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# Town of Ponce Inlet

## Town Council Regular Meeting Minutes

### July 18, 2019

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 present:**

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 Resources Director/Deputy Clerk

Mr. Disher, Assistant Director of Planning & Development

Chief Fabrizio, Police Chief

Mr. Gunter, Public Works Manager

Mr. Hooker, Code Compliance Manager

Ms. Hunt, Administrative Assistant

Mr. Joulani, Director, Planning & Development

Ms. McColl, Finance Manager

Chief Scales, Fire Chief

Atty. Shepard, Town Attorney

Ms. Witt, Town Manager

Ms. Zengotita, Cultural Services Manager

4. **ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA:** Ms. Witt added agenda item 7-A, Pollard Park Tree Replanting; and noted that page 5 of agenda item 6-A was revised; there were no other changes.

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

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

6. **CONSENT AGENDA:** There were no requested changes; Mayor Smith asked for public comments – hearing none – he closed public comments.

A. **Approval of the Town Council regular meeting minutes – June 20, 2019.**

- 46           **B.     Approval of the purchase of a replacement vehicle and to surplus a current**  
47           **vehicle in the Police Department; a 2019 Dodge Journey is proposed to be**  
48           **purchased and a 2008 Dodge Charter is proposed to be declared as surplus**  
49           **equipment and used as a trade-in; the total cost with trade-in allowance is**  
50           **\$24,240; this purchase is proposed within the amended FY 2018-2019 budget**  
51           **in lieu of proposing it in the following year.**
- 52
- 53           **C.     Approval of the purchase of a replacement utility tractor and to surplus a**  
54           **current utility tractor in the Public Works Department; a new John Deere**  
55           **utility tractor is proposed to be purchased and the Town’s existing John Deere**  
56           **utility tractor with over 20,000 hours on it is proposed to be declared as surplus**  
57           **equipment and sold separately; the cost of the new tractor is \$31,902; this**  
58           **purchase would be split between the general fund and the water fund and is**  
59           **proposed within the amended FY 2018-2019 budget in lieu of proposing it in**  
60           **the following year.**
- 61
- 62           **D.     Authorize staff to prepare and execute a contract with Witt-O’Brien, subject**  
63           **to review/approval by the town attorney, in accordance with their proposal for**  
64           **emergency debris monitoring services pursuant to the Town’s RFP 2019-01.**
- 65
- 66           **E.     Approval to surplus and authorize disposal of nine items located in Pollard**  
67           **Park that have met or exceeded their useful life, as further described in a**  
68           **memo from the Cultural Services department dated July 8, 2019.**
- 69

70 Mayor Smith asked for public comments – hearing none – he closed public comments.

71

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

74

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

77

78           **A.     Pollard Park Tree Replanting.** Ms. Zengotita explained that the contractor  
79 advised staff that the Simpsons Stoppers would not likely survive transplanting and suggested  
80 replacement of thirteen trees instead. She noted that if the contractor provides the new trees, these  
81 13 trees will each be 2” diameter and there will be a warranty, at no additional cost to the town.  
82 Mayor Smith asked for public comments – hearing none – he closed public comments.

83

84 Councilmember Paritsky moved to modify the proposal of Saboungi Construction to replace the  
85 13 existing Simpson Stopper trees that were to be transplanted with 13 new Simpson Stopper trees  
86 accompanied with a one-year warranty; seconded by Vice-Mayor Hoss. The motion PASSED 5-0,  
87 consensus.

88

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

90

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

92 **10. CITIZENS' PARTICIPATION:** Mayor Smith opened public participation. Matt Dvorak,  
93 4936 S. Peninsula Drive, informed Council that there have been commercial operations occurring  
94 at the public boat ramp including charter boat rentals, paddle board rentals, and other water sports  
95 rentals and that the transactions are occurring there. He stated that these activities have created  
96 parking issues for legitimate businesses of the town and take parking away from the town's park  
97 in that area. Ms. Witt stated staff will research what can be done to address these concerns, looking  
98 specifically at what other similarly situated entities are doing; she noted that the public boat ramp  
99 is subject to the deed restrictions of other town property in that area. Mayor Smith closed public  
100 participation.

