



**Town of Ponce Inlet
Town Council
Regular Meeting Minutes
January 19, 2023**

4

5
6 **1. CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to
7 order at 6:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

8
9 **2. PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.

10
11 **3. ROLL CALL:**

12 **Town Council:**

13 Mayor Paritsky, Seat #1

14 Councilmember Milano, Seat #2

15 Councilmember Caswell, Seat #3

16 Councilmember Villanella, Seat #4

17 Vice-Mayor Smith, Seat #5

18
19 **Staff Members Present:**

20 Mr. Barber, IT Technician

21 Ms. Cherbano, Town Clerk

22 Mr. Disher, Interim Town Manager

23 Ms. French, Cultural Services Manager

24 Chief Glazier, Police Chief

25 Mr. Griffith, Public Works Manager

26 Ms. Hugler, FD Office Manager

27 Ms. Hunt, Deputy Clerk

28 Lt. Mead, PIPD

29 Mr. Mendenhall, Principal Planner

30 Ms. Rippey, Senior Planner

31 Chief Scales, Public Safety Director

32 Attorney Schumer, Town Attorney

33
34 **4. ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA.** Mayor
35 Paritsky asked if there were any changes – there were none.

36
37 Mayor Paritsky moved to approve the Agenda as presented; seconded by Councilmember Milano.
38 The motion PASSED 5-0, consensus.

39
40 **5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**

41
42 **A. Proclamation Report.** Mayor Paritsky announced she signed proclamations for
43 Human Trafficking Month, Cassandra Stewart Day, and Black History Month.

45 **B. Presentation of plaque to Jim & Marylou Hinson.** Mayor Paritsky stated her
46 appreciation to the Hinson's for their commitment and dedication to the Christmas Parade
47 Committee since 2009 and the community as a whole; she presented the Hinson's with a plaque.
48

49 **C. Recognition of Sergeant Doug Rudd for being selected as Ponce Inlet**
50 **Employee of the Year.** Chief Glazier provided a summary of Sgt. Rudd's employment history,
51 dedication, and background. He noted that residents of the Town feel safe, as stated in the Town's
52 Vision Statement, because of employees like Sgt. Rudd. Chief Glazier and Mayor Paritsky
53 presented Sgt. Rudd a plaque in recognition of this achievement.
54

55 **D. Presentation of the redesign of the Town's website.** Ms. Hugler explained that
56 as part of the Town's agreement with Civic Plus, the website host, the Town is entitled to a free
57 re-design of its website, which will include a larger font size & type, color schemes, and graphics);
58 the former Town Manager organized a committee to work on the redesign, and the mobile app and
59 all inner webpage information will transfer when the redesigned site is launched on or about
60 February 13th.
61

62 **6. CONSENT AGENDA:** Mayor Paritsky asked if there was any item Council would like to
63 remove from the consent agenda; there were no requests. Mayor Paritsky asked for public
64 comments – hearing none, she closed public comments.
65

66 **A. Approval of the Town Council regular meeting minutes – December 15, 2022.**
67

68 **B. Change Order #1, authorizing a change from coquina rock to crushed concrete**
69 **for the Elbers Park Rip-Rap Revetment Project.**
70

71 **C. Request for co-sponsorship of the Turtle Trek 5K event, scheduled for March**
72 **4, 2023, for the use of the Town's means of advertising, placement of signs on the Town Hall**
73 **property, waiver of the Special Event Fee (\$150), waiver of the temporary sign permit fee**
74 **(\$25), waiver of the amplified sound permit fee (\$50), waiver of Town personnel costs**
75 **(\$858.90), and waiver of the Davies Lighthouse Park pavilion rental fee (\$35).**
76

77 **D. Request to purchase new EnerGov Software, as provided for in the FY 22/23**
78 **budget.**
79

80 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember
81 Caswell. The motion PASSED 5-0, consensus.
82

83 **7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
84 **MEETING:**
85

86 **A. Approval of the contract between the Town of Ponce Inlet and the IAFF Local**
87 **4140, Ponce Inlet Firefighters.** Attorney Schumer stated that the firefighters unionized in 2001
88 and since then there have been numerous attempts to create a contract with the Town's Negotiation
89 Team. An Executive Session, as allowed under Florida Law, was held on January 17, 2023 by the
90 Town Council to answer questions and address concerns. Attorney Schumer noted that there was

91 a typo within the document: page 19, line 5, replace “may” with “shall”, and that a motion to the
92 affirmative should note “as amended”; there were no other changes.

