



Town of Ponce Inlet
Town Council
Regular Meeting Minutes
July 15, 2021

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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
 Councilmember Caswell, Seat #3
 Councilmember Israel, Seat #4
 Vice-Mayor Paritsky, Seat #5

Staff Members Present:
 Ms. Cherbano, Human Resource Director/Deputy Clerk
 Mr. Disher, Planning & Development Department Director
 Ms. French, Cultural Services Manager
 Chief Glazier, Police Chief
 Ms. Hunt, Assistant Deputy Clerk
 Mr. Miller, Public Works Manager
 Chief Scales, Fire Chief
 Attorney Schumer, Town Attorney’s office
 Ms. Witt, Town Manager

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA: Mayor Smith asked if there were any changes requested to the agenda; there were none.

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

5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:

A. Introductory presentation from Will Roberts, Volusia County Tax Collector.
 Mr. Roberts provided a presentation on the operations of this new County Charter Office.

6. CONSENT AGENDA: Mayor Smith asked if there was any item Council would like to remove from the consent agenda or to discuss. Councilmember Israel requested Items 6-A and 6-C be removed for discussion; Ms. Witt noted that Mr. Mandel would be in attendance for item 6-C; therefore, old Item 6-A became Item 13-F and old Item 6-C became item 7-C; the agenda was

45 re-lettered as appropriate. Mayor Smith asked for public comments – hearing none – he closed
46 public comments.

47
48 ~~A. Approval of the Town Council regular meeting minutes – June 17, 2021. Moved~~
49 ~~to Item 13-F.~~

50
51 **B. Approval of request from chief of police to use contraband/forfeiture funds for**
52 **the purchase of 3 rifles with accessories in the amount of \$3,539.**

53
54 ~~C. Request for an increase in the hourly rate for labor and employment attorney~~
55 ~~services, from the law firm of Fisher Phillips; the current rate is \$280/hr., and the new rate~~
56 ~~is \$295/hr. Moved to Item 7-C.~~

57
58 Vice-Mayor Paritsky moved to approve the Consent Agenda as amended; seconded by
59 Councilmember Caswell. The motion PASSED 5-0, consensus.

60
61 **7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
62 **MEETING:**

63
64 **A. Consideration of appointment to the Code Enforcement Board.** Ms. Witt stated
65 an application has been received and the applicant has met the pre-appointment requirements. Ms.
66 Richards, 4650 Links Village Drive, introduced herself to Council. Councilmembers thanked Ms.
67 Richards for her desire to serve on the Code Enforcement board. Mayor Smith opened public
68 comment - hearing none, he closed public comment.

69
70 Vice-Mayor Paritsky moved to appoint Elena Richards to Alternate Seat 1 of the Code
71 Enforcement Board with a seat term expiration of December 30, 2021; seconded by
72 Councilmember Caswell. The motion PASSED 5-0, consensus.

73
74 **B. Plaque for the dedication of the Ponce Inlet’s fire department building as the**
75 **Carolyn Anna Sprague Firehouse – initially requested by Councilmember Israel.** Chief Scales
76 thanked Ms. French and Ms. Hugler for their assistance and stated that it was a pleasure working
77 with the Sprague family on this project. Councilmember Israel confirmed that the plaque would
78 be relocated if the town builds a new fire station. Mayor Smith opened public comments - hearing
79 none, he closed public comments.

80
81 Councilmember Israel moved to approve the proposed plaque for placement on the Ponce Inlet
82 fire department building; seconded by Vice-Mayor Paritsky. The motion PASSED 5-0, consensus.

83
84 **C. Request for an increase in the hourly rate for labor and employment attorney**
85 **services, from the law firm of Fisher Phillips; the current rate is \$280/hr. and the new rate is**
86 **\$295/hr. (Moved from agenda item 6-C) -** Council discussed the current and proposed rates;
87 Attorney Mandel noted that he has been the town’s labor attorney since 2002 and in an attempt to
88 be cost-conscious, has not requested a raise in three years; he added that the new rate will likely
89 again be in place for the next three years. Councilmember Israel asked Attorney Mandel if the rates
90 are negotiable; Councilmember Caswell called a point of order; Mayor Smith stated that Council

91 should not negotiate from the dais. Councilmember Israel moved to table this item while we search
92 for a new attorney; motion DIED for lack of a second.