101  
102 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

103  
104 **A. Resolution 2019-06, adopting a proposed millage rate for the Town for fiscal**  
105 **year 2019-2020.** Attorney Shepard read the Resolution by title only. A RESOLUTION OF THE  
106 TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, ADOPTING THE PROPOSED  
107 MILLAGE RATE FOR THE LEVYING OF AD VALOREM PROPERTY TAXES FOR  
108 MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE TOWN FOR THE  
109 FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020;  
110 ESTABLISHING THE PUBLIC HEARING DATES AND TIMES; PROVIDING FOR  
111 SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING  
112 FOR AN EFFECTIVE DATE. Ms. Witt noted that this is the proposed millage rate discussed  
113 earlier that day in their budget meeting. It can be decreased if later determined appropriate, but it  
114 is not allowed to be increased above what is adopted. She stated that the proposed rate will be  
115 noticed on the tax bills that are mailed out by the Volusia County property appraiser; and  
116 announced the two hearing dates are September 12<sup>th</sup> and September 19<sup>th</sup>. Mayor Smith asked for  
117 public comments – hearing none – he closed public comments.

118  
119 Councilmember Paritsky moved to approve Resolution 2019-06 adopting a proposed millage rate  
120 of 5.9; seconded by Vice-Mayor Hoss. The motion PASSED 5-0, with the following vote:  
121 Councilmember Paritsky - yes; Vice-Mayor Hoss - yes; Mayor Smith - yes; Councilmember  
122 Perrone - yes; Councilmember Milano - yes.

123  
124 **B. Resolution 2019-07, discouraging the use of single-use plastics in the Town of**  
125 **Ponce Inlet.** Attorney Shepard read the Resolution by title only. A RESOLUTION OF THE  
126 TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, DISCOURAGING THE USE OF  
127 PLASTIC DRINKING STRAWS, STYROFOAM, PLASTIC STIR STICKS, AND SIMILAR  
128 SINGLE-USE PLASTIC ITEMS; ENCOURAGING BUSINESSES, RESIDENTS, AND  
129 EMPLOYEES TO DISCONTINUE THE USE OF PLASTIC DRINKING STRAWS,  
130 STYROFOAM, PLASTIC STIR STICKS, AND SIMILAR SINGLE-USE PLASTIC ITEMS IN  
131 WORKING TOWARD A CLEANER AND SAFER ENVIRONMENT, BEACH, AND OCEAN;  
132 AND PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND  
133 PROVIDING FOR AN EFFECTIVE DATE. Ms. Witt noted that this item came from the  
134 discussion held during the June meeting. Mayor Smith asked for public comments – Suzanne  
135 Scheiber, Dream Green Volusia, praised Council for its actions and noted that her agency has a  
136 list of businesses that participate in this venture. Mayor Smith closed public comments. Vice-  
137 Mayor Hoss suggested re-visiting this issue in six months to see what progress has been made.

138 Councilmember Paritsky moved to approve Resolution 2019-07 as presented; seconded by Vice-  
139 Mayor Hoss. The motion PASSED 5-0, with the following vote: Councilmember Paritsky - yes;  
140 Vice-Mayor Hoss - yes; Councilmember Perrone - yes; Councilmember Milano - yes; Mayor Smith  
141 - yes.

142

143 **12. OLD BUSINESS:**

144

145 **A. Consideration of Dean Maxwell’s request of Council to reauthorize a lien**  
146 **reduction for 4940 South Peninsula Drive.** Mr. Hooker noted that Mr. Maxwell missed the  
147 deadline date of June 25, 2019 due to personal health issues. He stated that Mr. Maxwell’s  
148 representative has provided the General Release and a cashier’s check payable to the town, which  
149 has been held while Council determines if an extension to the deadline is acceptable. Mayor Smith  
150 asked for public comments – hearing none – he closed public comments.

151

152 Councilmember Paritsky moved to extend the lien reduction grace period for 4940 S. Peninsula  
153 Drive from June 25, 2019, accept the \$124,500 cashier’s check along with the General Release,  
154 in exchange for the Town’s release of this lien; seconded by Vice-Mayor Hoss. The motion  
155 PASSED 5-0, consensus.