93
94 Mayor Paritsky opened public participation – hearing none, she closed public participation.

95
96 Councilmember Caswell moved to approve the contract between the Town of Ponce Inlet and the
97 IAFF Local 4140, Ponce Inlet Firefighters as amended; seconded by Mayor Paritsky. The motion
98 PASSED 5-0, with the following vote: Councilmember Caswell – yes; Mayor Paritsky – yes;
99 Councilmember Villanella – yes; Vice-Mayor Smith – yes; Councilmember Milano – yes.

100
101 **B. Bid Award, 2022-07: Fire Station Roof Replacement Project.** Mr. Griffith stated
102 the fire station roof was heavily damaged during Hurricanes Ian and Nicole, and has been deemed
103 in need of replacement. An invitation to bid was published and six bids were received. Staff
104 reviewed the bids for accuracy and completeness, and all bids were deemed complete. Based on
105 the costs and remaining life span of this building, staff believes that the asphalt shingle option is
106 the most appropriate way to proceed. The lowest bid came from Collis Roofing at \$34,740 for the
107 asphalt shingles option. He added that reimbursement of this expense has been requested through
108 FEMA. Councilmember Milano asked if the quote includes replacement of plywood roofing; Mr.
109 Griffith stated there is an “allowance” for this built into the quote.

110
111 Mayor Paritsky opened public participation – hearing none, she closed public participation.

112
113 Councilmember Villanella moved to award Bid #2022-07, the Fire Station Roof Replacement
114 Project to Collis Roofing with the asphalt shingle option, in the bid amount of \$34,740.00;
115 seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

116
117 **C. Appointments to the Planning Board.** Ms. Cherbano stated that Mr. Kaszuba is
118 seeking re-appointment to Seat 2 and Mr. Burge is seeking appointment to Alternate Seat 2 of the
119 Planning Board; and that Mr. Kaszuba and Mr. Burge were present. Mr. Kaszuba stated he is
120 humbled by serving on this Board and looks forward to continuing to do so; Mr. Burge thanked
121 Council for its consideration and looks forward to working with the Planning Board.

122
123 Mayor Paritsky opened public participation – hearing none, she closed public participation.

124
125 Councilmember Villanella moved to re-appoint Mike Kaszuba to Regular Seat #2, with a term to
126 expire 12/31/2025; and to appoint Charles Burge to Alternate Seat #2, with a term to expire on
127 12/31/2023 to the Planning Board; seconded by Councilmember Caswell. The motion PASSED 5-
128 0, consensus.

129
130 **D. Watershed Master Plan:** Mr. Disher stated that this item consists of two parts: 1)
131 Authorization to Execute the FDEP Grant Work Program Agreement and 2) Approval of the
132 contract with Collective Water Resources, LLC; and would require two separate motions.

133
134 **1. Grant Agreement with FL Department of Environmental Protection.** Mr.
135 Disher stated this study is an approved activity under FEMA’s CRS rating program, and by having
136 this plan in place, could move the Town’s CRS rating from a five (5) to a four (4) or possibly a

three (3); the lower the number, the higher percentage reduction in property owner's flood insurance rates. The grant Agreement takes effect upon execution by the FL Department of Environmental Protection (FDEP) and the Town; includes the Scope of Services along with key tasks, deliverables, timelines, and costs. The scope of work must be completed by March 31, 2024 as the Agreement expires on June 30, 2024.

2. Approval of contract with Collective Water Resources, LLC. Mr. Disher stated staff is requesting approval of the proposed contract and scope of services with Collective Water Resources, LLC as a sole-source provider, to prepare the Watershed Master Plan (WMP) for the Town. This company has been highly recommended. The WMP is a specialized type of vulnerability assessment intended to improve the Town's flood insurance rating through the National Flood Insurance Program's (NFIP) Community Rating System. In addition, Collective Water Resources, LLC has years of experience in areas of stormwater modeling, floodplain mapping, master planning, and vulnerability assessments. CWR is ready to begin the work once the Agreement has been executed by the Town and FDEP. He noted that the total cost of services is \$123,100, which will be reimbursed 100% by FDEP once all deadlines and conditions of the Agreement are met.