93
94 Vice-Mayor Paritsky moved to approve the new rate increase of \$295 per hour, effective October
95 1, 2021; seconded by Councilmember Caswell. The motion PASSED 4-1, with the following vote:
96 Vice-Mayor Paritsky - yes; Councilmember Caswell - yes; Councilmember Milano - yes;
97 Councilmember Israel - no; Mayor Smith - yes.

98
99 **8. PUBLIC HEARINGS / QUASI-JUDICIAL:** None.

100
101 **9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:** None.

102
103 **10. CITIZENS' PARTICIPATION:** Mayor Smith opened citizen's participation. Laura
104 Sprague thanked staff and the Council for honoring her mother-in-law. Mayor Smith closed public
105 participation.

106
107 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

108
109 **A. Resolution 2021-05, adopting a proposed millage rate for fiscal year 2021/2022.**
110 Attorney Schumer read the resolution by title only. A RESOLUTION OF THE TOWN COUNCIL
111 OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, ADOPTING THE
112 PROPOSED MILLAGE RATE FOR THE LEVYING OF AD VALOREM PROPERTY TAXES
113 FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE TOWN FOR
114 THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022;
115 ESTABLISHING THE PUBLIC HEARING DATES AND TIMES, PROVIDING FOR
116 SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS AND PROVIDING
117 FOR AN EFFECTIVE DATE. Ms. Witt stated that based on today's budget workshop, she has
118 made the following changes while maintaining the 5.9 rate: increase the short term rental position
119 to full time (+\$31,868); create a law enforcement incentive for commute (+19,500 = 10 officers
120 @ \$1,950/yr. each / \$75 bi-weekly); show FD vehicle exhaust system in FY 21/22, including grant
121 currently applied for (\$46,500-\$39,525= +\$6,975); move town strategic planning process to FY
122 22/23 (-\$9,000); FD Accreditation becomes a 3-year process, instead of 2-year (-\$16,800); and
123 move the pickleball shade structures to the Pollard Park Capital Fund prior to close-out of fund,
124 eliminating the intended transfer back to land acquisition fund (-\$30,000). She reiterated her belief
125 that there will be a reduction in General Fund costs for insurance of approximately \$20,000 but is
126 unable to confirm as there is not a quote available in writing yet; and suggested leaving the budget
127 estimates as they are proposed for general and workers compensation insurance.

128
129 Ms. Witt then reviewed the 5.82 mills alternative for a comparison: if Council eliminates the two
130 Capital Reserve Transfers (FD & PW) and eliminates the additional Capital Reserve transfer to
131 the Community Center Fund, the budget can be balanced at 5.82. She stated that it is a policy
132 decision of the Council if it wishes to fund these three Reserves separate and apart from the General
133 Fund reserve. She noted that Council should also consider the multi-year process ahead for
134 implementation of the voter approved minimum wage law and how that will impact next year's
135 budget; the town would be better positioned for that with the 5.9 millage rate. She reminded
136 Council that they may select the 5.9 millage rate tonight as the proposed rate and potentially reduce

137 it to 5.82 in September, but this process cannot occur in reverse, as the proposed rate will be the
138 cap in any further discussions. She noted that the 5.82 mills is the rate which enables remaining
139 “tax payment neutral” for a homesteaded property with a current taxable value of \$200,000 that
140 increases in taxable value by the full cap of 1.014%. Any taxable valuations greater than \$200,000
141 would actually pay less in taxes at the 5.82 rate than they did last year, even if their home increased
142 in value by the 1.014% cap. Ms. Witt announced the budget hearing dates of September 9th at 6:00
143 p.m. and confirmed they would like to move the regular meeting date to September 22nd at 6:00
144 p.m. and hold their second budget hearing at that meeting. Council thanked Ms. Witt and the staff
145 for the work involved with getting the budget assembled. At the end of the meeting, they agreed
146 by consensus that no further budget workshops would be needed. Mayor Smith asked for public
147 comments – hearing none, he closed public comments.

