplanting of Sea Grapes

BACKGROUND/HISTORY:

At the Park Board Meeting of December 16, 2009, Chair Kemmler reported that he placed a call to Kathy Petroglow with FEC. He was awaiting a return phone call from her; he will report to the Board the information provided once the return call is received.

Council, with the budget workshops in August of 2009, decided not to renew the lease with FEC. Since the Town is not renewing the lease, the land must be returned to its original state. The Park Board was approached to see if they would like to move the plants to some other area throughout Malabar. It had come to the attention of the Board that the plants are too old to move and they probably would not survive; the cost to do this is also great. Hans Kemmler placed the call to Ms. Petroglow to see if the plants could remain where they are to be saved.

ATTACHMENTS:

N/A

ACTION OPTIONS:

Discussion

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: January 20, 2010

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Board Member Reporting on Individual Parks

BACKGROUND/HISTORY:

Chair Korn has requested that this be placed on the agenda. He would like to request that each Board Member volunteer to take on one park and report back to the Board monthly. The Board Member's report should be about any concerns, special needs or interesting comments regarding their specific park.

ATTACHMENTS:

N/A

ACTION OPTIONS:

Discussion

TOWN OF MALABAR
PARK AND RECREATION

AGENDA ITEM REPORT

AGENDA ITEM NO: Old Business

Meeting Date: January 20, 2010

Prepared By: Cynthia Kelley, Secretary to Board

SUBJECT: Disc Golf Park Apron

BACKGROUND/HISTORY:

At the meeting of July 15, 2009, this Board made a recommendation to Council to place funds for an apron to be at the entrance of the Disc Golf Park. At the RTCM of July 20, 2009, Council approved the apron costs; to be paid from the Developer Recreational Fee funds. This project will be taken to our next schedule staff meeting of January 19, 2010 for discussion and placement on the Public Works calendar of scheduled projects. A start and projected completion date will be provided to the Board at the regularly scheduled meeting in February.

ATTACHMENTS:

Portion of Park Board minutes from December 16, 2009

Portion of Park Board minutes from July 15, 2009

Portion of RTCM minutes from July 20, 2009

Proposal for Land Surveying/Engineering Design/Permitting dated November 4, 2009 from Town Engineer

ACTION OPTIONS:

Discussion and action

4. 17 Acre Parcel Entrance**Exhibit:** Agenda Report No. 4**Recommendation:** Discussion

Discussion: Kemmler stated this may need to be on the next agenda; we need to know why the engineer says we need so much pipe for this project. Korn stated that it is behind a commercial property and may be required to have that much pipe. Marsh stated at the last meeting they voted to postpone this indefinitely due to the cost of the project. Kemmler stated that we supported the Boy Scouts with this project; Korn, as new Chair, will need to explain why the decision was made. Kelley advised the Board that an e-mail was sent to the engineer; he is on vacation until the 18th of December. When a response is received, it will be included in the packet for next month's meeting. Marsh stated we mentioned several other projects that could be completed by the Boy Scouts; Fern Creek Crossing with botanical signs for the species of trees is one project that could be done. Kemmler requested that we wait to speak to the board Scouts until we have a definitive answer from the engineer. If it comes back with the high cost, then it will be explained by Korn. We will need to find a compromise to this before speaking to the Boy Scouts. This will be placed on the agenda for the January meeting.

I. OLD BUSINESS/NEW BUSINESS:**New Business: Property along South US #1**

Kemmler asked that this be placed on the agenda. He provided pictures of the property to be viewed. This property is located just south of Orange Avenue on US 1. Kelley also provided pictures of some ideas that the land could be used for. Again, it was stated by Kelley that no action is required by the Board at this time. This is something that Council is considering and no final decision has been made at this time. Thomas stated she had offered her real estate services to the Town pro-bono.

Old Business:

Siegmann reported that he is still working on the toilets; putting together a packet to explain port-o-lets and composting for the Community Park.

Disc Golf Park Apron

Kelley reported that the apron for this park was approved by Council and the funds would come from the Developer Recreational Fees to pay for it. We have had a lot going on with failing pipes throughout the town; the target date to have this project done was by the end of the calendar year. We are working on getting this done as quickly as possible; it may be that our Public Works crew may be doing the work and they have been very busy with other priorities. Kemmler asked that staff put together a time line to show the progress of the project and a targeted completion date.

J. BOARD MEMBER/STAFF REPORTS:

- **Additional Outlet at Malabar Community Park – Staff Report**

Kelley reported that the outlets have been added at the baseball field and the vendor had been paid for their services.

- **Playground Equipment Maintenance/Warranty Requirements – Staff Report**

Kelley reported to the Board that we have a vested interest in maintaining the equipment. A water faucet has been added in the area so pressure washing the equipment can

2. Recommendation to Council to Install Culvert at Road Entrance to 17 Acre Parcel

Exhibit: Agenda Report No. 2

Recommendation: Discussion and recommendation

Discussion: This item was discussed in Discussion item 6. At this time, the Board decided to wait until further research is provided by staff to make a recommendation to Council. A copy of the original application for the grant monies to purchase the land is to be provided to the Board at the next scheduled meeting of August 19, 2009.

