



**Town of Ponce Inlet
Town Council
Regular Meeting Minutes
August 19, 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:

- Mr. Baker, Chief Building Official
- 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 Shepard, Town Attorney
- Ms. Witt, Town Manager

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA: Mayor Smith asked if there were any changes requested to the agenda; Ms. Witt requested the addition of agenda item 7-B, *Leave of Absence request from Planning Board Member*; Councilmember Milano requested agenda items 13-C and 13-D be deleted; Councilmember Israel indicated he intended to withdraw item 13-D; Councilmembers reiterated a concern of ambiguity of agenda items, when no support documents are provided by requestor.

Vice-Mayor Paritsky moved to adopt the Agenda as amended with addition of 7-B and removal of items 13-C and 13-D; seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

5. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:

A. Award recognition to Jim Hinson for his 16 years of service on the Code Enforcement Board. Mayor Smith read the inscription on the plaque, presented it to Mr. Hinson, and thanked Jim and MaryLou Hinson for their service to the community.

46 **B. Presentation from Chief of Police Jeff Glazier on Ponce Inlet’s police**
47 **department’s customer service.** Chief Glazier reviewed the process for reporting emergency and
48 non-emergency requests: in the event of an emergency, do not call the police department as they
49 are not equipped with dispatch capabilities - call 9-1-1; if requesting assistance in a non-emergency
50 matter, you can reach the administrative office of the Ponce Inlet Police Department from 8:30
51 a.m. to 4:30 p.m., Monday through Friday; if you call after hours, on weekends, or holidays, your
52 call is routed to the Volusia County Sheriff’s office non-emergency line. Councilmember Israel
53 stated he felt this information should be included in the welcome packet. Due to Council having
54 already formally approved the information for the welcome packet, Ms. Witt suggested a motion
55 be considered for additions to it.

56
57 Councilmember Israel moved to include this information in the welcome packet; seconded by Vice-
58 Mayor Paritsky. The motion passed 5-0, consensus.

59
60 Vice-Mayor Paritsky requested this information be placed on the town’s website; Ms. Witt stated
61 this information could be posted on the police department’s page.

62
63 Vice-Mayor Paritsky asked if Chief Glazier could provide an update on traffic enforcement during
64 the pandemic. Chief Glazier stated that his first priority is to keep officers safe, which means a
65 reduced exposure to the public; officers remain vigilant on S. Atlantic Avenue and S. Peninsula
66 Drive for speed enforcement but staffing levels have become lower at times due to illnesses. Vice-
67 Mayor Paritsky asked the Chief to explain how officers approach a suspicious person. Chief
68 Glazier stated that there are three levels of assessment upon which officers gauge their approach:
69 green - a consensual encounter; yellow - there is reasonable suspicion that a crime is going to be
70 committed; and red - there is probable cause for an arrest because a crime has been or is about to
71 be committed. Mayor Smith asked the Chief to explain the License Plate Readers. Chief Glazier
72 stated the LPRs are devices which read license plates and alert officers if a “flagged” vehicle is
73 detected, adding that it is a valuable tool. Mayor Smith noted that the town’s devices detect an
74 average of one “hit” per day.

75
76 **6. CONSENT AGENDA:** Mayor Smith asked if there was any item Council would like to
77 remove from the consent agenda or to discuss. Councilmember Israel requested Item 6-B be
78 removed for discussion; Ms. Witt stated that 6-B would become the new agenda item 13-C (the
79 agenda was re-numbered/re-lettered as appropriate); Councilmember Milano thanked the
80 organizers of the 5K event for abiding by CDC guidelines. Mayor Smith asked for public
81 comments – hearing none, he closed public comments.

82
83 **A. Approval of the Town Council special meeting minutes – July 15, 2021.**

84
85 ~~**B. Approval of the Town Council regular meeting minutes – July 15, 2021.**~~ *Moved*
86 *to agenda item 13-C.*

87
88 **C. Approval of the Town Council special meeting minutes - August 9, 2021.**

89
90 **D. Declaration of a 2007 Dodge Durango as surplus property to be disposed of**
91 **pursuant to Town policy.**

- 93 **E. Authorization for co-sponsorship request of the Lighthouse Loop Half**
94 **Marathon and 5K scheduled for October 23, 2021, for the purposes of using**
95 **the Town’s available means of advertising and for the waiver of the Town’s**
96 **special event permit fee; staff resources provided by the Town for event will**
97 **be paid for by event organizer.**
98

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

101
102 **7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
103 **MEETING:**