148
149 Councilmember Israel moved to change the September 16, 2021 regular meeting date to
150 September 22, 2021 at 6:00 p.m.; seconded by Vice-Mayor Paritsky. The motion PASSED 5-0,
151 consensus.

152
153 Councilmember Vice-Mayor Paritsky moved to approve Resolution 2021-05 as presented,
154 adopting a proposed millage rate of 5.9 mills, and establishing the public hearing dates of
155 September 9th, 2021 and September 22nd, 2021 at 6:00 p.m.; seconded by Councilmember Caswell.
156 The motion PASSED 5-0, consensus.

157
158 **B. Resolution 2021-06, to join with the State of Florida and other various local**
159 **governments in a unified plan for the allocation and use of prospective settlement dollars**
160 **from the opioid related litigation.** Attorney Schumer read the resolution by title only. A
161 RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA
162 COUNTY, FLORIDA AUTHORIZING THE TOWN OF PONCE INLET TO JOIN WITH THE
163 STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A
164 PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND
165 FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR OPIOID LITIGATION
166 AND DISTRIBUTION OF FUNDS RECOVERED IN OPIOID LITIGATION. Chief Glazier
167 encouraged Council to support this resolution. It shows the State that municipalities are unified in
168 their agreement to the use of settlement funds. Vice-Mayor Paritsky asked if there is any potential
169 liability with regards to the Expense fund. Attorney Schumer stated there is no liability on the
170 town; this authorizes the Town Manager to settle opioid-related litigation. Mayor Smith asked for
171 public comments – hearing none, he closed public comments.

172
173 Councilmember Vice-Mayor Paritsky moved to approve Resolution 2021-06 as presented;
174 seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

175
176 **12. OLD BUSINESS:**

177
178 **A. Ponce Inlet Welcome Packet.** Mayor Smith thanked staff for incorporating the
179 changes as suggested last month. He noted the tremendous amount of work that went into this
180 project and stated it appears to be a great product for the residents. Ms. French reviewed the
181 welcome packet brochure, noting that the costs for printing and mailing are estimated at \$6,000
182 for the first year, and includes mailing to every property owner; costs are estimated at \$1,000 per

183 year thereafter. She noted that information can change sometimes without notice and staff suggests
184 consideration of replacing the Department Head names and photographs with department QR scan
185 codes and phone numbers. Vice-Mayor Paritsky agreed and suggested that the roll-out be delayed
186 until late December or early January. Councilmember Milano stated that a January roll-out makes
187 sense as there is an election coming, suggested that the brochure be consistent with the town's
188 website, and it should include Council member's contact information written in the brochure.
189 Councilmember Caswell suggested that both department head and Council member's names could
190 be replaced with a QR code; she approves of the magnet. Councilmember Israel stated his support
191 of the magnet and brochure, stated the Council contact information should include names and
192 phone numbers in the brochure, and is agreeable to a January roll-out. For clarification, Ms. Witt
193 reviewed the suggested changes: in the Departments area - include QR codes instead of the names
194 of Department Heads; and to prepare the magnet and brochure for distribution in January. Mayor
195 Smith asked for public comments – hearing none, he closed public comments.

196

197 Council decided to replace the department head names with QR codes, and that distribution of the
198 brochure occur in January; 5-0.

