

TOWN OF GRANT-VALKARIA, FLORIDA
REGULAR TOWN COUNCIL MEETING
JULY 23, 2008
TOWN HALL, 5120 HIGHWAY US1, GRANT, FL 32949

The Regular Meeting of the Town of Grant-Valkaria, Florida, Town Council was called to order at 7:03 p.m. by Mayor Del Yonts followed by the Pledge, and roll call to the Council Members, with the following present:

Mayor – Del Yonts	Town Administrator Richard Hood
Seat No. 1 – Joe Hackford, Vice Mayor	Town Clerk Susanne Krueger
Seat No. 2 – Danielle Morgan	
Seat No. 3 – Pat Bryan	
Seat No. 4 – Cathy DeMott	
Seat No. 5 – Dan Faden	
Seat No. 6 – Jason Mahaney	

CHANGES TO AGENDA

There were no changes to the agenda.

APPROVAL OF MINUTES

There were no minutes to be approved.

REPORTS

1) Town Manager's Report

Town Administrator Hood stated that the Town Clerk was in touch with the Florida League of Cities regarding bonding the Town employees who have access to the checking account. The costs of \$100,000.00 bonds are \$325 per year for the Town Administrator and \$350 per year for the Town Clerk. This would meet the Charter bond requirement. It was consensus of Council to have staff ensure that this is the lowest possible cost by obtaining rates from other insurers. Motions by Vice Mayor Hackford, second by Council Member Mahaney, and vote unanimous to proceed with obtaining this bonding on the Town Administrator and Town Clerk if this is the lowest price.

He stated that last fiscal year the Town paid for the membership of nine Code Board memberships in the Central Florida Code Enforcement Association (CFCEA) at a cost of \$180 (9 x \$20 = \$180), and that it would be appropriate to discuss this item at this time. The following people spoke:

- Homer King – suggested members only, not alternates be members; membership is beneficial in that it familiarizes members with the code enforcement community and meeting county code enforcement officers
- Mark Pagliarulo – beneficial, but if town is cutting back maybe half of group can attend and bring back information
- Royce Stifflemire – real informative, every meeting has a mini seminar
- Chris King – should poll board members as to who is interested in attending and only have them be members of CFCEA

It was consensus of Council to have up to seven members join organization, not including alternates.

He reminded everyone of Grant-Valkaria Day on Saturday, July 26, 2008, and that he would be out of the office on Thursday, July 24, 2008.

He stated due to the recent rains we have been receiving complaints regarding the ditches and roadways, and that he will be meeting with the three contractors regarding their duties and schedule them to begin. Mr. Dan Robino and he drove the streets on Friday to check the problem areas that have been reported and assured that he would inform the contractors of their findings. Starting tomorrow side slopes will be mowed; unknown when Leghorn, Gradick and Henderson grading will start. According to the budgeted amount of \$50,000 only 26,000 linear feet of the 131,000 linear feet of ditches can be cleaned. To perform an entire sweep would cost the Town about \$165,000.00 and the contract only calls for only roads with ditches. Mr. Conlon will get him a separate price on this also. A call was received regarding a collapsed culvert on Valley Road and he is getting a price from CDM to clear the drainage obstruction today or tomorrow in the most inexpensive way. Concern was mentioned by Council Member Mahaney about emergency access to the property.

He stated that a complaint was received about Playerz western building violating conditional use permit where it was observed there was drinking on premise outside the walls of the building in a porch. Mayor Yonts opened the floor for the public to speak and the following people spoke:

