

TOWN OF GRANT VALKARIA
MINUTES OF REGULAR COUNCIL MEETING JUNE 11, 2008
5120 HIGHWAY U.S. 1, GRANT, FL 32949-2003

The Regular Meeting of the Town of Grant-Valkaria, Florida, Town Council was called to order at 7:00 p.m. by Mayor Del Yonts and roll call to the Council Members, with the following present:

Mayor – Del Yonts	Town Clerk/Acting Town Administrator - Susanne Krueger
Seat No. 1 – Joe Hackford, Vice Mayor	Administrative Assistant Linda Munroe
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	

Mayor Yonts made an announcement to all that Pete DeVos, a member of the Code Enforcement Board passed away on Monday and requested a moment of silence on his behalf. It was Council consensus that the Town send flowers.

CHANGES TO AGENDA

None

PRESENTATION: Update of Honda Site Plan – Don Burton, Honda R & D Americas, Inc. Don Burton of Honda R&D Americas, Inc. updated the Town on the site work which started in April. He presented photos to show progress of the work. Shortly after they started the work, substandard and contaminated soil was found. They spent over 15 days and lots of money to clean it up and replace the soil. 1700 cubic yards of soil was removed, 2700 yards of soil was replaced, and the site elevation was raised over 1 foot above Highway U.S. 1. Rebar has been put in and foundation work has been done. The County has concerns with the H.O.O.T System which Honda is clarifying with them. A more in-depth soil test may be needed. The boat ramp is still in process with St. John’s River Water Management District. Council Member Faden thanked Honda for cleaning up the soil and wondered where the contamination came from. Mr. Burton stated it was pieces of road and part of the old foundation.

APPROVAL OF MINUTES

There were no minutes for approval.

REPORTS

1) Town Manager’s Report:

Acting Town Administrator Krueger read her report as follows:

- Christenson boat ramp site plan will be submitted sometime next week for review by the town – Mayor Yonts stated the County never approved the site plan.
- If Council agrees, the dates for Council workshop meetings held at the Grant Community Center are:
 - Thursday, June 19, 2008 to discuss charter amendments and zoning/site plan procedures (this meeting will be held here at Town Hall)

- Thursday, June 26, 2008 to discuss fire hydrants and reducing insurance rates in Town – Brevard County Fire Department and, hopefully, Division of Forestry
- Wednesday, July 16, 2008 to discuss Air Fest
- Wednesday, July 30, 2008 to review comprehensive plan
- To ensure that new businesses are checked for zoning and code compliance. A procedure has been established for anyone applying for a new business tax receipt. New businesses will be required to complete our business tax certificate application; staff will verify all information and Town Administrator or the Town Clerk will sign off that they are in compliance. County Tax Collector's office has agreed not to issue any new receipts unless this application is received with the appropriate signatures of approval. Acting Town Administrator Krueger stated this was being done since the County was not checking for zoning. She also stated there will be a fee
- Town newsletters will be mailed out this week and several extra copies will be here at Town Hall
- John Chase, our landlord, offered 440 square feet of additional office space for an additional \$300 per month and he would continue paying the \$200-\$300 electric bill – Mayor Yonts stated that parking space is an issue and that we are not starting a new lease with our landlord.
- Leon Surles, who owns the mini warehouse facility north of Town Hall, had a site plan approved by the County in 2003 and wishes to construct phases two and three; however, County requires a letter from the Town that they have no objection to him completing the construction of his approved site plan. Phase two consists of two buildings and phase three consists of two buildings. If it is the desire of Council, I will create a letter approving the completion of this project. Council consensus was to have her create this letter. Moved by Vice Mayor Hackford, seconded by Council Member Morgan to approve an extension of Mr. Surles site plan that was approved by the County in 2003.
- Florida League of Cities request that we designate one Town Official to be the voting delegate at their 82nd Annual Conference
- Town has been notified by County Traffic Engineering that we will be responsible for the electric bill for about 153 street lights and poles. FPL estimates the cost to be about \$1700 per month for all. As soon as FPL supplies us with the agreement, it will be brought before Council for approval.

2) Treasurer's Report:

Acting Town Administrator Krueger stated that she had emailed Council the Budget to Actuals Report effective May 30th.

3) Town Attorney's Report:

There was no Town Attorney report.

4) Council Reports and Comments:

Council Member Bryan stated that

Pine Sap has been used as a dumping site for many years; there is no grass and no road shoulder, he is willing to lay sod if Town is willing to help him. This past Saturday someone dumped 500 yards of pine trees. Ron McLellan asked if they needed any fill dirt he will send some there. Vice Mayor Hackford said he can get sod from Jack King. Pat stated the area that needs the dirt and sod is actually on Grant Road not Pine Sap.

