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Town of Ponce Inlet
Town Council
Regular Meeting Minutes
March 19, 2020

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 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

Mr. Disher, Assistant Director of Planning & Development

Ms. French, Cultural Services Manager

Ms. Hunt, Administrative Assistant

Mr. Joulani, Director, Planning & Development

Mr. Scales, Fire Chief

Mr. Shepard, Town Attorney (via teleconference)

Mr. Walker, Interim Police Chief

Ms. Witt, Town Manager

4. **ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA:** Ms. Witt removed item 5-C, Co-sponsorship request from the Ponce Inlet Lions Club for their Western Night event to be held on April 4th, 2020 - as the event has been cancelled. There were no other changes. Mayor Smith opened public comments - hearing none, he closed public comment.

Councilmember Paritsky moved to adopt the agenda as amended; seconded by Vice-Mayor Hoss. The motion PASSED 5-0, consensus.

5. **CONSENT AGENDA:** Mayor Smith asked if there was any item Council would like to remove from the consent agenda or to discuss – there were none; Mayor Smith asked for public comments – Liz Finch, 106 Rains Drive - requested to remove part of item 5-C, the Ice Cream Social scheduled for May 3rd - as that event has been cancelled. Mayor Smith closed public comments.

A. Approval of the Town Council regular meeting minutes – February 20, 2020.

- 45
46 B. Authorization to accept the proposal from Sanderson Concrete Construction to
47 complete the sidewalk expansion at the Kay & Ayres Davies Lighthouse Park for
48 \$48,451 via a contract the company currently has in place with Volusia County.
49
50 C. ~~Approval of co-sponsorship request from the Ponce Inlet Lions Club for their~~
51 ~~Western Night event to be held on April 4th, 2020; co-sponsorship is limited to the~~
52 ~~use of town advertising. Removed from agenda; event cancelled.~~
53
54 D. Authorization for the Volusia County Mosquito Control Division to perform low-
55 level flights over the Town in connection with their aerial inspection and application
56 of insecticides for the control of adult and larval mosquitos, in compliance with the
57 FAA regulations.
58
59 E. Request for co-sponsorship of the Garden Club of Ponce Inlet's ~~Ice Cream Social~~
60 ~~scheduled for May 3rd, 2020 and the Arts, Crafts, & Plan Sale scheduled for October~~
61 ~~9th & 10th, 2020; co-sponsorship is limited to the use of town advertising.~~
62

63 Councilmember Paritsky moved to approve the Consent Agenda as amended, seconded by Vice-
64 Mayor Hoss. The motion PASSED 5-0, consensus.
65

66 **6. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
67 **MEETING:**
68

- 69 A. Town's response to COVID-19: Update on actions taken and determination
70 of any additional action determined prudent.
71

72 Ms. Witt read her memorandum into the record (Attachment 1), wherein she announced the
73 cancellation of Town events, closure of the Community Center, and the Ponce deLeon Lighthouse,
74 and the Historical Museum. She also noted that she has obtained approval from the County to
75 cease out-of-district transport requests (ambulance services) until further notice.
76

- 77 1. Cancellation of Town events and meetings in response to COVID-19.
78

79 Ms. Witt reviewed the calendar of upcoming advisory board meetings and recommended that
80 Council cancel all meetings effective immediately through the end of April 2020. She also
81 suggested cancelling the ribbon-cutting ceremony for Pollard Park and other events scheduled
82 through the month of April, and re-scheduling some at a later date.
83

84 Council concurred with the Town Manager's recommendation to cancel all Town events and Town
85 Advisory Board meetings effective immediately and through the end of April 2020.
86

- 87 2. Revocation of permits for special events in response to COVID-19.
88

89 Ms. Witt announced she revoked the special events permits for *Reggae Fest* and *Turtle Day*, the
90 only two currently scheduled events, and stated her intent to not issue new special event permits

91 through April 30th. Mayor Smith stated his agreement with the Manager’s recommendations and
92 actions. Mayor Smith clarified that the March 23rd Code Board meeting has been cancelled and
93 suggested not cancelling the April Council meeting at this time. Ms. Witt concurred.

94
95 Council accepted and concurred with the Town Manager’s actions and intentions.

96
97 3. Discussion of closure of town parks & facilities in response to COVID-19.