Mayor Paritsky opened public participation – hearing none, she closed public participation.

1. Councilmember Milano moved to authorize execution of the Grant Work Program Agreement with FDEP for the Watershed Master Plan Project as presented; seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

2. Councilmember Villanella moved to approve the Agreement with Collective Water Resources, LLC in the amount of \$123,100 and as presented; seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

8. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS: None.

9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS: None.

10. CITIZENS' PARTICIPATION: Mayor Paritsky opened citizens' participation:

Paul Brooks, 88 Jana Drive – Stated his concern that he is still unable to get a permit to repair his property because the property was changed from a single-family residence to a multi-family residence unbeknownst to the owners; he applied for a permit on Sept. 30th but it has not been issued, noting that the State says a permit must be processed (issued or denied) within 30 days; the permitting restrictions are different for owners within the same subdivision; he stated he cannot find another entity that has the same ruling as the Town has; residents are talking about voting out the Council because it will not take a stand on this issue; and that after numerous public records requests, Mr. Disher finally provided the information requested and noted that the email from Mr. Disher to the Town Attorney seemed contentious; he asked Council to fix this issue. [Editor's notes: 1) The change in question is a determination by the Building Official in 2021 that the Owner-Builder permit exemption under Florida law for single- and two-family dwellings should not be applied to townhomes with three or more attached dwelling units under the same roof. 2)

183 *Mr. Brooks’ contractor applied for a permit for the same work on January 10th, which was*
184 *approved by the Building Division on January 17th, and was picked up by the contractor on*
185 *January 20th.]*

186
187 Skip White, 4885 S. Atlantic Avenue – Stated that he has been attending Volusia County Council
188 meetings, and they indicated that at the February 7th meeting there would be discussion and
189 possible action on restoring the dunes; at the same time, Ms. White, along with about ten other
190 residents, attended a meeting with Jessica Fentress, Volusia County Coastal Division Director, and
191 that meeting went well; he showed photos of the beach before, during, and after the sand fence
192 installation project that he has been doing and noted that the property owners north of them have
193 suffered greatly; he has been working with Trey Hatch at the FDEP to get sand, and learned that
194 the same process is required for the installation of sand that is required for sand fencing, and Trey
195 Hatch has been instrumental in processing these permits. Mayor Paritsky closed citizens’
196 participation.

197
198 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

199
200 **A. Resolution 2023-01, Supporting the Florida League of Cities’ Legislative**
201 **Action Agenda for the 2023 Legislative Session.** Attorney Schumer read the Resolution by title
202 only. **A RESOLUTION OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY,**
203 **FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT**
204 **THE 2023 FLORIDA LEAGUE OF CITIES’ LEGISLATIVE PLATFORM; PROVIDING**
205 **FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND**
206 **PROVIDING AN EFFECTIVE DATE.** Mayor Paritsky stated this Resolution is to show
207 support of the Florida League of Cities’ priorities and policies, and grants authority to work with
208 the legislators and advocate when bills are presented within the scope of those policies and
209 priorities. Councilmember Caswell asked what to do if you do not agree with each nuance? Mayor
210 Paritsky stated that we have the ability to extract items that we do not agree with. Councilmember
211 Caswell expressed concern with the exemption for Water and Wastewater Treatment Plant
212 Operator’s licensing requirements. Mayor Paritsky stated she was part of the committee that
213 approved this and it is meant to encourage a workforce that we do not currently have, but need.
214 The Bill will delineate what is acceptable and not acceptable. Councilmember Caswell stated that
215 she would like to add Property Insurance, as she is very concerned about property casualty rates.
216 Mayor Paritsky stated Council could approve this resolution now, and add your item as a future
217 agenda item with a separate resolution. Councilmember Villanella stated this provides for open
218 dialogue. Councilmember Milano stated his concerns education is not included, and he would like
219 to add it to this list. Mayor Paritsky stated that item could be added as a future agenda item as well.

220
221 Mayor Paritsky opened public comment: Robert Bullard, 4802 S. Peninsula Drive quoted, “If you
222 think education is expensive, try ignorance,” and that this should be posted on the Capitol building;
223 he stated that a State Representative contacted him many years ago to speak to the committee
224 regarding water management districts and he was able to interact with them for a satisfactory
225 resolution. He asked if there is a tracking mechanism or trend? Mayor Paritsky stated the focus on
226 advocacy has shifted, and rather than just going to Tallahassee and asking our representatives to
227 vote “no,” the Town can state the negative impacts of the Bill and allow her to suggest constructive
228 modifications so that the impact is less severe. This allows everyone to work together as partners.

