

MALABAR TEEN COUNCIL REGULAR MEETING
January 5, 2010 7:00 PM

Purpose: This program provides the opportunity to teenage students to learn first-hand how a local government operates by participating in simulated town council meetings. The Teen Council will meet once a month on Tuesday during the school year.

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

A. CALL TO ORDER: The meeting was called to order at 7:02 pm by Chair, Mayor Tom Eschenberg. The prayer and pledge were led by Teen Council Member Scott Prasse.

B. ROLL CALL:

CHAIR/MAYOR	TOM ESCHENBERG
COUNCIL MEMBERS:	DARIEN MAHONEY
	SAMUEL RITTER
	THOMAS ESCHENBERG (excused)
	SCOTT PRASSE
	CONNER MAHONEY
	KEVIN PAGLIARULO (excused)
RECORDING SECRETARY:	CINDI KELLEY

C. APPROVAL OF MINUTES:

Discussion: Scott Prasse's name is mis-spelled throughout the minutes; corrections to show name correctly. Need to make changes to Scott Prasse's name throughout the minutes

MOTION: Prasse/D. Mahoney to approve the minutes from November 24, 2009 with corrections to Scott Prasse's name spelling. VOTE: All Ayes.

At this time, Mayor Eschenberg gave an update on Thomas Eschenberg's medical condition. Kelley had each member of the Council sign a card and asked that it be delivered to Thomas.

D. PUBLIC COMMENTS (NON-AGENDA ITEMS): None

E. ACTION ITEMS:

1. ALCOHOLIC BEVERAGE SALE HOURS

Mayor Eschenberg gave a brief overview of the request. He then opened to the public for their comments.

Liz Ritter, 2860 Orange Avenue, came forward and addressed Council. She is in favor of making a change to the ordinance to allow the sale of beer at 5 am on Sundays. The business owner should be allowed to sell their wares within the same guidelines as the County. It would not be hard liquor, just beer and wine.

Jeff McKnight, 2005 Flashy Lane, came forward and addressed Council. He is in agreement with Liz Ritter; it's not just taking beer sales from the business owner, it's a much bigger sales ticket. Most of the time when people stop before going out on their boats, it's to stock up on supplies and fill the gas tank(s). It would not just be taking away from the beer sales; it would be a much greater loss to the business owner.

MOTION: C. Mahoney/Ritter to direct the attorney to draft a change to the ordinance to allow the sale of beer at 5:00 am.

D. Mahoney is for this; doesn't want to take away from the business owner. Ritter is against the 5 am hour; may cause someone to start drinking early in the day. Mayor Eschenberg explained that if a person is drinking while driving, there is an open container law; the person driving would have to deal with the Sheriff.

VOTE: All Ayes. Motion carried unanimously

Mayor Eschenberg gave a brief overview of the true outcome of this issue. The first time it came before Council, it did not pass. When presented a second time, Council passed the ordinance change.

2. SECURITY SYSTEM

Mayor Eschenberg gave a brief overview of the request. He then opened to the public for their comments.

Liz Ritter, 2860 Orange Avenue, came forward and addressed Council. She felt this is a waste of time and money; the person who holds the grudge could wait for the person outside. If you are an elected official, hopefully you are serving your constituents well. If not, you will not be elected in the future.

Laura Mahoney, 2475 Malabar Road, came forward and addressed Council. She doesn't feel the funds should be spent for this.

MOTION: D. Mahoney/C. Mahoney to approve the expense of \$25,000 for a metal detector and bullet proof glass in Council Chambers.

Ritter stated this will be set off every time someone comes into the building through this door. C. Mahoney stated this is not a good idea; it's a lot of money based on one incident that was out of the state, doesn't make sense to approve this expense. Ritter asked why someone would hold a grudge for so long. C. Mahoney stated more information is needed for this and it should be based on incidents closer to home.

VOTE: All Nays. Motion failed unanimously.

Mayor Eschenberg stated that this was something that happened out of state; however, the City of Melbourne does have a metal detector and bullet proof glass in their Council Chambers.

3. BRIAR CREEK BOULEVARD

Mayor Eschenberg gave a brief overview of the request. He then opened to the public for their comments.

Larry Prasse, 1210 Hollow Brook Lane, came forward and addressed Council. He spoke against opening the road up to Malabar Road. They have a lot of children in the neighborhood; Gofer turtle crossings would be disturbed if the road was opened up. He would like the neighborhood to remain quiet.

