

**TOWN OF MALABAR  
REGULAR TOWN COUNCIL MEETING  
THURSDAY SEPTEMBER 22, 2016  
7:30 PM  
2725 MALABAR ROAD  
MALABAR, FLORIDA**

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**AGENDA**

- A. **CALL TO ORDER, PRAYER AND PLEDGE**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:**
- D. **APPROVAL OF THE MINUTES:**
1. **Regular Council Meeting Minutes 09/06/2016**  
**Exhibit:** Agenda Report No. 1  
**Recommendation:** Request Approval
- E. **STAFF REPORTS: ADMINISTRATOR: CLERK: FIRE CHIEF:**
- F. **PUBLIC COMMENTS:** Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required) **Three (3) Minute Limit per Speaker.**
- G. **PUBLIC HEARINGS/SPECIAL ORDERS:**
2. **Adopt Final Assessment for Non-Ad Valorum Stormwater Roll (Reso 10-2016)**  
A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING CERTIFICATION OF ANNUAL STORMWATER UTILITY ASSESSMENT ROLL; ADOPTING AN ANNUAL BUDGET FOR THE TOWN'S STORMWATER UTILITY; PROVIDING AN EFFECTIVE DATE.  
**Exhibit:** Agenda Report No. 2  
**Recommendation:** Adopt Reso 10-2016
  3. **Adopt Millage (Ord 2016-05)**  
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 2.0260 FOR THE LEVY OF AD VALORUM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2016 THROUGH AND INCLUDING SEPTEMBER 30, 2017, PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.  
**Exhibit:** Agenda Report No. 3  
**Recommendation:** Adopt Ord 2016-05
  4. **Adopt Budget (Ord 2016-06)**  
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$1,563,508.00 FOR THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2016 THROUGH AND INCLUDING SEPTEMBER 30, 2017; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.  
**Exhibit:** Agenda Report No. 4  
**Recommendation:** Adopt Ord 2016-06

**H. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING (RECOMMENDATIONS FROM BOARDS, HOA REQUESTS, RESIDENT GRIEVANCES)**

**5. ACTION ITEMS:**

**ORDINANCES FOR FIRST READING: 1**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING ARTICLE III TABLE 1-3.2 ELIMINATING THE CONDITIONAL USE "C" FOR HOUSES OF WORSHIP WITHIN RESIDENTIAL ZONING DESIGNATIONS; CHANGING THE PERMITTED USE "P" TO CONDITIONAL "C" FOR HOUSES OF WORKSHIP WITHIN COMMERCIAL GENERAL (CG) AND RESIDENTIAL/LIMITED COMMERCIAL (R/LC); PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; PROVIDING AN EFFECTIVE DATE.

**Exhibit:** Agenda Report No. 5

**Recommendation:** Adopt Ord 2016-06

**RESOLUTIONS: 0**

**MISCELLANEOUS: 2**

**6. Qualifying Candidates for Election:**

**Exhibit:** Agenda Report No. 6

**Recommendation:** Request Action

**7. Approve 10K Expenditure from Street & Roads for New Mower:**

**Exhibit:** Agenda Report No. 7

**Recommendation:** Request Action

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

**I. DISCUSSION/POSSIBLE ACTION:**

**8. Road Classifications and Existing Homes on Unaccepted Rights-of-Way (Krieger)**

**Exhibit:** Agenda Report No. 8

**Recommendation:** Discussion

**J. PUBLIC COMMENTS: General Items (Speaker Card Required)**

**K. REPORTS – MAYOR AND COUNCIL MEMBERS**

**L. ANNOUNCEMENTS:**

(2) Vacancies on the Board of Adjustment; (3) Vacancies on the Park and Recreation Board;  
(1) Vacancy on the Planning & Zoning Board

**M. ADJOURNMENT:**

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