229 He asked if members of the League still go to Tallahassee to appear before a committee. Mayor
230 Paritsky stated yes, when necessary. Mayor Paritsky closed public comment.

231
232 Councilmember Caswell moved to approve Resolution 2023-01 as presented; seconded by
233 Councilmember Villanella. The motion PASSED 5-0, consensus.

234
235 **B. Resolution 2023-02, amending the Rules of Order for conduction Town**
236 **Council meetings to remove the sunset provision from the second citizen participation**
237 **opportunity.** Attorney Schumer read the Resolution by title only. **A RESOLUTION OF THE**
238 **TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA AMENDING**
239 **RESOLUTION 2022-01 GOVERNING THE RULES OF ORDER FOR CONDUCTING**
240 **TOWN COUNCIL MEETINGS TO PROVIDE FOR AN ADDITIONAL CITIZEN**
241 **PARTICIPATION OPPORTUNITY; PROVIDING FOR CONFLICTING**
242 **RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN**
243 **EFFECTIVE DATE.** Mr. Disher stated this Resolution is being presented based on Council’s
244 discussion at the last meeting to remove the sunset provision.

245
246 Mayor Paritsky opened public comment – hearing none, she closed public comment.

247
248 Councilmember Caswell moved to approve Resolution 2023-02 as presented; seconded by
249 Councilmember Villanella. The motion PASSED 5-0, consensus.

250
251 **12. OLD BUSINESS:** None.

252
253 **13. NEW BUSINESS:**

254
255 **A. Discussion: Electric Vehicle Safety and Electric Vehicle Charging Stations.**
256 Mr. Disher stated that Staff has been asked to present general information to the Council on these
257 issues. The information is divided into three parts: 1. Safety - presented by Chief Scales, Public
258 Safety Director, 2. Legal obligations and liabilities - presented by Attorney Schumer, and 3. Public
259 Charging Stations - presented by Mr. Mendenhall.

260
261 Chief Scales stated that EV fires present unique challenges to traditional fire suppression tactics,
262 including traditional car fires, in that the battery packs are sealed, making it difficult to apply
263 suppression elements such as water or foam. He noted that the primary goal of combating an EV
264 fire is to cool the battery pack and protect personnel from exposure, as temperatures can reach as
265 high as 1800°F. Water runoff effects are still being evaluated nationwide. Chief Scales confirmed
266 that the Fire Department is prepared to combat these types of fires and noted that water
267 consumption could be in excess of 6,000 gallons of water; stated the firefighters have the necessary
268 PPE; and explained the “hot” or “warm” zones utilized for personnel access that are applied at all
269 fires. He added that the firefighting tactics are being monitored, and response and suppression
270 activities may be adjusted based on future information.

271
272 Attorney Schumer stated there is no special legal obligation for the Town to have special protective
273 gear for EV fires above the typical requirements to avoid negligently causing damage and/or
274 injury, and its liabilities and obligations to its employees for injuries suffered on the job. With

275 regards to charging stations: 1) FS §718.113 gives condo owners a qualified right to install a
276 private electric charging station within their personal parking area, subject to certain limitations;
277 2) the Town is preempted from regulating the manufacturing and design of electric vehicles and
278 electric chargers due to the EV standardization from the federal government, and from regulating
279 the use of EVs on Town roadways by the broad preemption of vehicle-related regulation in Chapter
280 316, Florida Statutes. In addition, the Town is prohibited from requiring gas stations to provide
281 EV chargers under FS §377.707; and 3) regarding public charging stations and Town regulatory
282 authority, there do not appear to be any special rules regarding liability and insurance when it
283 comes to public charging stations beyond typical premises liability concerns. However, adding
284 charging stations to Town premises may increase risk when it comes to premises liabilities, and
285 thus may increase insurance premiums. He noted that this topic continues to be monitored and
286 evaluated.