104
105 **A. Pedestrian and Vehicular Safety.**
106

107 **1. Presentation from LTG Engineering & Planning of their Intersection**
108 **Safety Study for South Peninsula Drive.** Crystal Mercedes of LTG provided a presentation on
109 the three South Peninsula Drive intersections that were studied: 1) Harbour Village Boulevard, 2)
110 Beach Street, and 3) Oceanway Drive. She stated the study included meetings with staff, field
111 review, and data collection, review, and analysis. She noted that there exists an acceptable vehicle
112 and pedestrian level of service, and there was no speed-related crash issue reflected in the data.
113 She noted that westbound traffic at Harbour Village Boulevard appears to perceive that S.
114 Peninsula Drive traffic stops and pulls out as if it is a four-way STOP; at Beach Street, the sight
115 distance on all approaches is relatively poor; and at Oceanway Drive, the sight distance on the
116 westbound approach is extremely poor. She noted that traffic south of Inlet Harbor Road was
117 observed travelling at speeds in excess of the 25-m.p.h. posted speed. She reviewed the company’s
118 recommendations for each intersection: 1) Harbour Village Boulevard - convert existing two-way
119 STOP to a four-way STOP; 2) Beach Street - relocate the existing southbound STOP line
120 southward to improve sight distance; 3) Oceanway Drive - relocate existing westbound STOP line
121 westward to improve sight distance; 4) Inlet Harbor Road to Oceanway Drive - install speed
122 cushions; 5) Inlet Harbor Road - install a gateway treatment at the intersection.
123

124 Council discussed existing conditions, LTG’s recommendations; creation of a 4-way STOP at
125 Harbour Village Blvd., relocating existing STOP lines, and relocation of certain speed limit and
126 warning signage. Councilmember Israel read a letter from Harvey & Connie Bach regarding
127 speeding on Beach Street and requesting traffic calming devices be installed on the entire length
128 of Beach Street. Mayor Smith referenced the Harbour Village Boulevard & S. Peninsula Drive
129 intersection and asked if the “thru lane” should be eliminated if this intersection becomes a 4-way
130 STOP. Ms. Mercedes stated they reviewed the intersection as it exists, if you eliminate a lane, you
131 need to consider reduced capacity and should discuss that with town planning staff. Vice-Mayor
132 Paritsky suggested postponing consideration of speed cushions due to pending sewer and sidewalk
133 projects; Councilmember Caswell agreed; and Ms. Witt noted there are many moving parts
134 involving those projects and the town is working with the TPO and the City of Port Orange. Mayor
135 Smith asked if the Council should formally accept the report and approve certain recommendations
136 for implementation. Ms. Witt stated, yes, and referenced the next staff report where the County
137 has offered at no cost to the town to design the South Peninsula Drive and Harbour Village
138 intersection for safety improvements at the same time that they are doing the South Atlantic

139 Avenue and Harbour Village intersection, so Council may wish to wait for that to be completed
140 before initiating a change at this intersection.

141

142 Mayor Smith opened public comment. Karen Rij, 49 Marie Drive, asked if speed cushions are used
143 anywhere locally; Ms. Mercedes stated they are used in Daytona Beach on Magnolia Avenue.
144 Councilmember Israel asked if the town could move the 30 m.p.h. signs near Harbour Village to
145 be parallel with each other and placed in the proper location, which led to a discussion regarding
146 where the speed limit changes and where signage should be placed. Ms. Witt clarified that the 30
147 m.p.h. zone starts at the Harbour Village Boulevard intersection and continues south to Inlet
148 Harbor Road. Jeff Wilner, 4670 Links Village Drive, B-102, stated the elimination of the thru lane
149 is a good idea but would take longer to complete and be expensive, he suggested that the four-way
150 STOP be implemented as soon as possible due to numerous close calls and agreed that the speed
151 limit signs should be relocated. Mayor Smith closed public comment.

152

153 Ms. Witt clarified with Ms. Mercedes that LTG’s recommendation to add two additional STOP
154 signs at the Harbour Village Boulevard/S. Peninsula Drive intersection (creating a four-way
155 STOP) would be acceptable without the need for additional design; Ms. Mercedes stated, “in terms
156 of adding a four-way STOP to the existing conditions, yes”, that is acceptable.

157

158 Councilmember Israel moved to accept the recommendations of the LTG report and to implement
159 the following: 1) Convert the S. Peninsula Drive/Harbour Village Boulevard intersection to a four-
160 way STOP; 2) Move the existing southbound STOP-line at the S. Peninsula Drive/Beach Street
161 intersection 20 feet to the south to improve sight distance; 3) Move the existing westbound STOP-
162 line at the S. Peninsula Drive/Ocean Way Drive intersection 10 feet to the west to improve sight
163 distance and 4) relocate the 30 mph speed limit sign and warning sign further north in the
164 southbound-facing lane on S. Peninsula Drive; seconded by Councilmember Milano. The motion
165 PASSED 5-0, consensus.

