

TOWN OF GRANT-VALKARIA, FLORIDA
REGULAR TOWN COUNCIL MEETING MINUTES
OCTOBER 10, 2007
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 7:05 p.m. by Mayor Del Yonts followed by the Pledge led by Council Member Mahaney, and roll call to the Council Members, with the following present:

Mayor – Del Yonts	Town Manager Matthew Brock
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. 6 – Jason Mahaney	

EXCUSE COUNCIL MEMBER FADEN

Motions by Council Member Morgan, second by Vice Mayor Hackford, and vote unanimous to excuse Council Member Faden.

PROCLAMATION – Family Month

Request submitted by The Church of Jesus Christ of Latter-day Saints.

Mayor Yonts brought this issue to the public. Bonnie Allan asked if the church submitted this. Dean Atkins stated that the Town does not need to waste time on this. Mayor Yonts stated that the church submitted this request, and brought the question to Council about the procedure for proclamations.

Motions by Vice Mayor Hackford, second by Council Member Morgan, and vote unanimous to have clerk forward proclamations to Council for review and if they felt strongly about the request, it will be placed on the agenda. There was no action on this proclamation by Council.

PUBLIC HEARING/2ND READING – ORDINANCE NO. 2007-12 – COUNCIL ACTION

An Ordinance Of The Town Of Grant-Valkaria, Brevard County, Florida; Repealing Ordinance No. 2007-10; Creating A Flood Damage Prevention Code; Providing For Statutory Authorization; Providing For Findings Of Fact, Statement Of Purpose And Objectives; Providing For Definitions; Providing For General Provisions And Administration; Providing For Provisions For Flood Hazard Reduction; Providing For Variance Procedures; Providing For Repeal And Severability; Providing For An Effective Date – Second Reading (Brock)

Mayor Yonts stated that legal notice was advertised in Florida Today Newspaper on September 20, 2007 for Ordinance No. 2007-12.

Mayor Yonts read Ordinance No. 2007-12 by title only and opened the public hearing. No one from the public spoke. Mayor Yonts closed the public hearing, and stated that the Town is waiting for review by the state.

Motions by Vice Mayor Hackford, second by Council Member Morgan, and vote unanimous to table this item until November 14th Council Meeting.

CHANGES TO AGENDA

Town Manager Brock requested Item I.2-mowing and grading bids, be added to Unfinished Business.

Mayor Yonts requested new item be added under Reports called “Board Reports”, adding Local Planning Agency (LPA) report regarding architectural review under Reports, and adding Item J.4-Legislative intent from Pat Woodard, under New Business.

APPROVAL OF MINUTES

- 1) Town Council Meeting Minutes of September 12, 2007

Motions by Vice Mayor Hackford, second by Council Member Mahaney, and vote unanimous to approve Town Council Meeting Minutes of September 12, 2007.

- 2) Town Council Meeting Minutes of September 26, 2007

Motions by Council Member Bryan, second by Council Member Morgan, and vote unanimous to approve Town Council Meeting Minutes of September 26, 2007.

REPORTS

- 1) Town Manager’s Report

Town Manager Brock gave his report of the following:

- Dan Robino and himself checked the status of roads
- Meeting is scheduled with Brevard County regarding Atkins Avenue
- Meeting is scheduled with Lorraine Gott and John Fergus regarding grants
- Meeting is tentatively scheduled for Planning and Zoning on October 22nd
- Received call from Brevard County inquiring if town wants to review site plan for the Valkaria Fire Department
- Brevard County approved last night the contracting licensing and building management services interlocal agreements

- 2) Town Attorney’s Report - No report given, Town Attorney excused.

- 3) Council Reports and Comments

Council Member Mahaney stated that the County already approved the site plan for the Valkaria Fire Department and that this could be brought before Council as information only. Jason said the P&Z board should not be reviewing again if already reviewed by Brevard County.

Vice Mayor Hackford stated that he met with Darrell, CDM Trucking, they checked the ditches, and most of the ditched are cleaned. Vice Mayor Hackford suggested that the town use CDM Trucking on an as needed basis.

Mayor Yonts talked to Town Manager Brock about increasing hours for part time assistant. Town Manager Matt Brock indicated the town charter is clear on the matter, and plans to bring the matter back at a later date. He read a letter he received from Mr. and Mrs. Hinkelman and requested a copy be sent to Town Manager and Council. He also noted that the town received a thank you letter from Bear Creek.