98
99 Ms. Witt read the Emergency Directive into the record (Attachment #2), which outlined her plan
100 to close all town park restrooms, public water fountains, and town offices (except the Police
101 Department lobby - with limited access) to the public. Councilmember Perrone asked if it was
102 advisable to close the restrooms and water fountains since it is virtually impossible to sanitize
103 them. She noted that was a valid point and asked for Council direction. Councilmember Paritsky
104 agreed with Mr. Perrone’s comments and stressed the importance of using personal responsibility.
105 Councilmember Milano asked if Public Works crews would still clean the parks and playground
106 equipment, as the parks are quite busy with the schools being closed. Ms. Witt stated yes, public
107 works staff will be able to spend more time cleaning the playground equipment if the restrooms
108 and water fountains would be closed. Councilmember Perrone asked if there was a way to clean
109 the benches. Ms. Witt stated the benches are on the list. She noted that *Ponce’s Happy Tails Dog*
110 *Park* would remain open. Mayor Smith asked if the water fountains would be turned off. Ms. Witt
111 stated Mr. Gunter has indicated that the fountains will be bagged. Councilmember Perrone asked
112 if there was a way to clean the concrete benches. Ms. Witt stated that if the benches are sprayed
113 with Clorox, it could destroy clothes; she urged personal responsibility and social distancing. She
114 also reviewed the information outlining each department’s procedures for providing customer
115 service while keeping the lobbies closed to the public. Ms. Witt referenced the Community Center
116 and the Lighthouse, noting that although the Town owns them, we should confer with the attorney.
117 Attorney Shepard stated that the Lighthouse is an easy one, as we have zero liability there. He
118 noted that the agreements need to be reviewed and updated; expressing concerns about insurance
119 coverages. Ms. Witt noted that both entities have coverage under the Town’s insurance policy. He
120 added that PICCI’s agreement requires them to have insurance and an indemnity clause; but both
121 documents need to be addressed. Regarding the current emergency, our liability based on COVID-
122 19 is not nearly a concern as a “slip and fall” for example. Attorney Shepard clarified that it would
123 be extremely difficult for someone to prove they contracted the virus from any of the Town’s
124 facilities; he also explained “community transfer”. Councilmember Perrone asked if this would
125 apply to an employee. Attorney Shepard stated it is difficult to comment on workers comp laws,
126 but yes as the presumption is there. Councilmember Perrone asked if our insurance policy covers
127 a death, in the event of a pandemic. Ms. Witt noted that the Town has a lot of coverage and the
128 Community Center asked the Town for direction. That prompted the Town to research both
129 Agreements, and both entities have already closed. Pete Finch, PICCI President noted that the
130 Community Center has been closed and all events have been cancelled until further notice. Ms.
131 Witt noted that she will continue to maintain contact with the Lighthouse. Councilmember Perrone
132 suggested removal of the crosswalk flags as there is no way to clean them. Councilmember Milano
133 asked if the Beaches have been closed by the County. Ms. Witt stated she was not sure at this time.

135 Council concurred with the Town Manager's recommendation to close town lobbies (except PD
136 lobby) and all public restrooms and water fountains until further notice.

137

138 4. COVID-19 personal leave policy for Town Employees.

139

140 Ms. Witt noted that she has been working with the labor attorney on this matter. She stated the
141 Federal Government just passed the Families First Coronavirus Response Act (FFCRA), which
142 provides for generous benefits but does not include emergency responders. She noted her
143 intentions to include emergency responders in the Town's policy, which goes into effect April 2nd.
144 Councilmember Perrone clarified that this policy would provide employees with pay, without them
145 having to use their accrued personal leave time; and asked if there was a time limit imposed. Ms.
146 Witt stated leave will be granted if it meets the criteria outlined in the Act; a two-week period is
147 initially covered and the FMLA extension provides for an additional ten weeks of leave.

148

149 Council agreed with the Town Manager's intent to include first responders in the COVID-19
150 personal leave policy.

151

152 Councilmember Paritsky stated that although it is Volusia County's jurisdiction, should this
153 Council send a letter to the County Chair and ask it to close the beach and/or beach parking lots.
154 Councilmembers Perrone and Milano both noted that many off-beach parking lots and business
155 parking lots are full. Mayor Smith stated his concerns with doing things piece-meal, i.e., a
156 municipality closes all its businesses, which forces people into other jurisdictions. Councilmember
157 Paritsky asked if the Council had an opinion, this Council should share it with the County. Mayor
158 Smith stated that closing the beach could have a concave effect and commented that they should
159 be left open; Councilmember Milano agreed.

160

161 **7. CITIZENS' PARTICIPATION:** Mayor Smith opened citizen's participation - Skip
162 White, 4885 S. Atlantic Avenue - stated he has never seen the traffic backed-up as far as it was
163 this past weekend. He stated that the traffic was backed up past his driveway, with cars waiting to
164 get into the County Park because the ramps are closed. He expressed concerns that the Town is
165 using taxpayer funds to manage traffic created by the County's actions and suggested that the
166 Town seek assistance or reimbursement from the County for services we provide. He added that
167 this past weekend was the worst he'd seen since 2002, and visitors are also parking on vacant lots
168 and right-of-way areas. He noted that it is going to get worse before it gets better, adding that it is
169 going to be difficult to maintain the traffic. Mayor Smith closed citizen's participation.

170

171 **8. ADJOURNMENT** - Mayor Smith adjourned the meeting at 7:52 p.m.

172

173 Respectfully submitted by:

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177

Jeaneen Witt, CMC, Town Manager/Town Clerk

178 Peg Hunt, Board Secretary