MOTION: NO MOTION MADE AT THIS TIME.

3. Recommendation to Council to Pave Entrance Driveway to Disc Golf Park (to be included in next year's budget)

Exhibit: Agenda Report No. 3

Recommendation: Discussion and recommendation

Discussion: Kemmler stated that the Board needs to start somewhere. He would like the Board to make a recommendation to Council to add funds in the 2009/2010 FY budget to pave the immediate entrance way to the Disc Golf Park. This area has millings; when you have to speed up a little to get out of the park, the millings are spun out and then maintenance is required to keep the millings in place. He is suggesting that this area of the driveway be paved to keep the millings and maintenance of the driveway. Richard Cameron stated that this is FDOT road and we would need to make sure that their requirements are followed as well.

MOTION: Korn/Seigmann to recommend to Council to include funds to pave the immediate entrance driveway to Disc Golf Park in the 09/10 FY budget. VOTE: All Ayes.

4. Set Date for Cameron Preserve Trail Cleaning Work Party

Exhibit: Agenda Report No. 4

Recommendation: Discussion and recommendation

Discussion: Kemmler would like to clear out the trail within the next month. Korn stated that he is only available the weekend of August 29th. Pollard and Seigmann stated this would be good for them as well. Thomas stated her husband had also volunteered to help with this project. Kemmler stated that he would provide water for drinking. PW would not be needed for this project; the only thing needed is the tools and they will be provided by the people working on the project.

MOTION: Seigmann/Thomas to set August 29, 2009 at 8:00 am for cleaning work party for the Cameron Preserve Trail.

Thomas gave brief overview of preserve. Alligator is gone; trash is increasing, needs to be cleaned constantly; rescued an animal that was hit by a motor vehicle as people are still driving back there. Korn asked if another trash receptacle is needed at the Boundary Trail. Disc Golf Park trash cans have been placed. Thomas reported that rescued animals can be taken to LaCourt Lane.

VOTE: All Ayes.

G. DISCUSSION

5. Speedway Proposal in Malabar

Exhibit: Agenda Report No. 5

Recommendation: Discussion

Discussion: Kemmler stated that there was a presentation made to Council and P&Z at a joint meeting OF July 8, 2009. Kelley advised the Board that this is brought as a concept only to get a feel for how it would be accepted. No land has been purchased

ADMINISTRATOR:

- Spoke with Brian Banchy hog trapper, got 4 before controlled fire and 4 after the controlled fire. He wants us to pay him \$20.00 a week. There is another trapper that Debby has found that she will call. Banchy said the hogs are actually on the EELs property. She then showed the hot wire solar powered fence. As an alternative. Give to residents. Should cost less than a \$100.00

CLERK: Candidate qualifying will be from August 5 – 19. If there are candidates, then the two referendum items will also be on ballot.

I. **PUBLIC HEARINGS:** Are legally advertised for 7:30 PM or as soon thereafter as possible.
ORDINANCES: (0)

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

2. **Recommendation from Park Board regarding Driveway Entrance to Golf Disc Park Exhibit:** Agenda Report No. 2
Recommendation: Action

Borton asked if the Dev Rec Money could be spent.

MOTION: Borton / Vail to approve use of the Developer Recreational Fee paid and on deposit for recreational improvements to improve the entrance.

Discussion: Vail said to price both concrete and asphalt. **VOTE: All Ayes.**

K. **ACTIONS ITEMS:**
ORDINANCE: First Reading – 0

RESOLUTIONS:

3. **Adopt (Reso 14-2009)**

Chair/Mayor introduced some items that also needed corrections by the TA. He caught these late – one in 511.4100 and the other is in the fire dept. 522.3200. He shows a budget adjustment on 5/18 that changed one of the line items.

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET ADJUSTMENT IN THE FISCAL YEAR 2008-2009; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3

Recommendation: Request Action

Without objection, Mayor read by title only.

MOTION: Borton / Rivet to approve Resolution 14-2009 as presented.

Discussion: The changes the Mayor referenced do not change the bottom line.

Roll Call VOTE: 1) Borton, Aye; Vail- Aye; Rivet- Aye; McKnight- Aye; Dezman- Not present.

Motion carried 4 to 0.

4. **Adopt (Reso 15-2009)**

Mayor said this is another unfunded mandate from the State.

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING GREEN BUILDING STANDARDS FOR THE

Civil Engineering Fee Proposal

Date	Proposal No.
------	--------------

11/4/2009

25

James Morris Smith, Jr., PE, PSM

1754 Barker Street NE
Palm Bay, FL 32907

Phone #	Fax #	E-mail
321-745-0234...	321-723-2371	morris@morrissmitheng.com

Proposed Client Information

Debby K. Franklin
Town of Malabar
2725 Malabar Road
Malabar, FL 32950

Project No.

Task	Description	Proposed Fee
3008	Land Surveying, Civil Engineering Design and Permitting to Meet Florida Department of Transportation Requirements and Town of Malabar Requirements to Design and Permit a Paved Driveway at the Town's Disc-Golf Park Parking Lot	4,680.00

This Proposal does Not include the cost of the Culvert pipe. Only for services as stated on the Proposal.

Fee Proposal Total >>

\$4,680.00