Town of Ponce Inlet
Town Council Regular Meeting Minutes
February 18, 2016

1. CALL TO ORDER: Pursuant to proper notice, Mayor Smith called the meeting to order at 6:05 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, Human Resource Director/Deputy Clerk
Chief Fabrizio, Police Chief
Ms. Hunt, Recording Secretary
Mr. Joulani, Director of Planning & Development
Chief Scales, Fire Chief
Attorney Shepard, Town Attorney
Ms. Witt, Town Manager

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA. *Ms. Witt requested to add two items to the agenda: Lions Club Food Drive as item 7A under Old/New Business and Volusia County Mosquito Control Aerial spraying request as 13-B under New Business. She also mentioned that item #11A, Ordinance 2016-01 has been revised and each Council member has received a copy of the revision. Council agreed.*

5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS: None.

6. CONSENT AGENDA: Mayor Smith asked Council if there was anything they 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 special meeting minutes – January 8, 2016.

B. Approval of the Town Council regular meeting minutes – January 21, 2016.

C. Approval of payment of legal bill in the amount of $104,026 ($101,115 of which is related to the Pacetta lawsuit) – dated February 5, 2016.

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D. Authorization for the Town to co-sponsor the Garden Club of Ponce Inlet's Ice Cream Social on May 1, 2016 and Arts & Crafts Show and Plant Sales on October 7 & 8, 2016

E. Authorization to apply for the 2016 Florida State EMS matching grant in order to purchase approximately $150,000 in EMS equipment for approximately $37,500.

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

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

A. Lions Club Food Drive support request. Ms. Witt explained that the Lions Club is requesting to place collection bins in the Town Hall lobby to collect food for needy families. She stated the request should include co-sponsorship of this drive in order to allow use of the Town's website and social media channels for advertising. Mayor Smith asked for Council comments – hearing none – closed Council comments. Mayor Smith asked for public comments – hearing none – closed public comments. *Councilmember Paritsky made the motion to approve the Lion's Club co-sponsorship request to allow placement of collection bins in the lobby and advertising through the Town's social media channels and website, seconded by Vice-Mayor Hoss. This motion was APPROVED by consensus, 5-0.*

8. PUBLIC HEARINGS - Quasi-Judicial: None.

9. PUBLIC HEARINGS – Non-Quasi Judicial: None.

10. CITIZENS' PARTICIPATION – Jim Utter, 4715 Montrose Drive, inquired on what type of liability the Town is going to have for the FRS short-fall, what effect this could have on their taxes, and whether the State could use the money to support other programs. Ms. Witt stated that the State Auditor General has determined that every municipality that has employees enrolled in FRS must incorporate in their audit a portion of the State pension unfunded liability. At this time, the Town's auditor is waiting on those numbers. Ms. Witt stated that FRS conducts regular actuarial studies to ensure the stability of the fund and the municipal contribution rates are adjusted annually, as needed. These contributions are exclusively for the pension fund, which is separated from other funding sources and liabilities, so the funds cannot be used for anything else.

11. ORDINANCES (FIRST READING) AND RESOLUTIONS:

A. Ordinance 2016-01, amending the Town Code to reduce the number of members on the Parks, Recreation & Tree Advisory Board from seven members to five members. Attorney Shepard read the resolution by title only. AN ORDINANCE OF THE TOWN OF PONCE INLET, FLORIDA AMENDING THE TOWN'S CODE OF ORDINANCES, CHAPTER 46, ARTICLE II, SECTIONS 46-32 AND 33, AS THEY RELATE TO THE COMPOSITION AND TERMS OF THE PARKS, RECREATION AND TREE ADVISORY BOARD; AMEDNING THE TOWN'S LAND USE AND DEVELOPMENT CODE, SECTION 6.2.4, AS IT RELATES TO THE COMPOSITION OF THE PARKS, RECREATION AND TREE ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Smith noted that the Ordinance has been revised to reflect all sections of the Town's Codes, and is in response to