287
288 Mr. Mendenhall stated that there are three levels of charging stations: Level 1 chargers are intended
289 for personal use and operate off a common 120-volt household outlet; Level 2 chargers can be
290 used in the home and at public locations and require a 240-volt circuit like those used for clothes
291 dryers; Level 3 chargers are “super chargers” and are intended for public use only. These units
292 require considerably more space as they have large switches and converters that sit above the
293 ground along with the charging station; these units cost approximately \$50,000 per charger. Mr.
294 Mendenhall stated *Networked* charging stations are connected to the internet through cellular or
295 wired broadband service to enable payment, access management, and monitor usage; and these
296 units offer full control, including the ability to charge a fee for electricity consumed; if the Town
297 opts to participate in such a network, the Town would be charged a fee but would be able to recover
298 those costs. *Non-networked* charging stations are stand-alone units that are not part of any network,
299 do not access the internet, and are unable to charge a fee for usage. If the Town purchases and
300 installs this type of charging station, the Town would be committing to providing free charging to
301 anyone who plugs into it. Maintenance of these units depends on network connectivity – with a
302 networked station, maintenance is simple and can be handled remotely by the provider; in non-
303 networked stations, any repair would require a service technician to physically come to the unit to
304 troubleshoot and perform repairs. He noted that this report is intended to provide an introduction
305 to the topic, and if Council wishes to proceed, additional issues and research would need to be
306 considered. Vice-Mayor Smith stated that if someone provides a unit in the parking lot and offers
307 it for free, how does the user pay for the charge? Mr. Mendenhall stated networked chargers use a
308 membership, a mobile phone app, or a credit card; if it is non-networked, you would pay by credit
309 card. He further explained that fees are collected and distributed to the owner and the Town and
310 costs vary.

311
312 Mayor Paritsky opened public comment: Charles Burge, Links South stated his concerns with
313 electric vehicle fires and safety when it comes to first responders and the public; he provided a 10-
314 point bullet list of items that the Town should consider when it comes to EVs: 1) the Town should
315 create ordinances, policies, and procedures to ensure safety; 2) ensure that HOAs and COAs know
316 the law; 3) make certain the HOAs/COAs abide by the law; 4) make necessary structural changes
317 to building’s automatic fire sprinkler systems; 5) equip the 1st responders with proper PPE; 6)
318 evaluate placement of charging stations for safety; 7) chargers should be placed close to hydrants;
319 8) chargers should only be placed in open areas to allow access to all sides of the vehicle; 9)
320 chargers should be close to sewers as the fire might require 40,000 gallons of water to extinguish;

321 10) flooded area of standing water will be toxic and pollute surrounding waters and leach into the
322 water table. Mr. Burge added that the HOAs do not know the law and do not follow the law; and
323 need a way to manage the water runoff and hope that there is not a building collapse. Vice-Mayor
324 Smith stated their appears to be two issues: rules and regs for private chargers, and a public charger
325 installed by the Town. There is a big difference between the two, and there are building, electrical,
326 and fire codes that are adopted by the Town, and to go outside those rules seems beyond what we
327 should be doing; are we talking about installing a public station in the Town? Mayor Paritsky
328 stated yes, that is what we are considering, including location, cost, revenue comparisons, and
329 grant opportunities, and would need a consensus for staff to start that type of review.

330
331 Tom Haine, Harbour Village stated his support of EVs and public charging stations, stated his
332 concerns with allowing EV charging stations to be allowed in multi-story buildings.

333
334 Robert Bullard, 4802 S. Peninsula Drive stated the number of lithium-ion battery fires is reducing
335 and manufacturers are researching batteries without lithium; he noted that the charging stations
336 require 3-phase connections with 480-volts; that voltage is available at condos and the marinas.
337 They have the power supply and offer fuel service already and have fire suppression systems in
338 place, plus several of the marinas have restaurants associated with them – so it’s a great enterprise
339 for them to converge. He does not recommend the maximum charging level in multi-story
340 buildings. Mayor Paritsky closed public comment.

341
342 Vice-Mayor Smith noted that this is a complex topic and there is a lot to learn; he suggested this
343 item be “continued” until we learn more; he asked if staff has talked to other municipalities that
344 offer charging stations, as those are geared more towards visitors, not residents; he has many
345 questions and concerns; and stated that we may need two charging stations. Councilmember
346 Villanella agreed and asked where three-phase electric is available in a public space. Mr. Bullard
347 stated at the marinas and the lighthouse; the problem is that we are at the end of the line here and
348 he does not see a need until we connect over the inlet. Vice-Mayor Smith reminded everyone that
349 the Federal agreement for the Lighthouse property does not allow for the Town to make any
350 money, only the Lighthouse Preservation Association is allowed to make a profit. Councilmember
351 Milano asked if someone could sue the Town for providing EV chargers but not a gas station;
352 stated that Mr. Burge’s list would be a good place to start as more research needs to be done.