199

200 **B. Proposal to place a time limit of four hours on the car parking spots at the**
201 **Ponce Inlet boat ramp parking lot - initially requested by Councilmember Israel.** Chief Glazier
202 stated there have been several discussions regarding setting time limits to parking spots to allow
203 for more turnover. He provided a brief presentation, showing the car parking spaces, noting that
204 there are only 16 car parking spaces total and 27 boat trailer parking spaces. Currently, a car may
205 be parked in *any* of those spaces Monday through Friday; on weekends and holidays, the boat
206 trailer parking spaces are for boat trailers only and cars will be ticketed. He stated he could support
207 a four-hour parking limit for cars on weekends and holidays, as this would allow parking space
208 turnover to occur more frequently; and there currently is no parking time limits. Chief Glazier
209 stated the parking lot works well as it sits during the week, the parking lot is rarely full. He
210 acknowledged that parking is becoming an increasing problem because the town continues to
211 grow. He stated that a civilian parking enforcement officer could be utilized to write tickets to
212 violators throughout the town and the Police Officers could assist when available, but he was not
213 in support of this being predominately a police officer function as they need their few officers on
214 duty doing public safety related work. Chief Glazier stated that an officer is brought in on
215 weekends to monitor the boat ramp but they cannot do parking enforcement as well. He suggested
216 they may want to just install signs for a four-hour parking limit on weekends and holidays and,
217 along with the \$45 fine for violations, that might be enough of an incentive to get spaces freed up
218 more frequently. He noted that the technology for “electronic chalking” is cost-prohibitive, ranging
219 from \$4,600 to \$23,000 and is geared toward larger cities with thousands of parking spaces; there
220 are only 16 spaces to be monitored here. He also made the town aware that there is litigation in the
221 sixth circuit regarding chalking of tires as a violation of the 4th Amendment. Mayor Smith
222 expressed agreement with the ideas brought forth by Chief Glazier. Councilmember Caswell stated
223 we should enforce what is on the books; in speaking with residents, she was unable to find anyone
224 who supported limiting parking times. She stated to use the police department in this capacity is
225 not the highest and best use of their time. She added that if you want to get to the beach or one of
226 the parks, get here early. Councilmember Israel stated it has nothing to do with beach parking
227 although, people do park there and walk into the county park to save a few bucks and people park
228 there that work at Hidden Treasure - and then people who want to visit Davies Park have no place

229 to park. Councilmember Israel stated he has observed people parking in the parking lot and going
230 out on charter and fishing boats and are gone all day - taking up parking all day. Vice-Mayor
231 Paritsky asked Chief Glazier who utilizes the car parking spaces the most? Chief Glazier stated
232 visitors/tourists, and Hidden Treasure. Vice-Mayor Paritsky expressed concerns of litigation
233 should the town “chalk” the wrong vehicle. Attorney Schumer stated that it is covered under the
234 4th Amendment, search & seizure - and you need to determine if it’s a search then does it require
235 a warrant. Vice-Mayor Paritsky asked if discussions have been held with the business owners about
236 this issue. Chief Glazier stated he has spoken with Matt Dvorak, who reported that the issue is
237 “getting better” and commended the town for enforcing the commercial use of the boat trailer
238 parking lot and the boat ramp. Chief Glazier asked Attorney Schumer if it is possible to keep
239 employees of local businesses from parking in the boat trailer parking lot. Attorney Schumer stated
240 this is part of a multi-governmental effort and under the interlocal agreement, the town has the
241 authority to manage the boat ramp and may include the ability to restrict parking to the boat ramp
242 and limiting parking to a certain number of hours - enforcement would be difficult and you cannot
243 restrict who parks there, only how long they park there. Section 74-34 authorized the Police Chief
244 to erect signs and limit parking to certain hours; that may need to be amended to state: “limit
245 parking to a certain number of hours”, which the attorney’s office could prepare. Councilmember
246 Israel stated the entire parking lot is illegal based on that information. Attorney Schumer stated the
247 Police Chief cannot issue parking tickets based on the number of hours parked per the Code, it
248 may be legal to install parking limit signs as the management authority but that would have to be
249 further researched; you’ll need to revise the Code to authorize the Chief to erect parking signs. A
250 brief discussion continued regarding “chalking” tires and the best use of the town’s police
251 resources.