166

167 **2. Update on crosswalk project requests with Volusia County.** Ms. Witt
168 reported that staff has met with Volusia County representatives regarding pedestrian safety in the
169 area of the 7-11 and at the north-end of the four-lane roadway of South Atlantic Avenue; the
170 County has examined these areas and supports to town’s desire to improve safety and is working
171 with staff to find the best solutions; the joint project agreement (JPA) has been prepared (as
172 indicated in 7-A-3) and the County is studying greater improvements for the crosswalk at the 7-
173 11; she has spoken with the County about collaborating on the design to see if they would consider
174 assisting the town with the Harbour Village Boulevard/S. Peninsula Drive design, and the County
175 has been amenable to including that at no cost to the town; she encouraged Council to authorize
176 staff to continue working with Volusia County for traffic safety improvements and pedestrian
177 crossing improvements, and to approve the JPA for the pedestrian signal at the crosswalk on the
178 north-end of the four-lane section of South Atlantic Avenue. Councilmember Israel asked what it
179 would cost to paint/re-stripe the intersection. Ms. Witt stated the thermoplastic was done a couple
180 of years ago; but changing the configuration of the lanes would require a traffic engineer; she noted
181 that staff could obtain quotes to re-stripe the intersections as they exist, and any recommended
182 improvements directed by Council would be done as soon as practical.

183

184 Mayor Smith opened public comments - hearing none, he closed public comments.

185

186 Vice-Mayor Paritsky moved to authorize staff to continue to work with Volusia County for traffic
187 safety improvements and pedestrian crossing improvements in the areas of the South Atlantic
188 Avenue and Harbour Village Boulevard and at South Peninsula Drive and Harbour Village
189 Boulevard; seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

190
191 **3. Joint project agreement with Volusia County for a pedestrian signal at**
192 **the crosswalk on the north end of the four-lane portion of the roadway.** Discussed in 7-A-2.

193
194 Vice-Mayor Paritsky moved to approve the joint project agreement with Volusia County for a
195 pedestrian signal at the north end of the four-lane portion of South Atlantic Avenue; seconded by
196 Councilmember Caswell. The motion PASSED 5-0, consensus.

197
198 **B. Request for Leave of Absence for Planning Board member.** Ms. Witt stated Les
199 Thompson has requested a leave of absence for the August, September, and October Planning
200 Board meetings; she noted his membership and attendance records. Mayor Smith asked if there
201 would be an Alternate member available; Ms. Witt confirmed.

202
203 Mayor Smith opened public comments - hearing none, he closed public comments.

204
205 Mayor Smith moved to approve the Leave of Absence request of Les Thompson for the months of
206 August, September, and October 2021; seconded by Councilmember Caswell. The motion
207 PASSED 5-0, consensus.

208
209 **8. PUBLIC HEARINGS / QUASI-JUDICIAL: None.**

210
211 **9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS: None.**

212
213 **10. CITIZENS' PARTICIPATION:** Mayor Smith opened citizen's participation. Jim
214 Hinson, 4745 S. Atlantic Avenue, stated the Ponce Inlet Veterans Association has scheduled its
215 Veterans Day Ceremony for November 11th, the Christmas parade is scheduled for December 4th,
216 and all participants will be required to follow CDC guidelines during events. Mayor Smith noted
217 this will be the 10th anniversary of the dedication of the Ponce Inlet Veterans Memorial; Ms. Witt
218 added that these are outdoor events and noted the September 11th ceremony has been scheduled on
219 Saturday, September 11th at 8:45 a.m. at the fire station.

220
221 Stacey Bell, 119 Marie Drive, thanked Council for their commitment to the community; she
222 expressed her sadness with the termination of Derek George and Kyle Oberst from the fire
223 department; she suggested that everyone who reads the reports, does so with their "eyes wide
224 open"; some information from the town seems "filtered"; if the issues for which they have been
225 terminated are true, there are supervisors and managers that should also be held accountable; these
226 two employees served the town honorably and she appreciates their service.