353
354 Council requested staff research this topic further and to use Mr. Burge’s 10-point list as a
355 reference guide; by 5-0, consensus.

356
357 Vice-Mayor Smith stated this reminded him of the Surfside Towers collapse and that the State was
358 going to address this topic. Mayor Paritsky concurred; and she thanked staff for the information.

359
360 **B. Request to piggyback on the City of Orlando’s contract for Stormwater**
361 **System Cleaning.** Mr. Griffith explained there are 16,650 feet of stormwater pipes in the Town,
362 and he can find no documentation that this system has ever been cleaned. He researched local
363 government contracts and discovered that the City of Orlando, through its competitive bid process,
364 entered into a contract with Sweeping Corp of America (SCA), which has been doing business
365 with the City of Orlando for more than five years. This item was presented to the Essential Services
366 Advisory Board at its January 10th meeting and was forwarded to Council with the

367 recommendation of approval. This will be a three-year project and the \$57,500 contract price will
368 get the first phase of the project started; reimbursement of these expenses is under consideration
369 by FEMA. Vice-Mayor Smith asked if this includes videotaping of the system; Mr. Griffith stated
370 no, this is to clean and inspect the system. Vice-Mayor Smith stated we do not know the integrity
371 of the system without performing this work, we live in a very high water table area and there are
372 outfalls that malfunction and allow water to backflow into the system.

373
374 Mayor Paritsky opened public comment: Charles Burge, HV Links South asked what type of pipes
375 we have. Mr. Griffith stated he does not know the materials of all the pipes, but believes they are
376 corrugated metal or concrete. Robert Bullard, 4802 S. Peninsula Drive stated that Collective Water
377 Resources (CWR) will be coming in to assist us (with the Watershed Master Plan) and suggested
378 that CWR should be on site during the cleaning process to offer their expertise. Mayor Paritsky
379 closed public comment.

380
381 Councilmember Villanella moved to approve the request to piggyback on the City of Orlando's
382 contract for stormwater system cleaning with SCA; seconded by Councilmember Caswell. The
383 motion PASSED 5-0, consensus.

384
385 **C. Request for co-sponsorship of “Coffee, Cake, and Condo Law” on March 25,**
386 **2023 at the Community Center** – requested by Mayor Paritsky. Ms. French stated this is a co-
387 sponsorship request for the purposes of advertising only and does not require a special event
388 permit. Staff has reviewed the criteria and determined all have been met. She noted that this format
389 will be used as a template for future requests. Mayor Paritsky opened public comment – hearing
390 none, she closed public comment.

391
392 Councilmember Caswell moved to approve the co-sponsorship request for the “Coffee, Cake, and
393 Condo Law” event scheduled on March 25, 2023; seconded by Councilmember Villanella; the
394 motion PASSED by consensus, 5-0.

395
396 **D. Request for co-sponsorship of the annual Volunteer Appreciation Banquet in**
397 **March 2023; and a request to approve co-sponsorship of this event on an annual basis.** Ms.
398 French stated this request is for the co-sponsorship of the annual Volunteer Appreciation Banquet
399 for 2023 and to select the date of March 2nd or March 9th; in addition, staff is requesting that
400 Council approve co-sponsorship of this event on an annual basis, either on the first or second
401 Thursday in March. Councilmember Caswell stated she had a conflict with March 2nd; there were
402 no conflicts with March 9th.

403
404 Mayor Paritsky opened public comment – hearing none, she closed public comment.

405
406 Council approved scheduling the 2023 event on March 9th; by consensus, 5-0.

407
408 Council approved co-sponsorship of this event being held on the second Thursday of March
409 beginning in 2024; by consensus, 5-0.