4) Board Comments

Lisette Kolar stated the Local Planning Agency (LPA) researched architectural styles and handed out photos of different buildings in the area that represented the style of the old fishing town. She also stated that US1 is a scenic highway that needed to be preserved and to ensure commercial development, any development along Babcock Street be attractive and that the LPA is reviewing Sebastian's overlay district.

Donna Paquette objected to Ms. Kolar's statement in that the town is taking away freedom to choose colors.

5) Treasurer's Report

Town Manager Brock stated that there was a beginning balance of \$120,568.22 of the Town's account and an ending balance of \$158,873.51 plus \$125,000.00 in a CD.

6) Public Comments (Non-Agenda Items Only)

Bonnie Allan stated that she received calls asking if the Town is going to automated garbage pickup. Mayor Yonts answered no.

John Vallery, 690 Wintergreen, stated that when someone recently graded Wintergreen they scraped the road too low and now the road is under water. He suggested that the Town mill the road like Malabar does. Mayor Yonts instructed Town Manager to look into the road problem and into the milling solution.

Donna Paquette objected to the price she has to pay for garbage service. She stated that since she doesn't use this service, she does see why she still has to pay.

UNFINISHED BUSINESS

1) Continuing Discussion of Boundary Clarification and Maintenance Responsibility Between Grant-Valkaria and Palm Bay (Brock)

Brevard County Sheriff's Deputy Mike Lewis and Commander Steve Salvo explained that it is the opinion of the Sheriff that they police this area and that there is no need to enter into an interlocal agreement with Palm Bay. Deputy Lewis stated that there will be four additional deputies south of US192 from the MSTU funds, and that the entire roadway of Babcock, northbound and southbound, is the Brevard County Sheriff's Department responsibility.

Brevard County Fire Chief Brad Hall stated that there is no need for an interlocal regarding fire coverage. He stated that everyone in the Town is within the 5 miles of a fire house, except for the west end of Grant Road where he is working on an agreement with Palm Bay to respond to that area. If a resident is within 5 miles of a fire house and within 1,000 feet of a water source (fire hydrant or deep well approved by the Fire Department) they can get a reduced rate on their insurance. He further stated that in the beginning of January 2008 there will be a new fire house constructed on Valkaria Road, and to be complete within 6 to 8 months.

Homer King spoke about dry hydrants aka drafting hydrants being useful if you have a sufficient water supply. He stated that there are grants available through Fire Prevention to put dry hydrants in to help with property owner's insurance ratings. He also suggested that we find a source to purchase supplies at a reduced cost, and buys directly from this company.

Mark Pagliarulo stated that he would rather see several deep wells installed in an area where they are not within the 1,000 feet of a water source.

Chief Hall agreed that the wells are cheaper than putting in a municipal system; however, putting in a well must go through approval of various governmental agencies.

Bonnie Allan inquired if the fire department uses the draft well at the old fire house and the lake located at Berry Road and Old Dixie Highway. Chief Hall responded that they are working on repairing the draft well at the old fire house and that they haven't used the lake.

Dave Cato, 6475 Highway US1, stated that there is a fire well (an 8 inch artesian well) on the Honda property on US1. He stated that some insurance companies recommended that the Council have Honda donate this well to the Town or have an agreement with the fire department to use the fire well.

John Vallery asked if there is any problem drafting out of a personal pond. Chief Hall responded that the fire department needs to be within 20-30 feet of a lake to draft from it; however, the ground surrounding the lake must be stable enough to support the weight of the fire truck.

After discussion with the audience, Chief Hall stated that to the best of his knowledge the Fire Department knows where the deep wells are and where they can use them. To help reduce insurance rates for the residents, they can call Fire Prevention or Chief Hall to see if there is one near their property. He also stated that he would provide the town with a list of all these wells location.

Mayor Yonts instructed Town Manager Brock to go back to Palm Bay and tell them thank you but we are satisfied with what we have and to look into obtaining grants for drafting hydrants or fire wells.

2) Mowing and grading bids (Brock)

Town Manager Brock thanked Dan Robino and Vice Mayor Hackford for their work on this item.

After some discussion, motions by Vice Mayor Hackford, second by Council Member Bryan, and vote unanimous to defer this item after J.4 – Legislative intent.

