6-A

Town of Ponce Inlet
Town Council Regular Meeting Minutes
June 23, 2016

1. CALL TO ORDER: Pursuant to proper notice, Mayor Smith called the meeting to order at 6:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

2. PLEDGE OF ALLEGIANCE: Mayor Smith led the attendees in the Pledge of Allegiance.

3. ROLL CALL:

Town Council:
Mayor Smith, Seat #1
Councilmember Milano, Seat #2
Vice-Mayor Hoss, Seat #3
Councilmember Perrone, Seat #4
Councilmember Paritsky, Seat #5

Staff Members Present:
Ms. Cherbano, Deputy Clerk
Mr. Disher, Senior Planner
Chief Fabrizio, Police Chief
Mr. Gunter, General Manager, Public Works
Ms. Hugler, Administrative Assistant
Mr. Joulani, Director, Planning & Development
Ms. McColl, Finance Manager
Ms. Richard, Acting Recording Secretary
Attorney Shepard, Town Attorney
Ms. Witt, Town Manager

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA: *None*

5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS: *None*

6. CONSENT AGENDA: Mayor Smith asked Council if there was any item Council would like to remove from the consent agenda or to discuss. Mayor Smith asked for Council comments – hearing none – closed Council comments. Mayor Smith asked for public comments – hearing none – closed public comments.

A. Approval of the Town Council regular meeting minutes – May 19th, 2016.

B. Approval of payment of legal bill in the amount of $107,735 ($103,735 of which is related to the Pacetta lawsuit) – dated June 7, 2016.

C. Approval of renewing a contract for emergency debris monitoring with Witt O'Brien, LLC; contract obtained via piggyback off Volusia County's contract, expiring June 11, 2018.

Councilmember Paritsky moved to approve the Consent Agenda as presented; seconded by Vice-Mayor Hoss. The motion was APPROVED by consensus, 5-0.

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7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE MEETING:

A. **Compensation and Benefits Study presentation** – Ms. Witt provided some history on this item and stated that a complete comprehensive report was prepared by Evergreen Solutions. Kevin Lundgren of Evergreen Solutions, LLC provide a PowerPoint presentation of both the compensation and the benefit study; which provided a brief outline on how the study was created, an assessment of the Town's current pay plan and the market summary of pay plans and benefits. He then reviewed the benefits survey area and stated that this area is good, but recommended for the Town to explore a Vision and Employee Assistance Program (EPA). He also stated that the Town compensation plan is behind in the market place and proposed a solution file; which included the new pay plan, along with options for implementation. He noted that this plan would allow the Town to recruit and retain employees at a higher level. Councilmember Milano inquired if there was a way to phase-in the cost of approximately $269,000 over the next two years, if Council could not implement this entire pay study in one year. Mr. Lundgren stated that could be done, if desired by the Council. Mayor Smith opened for public comment. Skip White, 4883 South Atlantic Avenue, stated it is always difficult to do a salary and benefit review and he applauds the Town for doing it. He asked if there is a mechanism in place where an employee who is not performing to their expectation, would be excluded from additional compensation. He recommended the Employee Assistance Program (EAP), noting his experience that this is a wonderful program that helps employees and their families. Ms. Witt responded that the Town utilizes the annual evaluation process to assist employees who are not performing to the level of expectation, but that this study was focused on bringing the employees more in-line with the market. If an employee is sub-par, there are other mechanisms to handle that. This study reviewed how an employee has progressed through their present salary range with their evaluations and compared it with the new competitive scale based on the pre-established parameters. Councilmember Paritsky stated that she supports offering an EAP, adding that the employees and management are nothing short of first class; she commended the way the presentation was put together – depicting fair and just compensation. Councilmember Perrone asked for clarification on the three actions that could be made and what staff is asking. Ms. Witt stated staff is asking for: 1) adoption of the recommended pay plan pursuant to the compensation portion of the study including the pay ranges and grades; 2) implementation of 5th method listed, "Current range placement with Class Tenure and Grade Considerations"; and 3) consideration of the results of the benefits portion for possible modifications where determined appropriate. She added that she will present Council with a proposed budget next month and Council can consider the implementation period of possibly one year at that time. Councilmember Perrone asked if this would be in lieu of the merit increases. Ms. Witt stated yes, this would take the place of the merit increase in this coming budget year. Councilmember Paritsky noted that the Vision Plan is on the agenda tonight for consideration and asked if there were any other benefits to offer our employees. Ms. Witt stated in the future, we may consider offering additional life insurance benefits, equivalent to the one-year salary of the employee, which is the most common. Paul Roxenberg, 119 Beach Street, asked if the intent of this study is to implement it and then, if it doesn't work out, pull it back. Ms. Witt stated no, if the cost to implement this study is too high to do in one year, it may be broken out over a two year period but it would not be withdrawn at a later time. Mayor Smith closed public comment. *Councilmember Paritsky moved to adopt the recommended pay plan pursuant to the compensation portion of the benefits and compensation study as provided by Evergreen Solutions; to implement the salary adjustments for current employees using the current range placement with class tenure and grade considerations; with a determination at the next Council meeting for a one year or two year implementation; seconded by Vice-Mayor Hoss. The motion was APPROVED by consensus, 5-0.*