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Council's direction at its January 21, 2016 meeting. Mayor Smith asked for Council comments – hearing none – closed Council comments. Mayor Smith asked for public comments – hearing none – closed public comments. *Vice-Mayor Hoss moved to approve Ordinance 2016-01, amending the Town Code to reduce the number of members on the Parks, Recreation & Tree Advisory Board from seven members to five members as presented, seconded by Councilmember Perrone. This motion was APPROVED 5-0, with the following vote: Vice-Mayor Hoss – yes, Councilmember Perrone – yes, Councilmember Milano – yes, Councilmember Paritsky – yes, and Mayor Smith – yes.*

B. Resolution 2016-03, establishing a process for transition from the Town's remaining seven member boards to five member boards. Attorney Shepard read the resolution by title only. A RESOLUTION OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA REDUCING THE NUMBER OF MEMBERS ON THE PLANNING BOARD AND CODE ENFORCEMENT BOARD; ESTABLISHING A PROCESS FOR THE TRANSITION FROM SEVEN-MEMBER PLANNING BOARD AND CODE ENFORCEMENT BOARD TO FIVE-MEMBER PLANNING AND CODE ENFORCEMENT BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE. Mayor Smith asked for Council comments – hearing none – closed Council comments. Mayor Smith asked for public comments – hearing none – closed public comments. *Vice-Mayor Hoss moved to approve Resolution 2016-03, establishing a process for transition from the Town's remaining seven-member boards to five-member boards, seconded by Councilmember Paritsky. This motion was APPROVED 5-0, with the following vote: Vice-Mayor Hoss – yes, Councilmember Paritsky – yes, Councilmember Milano – yes, Councilmember Perrone – yes, and Mayor Smith – yes.*

C. Resolution 2016-04, opposing State legislation regarding modification of election dates. Attorney Shepard read the resolution by title only. A RESOLUTION OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA URGING MEMBERS OF THE FLORIDA SENATE TO OPPOSE HB 7059 REGARDING MUNICIPAL ELECTIONS. Ms. Witt suggested adding three "Whereas" clauses as suggested by the Florida League of Cities: 1. Whereas, the proposed legislation undermines the Municipal Charter and requires mandatory changes to existing term lengths; 2. Whereas, the proposed legislation will create imminent voter fatigue due to a longer ballot and the likelihood of voters not voting on important local issues; 3. Whereas, the proposed legislation could create partisan influence that would undermine the current non-partisan nature of municipal elections. It was the consensus of the Council to include the three "Whereas" clauses as noted above. Mayor Smith asked for public comments – hearing none – closed public comments. *Councilmember Paritsky moved to approve Resolution 2016-04, urging members of the Florida Senate to oppose House Bill 7059 regarding municipal election dates, and to include the three additional "Whereas" clauses as noted, seconded by Vice-Mayor Hoss. This motion was APPROVED 5-0, with the following vote: Councilmember Paritsky – yes, Vice-Mayor Hoss – yes, Councilmember Milano – yes, Councilmember Perrone – yes, and Mayor Smith – yes.*

12. OLD BUSINESS: None

13. NEW BUSINESS:

A. Parks, Recreation & Tree Advisory Board appointment. Ms. Witt stated that with the proposed changes in Ordinance 2016-04, this action would allow the seamless transition to a five-member board. She requested that Council authorize the transfer and the additional one year term of office for Mr. Higelin by removing him from Seat #7, which expires

on December 31, 2017, and placing him in vacant Seat #4, with an expiration date of December 31, 2018; the elimination of Seats #6 and #7 will occur with the second reading of Ordinance 2016-01 scheduled for March. Mayor Smith asked for Council comments – hearing none – closed Council comments. Mayor Smith asked for public comments – hearing none – closed public comments. *Vice-Mayor Hoss moved to approve the transfer of Mr. Higelin on the Parks, Recreation & Tree Advisory Board from seat #7 to seat #4, with a term expiration date of December 31, 2018, seconded by Councilmember Paritsky. This motion was APPROVED 5-0, with the following vote: Vice-Mayor Hoss – yes, Councilmember Paritsky – yes, Councilmember Milano – yes, Councilmember Perrone – yes, and Mayor Smith – yes.*