156

157 **13. NEW BUSINESS:**

158

159 **A. Discussion of regulations for recreational vehicles and related screening**  
160 **requirements.** Mr. Disher reviewed the current regulations and noted that these have been in effect  
161 since 2004. He stated that there have been concerns raised by residents regarding RVs and  
162 screening. Mayor Smith stated it appears that these regulations may need some revision but wanted  
163 to ensure that any revisions do not negatively affect one specific property. Vice-Mayor Hoss asked  
164 if there are limits on height of screening. Mr. Disher stated that it depends on placement and  
165 materials used, adding that hedges can be as high as eight feet. Councilmember Paritsky supported  
166 staff looking into the regulations. Mayor Smith opened public comment - Therese Crumley, 84  
167 Inlet Point Boulevard, stated her property was the one residents recently complained about and she  
168 and her husband have gone above everything the Town requested including planting several trees  
169 and shrubs in order to provide some screening of their RV, which is a classic AirStream that they  
170 refurbished. Mayor Smith closed public comment.

171

172 Council consensus was to request the Planning Department staff review current regulations  
173 regarding RV parking and screening requirements to determine if revisions are necessary.

174

175 **B. Discussion of participation in Monarch (Butterfly) City, USA.** Ms. Zengotita  
176 stated the Cultural Services Board recommended approval of the Town’s membership in the  
177 Monarch City, USA program and reviewed the criteria. Councilmember Perrone suggested a  
178 butterfly garden could be planted in one of the town’s parks. Ms. Witt stated planting a garden in  
179 any park except Pollard or at Town hall could be considered and budgeted accordingly. Vice-  
180 Mayor Hoss stated that nearly 80% of the Monarch population has been lost and recommended  
181 planting tropical milkweed to attract these beautiful butterflies. Ms. Zengotita confirmed that the  
182 Town is in the path of the Monarch butterflies’ migration route. Mayor Smith opened public  
183 comment - hearing none, he closed public comment.

184 Councilmember Paritsky moved to approve the town's membership in Monarch City, USA;  
185 seconded by Vice-Mayor Hoss. The motion PASSED 5-0, consensus.

186

187 **C. Appointment of voting delegate for the 2019 Florida League of Cities annual**  
188 **conference.** Mayor Smith opened public comment - hearing none, he closed public comment.

189

190 Mayor Smith appointed Councilmember Paritsky as the 2019 voting delegate for the Town at the  
191 2019 Florida League of Cities annual conference; seconded by Vice-Mayor Hoss. The motion  
192 PASSED 5-0, consensus.

193

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

195

196 A. Councilmember Paritsky, Seat #5 – Thanked the Police Chief for initiating  
197 compliance with the state law regarding fireworks.

198

199 B. Councilmember Perrone, Seat #4 – Reported that Volusia County Council has  
200 decided to fight for the funding of the Deland Sunrail station.

201

202 C. Vice-Mayor Hoss, Seat #3 – Suggested the Art Guild may want to participate in a  
203 friendly competition to bring awareness to the Monarch butterfly; she also expressed concern about  
204 some for-profit colleges and encouraged wariness of such.

205

206 D. Councilmember Milano, Seat #2 – Expressed support for the Sunrail project; stated  
207 his pleasure with how clean the beach was after the 4<sup>th</sup> of July holiday; reported that he has inquired  
208 if the First Step Shelter has the ability to piggy-back on State bids for equipment; stated the need  
209 for teaching life skills at the shelter; and that the shelter plans to open in November.

210

211 E. Mayor Smith, Seat #1 – Nothing to report.

212

213 **15. FROM THE TOWN MANAGER** – Referenced the Council Calendar and reiterated the  
214 two budget hearing dates.

215

216 **16. FROM THE TOWN ATTORNEY** – Stated the Charter Amendment for the Heritage  
217 Lands topic is ready for review and he will be sending it to Ms. Witt.

218

219 **17. ADJOURNMENT** - Mayor Smith adjourned the meeting at 7:31 p.m.

220

221 Respectfully submitted by:

222

223

224 \_\_\_\_\_  
224 Jeaneen Witt, CMC, Town Manager/Town Clerk

225 Peg Hunt, Board Secretary