- Vice Mayor Hackford – also received complaint about beer outside of facility in front building
- Mayor Yonts – also received complaint from same person
- Mario Nicolo – no beer was in front building; people smoke at outside wrap-around porch; he inquired if he needed a permit for the sliding glass doors – Council Member Mahaney and Town Administrator Hood responded that he did; Council Member Mahaney further stated that he should get with the County Building Department as soon as possible to get permit
- James Emory – heard music on weekends from Grant Park boardwalk across the street, saw 15-20 people drinking beer on front outdoor porch, and took pictures
- Jerry Shinn – inquired as to what does enclosed mean; Mayor Yonts responded when Council meets again they will have a definition of enclosed based on the county code
- Karen Cumber – stated she was on porch, there was a man playing guitar with a microphone and that he could not be heard from parking area
- Council Member DeMott – asked how high the wall is; Town Administrator Hood responded that it is a railing with lattice work under it with a height of four feet
- James Heck – inquired as to whether Mario Nicolo pulled permits for the enclosure, i.e., when the doors were installed
- Bonnie Heck – as a licensed state inspector she confirmed that a commercial structure needs to obtain permits for any work done
- Lisette Kolar – stated that County rules are as of the date of incorporation Council Member Mahaney stated that state regulations apply for building codes

Town Administrator Hood stated that if Mario Nicolo enclosed the porch that the form of enclosure has to be approved by Council. He further stated that if Council desires to have a hearing on this violation, that it will be determined at that time if a violation occurred, if the porch was enclosed, and a remedy for the situation. It was consensus of Council to go ahead and have a hearing on this violation.

Miller Legg requested a waiver of fees for Valkaria Lakes Community Park site plan on behalf of the County. Motions by Vice Mayor Hackford, second by Council Member Morgan, and vote unanimous to waive site plan fees.

For information only - letter received from State Attorney Norm Wolfinger regarding violation of sunshine law complaint regarding Code Enforcement Board hearing. Mr. Wolfinger stated that the Sunshine Law may not even apply to this incident as it involved the non-voting alternate, his office has not legal authority to direct a "re-vote", or to remove the two alternates from the board, and these may be options available to Town Council.

Request made to Council to allow employees to enter into a contract with AFLAC to obtain disability insurance. In order for employees to obtain this, it has to be through a group payroll deduction plan of three or more employees, paid by employees not the town. The program requires three employees to participate; however, since Town Clerk does not wish to participate, the offer was extended to the Code Enforcement Officer whom accepted. Motions by Council Member Morgan, second by Vice Mayor Hackford, and vote unanimous to allow employees to obtain supplemental insurance with AFLAC at their own expense.

2) Town Attorney's Report – none given

3) Council Reports and Comments

Council Member Bryan stated that at the last Water Board meeting where it was decided to support the St. Johns Water Management District on the Melbourne referendum, it should be corrected that our vote was wrong. He did not support this decision.

Council Member Faden stated that the Valkaria Airport Advisory Board meeting is July 29, 2008 at 6:000 p.m. at the Grant Community Center. If anyone is affected by the airport, they should plan to attend because they will be reviewing the budget. If anyone would like to see a copy of the budget, contact him. August 19, 2008 at 7:00 p.m. at the Grant Community Center there will be a Council Workshop to review the previous Air Fest (problems, changes, public safety issues). Don Whitehouse stated that changes are being made regarding touch and goes.

Council Member DeMott stated that the town should pay for signs regarding the town limits rather than soliciting donations. This statement stimulated the following people speaking:

- David VanAsdale agreed
- Mayor Yonts explained that these signs are the green governmental signs
- Lisette Kolar agreed and that the larger signs should be by donations
- Denni Burr had no problem asking for donations
- Homer King stated they should go north and southbound on US1, Babcock Street, Corey Road and Weber Road

- Vice Mayor Hackford asked is funds are available if at \$100 per sign
- Town Administrator stated there was money in the budget
- Council Member Bryan suggested the town hold off on donations until the town seal is designed

It was Council consensus to put in the budget to purchase 6-7 signs.

Vice Mayor Hackford thanked Mr. Dan Robino and Mr. Staples for cleaning the ditches and preparing for sod to be laid. He also stated that he would like more volunteers, and they should contact Town Hall and himself.