B. Request for Leave of Absence for a Code Enforcement Board member – Council discussed the leave of absence request and it was determined that this request did not meet the criteria for a leave of absence established within Resolution 2013-02. Mayor Smith asked for public comments – hearing none - closed public comments. *Vice-Mayor Hoss moved to deny the Leave of Absence request as it does not meet the criteria as required by Resolution 2013-02; seconded by Councilmember Milano. This motion was APPROVED by consensus, 5-0.*

8. PUBLIC HEARINGS / QUASI-JUDICIAL: None

9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:

A. Second reading / adoption of Ordinance 2016-02, submitting to the voters, a proposed amendment regarding the Town Council's terms of office – Attorney Shepard read the Ordinance by title only. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, SUBMITTING TO THE ELECTORS OF PONCE INLET A PROPOSED AMENDMENT TO SECTION 3.02 OF THE CHARTER OF THE TOWN OF PONCE INLET REGARDING THE EXPANSION OF MAYORAL AND COUNCILMEMBER TERM LENGTHS; PROVIDING BALLOT TITLE, BALLOT SUMMARY AND QUESTION, AND TEXT FOR THE PROPOSED AMENDMENT; PROVIDING DIRECTIONS TO THE TOWN CLERK; PROVIDING SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR THE APPROVED AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE. Councilmember Perrone restated his opposition to this ordinance; Vice-Mayor Hoss restated her reasons for support of this ordinance. Mayor Smith reminded everyone that this motion would only place the item on the ballot for consideration by the voters. Mayor Smith asked for public comments – hearing none – closed public comments. *Vice-Mayor Hoss moved to approve Ordinance 2016-02 upon second reading; seconded by Mayor Smith. The motion was APPROVED, 4-1 with the following vote: Vice-Mayor Hoss – yes; Mayor Smith – yes; Councilmember Milano – yes; Councilmember Paritsky – yes; and Councilmember Perrone – no.*

B. Resolution 2016-08, considering the designation of the Winterhaven Avenue public right-of-way as a local historic landmark and landmark site. Attorney Shepard read the Resolution by title only. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, DESIGNATING THE STREET PAVEMENT WITHIN THE PUBLIC RIGHT-OF-WAY KNOWN AS WINTERHAVEN AVENUE AS A LOCAL HISTORIC LANDMARK AND LANDMARK SITE PURSUANT TO SECTION 6.6.8 OF THE LAND USE AND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE. Mr. Disher noted the location consists of the paved area known as the last remaining portion of the original beach racing course; which is approximately 335' in length by 80' in width. He stated that the property is owned and maintained by the Town, and approval of this request will compliment the North and South Turn racing markers, and was one of the goals set by the Historic Board. The application does meet two out of the six criteria, number 1 and 2, within the Town's Code, Section 6.6.8.C. The proposed Local Historic Landmark Site designation would have no impact on the any of the adjacent properties; it is confined to the street pavement basically for recognition. The Historic and Archeological Preservation Board is recommending approval of the designation of the street pavement as a local historic landmark and landmark site, adding the property to the Ponce Inlet Local Historic Register. Mayor Smith opened for public comment. Tawna Kramer, 4595 S. Atlantic Avenue, spoke in favor of this action, but expressed concern that this may create unintended consequences of people chipping-off pieces of the roadway. She asked to make sure the residents of this road are taken into consideration as this moves forward. Mayor Smith closed public comments. *Councilmember Paritsky moved*

to approve Resolution 2016-08, designating the street payment within the public right-of-way known as Winterhaven Avenue as a local historic landmark and landmark site pursuit to section 6.6.8. of the Land Use and Development Code (LUDC); seconded by Councilmember Perrone. The motion was APPROVED 5-0, with the following vote: Councilmember Paritsky – yes; Councilmember Perrone – yes; Vice-Mayor Hoss – yes; Councilmember Milano – yes; and Mayor Smith – yes.