- Mayor Yonts stated that Space Coast League of Cities has two items for them to discuss:
 1. They are having a Citizens for Space Rally on June 23rd at 9:00 a.m. at the Government Service Complex in Viera; people will be linking hands and pointing to space
 2. KC25 – in reference to the United States Air Force contract; they are asking municipalities to sign; he will not be signing since he is employed by Rockwell Collins but stated if anyone else would like to sign it is okay. Council Member Bryan stated he is okay with it; Grumman is in business with foreign countries on contract. Council Member Faden stated he also will abstain since he works for the Air Force and Northrop Grumman. Moved by Council Member Bryan and seconded by Vice Mayor Hackford to send a letter in support of this contract. Mayor Yonts and Council Member Faden abstained from voting. Resident Allen Webb stated that the United States Air Force is going in with foreign countries and most of that work goes to foreign countries, which takes work away from this country. A lot of people agree with him on this issue. Lisette Kolar and Denni Burr agreed with that statement. Resident Karen Barker whom works for the Department of Commerce in Washington D.C. disagreed with Allen Webb, Lisette Kolar and Denni Burr. She stated the United States Government is trying to help European countries. 4,000 jobs will be open in Alabama due to this contract. She also stated she can give anyone more information after the meeting. Vice Mayor Hackford, Council Members DeMott, and Bryan voted aye and Council Members Morgan and Mahaney voted nay. Acting Town Administrator Krueger stated she has a draft letter from the Space Coast League of Cities and Mayor Yonts stated that Vice Mayor Hackford may sign.
 3. Mayor Yonts gave an update on the fire victim:
 - The County is moving forward to putting a trailer on the site; Ms. Pauquette is currently living in a borrowed RV,
 - Leon Surles has donated a storage unit at his facility on Highway U.S. 1 in Town to leave donations

- Volunteers will be having a garage sale at the storage unit site with donated items to help Ms. Pauquette
- Ms. Terry Wolfe stated she, her husband, and Sue Krueger all have keys to the storage unit
- Mayor Yonts stated that Ms. Pauquette will be opening a bank account soon so monetary donations will be accepted. United Way has a check for her

5. Board Reports

- Terry Wolfe – Chairperson of Code Enforcement Board
Ms. Wolfe stated there is a meeting scheduled for June 17th and asked can she move an alternate up to replace Pete DeVos? Mayor Yonts answered no, that Council will appoint the new Board Member.
- Lisette Kolar – Chairperson of Local Planning Agency/ Local Planning Board
Ms. Kolar stated that the Local Planning Agency has meetings scheduled for June 16th and June 23rd to continue the discussion of the Future Land Use Element of the Comprehensive Plan. There also is a Planning and Zoning Board meeting scheduled for June 23rd.

PUBLIC COMMENT

Bonnie Allan let everyone know that the Grant Community Club will start having yard sales, the 1st one being on July 12th. These proceeds will go towards repairs and maintenance of the Club.

Lisette Kolar gave an update on Grant Valkaria Day. She stated that Bonnie Allan and Denni Burr will be helping her. She got permission to use the Historical House site. Vice Mayor Hackford told everyone that the Grant Community Club has cases of hotdogs and hamburgers. Council Member Bryan said his band will be playing there again. Ms. Kolar asked if the application process is the same as last year and Mayor Yonts stated that it is.

UNFINISHED BUSINESS

None

NEW BUSINESS

1) Discussion/Action Re: Resolution No. 18-2008

A Resolution Of The Town Of Grant-Valkaria, Brevard County, Florida Vacating And Abandoning A Certain Right Of Way Located In The town Ad Dedicated For Public Use As More Particularly Described In Exhibit "A" To This Resolution; Providing For Conflict; And Providing For An Effective Date.

(This Resolution Is For The Request To Vacate Right-Of-Way A Portion of Kries Place, Lying North of 4636 Grant Road – Bernard Mann, Applicant – That Was Approved May 28, 2008)

Acting Town Administrator Krueger stated that this resolution is in reference to the vacate of Kries Place that was approved already. Moved by Council Member Mahaney, seconded by Council Member Faden to approve Resolution No. 18-2008. Motion carried.

2) Discussion/Action Re Town Administrator Contract

Mayor Yonts had a question about the cell phone and car allowance; he requested the amount be monitored to be sure to be fair to everyone. Mr. Hood stated he and Town Attorney Karl Bohne came up with this format and that vacation, sick, leave, bereavement, and comp time could all change with a personnel manual. Council Member Faden stated that he wants it all spelled out; including holiday schedule. Acting Town Administrator Krueger stated that she and Ms. Denni Burr have been working on a personnel manual. Mr. Hood stated he will keep track of his mileage. Mayor Yonts stated the key is not to have to do monthly expense reports. Ms. Burr stated that it all could be reviewed in a three (3) month period. Moved by Council Member Bryan, seconded by Council Member Morgan to accept the employment contract of Richard Hood with effective date of June 12, 2008. Acting Town Administrator Krueger read Richard Hood the oath of office and all Council shook his hand. Mr. Hood thanked Council for the vote of confidence and stated he had been in the office already for a couple days. He then introduced his wife, Sue Hood as well as Mark and Sue Ryan who were in the audience. At the recent Space Coast League of Cities meeting Mr. Ryan had asked Mayor Yonts for permission to attend this meeting.