Mayor Yonts stated that he would like to have the Citizens On Patrol and deputies present during road repairs to help direct traffic when doing work on roads. He requested tell all neighbors that several more Citizens On Patrol are needed to hold a certification class here at Town Hall. He stated that the Code Enforcement Board has not had a meeting yet. Town Administrator Hood stated that he is unable to get five voting members present at the same time that are not party to the issue. He also stated that staff will call all Board Members and that there will be a meeting before August 16th.

Mayor Yonts stated that Donna Pauquette's trailer is finished today; however, the inside was not inspected and it still needs sinks, faucets, and plumbing installed, and touch up on the trim. He stated that Jessica Williams has volunteered to step up the process and that they are to call town hall if anyone can volunteer. There is a need for a bed and a chair. The latter part of August there will be a benefit garage sale. Mr. VanAsdale stated that he had a mattress. Council Member Bryan stated that if a sound system is needed for the benefit to please contact him. Vice Mayor Hackford asked how soon the landscape can be put in. Mayor Yonts stated that it could probably be done after they get a pad placed for when she gets out of car with walker she can get to trailer. Mr. Charles Perry has some wood for the ramp. Any volunteers can contact Mayor Yonts, Town Clerk Krueger or Jessica Williams.

Mayor Yonts stated that Dylan will be available sometime in August to get Council photos individually and as a group.

Malabar Council Member Nancy Borton invited Council and staff to attend their awards dinner at Yellow Dog Café, Monday, July 28th at 6:30 p.m. for all Malabar fire fighters that worked the recent Mother's Day fires. The attendance count is as follows: Bryan-2; DeMott-1; Yonts-2; Hackford-2; Mahaney-1; Morgan-O; Faden-O.

4) Board Reports

Lisette Kolar stated that Planning and Zoning Board packets are available with staff analysis for the July 28th meeting and that they need to be working on Land Development Regulations. Town Administrator Hood stated that he is still waiting from Miller Legg, and hopes to have this on the August 11th meeting.

Ms. Kolar stated that the Historical House has submitted a letter that it is okay to use the house during Grant-Valkaria Day. Ms. Denni Burr stated that the County allowed parking at Fisherman's Landing and no alcohol is to be served. She stated that the Coast Guard will not be

in attendance. It was determined that Council Member Faden and Mark Pagliarulo will cook. Vice Mayor Hackford stated that Grant Community Center would donate sodas. There will be hotdogs, hamburgers, chips, cookies, sodas, water, watermelon, and games like horseshoes and hoola hoops. Ms. Burr reiterated that the Health Department rules and regulations need to be complied with.

Council Member Bryan requested that Charlie Christenson and the Executive Council of the Grant Community Center be present at Grant-Valkaria Day. He stated that singer Steve Quinlivan worked the Seafood Festival since 1968 with his father and has a paddle signed by former presidential candidate Hubert Humphry when he was at the Festival and would like to present it to the Grant Community Center.

5) Public Comments (Non-Agenda Items Only)

John Vallery, 698 Wintergreen, thanked for the scraping of the road and for extra relief ditches. Town Administrator Hood stated he was out there yesterday, observed a lot of clay and that the road was very slick. He has called CDM and they may have a mix to put on it. Mr. James Heck stated that they are giving away blacktop millings at the Sebastian River bridge construction site. He stated that they would load it up and that Town Administrator should talk to Freddie.

David VanAsdale, 1760 Laurens, stated that Jennifer Road floods his property and that the ditch in front of his house need to be cleaned.

UNFINISHED BUSINESS

There was no unfinished business.

Mayor Yonts called for a brief recess at 8:47 p.m.

Mayor Yonts reconvened the meeting at 8:56 p.m.

Motions by Vice Mayor Hackford, second by Council Member Mahaney, and vote unanimous to excuse Council Member Bryan from the remainder of the meeting.