252
253 Mayor Smith asked for public comments – Mike Mirage, 15 Mar Azul North, asked if the 4-hour
254 limit is proposed for cars or the entire lot. Councilmember Israel stated just cars. Mr. Mirage
255 suggested hiring a parking attendant and charging fees for parking there to help pay the attendant’s
256 salary. Mayor Smith explained that the parking lot is part of the gift from the federal government
257 and according to the deed restrictions for that property, the town is prohibited from conducting
258 any “business” there. Ms. Witt stated that charging a parking fee has been opposed by Volusia
259 County, and the county has a lot of funding which went toward the amenities there. Mayor Smith
260 closed public comments.

261
262 Councilmember Israel moved to place a four-hour limit on the car parking spots at the Ponce Inlet
263 boat trailer parking lot; seconded by Mayor Smith. The motion FAILED 2-3, with the following
264 vote: Councilmember Israel - yes; Mayor Smith - yes; Councilmember Caswell - no; Vice-Mayor
265 Paritsky – no; Councilmember Milano – no.

266
267 **13. NEW BUSINESS:**

268
269 **A. Appointment of a member of the town council to serve on the canvassing board**
270 **for the August 17th, 2021 town election.** Ms. Cherbano stated that a member of the town council,
271 who is not currently running for office, is requested to serve on the canvassing board for this year’s
272 election. She stated the eligible members are Mayor Smith, Councilmember Milano, and
273 Councilmember Israel. Councilmember Milano volunteered to serve on the board. Mayor Smith
274 asked for public comments – hearing none, he closed public comments.

275
276 Vice-Mayor Paritsky moved to appoint Councilmember Bill Milano to serve on the canvassing
277 board for the August 17, 2021 town election; seconded by Councilmember Caswell. The motion
278 PASSED 5-0, consensus.

279
280 **B. Appointment of a voting delegate for the Florida League of Cities Annual**
281 **Conference business meeting, to be held August 14th, 2021.** Vice-Mayor Paritsky stated she has
282 registered and plans to attend this conference and expressed a willingness to serve as the town’s
283 voting delegate at the annual business meeting on August 14th. She has been appointed to several
284 conference committees as well, and feels it is appropriate for Council to review the proposed
285 resolutions (16) provided and offered to assist with any questions.

286
287 Mayor Smith asked for public comments – hearing none, he closed public comments.

288
289 Councilmember Caswell moved to appoint Vice-Mayor Paritsky as voting delegate for the Florida
290 League of Cities Annual Conference business meeting to be held August 14, 2021; seconded by
291 Councilmember Milano. The motion PASSED 5-0, consensus.

292
293 **C. Proposal to establish town council term limits – requested by Councilmember**
294 **Israel.** Councilmember Israel noted that changes to term limits must be included in the Charter
295 and since Council is planning a Charter review, he suggests adding term limits. This will provide
296 a councilmember an opportunity to run for office after not being in office for two consecutive years
297 and with a six-year term limit, that is enough time to get the town’s work completed. He requested
298 that this topic be discussed and included on the ballot for the 2022 election. Mayor Smith stated
299 his disagreement with term limits and suggested that this topic should be discussed during a
300 Charter review meeting. Councilmember Israel requested that a date and time be set this evening,
301 so the public has enough notice. Mayor Smith asked if this would be done at the Council level or
302 should a Charter Review Committee be created. Ms. Witt stated that Attorney Shepard has done
303 many Charter review projects and recommended that the Council do this work themselves. She
304 stated the town attorney would facilitate the meetings and estimated that the process could take
305 between four and six months to complete. Mayor Smith suggested scheduling the first meeting
306 after the election. Mayor Smith asked if councilmembers-elect can participate in the process. Ms.
307 Witt stated yes, everyone is welcome to participate. Councilmember Israel reiterated his request
308 that the date and time for the first Charter Review workshop be set tonight. Ms. Witt stated that if
309 Council wishes, the first workshop could be set for August 19th, prior to the regular meeting.