227
228 Jeff Wilner, 4670 Links Village Drive, B-102, stated he has spoken with Councilmembers Milano
229 and Israel about the South Peninsula Drive sidewalk project and asked if e-bikes are allowed on
230 the beach, and if not, are they allowed on the sidewalks? Mayor Smith stated staff is currently
231 researching this; Ms. Witt stated this item with a proposed ordinance to establish regulations will
232 be discussed at the August 24th Planning Board meeting; she stated the Town is #3 on the TPO

233 federal funding list for sidewalk improvements, so we are guaranteed funding for this project over
234 the next 5 years. Mayor Smith closed public comment.

235

236 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:** None.

237

238 **12. OLD BUSINESS:** None.

239

240 **13. NEW BUSINESS:**

241

242 **A. Contractor selection for the Ponce Inlet Community Center Restroom**
243 **Renovation project.** Mr. Baker stated that four bids were received for this project and Parthy,
244 LLC submitted the lowest responsible bid; some items were misstated or omitted in error from the
245 bid and have since been resolved; and a contract would be executed prior to commencement of
246 work. Councilmember Milano stated he could not support the project due to the reduction in the
247 number of fixtures; he stated that events will pick-up again and during past events people had to
248 stand in line to use the restrooms, we should not get less than we currently have. Councilmember
249 Israel stated the restrooms need to be updated and standing in line is not unusual. Discussion
250 continued regarding ADA-compliance. Mr. Baker noted that the reduction of one toilet in each
251 restroom was necessary in order to meet ADA requirements; to obtain full ADA-compliance
252 requires engineering and reconfiguration of the restrooms. He added that one restroom would
253 remain unisex during construction. Mark Oebbecke, PICCI VP, concurred that the reduction in
254 fixtures was necessary to bring the restrooms into ADA-compliance. Mr. Yousef, Parthy, LLC
255 stated each restroom is expected to take six to eight weeks for completion; all materials would be
256 ordered and delivered prior to start of the project. Councilmember Israel asked if the Center would
257 be closed during construction. Pete Finch, PICCI President, stated the Center would not be closed
258 during construction because reservations (mostly weekends) have been made and deposits have
259 been accepted. Mr. Yousef stated he would work with the Center to coordinate schedules; the cost
260 would not change after the contract is executed; he has three employees, uses subcontractors; and
261 a project manager will be assigned to this project, so there should be no delays.

262

263 Councilmember Israel moved to award the Ponce Inlet Community Center Restroom Renovation
264 Project to Parthy, LLC as the lowest responsible bidder, and authorized staff to execute a contract
265 with Parthy, LLC for completion of the project; and acknowledged A.G. Pifer Construction
266 Company, Inc. as the second lowest bidder so that staff may readily move on to them if necessary;
267 seconded by Councilmember Caswell. The motion PASSED 4-1, with the following vote:
268 Councilmember Israel - yes; Council Caswell - yes; Councilmember Milano - no; Mayor Smith -
269 yes; Vice-Mayor Paritsky - yes.

270

271 **B. Statewide Mutual Aid Agreement.** Chief Scales stated that this Agreement has
272 been updated by the Florida Division of Emergency Management and provided to all counties and
273 municipalities to ensure each is using the most current version; he requested Council accept the
274 Agreement as presented.

275

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

277

278 Vice-Mayor Paritsky moved to authorize the Town's execution of the Statewide Mutual Aid
279 Agreement; seconded by Councilmember Caswell. The motion PASSED 5-0, consensus.

280 **C. Approval of the Town Council regular meeting minutes - July 15, 2021.**
281 Councilmember Israel referenced item 7-C, line 84 and requested that a statement be added
282 showing that Attorney Mandel agreed verbally to hold his rates for three years; and wants the
283 minutes to reflect exactly what he says. Ms. Witt stated the town does not prepare verbatim
284 minutes, but if Council wishes to amend, they should provide that direction. Councilmember
285 Caswell stated there was no value of adding something such as this; Councilmember Israel stated
286 that it could become a legal issue and if something happens to the audio, the only record of the
287 minutes is the written form. Mayor Smith noted that negotiating from the dais, which is improper,
288 should not be memorialized. Councilmember Israel stated his desire to have verbatim minutes and
289 suggested a stenographer be contracted to prepare the minutes due to the amount of work involved.
290 Mayor Smith stated that is not a discussion for this agenda - this discussion is regarding the
291 approval of the July 15, 2021 regular meeting minutes.

292

293 Mayor Smith opened public comment - hearing none, he closed public comment.

294

295 Vice-Mayor Paritsky moved to approve the July 15, 2021 Town Council regular meeting minutes
296 as presented; seconded by Councilmember Caswell. The motion PASSED 4-1, with the following
297 vote: Vice-Mayor Paritsky - yes; Councilmember Caswell - yes; Mayor Smith - yes;
298 Councilmember Milano - yes; Councilmember Israel - no.