NEW BUSINESS

1) Appointment of Code Enforcement Board Member Replacing Peter deVos (Hood)
Mayor Yonts gave each of the candidates present the opportunity to introduce themselves and to briefly state their qualifications. For the record, David VanAsdale, Stephen Fay and Vincent Wilson were in attendance, and both Alf Standgard and Marcelle Kinney called to say they could not attend the meeting due to not being in town. Council Member Faden stated that he would like to move Al Janesky to permanent position and move someone in as alternate. Council Member Mahaney stated that he would like it narrowed to the three candidates present. It was Council consensus that Mr. Standgard would not be considered because it would not be beneficial to have someone from the FAA on the board, Marcelle Kinney would not be considered because they already have an economist on the board. Comments from the public were accepted: Denni Burr recommended Vince Wilson, Dan Robino recommended Vince

Wilson, Lisette Kolar stated Vince Wilson brings a lot of wisdom, he researches topics, level-headed and fair.

Mayor Yonts asked each of the candidates to answer the following question – Since the Board decides if compliance with codes, can you make decisions without personal feelings?

- Vincent Wilson – yes
- David VanAsdale – can use other factors and look for solution
- Stephen Fay – code is the law and must enforce as is

Motions by Vice Mayor Hackford, second by Council Member Morgan, and vote to nominate Vince Wilson to complete Pete DeVos remainder of term. Vote failed due to 3-3 tie vote (Aye-Hackford, DeMott, Morgan; Nay-Faden, Yonts, Mahaney).

Motions by Council Member Faden, second by Council Member Mahaney, and vote to nominate Stephen Fay to complete Pete DeVos remainder of term. Vote failed due to 3-3- tie vote (Aye-Yonts, Faden, Mahaney; Nay-Morgan, Hackford, DeMott)

Town Administrator Hood read the section of the ordinance stating that the membership should represent diverse area of experience, background, interests and resident location. Motions by Council Member Faden, second by Council Member Mahaney, and vote unanimous to appoint Vince Wilson to replace Pete DeVos term – to expire January 1, 2009.

(note for the record – brief malfunction of recording device)

2) Continuation of Total Budget Review (Hood)

Town Administrator Hood brought back to Council the information that most of the other cities offer 100% of employee health insurance and 50% of dependant. He also proposed Alternate 2 as the millage, which is 10% roll back rate and is \$22,000 increase in revenue in entire budget. He suggested that Council have another workshop to fine tune expenses. It was Council consensus to have next budget workshop on August 6th at 7:00 p.m. at Grant Community Center.

3) Establishment Of Rolled-Back Rate/Proposed Millage (Hood)

Mayor Yonts explained that based on \$300,000 home the existing millage would be \$128 per year, at .4542 millage it would be \$136 per year, and at .4976 millage it would be \$149 per year.

Motions by Vice Mayor Hackford, second by Council Member Morgan, and vote unanimous to accept Alternate 2 with .4976 millage at a 10% increase.

Allen Webb stated that this is a tax increase and we said this is not what we would do. Council Member Mahaney stated that this would be less than \$2 per month difference, we are maintaining services and we are not paying more than if we had not incorporated. Mark Pagliarulo stated that since we incorporated we were not expecting to pay for ditches, roads and code enforcement.

Town Administrator Hood stated that for the street lights to be removed as discussed in the previous workshop, it would cost the town about \$500-1000 per light. At the end of the 10 year life expectancy, it has no salvage value, however, there still are costs involved for the removal of the light. He will verify with the County on the Town's stance on not paying for their lights.

PUBLIC FORUM

No one spoke during public forum.

ADJOURN

Motions by Council Member Mahaney, second by Vice Mayor Hackford, and vote unanimous to adjourn meeting at 10:18 p.m.

(signature on file)

ATTEST:

Joe Hackford, Vice Mayor

(signature on file)

Susanne Krueger, MMC, IIMC, Town Clerk