310
311 Mayor Smith opened public comment. David Loh, 103 Oceanway Drive, stated he appreciates the
312 town attorney’s opinions but the Charter states: “we the people” and he felt a Charter Review
313 Committee should consist of residents, not the Council. He noted that many jurisdictions utilize
314 residents from the community, with various backgrounds who review the Charter and solicit
315 suggestions from the public and make recommendations. Ms. Witt stated that she has worked with
316 municipalities on their Charter review and seen it done both ways and once where she was asked
317 to do it herself; it is up to Council to decide which manner it wishes to use. Councilmember
318 Caswell stated it is important to obtain adequate public input and not just “after the fact”
319 discussions. Mr. Loh stated the importance of letting the people have a voice. Mayor Smith closed
320 public comment. Councilmember Milano asked if the town should make the Charter available to

321 the residents so that they can begin looking at it and prepare for the first workshop. Ms. Witt stated
322 the Charter is always available on the town’s website and an agenda with backup materials will be
323 provided prior to the workshop date.

324
325 Council requested the town manager to schedule the first workshop on August 19th, prior to the
326 regular meeting and based on the town attorney’s schedule; by consensus, 5-0.

327
328 **D. Protecting condominium residents via statutory changes approved by the**
329 **Florida State Legislature – requested by Vice-Mayor Paritsky.** Vice-Mayor Paritsky stated she
330 has asked what a municipality might do to prevent a tragedy like the condo collapse in the City of
331 Surfside, FL. She stated the town attorney has provided information noting that many
332 condominiums are of similar age and face the same situation unless changes are made in the
333 following areas: 1) condo association guidance; 2) legislating stricter maintenance requirements;
334 3) requiring detailed structural inspections on a routine bases (such as every 5 years for so); 4)
335 strengthening the coastal construction requirements for any structures in excess of three stories
336 due to sea level rise. In this information, Mr. Shepard also noted that a municipality has little to no
337 liability for faulty, negligent, or flawed building inspections. The town’s best course may be to see
338 if the legislature changes the laws in such a manner that municipal liability is increased for
339 negligent inspections. The best course to avoid future tragedies is to ensure our officials are the
340 best we can hire and that they do the job correctly. Vice-Mayor Paritsky asked for Council
341 consensus to begin working with local condominium associations to address any challenges and
342 meet with state legislators to begin advocating for legislative action. Council thanked Vice-Mayor
343 Paritsky for her efforts.

344
345 Mayor Smith opened public comment. John Cannon, 109 Beach Street (Planning Board
346 Chairman), suggested that a special meeting of the Planning Board be held to review this issue to
347 see if there is anything the town can do on a local level and to encourage proactive participation
348 from condominium associations; he supported Vice-Mayor Paritsky’s suggestions and offered his
349 assistance.

350
351 Skip White, 4885 S. Atlantic Ave., (Planning Board member), stated in 2008 the State of Florida
352 had the right to review and audit the books and required inspections every five years; in 2010, that
353 law was voided and now there is no oversight. He would like to see that law reinstated as it could
354 help avoid future tragedies. He noted that several balconies in town have collapsed or are
355 dilapidated; and he supports local advocacy efforts.

356
357 Mayor Smith asked if it is legal for the town to require condominiums to perform an inspection
358 and provide the report every five years? Vice-Mayor Paritsky stated that Chairman Brower is
359 looking into that issue for the unincorporated areas of Volusia County and the Volusia League of
360 Cities is also researching this topic. Attorney Schumer noted the FL Building Code provides
361 minimum standards for the entire state and local municipalities can impose stricter technical
362 amendments.

363
364 Joe Villanella, 46 Jana Drive (Code Board Chairman), stated the town could start by mandating
365 that all COAs and HOAs provide their covenants to the town, which include structural integrity
366 and maintenance records, to ensure that each are doing what they are supposed to be doing.

367 Tony Goudie, 4715 Dixie Drive, stated that there are many condos that operate on no reserve so
368 there is no money for the necessary repairs; to keep up resale values, there are low monthly
369 maintenance fees but every item in a building has a finite end of life. The State ceded much of the
370 authority to HOAs and COAs and those entities want to keep costs down; the State needs to do a
371 better job of protecting its residents.

