

MEETING MINUTES FOR THE
TOWN COUNCIL REGULAR MEETING
WEDNESDAY, FEBRUARY 24, 2010 AT 7:00 P.M.
TOWN HALL, 4240 HIGHWAY US1, GRANT VALKARIA, FL 32949

The Regular Town Council Meeting of February 24, 2010 was called to order at 7:00 p.m. by Mayor Yonts, followed by the Pledge of Allegiance led by Council Member Faden, and roll call to the Council Members with the following present:

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

EXCUSE COUNCIL MEMBER BRYAN

Mayor Yonts stated that Council Member Bryan called Town Hall requesting to be excused because he was ill. Motions by Council Member Mahaney, second by Council Member Hackford, and vote unanimous to excuse Council Member Bryan.

CHANGES TO AGENDA

Town Administrator Hood stated that Council Member Bryan requested agenda item “ Discussion/Action Re: Anchoring or mooring of non-live aboard vessels outside the legally permitted mooring field” be removed from the agenda because he was not present and that the time period for comments to the Florida Fish and Wildlife Conservation Commission regarding this has expired.

APPROVAL OF MINUTES

1) Town Council Regular Meeting Minutes of January 27, 2010

Motions by Council Member Hackford, second by Council Member Mahaney, and vote unanimous to approve the Town Council Regular Meeting Minutes of January 27, 2010.

PUBLIC COMMENTS (non- agenda items)

There were no public comments on non-agenda items.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

1) Discussion/Action Re: Request by Mr. David Cato to subdivide existing lots north of 6545 Highway US1 (Hood)

Town Administrator Hood stated that Mr. Cato owns two lots north of the Honda site and would like the town to endorse his sub-dividing his two lots into four residential lots. According to code, the subdivision of a parcel of land into three or more lots constitutes a sub-division and

must be formally platted. It is his opinion that this request does not trigger the requirement for a plat because no one parcel is being sub-divided into three or more lots even though we are creating four new lots. He stated that the real purpose behind platting is to provide for roadways for ingress and egress for each lot and to provide easements for utilities for all lots. In this case all lots abut US1, an existing roadway, and all utilities are located within the US1 right-of-way so each lot has access to utilities. Most land owners in this situation typically just start selling land one at a time to avoid the platting requirement and since the governmental agency can do nothing regarding a person's right to sell his land nothing usually happens although the code has been violated. He commended Mr. Cato for approaching the Town first to attempt to do this by the book and that Mr. Cato must subdivide the parcel in conformity with the zoning requirements or the individual lots will be unbuildable. He stated that Town Attorney Bohne agreed with the recommendation to approve this concept and that this does not meet the requirement to plat. Mr. Hood stated that Mr. Cato had a site plan already approved with six units on site and if the property is sold he must meet density requirements as of today. The property is zoned BU1 and does not permit for multi family. Council was concerned that the town should have an agreement stating it would be single family lots. Mr. Cato stated that the properties currently have wetlands on the east and west side and that the old US1 used to run in the middle of the properties. Mr. Cato stated that he has a contract on the south lot and that he would be selling the lots one at a time. Motions by Vice Mayor Kolar, second by Council Member Mahaney, and vote unanimous to approve of the concept that a site plan is not a requirement, that lots be no smaller than one-half acre.

- 2) Discussion/Action Re: Resolution No. 03-2010 – A Resolution Of The Town Of Grant-Valkaria, Florida, Endorsing House Bill #355 And Senate Bill #742 Relating To Public Safety Telecommunicators; And Providing For An Effective Date. (Mahaney)

Council Member Mahaney stated that House Bill 355 was approved by the House Committee on Health Care Regulation Policy and Senate Bill 742 is scheduled tomorrow for the Senate Committee on Health Regulation. He stated that these bills hold the 911 dispatchers accountable for their actions and that the town should support this. He also stated that the County is starting the training and certification now. Motions by Council Member Hackford, second by Council Member Mahaney, and vote unanimous to approve Resolution No. 03-2010.

- 3) Discussion/Action Re: Workshop schedule update (Hood)

Town Administrator Hood stated that at the November 18, 2009 Council adopted Ordinance No. 2009-05 that placed a moratorium on the issuance of business tax receipts for adult entertainment which will expire on May 18, 2010 and that it would be appropriate to place this item on the workshop schedule. Mr. Hood suggested the following workshops: March 3rd for signs, home occupations business tax receipts and accessory structures; March 17th for adult entertainment; after these workshops he would like to see where we are standing before scheduling further; if an agenda is small to put golf carts as a workshop immediately following the council meeting. Mr. Hood stated that Council would take feedback from residents and Council, and then proceed with ordinance process.

Mayor Yonts was concerned about the Charter Review Committee needing to bring it to a close, and the Council needs to hear their recommendations in their wording and by motion and vote. Town Administrator Hood stated that he will suggest to the Charter Review Committee to bring their final recommendations to a summary at the April meeting. Mayor Yonts stated that if there are items that they want to change, they do not know the wording but needs changing they should still bring it forward. Mayor Yonts suggested having a joint workshop with the Charter Review Committee April 21st. Mr. Hood advised once the recommendations are approved by Council the Town Attorney will review. Mayor Yonts requested Mr. Hood inform the Charter Review Committee members before the March meeting of what was discussed tonight. Mayor Yonts stated that based on timing we need to move on , if they cannot make a recommendation by April 21st then they have no recommendation.

Vice Mayor Kolar inquired about the status of the comprehensive plan; Mr. Hood responded that we have everything except maps and school element, he is expecting maps within the week, and that it appears they are addressing everything.