410
411 **14. FROM THE TOWN COUNCIL:**

412

413 **A. Vice-Mayor Smith, Seat 5** – Thanked staff for the birthday card.
414

415 **B. Councilmember Villanella, Seat #4** – Reported that there is an opening on the
416 TPO Citizens Advisory Committee, and he knows someone who would be interested in serving.
417 Wayne Johnson, 4670 Links Village Drive stated his interest in serving but noted that the
418 application process through Volusia County is complex; he is a retired teacher and chemist.
419 Council thanked Mr. Johnson and asked that his contact information be provided to Mr. Disher.
420

421 **C. Councilmember Caswell, Seat #3** – Wished Vice-Mayor Smith a happy birthday;
422 publicly recognized the fire department for its outstanding job during the house fire this past week;
423 she stated that being able to listen to the radio communications gave her better insight and she
424 commended Chief Scales and Deputy Chief Taylor for their calm and confident demeanor and
425 leadership.
426

427 **D. Councilmember Milano, Seat #2** – Stated there are 45 sand fences on the beach
428 along the Lighthouse Village property; the police bicycle patrol is back and he expressed
429 appreciation; he reviewed the First Step Shelter’s end of year report; announced the Shelter is a
430 cold weather and hurricane shelter; referenced an article he saw out of NY regarding their Shelter
431 – that community was proud that they were operating at a 20% success rate – whereas the First
432 Step Shelter is operating at a 60% success rate; the Mayor’s Gala to benefit the Shelter is being
433 held February 4th, which with the grants the Shelter has received, would increase bed space. There
434 are tables still available; and the entire Council will be attending.
435

436 **E. Mayor Paritsky, Seat #1** – Provided the following report: 1. Town Manager
437 Executive Search – she spoke with Jim Dineen of Gov HR, our Executive Recruitment Firm who
438 stated that any member of Council may call him for updates, and we are halfway through the
439 process as February 3rd is the application deadline. Mr. Dineen suggested considering public input
440 and to obtain it as follows: An email from Ms. Cherbano sent to email subscribers and posted on
441 the Town’s Facebook page, advising residents *“If you have interest and wish to provide us input*
442 *on any aspect of the interview process, we want to take that under advisement as a group and the*
443 *individual should email Ms. Cherbano with their suggestions.”* The email should go out the first
444 week of February and we keep that window open to receive suggestions for the first two weeks of
445 February. 2. Beach Repair/Restoration - the Governor has pledged more than 37 million dollars
446 directly to Volusia County to help fund beach repair and restoration; at the Roundtable of Elected
447 Official meeting scheduled for Monday, January 23rd, she has asked Chair Nancy Miller, Mayor
448 of Daytona Beach Shores, to add an agenda item on how these funds will be spent; the county
449 often refrains from going public with financial or granular project details until financing is secured
450 and agreements are locked in. In addition, the Round Table will be forming sub-committees and
451 task forces to address certain issues, such as the Nova Canal Task Force (flooding); Bridges During
452 Disasters Task Force (evacuation), and a Transportation Sub-Committee. If any Councilmembers
453 are interested in joining, please let her know in the next few days. 3. The Volusia League of Cities
454 had its first ever workshop for newly elected officials, and topics included interaction with staff
455 and the manager as well as Advocacy, which she presented. Councilmember Joe Villanella was
456 also in attendance. She stated the League recently established a mentorship program for newly
457 elected officials, and if any member of Council was interested in mentoring a newly elected official
458 from another municipality, please let her know. 4. In effort to help our residents and property

459 owners that sustained damage and are currently facing expensive repair and mitigation projects,
460 she and Daytona Beach Shores Mayor Miller facilitated the US Small Business Administration to
461 host an event on January 4th. She stated that interest loans and grant funding are available through
462 the SBA, and many condominium associations are LLCs, so they would qualify for SBA
463 assistance. 5. The Marine Science Center hosted a presentation on January 11th to bring the
464 community up to date on its future plans. She stated her appreciation that the County came to us
465 during the preliminary stages of their design for improvements and asked for resident's input. 6.
466 On January 9th, she attended the Volusia Delegation meeting on behalf of the Town and Volusia
467 League, where Representative Chase Tramont and Senator Wright were updated on the needs of
468 our residents relating to storm damage and beach restoration. 7. Short term rental bill - During the
469 monthly Volusia County Mayor's call on January 12th, they discussed support and collaboration
470 on this legislation and other concerns. At such time as this legislation is under consideration, she
471 will travel to Tallahassee to make sure the legislators understand our residents' wishes on this
472 topic. 8. The Town Council's Town Hall Event is scheduled for Wednesday, January 25th at 6 p.m.
473 at the Community Center, each Councilmember is invited to speak prior to the Q&A period.