B. **Volusia County Mosquito Control Aerial Spray request.** Ms. Witt noted that each year the Volusia County Mosquito Control requests permission to perform low-level flights, inspections, and spraying for mosquitoes in Ponce Inlet. Councilmember Perrone asked if the County could provide an advanced notice so it could be put on the Town's website. Ms. Witt stated she would make that request, and added that the flights are usually held during overnight hours and in inaccessible areas. Mayor Smith asked for public comments – hearing none – closed public comments. *Mayor Smith moved to approve authorization to the Volusia County Mosquito Control Division to perform aerial inspections and pesticide application, seconded by Councilmember Paritsky. This motion was APPROVED 5-0, consensus.*

14. FROM THE TOWN COUNCIL:

A. Councilmember Paritsky, Seat #5 – Stated that she enjoyed the Living Legends Parade that was held on Saturday and expressed her appreciation to Chief Fabrizio and Chief Scales for their assistance during the event. She stated that she is very thrilled with the new website and that it is easier to navigate than the old one and also likes the Town's Facebook page.

B. Councilmember Perrone, Seat #4 – Stated that he recently re-visited the Timucuan Oaks Park boardwalk to Daggett Creek and noted a peaceful and serene feeling; he thanked Mr. Joulani and the Planning staff for their great work. He stated that anyone questioning Park expenses should visit each park personally, because no two park experiences are the same.

C. Vice-Mayor Hoss, Seat #3 – Quoted "preparation produces perfect results" and that's what was shown at the Living Legends Parade on Saturday. She stated everything went seamlessly and thanked both Chiefs, staff and supporters for making this another great event.

D. Councilmember Milano, Seat #2 – Stated "ditto" on prior comments on Saturday's event and noted that the time spent behind the scenes in planning these events is tremendous. He stated he had a great time and everyone commented about how much they look forward to the next one. He then referenced the Town's building department by stating that a resident contacted him to report how professional and friendly the building inspector was during a recent inspection. He noted that the building inspector called to confirm the appointment and how knowledgeable and helpful he was with issues concerning his property. He commended the building department and stated this is the same resident who had an entirely opposite experience just a couple of years ago.

C. Mayor Smith, Seat #1 – Stated that the Living Legends Parade impressed everyone and expressed sincere appreciation to Rhonda and Walt Glasnak, because, "without them, there would be no event". He stated that this event continues to grow every year and

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drivers and fans come from as far away as New England to attend. He commented that Timucuan Oaks is a beautiful park and agreed with Councilmember Perrone's comments; and stated that he would like a map of the park at the entrance that would highlight the trails and provide a brief history of the park.

15. FROM THE TOWN MANAGER – Ms. Witt stated that she likes the idea of a map for Timucuan Oaks and will speak with Ms. Zengotita. She reported that the Facebook page is a success and so far there are 243 "likes" in less than a month. She offered kudos to Mr. Bailey, Chief Building Official, noting that the recertification of the CRS/ISO has been completed and the Town will retain its rating of 5, keeping property insurance rates low. The ADA bus stop pads will be complete in about two weeks. The sewer line has been installed on Inlet Harbor Road, but construction will be intermittent during the "special events" as to not interfere with traffic. The waterline installation in Lighthouse Shores subdivision should be completed by May 18th and she mentioned that Community Day is scheduled for February 27th at the Community Center.

16. FROM THE TOWN ATTORNEY. Attorney Shepard reported that there is no date set for the oral arguments. He noted that two of judges on the panel are very knowledgeable about this case from having also heard the Bert J. Harris portion.

Mr. Utter spoke about the "Fossils in Florida" lecture he attended, his accolades to Amy Zengotita and Zach Zacharias. He commented that Amy Zengotita is an asset to the Town and is like the "energizer bunny" of the parks department. He stated we are very lucky to live here and this is a model community; he reported that he has seen several rosette spoonbills on the dock in Timucuan Oaks and stated that park has its own special feel. Mayor Smith thanked Mr. Utter for his comments and his family's participation in nearly every event held in Ponce Inlet.

17. ADJOURNMENT. Mayor Smith adjourned the meeting at 6:45 p.m.

Respectfully submitted by:

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Jeaneen Witt, CMC, Town Manager/Town Clerk
Reviewed by: Kim Cherbano, CMC, Human Resources Director/Deputy Clerk
Prepared by: Peg Hunt, Administrative Assistant

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