Town Administrator Hood stated that the remainder of the workshop schedule will be adjusted as Council proceeds.

4) Discussion/Action Re: Disposal of surplus assets (Hood)

Town Administrator Hood informed Council that he performed an inventory of the Town's property and determined that there is a surplus of items that are in need of disposal. Mr. Hood stated that all the surplus items have been donated to the Town and believes that at the time of donation it was not known if the items were necessary and could be utilized or not by the Town so all was accepted. These items are currently in our storage unit which he would like to clean out as soon as possible to avoid any extra expense in storing these items. Town Attorney Bohne recommended if the property is of no value, which the Council should determine, then it may be donated as per Florida State Statute 274.06 and Council should also authorize the donation as well as to what charity. Mr. Joe Mullins stated that the Boy Scout Troop is having a garage sale in a couple of weeks if Council wishes to donate. Motions by Council Member Mahaney, second by Council Member Hackford, and vote unanimous to donate all items except 30 folding chairs to Project Response, and any items that Project Response does not want to offer to the Boy Scouts for their garage sale. It was Council consensus that in the future these kinds of items can be donated by staff to local charities in town.

5) Discussion/Action Re: Cost to move Town Hall (Hood)

Town Administrator estimated the total actual costs to move Town Hall was \$6,396.89 with \$3,026.39 may possibly be reimbursed by the bank in a reduction of the rent payment. If that occurs, which he should know in the next week or so, next month's rent should be free or close to it. He wanted to point out that labor cost was zero; all work was completed by volunteers. The labor charge to the bank will be for staff's time to paint, install door hardware, install toilet, install window blinds, and repair of front door. In addition to the actual cost, sink faucets, pictures, paint, and decorations were donated by staff and local businesses. Mr. Hood stated that he will be

coming to Council with a line item transfer because of these expenses; of the volunteer labor Tom Sammon had 100 hours, Joe Mullins had 20 hours and Ray Kolar had some too. Council Member Mahaney stated that it would be appropriate for the Mayor to send a letter to recognize the volunteers.

REPORTS

1) Town Administrator's Report

Town Administrator Hood gave his report as follows:

- (A) Gate requests - he has received a request for gates at two additional locations. One is at the west end of Sand Point Road west of Brabrook Avenue and the second is at the end of Magnolia Road south of Valkaria Road. The reason for the gates are the ATV's and the requesting parties will be responsible for all cost as well as maintenance. This program appears to be working but exactly as what was predicted has happened, as we close one access point they move to another location. He recommended approval of these gates. Motions by Council Member Hackford, second by Council Member DeMott, and vote unanimous to approve the additional two gates and authorize Town Administrator to handle all gates but keep Council informed. It was noted to inform Sheriff's Department and Fire Department of the gate codes.

- (B) Mowing contract - he has been working with Town Attorney Bohne to finalize the documents for a new mowing contract. It is anticipated that the advertisement will be in tomorrow's newspaper and we can also advertise it on the Town's website. He will have a pre-bid meeting on March 9th, deadline for bids will be March 18th at 12:30 p.m., opening of bids will be March 18th at 1:00 p.m., and award bid contract on March 24th with contract beginning April 1st. He extended the mowing contract to line up with the fiscal year; therefore, he went 18 months on initial bid with three one-year renewal options. He thanked Council Member Mahaney for providing him with a great starting point which Town Attorney Bohne added 20 pages and staff added maps.
- (C) Miscellaneous - he received a call from Representative Poppell's office requesting an economic impact statement which will be attached to our local bill as House Bill 1121; this will be sent to Representative Poppell's office overnight express tomorrow.

Mr. Hood inquired who will need keys to entire building or Council Chamber area. It was Council consensus to have Mayor and Vice Mayor have keys to entire building and remainder of Council to have keys to Council Chamber area only.

2) Council Reports and Comments

Council Member Hackford thanked everyone for the help with the Grant Seafood Festival. Vice Mayor Kolar stated that the Press Journal had an article in the newspaper regarding problems with Flight Safety at Sebastian Airport, Representative Poppell was in attendance, and they came up with regulations restricting touch and go to daylight hours. Council Member Faden thanked everyone for the impressive town hall building.

Mayor Yonts suggested contacting Kim Froge to see if she wanted to come again for her presentation and he will be attending the Space Coast League of Cities meeting on March 8th. Mayor Yonts stated he had a pass for the next launch, STS131, scheduled Monday, April 5th at 6:27 a.m. and asked Council if they wished to attend to contact him. Mayor Yonts stated that since Council Member Mahaney completed one term he is eligible to attend the Florida League of Cities Advanced Institute for Elected Officials. Council Member Mahaney stated that he is not interested in attending this time, but will be interested when it is local. Mayor Yonts stated that he and Vice Mayor Kolar attended the Brevard County Sheriff's Awards and that it was well done with everyone being recognized. Mayor Yonts stated that he will be attending Mayor for Meals on March 24th.

3) Board Reports and Comments

Town Administrator Hood stated that the Local Planning Agency (LPA) had a meeting proposing a new site plan codes and reviewed the Charter regarding density at the request of the Charter Review Committee. The LPA voted to put 1.25 acres concept in the charter leaving the actual language to legal authority.

ADJOURN

Motions by Council Member Hackford, second by Council Member Mahaney, and vote unanimous to adjourn the meeting at 8:59 p.m.

(signature on file)

Del Yonts, Mayor

ATTEST:

(signature on file)

Susanne R. Krueger, Town Clerk