10. CITIZENS' PARTICIPATION – None

11. ORDINANCES (FIRST READING) AND RESOLUTIONS: None

12. OLD BUSINESS: None

13. NEW BUSINESS:

A. State lease for Inlet Harbor off-beach parking lot and dune walkover. Ms. Witt explained that in 1992 the Town entered into a 50-year lease with the State for property that is being utilized for beach parking at the corner of Inlet Harbor Road and South Atlantic Avenue. She noted that the Town does not currently maintain this property, but they did construct the boardwalk walkover initially. Ms. Witt stated that Volusia County has been maintaining the parking lot and walkover for at least the past decade. In the State's file, there is a note that says they had been notified verbally that Volusia County would be taking over the property and the lease. Staff has updated the management plan as required by the lease to bring it into compliance with the State, and is asking for Council approval of it. Staff is also requesting authorization to begin the process of termination of the lease (which requires a six month notice) and/or to allow the County to assume it. Councilmember Perrone asked why the Town would have a lease on this property and not on Ocean View. Mr. Joulani explained that Volusia County already has possession, ownership or leases for those properties; the State actually owns this one. Mayor Smith asked public comments – hearing none - closed public comments. *Councilmember Paritsky moved to approve submittal of the management plan and authorize staff to proceed with either termination of the State lease or authorize the reassignment of the lease to Volusia County; seconded by Vice-Mayor Hoss. The motion was APPROVED by consensus, 5-0.*

B. Vision plan coverage for employees. Ms. Witt stated that health care costs decreased fifteen percent (15%) this year, generating approximately $58,000 in savings. Ms Witt explained that currently the Town does not offer a vision plan benefit for employees and asked for Council's consideration of adding this benefit at a total cost to the Town of $3,051 annually. This plan has many providers and would complement the benefit package for employees. Ms. Witt also noted that for Union employees, this benefit and the salary implementation study would be part of the negotiation process. Mayor Smith confirmed that the cost for the employee would be covered by the Town and the employee would then have the option to add dependents at their own cost. Mayor Smith asked for public comment – hearing none - closed public comment. *Councilmember Paritsky moved to approve the Vision Plan coverage for employees as provided by Humana; seconded by Councilmember Perrone. The motion was APPROVED by consensus, 5-0.*

14. FROM THE TOWN COUNCIL:

A. Councilmember Paritsky, Seat #5 – stated the Volusia Roundtable is seeking topics for discussion and she will ask this Council for topics to bring to the August roundtable

discussion. She also reported that the Black Bear hunt has been cancelled for this year and thanked everyone for their support via the Town's resolution opposing this hunt.

B. **Councilmember Perrone, Seat #4** – wished everyone a happy 4th of July.

C. **Vice-Mayor Hoss, Seat #3** – thanked Inlet Harbor for the Memorial Day affair.

D. **Councilmember Milano, Seat #2** – indicated he had nothing further to report.

E. **Mayor Smith, Seat #1** – indicated he had nothing further to report.

15. FROM THE TOWN MANAGER – Ms. Witt announced that Sea World attempted to rescue a manatee today in Ponce Inlet. Ms. Witt also provided an update on election candidate qualification, reminding everyone that qualifying ends tomorrow at noon. She thanked Mike Disher for his work during the past five years and wished him well in his new position with Volusia County. Ms. Witt stated that the Employee Appreciation cookout is tomorrow at noon and Council is invited.

16. FROM THE TOWN ATTORNEY – Attorney Shepard reported that the Oral Argument video is available online and he is hopeful that a decision will be made soon. Mayor Smith added that the Oral Argument video is about 45 minutes in length and the link to the Court's site can be found on the Town's website under "Hot Topics" – Pacetta Litigation.

17. ADJOURNMENT - Mayor Smith adjourned the meeting at 7:36 p.m.

Respectfully submitted by:

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Jeaneen Witt, CMC, Town Manager/Town Clerk
Kim Cherbano, CMC, Deputy Clerk

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