474
475 **15. FROM THE (INTERIM) TOWN MANAGER** – Mr. Disher reported the following: 1.
476 The Kathy Griscom park dedication ceremony is February 16th, the Town Council meeting is
477 February 16th, and Town Offices will be closed on Monday, February 20th for Presidents Day; a
478 list of Cultural Services Department's events list is also attached for your convenience; 2. a video
479 explaining the County's beach restoration process and project updates will be placed on the
480 website and was emailed to subscribers earlier today; 3. he met with Austin Beeghly, Regional
481 Coordinator with the FL Department of Emergency Management regarding Tiger Dams, who has
482 offered to visit the Town to see if we are interested in utilizing those devices; 4. staff is working
483 on grants for equipment and services, i.e., emergency backup generators (FD, Community Center
484 & PW), stormwater control valves, which will prevent river water from draining back into the
485 system, etc.; 5. the preconstruction meeting was held for the Town Hall renovation project and
486 construction will begin on February 13th and last approximately four months; 6. the company hired
487 to upgrade the Audio/Visual system in the Council Chambers will begin work on February 20th; 7.
488 the Town is earning higher interest rates for its CD's, now at 4+%.

489
490 **16. FROM THE TOWN ATTORNEY** – Attorney Schumer requested direction from the
491 Council regarding the issuance of building permits; the default rule is that only a licensed
492 contractor can pull a permit, with the exception of when you are working on your own single-
493 family or two-family residence. His office's interpretation is that exception does not include a
494 condominium where there are four or more residences in it. The Florida Attorney General requires
495 that you first seek an advisory opinion with any state agency that has jurisdiction, which was done
496 when his office petitioned the Florida Construction Industry Licensing Board for a declaratory
497 statement on this issue; the Board declined to provide an opinion, which means the Town may
498 now take this to the State Attorney General. This next step requires a motion from the Council
499 directing the Town Attorney's office to seek an opinion from the State Attorney General's office,
500 which must be reflected in the meeting minutes.

501
502 Councilmember Milano moved to authorize the Town Attorney's firm of Shepard, Smith,
503 Kohlmyer, & Hand to seek an opinion from the Attorney General's office regarding the owner-
504 builder exception; seconded by Mayor Paritsky. The motion PASSED by consensus, 5-0.

505
506 **17. PUBLIC PARTICIPATION (on items 14 – 16 only)** – Mayor Paritsky opened public
507 participation: Skip White, 4885 S. Atlantic Ave. stated that Representative Matt Reinhart will be
508 holding a community meeting next Tuesday at 2:00 pm at the Wilbur Boathouse. Charles Burge,
509 Harbour Village Links South, stated he attended the meeting in the Shores with FEMA and the
510 SBA and they were very helpful, and that the online process is streamlined and suggested the
511 HOAs and COAs apply. Robert Bullard, 4802 S. Peninsula Drive stated that the Town’s 60th
512 Anniversary is approaching and would like to see another event similar to what was done for the
513 50th anniversary. Paul Brooks, 88 Jana Drive thanked Council for authorizing the Town Attorney’s
514 office to contact the Attorney General’s office for an opinion, and asked if the ruling would affect
515 all of Florida or only apply to the Town. Attorney Schumer stated that the Attorney General’s
516 opinion has no enforceable effect on the law; anything they publish does not bind a jurisdiction,
517 but if it is published, it would be a good indication of how the court might rule. Mr. Brooks asked
518 if he could ask Chief Scales about the EVs. Mayor Paritsky stated that she opened public
519 participation after that discussion; Chief Scales requested Mr. Brooks contact him for information.
520 Wayne Johnson, Links Village Drive asked if links could be posted on the Town’s website taking
521 property owners to locations where assistance can be provided for the hurricanes? Mr. Disher
522 stated there is a link on the Town’s website that take you to the County’s website where a great
523 deal of information is provided. Mayor Paritsky closed public participation.

524
525 **18. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at
526 8:25 PM.

527
528 Respectfully submitted by:

529
530 Peg Hunt for
531 Kim Cherbano, CMC / Town Clerk
532 Prepared by: Peg Hunt, CMC / Deputy Clerk

533
534 Attachment(s): None.