Jeff McKnight, 2005 Flashy Lane, came forward and addressed Council. He lives on a dead-end road and would understand if his road was opened up to Malabar Road. However, Council needs to consider the good of the entire town, not just the people of the Brook Hollow subdivision. We need another artery going through the town up Malabar Road.

Liz Ritter, 2860 Orange Avenue, came forward and addressed Council. When the developer was developing the land, the road should have been put in at that time. There are no driveways on the main road, so this would not be a safety issue for children playing. Also, if the Fire Department needs to get into this development, they must go around to Port Malabar Road, in the city of Palm Bay, to enter Brook Hollow; anyone entering the subdivision must go through Palm Bay. She would like to see the road be opened up to Malabar Road.

MOTION: D. Mahoney/C. Mahoney to approve opening road from Port Malabar Road to Malabar Road.

Ritter asked about the trees. C. Mahoney asked about ordinance to protect the trees. Mayor Eschenberg gave an overview of the ordinance; however, people have the right to develop their property. The ordinance provides the means of replacing vegetation back to the property. Ritter stated the developer just wants to build homes; he won't be living in Malabar. Prasse stated this is the worst idea; opening the road from Port Malabar Road to Malabar Road. The Fire Department has access to the property by opening the gate at Malabar Road. Mayor Eschenberg stated that the only trucks that can access the property off of Malabar Road are the brush trucks, all other fire apparatus would have to go through Palm Bay. D. Mahoney stated that the developer had the right to develop the property. C. Mahoney stated Council should research to find out if all the residents of Malabar wanted the road to be opened all the way through. Ritter stated most of the people would probably want this as it would not directly affect them. Mayor Eschenberg stated that when this came before Council when he sat as a Council Member, he made the comment that he would use this road as a short-cut to get to Harris, his place of employment at the time. How many other people would do the same?

VOTE: All Nays. Motion failed unanimously.

Mayor Eschenberg gave a brief overview of the outcome when this was presented to Council. The developer took the Town to court; due process was not done and it would have had to be heard all over again. In the meantime, the developer sold the property to the EELs Program; it is now protected lands. The issue was went away.

4. TERM LIMITS

Mayor Eschenberg gave a brief overview of the request. He then opened to the public for their comments.

Liz Ritter, 2860 Orange Avenue, came forward and addressed Council. There are several ways to look at this issue. In a small town, it's hard to get people to run for office. It can also take some time to get familiar with the issues. Someone really has to want and do a good job for the residents of the Town. If they aren't doing a good job, the people will not re-elect them at election time. It's hard to replace good people.

Larry Prasse, 1210 Hollow Brook Lane, came forward and addressed Council. He is in agreement with Liz Ritter. You should not confine good people. The elected official should be allowed to continue if doing a good job; if not, they would not be re-elected.

Mayor Eschenberg stated the motion would be to draft a change to the charter; the people of the Town would then vote to make the change. He also explained that Council needs to determine how many two year terms should be in place. D. Mahoney stated it should remain the same; there is only one person who has an issue with this. Mayor Eschenberg asked if he is hearing no action to be taken at this time or does someone want to make a change. He also stated it is Council's job to do what is right for the entire town, not just one person bringing the issue to the forefront.

Council did not take any action on this issue at this time.

Mayor gave brief overview of the Charter Review Committee; they come together within so many years to update the Charter if it is needed. It was decided to have a change made to the Charter. A Council Member can run three times at two years each; Mayor, after two four year terms must step down. A previous Council Member can run again after being out of office for a two year period once he/she had termed out. Ritter asked how many people are on the Charter Review Committee. Mayor stated between 9 and 11 people.

F. **COUNCIL COMMENTS:** None

G. **PUBLIC COMMENTS:** None

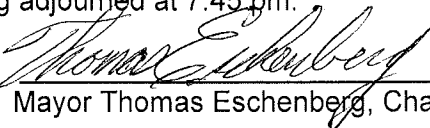
H. **SCHEDULE NEXT TEEN COUNCIL MEETING**

The next scheduled meeting will be held Tuesday, February 16, 2010.

I. **ADJOURNMENT**

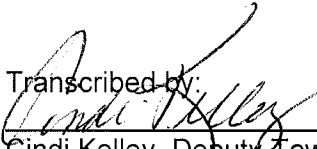
There being no further discussion, **MOTION: C. Mahoney/Ritter to adjourn the meeting. VOTE: All Ayes.** This meeting adjourned at 7:45 pm.

BY:



Mayor Thomas Eschenberg, Chair

Transcribed by:



Cindi Kelley, Deputy Town Clerk

Date Approved: 2/16/10