NEW BUSINESS

1) Consider Waiver Request – Waiver For Compliance To County Engineering Requirements – Oakenshaw Road – Applicant, Peter Campbell (Brock)

Bruce Moia, Construction Engineering Group, gave a brief introduction of the waiver request.

Mayor Yonts stated that this item should go before the Zoning Board of Appeals as per recommendation of Town Attorney Bohne.

Mayor Yonts called for a break to confer with the Town Attorney at 9:00 p.m.
Mayor Yonts called the meeting back to order at 9:20 p.m.

Mayor Yonts stated that according to the County ordinances which governs waivers it refers to going before the Board of Adjustment which in Grant-Valkaria is the Zoning Board of Appeals; however, according to other sections of the code that governs waivers it also refers to the Board of County Commission granting waivers. If it is determined that this item should go before the Board of Adjustment, then it will be brought before the Zoning Board of Appeals.

Bruce Moia described the waiver would be changing the ratio of the slope of the ditch along the dirt road. The waiver is to go from 3:1 slope to 2:1 slope because of the uniqueness of the site and the 2,000 foot length of the road.

Several people spoke regarding this item:

- Charles Perry - the St. Johns River Water Management has approved this plan
- Dan Robino – inquired what type material will be used to stabilize

- David Trafton – supported waiver
- Randy Ridder – supported waiver

Motions by Council Member Bryan, second by Vice Mayor Hackford, and vote unanimous to grant the waiver with the condition that there be a one-year maintenance agreement on the road and where the geotech material is in the ditch commencing on the date the road is accepted by the Town.

2) Installation of Street Light on Adobe Lane (Brock)

It was noted for the record that the applicant for this street light was not in attendance.

Motions by Council Member Morgan, second by Vice Mayor Hackford, motion fails due to Council Member Morgan withdrawing her motion.

Bonnie Allan stated that it is not the Town's responsibility to install street lights, most people have security lights.

Motions by Council Member Morgan, second by Vice Mayor Hackford, and vote unanimous to table this item for Council meeting two weeks from tonight's meeting to have applicant at meeting.

3) Discuss Selection Method For Newsletter Name (Yonts)

Lisette Kolar stated that the process would be as follows:

- Have Town Clerk be committee chairman
- Set up committee to narrow down the list to 6
- Send out newsletter again with 6 names to rank which ones they prefer
- If there is not a clear cut winner, then the top 3 would come before Council to decide name
- Individuals that volunteered are Bonnie Allan, Mark Pagliarulo, and Leroy Rotgers

Motions by Council Member Morgan, second by Council Member Mahaney, and vote unanimous to approve the process described above.

4) Legislative Intent from Pat Woodard (Yonts)

It was the request of Mayor Yonts to agenda this item in 2 weeks.

5) Mowing and grading bids (Brock)

After some discussion among Council, the gavel was passed to Vice Mayor Hackford.

Motions by Mayor Yonts, second by Council Member Morgan, and vote 5 to 1 (vote: aye-Yonts, Hackford, Morgan, Bryan, DeMott; nay-Mahaney) change the section entitled "Personnel" to state that the Contractor's employees be a minimum age of 18 with the vote.

After review by Council the following changes were recommended to the Bid Document:

- Change date in heading
- Section entitled Bid Submittals
 - add "all bids must contain at least 3 work related references with value of contract"
 - add town hall address; add date and time bid deadline
- Section entitled Payment
 - Delete first paragraph
 - Change third paragraph wordage
 - The contractor shall notify the Town's representative within 24 hours after completion of work
 - The Town's representative will then inspect the work, and within 7 days of receipt of invoice ...
 - The Town will make payment ... accepted within 30 days after acceptance
- Section entitled Specifications – Mowing of Rights of Ways and Grading of Dirt Roads
 - Add "see attached drawings"
 - Add "Bidders must bid on each of the following:" after 1) and 2)
 - Section 1) d. – change to "a) and b) combined"
 - Section 2) – add "Estimate to grade 12 x annually"
- Section entitled Term of Contract
 - Add "the Town reserves the right to terminate with 60 days notice"

Motions by Council Member Morgan, second by Vice Mayor Hackford, and vote unanimous to approve the bid document as amended above.

PUBLIC FORUM

No one from the public spoke.

Motions by Council Member Morgan, second by Council Member Bryan, and vote unanimous to adjourn the meeting at 10:50 p.m.

(Signature on file)

ATTEST:

Del Yonts, Mayor

(Signature on file)

Susanne Krueger, MMC, Town Clerk