299

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

301

302 **A. Vice-Mayor Paritsky, Seat #5** – Referenced Daytona Beach Police Officer Jayson
303 Raynor loss of his life after sustaining a gunshot wound in the line of duty, adding his death serves
304 as a reminder of the dedication and sacrifice our police officers and first responders contend with
305 while keeping the rest of us safe and encouraged everyone to take a moment to thank them; she
306 congratulated Councilmember Elizabeth Caswell and thanked her for serving the community;
307 stated she attended the Florida League of Cities annual conference and would provide a report for
308 the September meeting, adding that she met with the Town Manager to discuss some of the issues
309 which would have direct impacts at the local level (for example, the removal by FPL of the
310 decommissioned FPL utility poles); she stated her interest in holding quarterly Town Meetings at
311 the Community Center, with all five Councilmembers participating, and would place this item on
312 the September agenda for discussion; she stated her plans to add another agenda item to the
313 September agenda - the review of Resolution 2017-08, Town Council Rules of Order; she reported
314 that the Volusia County Legislative Delegation (including state senators and representatives from
315 Volusia County) are scheduled to meet on October 6th to hear the concerns and requests of
316 individuals, municipalities and organizations, and she would again present our request that they
317 honor Home Rule (specifically regarding short term rental regulations and tree preservation); she
318 stated her appreciation for the community and thanked the volunteers who serve on the town's
319 boards and events.

320

321 **B. Councilmember Israel, Seat #4** – Asked Attorney Shepard when the Charter
322 Amendment goes into effect, Attorney Shepard stated immediately; Councilmember Israel stated
323 he had questions about the background check policy and requested Chief Glazier approach the
324 podium; Ms. Witt stated that is up to Council but normally the question is directed to her and if
325 she cannot answer, she will ask staff; Councilmember Israel asked Ms. Witt what type of
326 background check is done on a volunteer; Ms. Witt stated that the town looks at criminal records,

327 drivers' licenses, and active warrants; Councilmember Israel asked if this is a statewide or
328 nationwide search; Ms. Witt stated that she believes this is national but inquired if Chief Glazier
329 would like to respond; Mayor Smith suggested Councilmember Israel could speak with Chief
330 Glazier separately for these specifics; Councilmember Israel stated that he wasn't sure he was
331 allowed to; Ms. Witt clarified that Councilmembers are always allowed to ask questions of staff,
332 just not allowed to direct staff.

333
334 **C. Councilmember Caswell, Seat #3** – Congratulated Mayor-elect Lois Paritsky and
335 thanked the two candidates who ran during the election, thanked the voters for participating; and
336 stated her support of quarterly Council meetings at the Community Center.

337
338 **D. Councilmember Milano, Seat #2** – Expressed his condolences on the passing of
339 Officer Raynor; congratulated Lois and Elizabeth; thanked Mike Disher, Hank Baker, and David
340 Hooker for their assistance in appropriately directing him to Volusia County Roads & Streets for
341 the flooding issue caused by new construction and roadway runoff near his development; reported
342 that the First Step Shelter has assisted over 296 guests since opening in December 2019 and 90
343 guests are in permanent housing and employed, the average stay at the shelter is 61.86 days; he
344 stated that he continues to wear a mask as it makes him comfortable and encouraged everyone to
345 be smart and safe.

346
347 **E. Mayor Smith, Seat #1** – Stated that a main issue surrounding the election was
348 ambulance transports and the town's agreement with Volusia County, and there is resounding
349 support of staying in the existing transport program with the County, adding that the president of
350 the fire union agreed with this at the January 2021 meeting; we take care of our people and help
351 each other, and we will continue to participate as it is the best solution for all of us.

352
353 **15. FROM THE TOWN MANAGER** – Ms. Witt noted the resiliency study survey has been
354 posted on the town's website, Facebook page, and emailed to all subscribers, the goal is to obtain
355 320 responses and we are approximately 70 short, she encouraged everyone to participate; she
356 announced the first reading of the tentative millage & budget is scheduled on September 9th @ 6
357 p.m. and the regular meeting for September has been moved to Wednesday, September 22nd and
358 will include the final millage & budget adoption.

359
360 **16. FROM THE TOWN ATTORNEY** – Attorney Shepard stated he had nothing to report.

361
362 **17. ADJOURNMENT** - Mayor Smith adjourned the meeting at 8:05 P.M.

363
364 Respectfully submitted by:

365
366
367
368 _____
369 Jeaneen Witt, CMC, Town Manager/Town Clerk
Prepared by: Peg Hunt, Assistant Deputy Clerk