372
373 Mike Mirage, 15 Mar Azul North, reported that several condominiums and commercial buildings
374 have recently been condemned in South and Central Florida. He expressed support of advocating
375 for changes.

376
377 Council authorized Vice-Mayor Paritsky begin advocacy work in this area, including contacting
378 Representative Leek and Senator Wright, and holding a town hall meeting with Council, staff,
379 HOA and COA owners and representatives; by Consensus 5-0.

380
381 **E. Proposal to initiate a process to explore design and funding options for the**
382 **potential replacement of the Town’s fire station and community center with new and**
383 **updated facilities – requested by Vice-Mayor Paritsky.** Vice-Mayor Paritsky shared information
384 regarding severe weather and sea level rise funding opportunities available through State and
385 Federal programs. The Governor has signed a bill (Statewide Flooding and Sea Level Rise
386 Resilience) which will set aside one hundred million dollars each year for grant opportunities for
387 shovel-ready projects. These funds can offset the costs of engineering and design work. She
388 suggested that Council begin to formulate a plan for pursuing the funding programs and sources
389 that will assist the town in achieving its resiliency goals. In addition, the town anticipates receiving
390 \$1,650,000 of federal money through the Rescue Plan; these funds can be used towards
391 infrastructure, including the investment in or improvement to water system, sanitary sewer system,
392 stormwater system, and broadband infrastructure. She also requested that Council consider future
393 infrastructure needs such as a new fire station and/or community center, as they are in flood-prone
394 areas and in need of modernization. She stated that due to the town’s geographical location, it may
395 qualify for these grants and supports pursuing grant opportunities. She noted that HB 53 which has
396 been enacted, requires municipalities to provide a 20-year needs analysis; these funds may help
397 with the costs associated with this new mandate. She stated it is Council’s fiduciary duty to allow
398 staff to pursue these projects and funding opportunities and not divert their attention away from
399 matters of long-term benefit to our residents at this critical time.

400
401 No action taken but in general Council expressed their agreement with these priorities.

402
403 **F. Approval of Town Council Regular Meeting Minutes - June 17, 2021 (Moved**
404 **from agenda item 6-C) -** Councilmember Israel stated there was nothing in the minutes regarding
405 the town attorney’s direction regarding the FDIAs. Ms. Witt stated that information is contained
406 on page 4, lines 172-181. Councilmember Israel requested that the statement read by Firefighter
407 Ray Plumley at the June meeting be attached to this set of minutes; and he inquired for an update
408 to background checks on Councilmembers. Ms. Witt stated that Council cannot require
409 background checks on Councilmembers if it is not in the Charter; the Charter establishes the
410 requirements for council members; backgrounds checks are required if a council member (or any
411 other volunteer) wishes to volunteer at a town event. Councilmember Israel stated that he believes
412 all members of Council should have a background check; Ms. Witt stated every member of this

413 Council that was on it prior to the Easter event has had one because they volunteered at the event.
414 Councilmember Caswell noted point of order, as this has nothing to do with the minutes. There
415 were no other changes. Mayor Smith opened public comment. David Loh, 103 Ocean Way Drive,
416 referenced the attorney's statements regarding an active investigation and asked if the comments
417 made by the other people who spoke during public participation on that matter should be redacted.
418 Ms. Witt stated no, the attorney's guidance was to the Town Council, not the general public.

419
420 Vice-Mayor Paritsky moved to approve the June 17, 2021 town council meeting minutes as
421 amended to include incorporating Ray Plumley's statement as an attachment; seconded by
422 Councilmember Caswell. The motion PASSED 5-0, consensus.

423

424 **14. FROM THE TOWN COUNCIL:**

425

426 **A. Vice-Mayor Paritsky, Seat #5** – Stated that the town was invited to join the newly-
427 created Task Force initiated by the City of Daytona Beach and will include our Town Manager
428 and Police Chief; the task force has a public safety mission relating to events that have been
429 occurring in the Daytona Beach area (such as “Invade Daytona” and the truck event); she stated
430 the Department of Health is offering to come to any individual who is unable to travel to provide
431 COVID vaccines.