3) Proclamation in recognition of Grant-Valkaria Day

Mayor Yonts read this proclamation to all present at the meeting.

4) Discussion/Action Re Transfer of Florida East Coast Railway Company License Agreements To Town Of Grant-Valkaria. This agreement transfers ownership and responsibility for roads, rights-of-ways and easements between the County and the Town as per April 2007 interlocal agreement with the County. The document has already been signed by the Board of County Commissioners in regular session on February 5, 2008

Acting Town Administrator Krueger stated this was brought to her attention recently by the County and that half of the Senne Road railroad crossing is in the Town and the other half in the County. Consensus of the Council was to get the issue of Senne Road railroad crossing clarified before the town accepts the other 3 railroad crossings.

5) Discussion/Action Re Ordinance No. 2008-03 – First Reading (Krueger)

An Ordinance Of The Town Of Grant-Valkaria, Brevard County, Florida; Amending Section 94-308; Providing For An Additional Definition Of Abandoned, Inoperative, Or Discarded Motor Vehicle; Providing For A Definition Of Operable; Amending Section 94-313; Providing For Prima Facia Evidence Of Abandonment And Junked Vehicle; Providing For Severability; Providing An Effective Date.

(This ordinance was created at the request of the Code Enforcement Board to capture a definition of abandoned, inoperative, or discarded motor vehicle which the County code did not identify.)

Acting Town Administrator Krueger read comments by Town Attorney Bohne. Mayor Yonts allowed the public to comment on this item. Mayor Yonts pointed out that we need to clearly establish definitions. Town Administrator Hood stated that zoning codes will have restrictions where you cannot work on them in front yards. (This ordinance was more designed to keep cars “abandoned”, not owner’s car, owner could be in another city/town.) Dean Adkins stated that he moved from the County because of the tight restrictions. Homer King, a member of the Code Enforcement Board stated this is nothing new. The County enforced the codes prior to the Town incorporating. An example of this particular case is they could not get in contact with an owner of a vehicle; grass is growing up in and around vehicle. Mayor Yonts stated that the way this is set up it takes away from the person that is working on a car; we need to rewrite the whole ordinance not just part of it. Council Member Bryan stated that County Codes are “1 size fits all, and it does not”. Royce Stifflemire, a member of the Code Enforcement Board stated he had discussed this with Town Attorney Bohne whom assured Mr. Stifflemire that restored cars would not be included, as long as the owner has a registration.

Terry Wolfe, Chairperson of the Code Enforcement Board stated this case recently came before the Code Enforcement Board where the property owner does not live in Town. The vehicles in question are either abandoned by the previous renter or the owner just left them there and these vehicles were in the path of the fires in May. She also stated we need to do something to have the vehicles removed for security; she agreed with Mr. Stifflemire that there should have been a clause with restored cars and such. Mark Pagliarulo, a member of the Code Enforcement Board stated that the City of Palm Bay does not allow parking vehicles in one’s front yard. Vice Mayor Hackford stated that the ordinance should be reworded. Council Member Faden stated he would like to see it reworded with conditions and have Town Administrator Hood and Town Attorney Bohne work on it. Renee Bryan stated this should apply to mobile homes and trailers, as well. Dean Adkins stated some smaller trailers are used by hunters. Mayor Yonts stated they too must have a current license tag. Tom Sammons stated he knew someone who lived in a trailer while building their home in Malabar; they got fined for not having it properly registered. Allen Webb stated he was wondering where this is going, are we going to include boats next? He stated that is why the Town was incorporated, are we going to have a lot of vigilantes; this needs to be worded carefully. He is very concerned of more regulations and codes. Mayor Yonts stated the code needs to be modified with the right restrictions. Terry Wolfe stated “this is the reason the Town needs a Code Review Board; so we can get what we want, because we adopted County Codes we have to look at this.” Mayor Yonts stated “we need to not be looking and adding/modifying. As the issues come up we need to make changes, we cannot let it look like a junkyard.” Terry Wolfe stated “this was tabled by the Code Enforcement Board so Council could look at code and make changes.” Council Member Faden stated that “this came about as a complaint, he agrees with Allen Webb. Code Officer feels obligation to cite all violations. Where do we cross the line from

proactive to reactive?" Terry Wolfe stated "that will fall to new town administrator to direct." Chris King suggested that Code Officer be reactive unless safety or health issue; then be proactive." Terry Wolfe stated "it was clear when the Code Officer went out; these three (3) vehicles were in path of fires due to no action of property owner whom never responded to anything, are these vehicles full of gas, are they his, or just vehicles from prior tenants?"

ADJOURN

Moved by Council Member Morgan, seconded by Vice Mayor Hackford to adjourn meeting at 9:00 p.m. Motion carried unanimously.

(signature on file)

Del Yonts, Mayor

ATTEST:

(signature on file)

Linda Munroe, Administrative Assistant