432

433 **B. Councilmember Israel, Seat #4** – Reported that at the TPO meeting, a discussion
434 was held on building a resilient transportation system; it was reported that six million people
435 evacuated during hurricane Irma, and he asked if the town has an evacuation plan in place with
436 DB Shores and Port Orange. Mayor Smith stated the bottle-neck occurs at the bridge and the
437 intersections on both ends and suggested a patrolman direct traffic at those intersections to keep
438 traffic moving. Ms. Witt stated the police chiefs meet monthly and when there is an active threat,
439 the police direct the traffic; the fire chief is the town's emergency management coordinator and
440 evacuees are routed depending on the specifics of the storm. She stated the town has an Emergency
441 Management Plan and it incorporates Volusia County's plan as well; she added that Council has
442 been invited to attend an Emergency Management Training for elected officials on August 2nd
443 from 1:00 to 3:00 PM at the County EOC and encouraged all council members to attend. Chief
444 Glazier stated there are mutual aid agreements in place and the chiefs communicate regularly.
445 Councilmember Israel noted that during special events, the traffic is backed up on the bridge. Ms.
446 Witt stated that during an emergency, Port Orange takes a different approach to bridge traffic than
447 they do for special events. Councilmember Israel stated that he received an email on his personal
448 email account from Councilmember Caswell, which had inaccurate information as she claims the
449 following: she has been on the Council for seven months; has advocated for a Charter Amendment
450 on the August ballot, advocated for an ordinance regarding homeless persons, and a few other
451 items. He stated that the information should be 100% accurate; though he stated he is staying out
452 of this year's election.

453

454 **C. Councilmember Caswell, Seat #3** – Stated she was pleased that Councilmember
455 Israel has decided that we need to be factual on our collateral material for our campaigns; it is a
456 welcomed change. She stated that by the time of the election, she will have served on Council for
457 seven months; everything this Council does - is done as one and all of us contribute; there is no I
458 in team. She stated that she has received inquiries as to her “no” vote on the ordinance for the

459 referendum earlier this year and explained her reasoning - although she and Councilmember Israel
460 each voted no, she did so because she believes that the referendum did not have enough teeth in it
461 - the only way she could support it is if it provided for recall, a removal from office, or a fine.

462
463 **D. Councilmember Milano, Seat #2** – Reported that in less than a year, over 100
464 people have been placed in full-time jobs and housing through the First Step Shelter; revenues are
465 being re-calculated as more municipalities may be participating; it costs between \$1.1-\$1.5 million
466 dollars per year to operate the shelter; expressed concerns that the numbers of vaccinated residents
467 is low, and the Delta variant is on the rise.

468
469 **E. Mayor Smith, Seat #1** – Stated the importance of reporting accurate facts and that
470 the transport numbers floating around in the public are completely inaccurate; he provided the
471 following transport data year-to-date: 57% (185) were non-residents and 43% (137) were residents
472 totaling 322 transports; six residents had to be transported via EVAC in this time period; a transport
473 takes 1 to 1½ hours and we transport on average 1 +/- per day so our EMS people are available
474 90% of the time and the town is well protected.

475
476 **15. FROM THE TOWN MANAGER** – Ms. Witt thanked Council and all who attended the
477 budget workshop; she asked if Council wished to have additional workshops - Council consensus
478 was no additional workshops needed; she reviewed the calendar of meetings and events; and stated
479 that election day is August 17th from 7:00 AM to 7:00 PM at the Community Center.

480
481 **16. FROM THE TOWN ATTORNEY** – Attorney Schumer had nothing to report.

482
483 **17. ADJOURNMENT** - Mayor Smith adjourned the meeting at 8:36 P.M.

484
485 Respectfully submitted by:

486
487
488 _____
489 Jeaneen Witt, CMC, Town Manager/Town Clerk
490 Prepared by: Peg Hunt, Assistant Deputy Clerk