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Town of Ponce Inlet

Town Council Regular Meeting Minutes

October 17, 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, Planning & Development

Chief Fabrizio, Police Chief

Mr. Gunter, Public Works Manager

Ms. Hugler, Administrative Assistant

Mr. Joulani, Director, Planning & Development

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 requested the addition of item 7-A, Pollard Park project update; 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:**

A. Proclamation declaring October 21 - 27, 2019 as Florida City Government Week - Mayor Smith read the proclamation declaring October 21 - 27, 2019 as Florida City Government Week.

6. **CONSENT AGENDA:** Councilmember Milano read item 6-F, *Ratification of a date change of the November regular meeting of the Town Council from November 21, 2019 to November 14, 2019* into the record for the benefit of those who were not present. Mayor Smith asked for public comments – hearing none, he closed public comments.

- 47 A. Approval of the Town Council special meeting minutes – September 12, 2019.
- 48
- 49 B. Approval of the Town Council regular meeting minutes – September 19, 2019.
- 50
- 51 C. Approval of the purchase of a 2020 Dodge Durango police vehicle via the Florida
- 52 Sheriff’s Association State Contract pricing (\$31,347) plus the purchase of all
- 53 police equipment needed for the vehicle (\$14,046) for a total cost of \$45,394, as
- 54 provided in the FY 19/20 budget.
- 55
- 56 D. Approval of the purchase of a 2020 Ford F-250 4x4 Extended Cab with
- 57 Hemispheric Safety Lighting at a cost of \$35,191, as provided for in the FY 19/20
- 58 budget; and authorization to declare a 2008 Ford F-150 as surplus property enabling
- 59 the sale thereof.
- 60
- 61 E. Request for co-sponsorship of *Wildlife Fest* (formerly called *Wings on the Wind*)
- 62 scheduled for November 9, 2019; their co-sponsorship request is for the use of the
- 63 Town’s means of advertising to include publication on the Town’s website, social
- 64 media and water bills; the placement of signs on the Town Hall property; waiver of
- 65 the special event permit fee (\$150) and waiver of the amplified sound permit fee
- 66 (\$50); Closure of the boat ramp to allow use of the boat trailer parking lot for event
- 67 parking; Event organizers will be responsible for the cost of off-duty Police
- 68 services.
- 69
- 70 F. Ratification of a date change of the November regular meeting of the Town Council
- 71 from November 21, 2019 to November 14, 2019.
- 72

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

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

78
79 A. Pollard Park Construction update - Mr. Saboungi, Saboungi Construction reported
80 that unforeseen issues arose during the open cut portion of the roadway work with the well-points,
81 layers of clay and asphalt, and other issues, which resulted in the roadway being closed longer than
82 anticipated. He stated the issues have been resolved and the road should be re-opened tomorrow
83 (Friday, October 18th) after the paving is completed. Councilmembers discussed the issues raised
84 by Mr. Giannini, PE (Mead and Hunt), Town Engineer about work done by Saboungi that was not
85 inspected nor tested (compacted) as required (as they had performed work on a Saturday) and
86 questioned Mr. Saboungi in detail. Mr. Saboungi assured Council that the saturated earth was
87 vibrated to readings between 98 and 102 compaction. Mr. Saboungi stated that if the road sinks ½
88 an inch, the engineer is requesting the roadway be excavated. Mayor Smith clarified that if the
89 roadway “settles”, it is compacting itself and the remedy would be to put asphalt onto the area that
90 settles. Mr. Saboungi provided an update to the project: the restroom building is 1½ months ahead
91 of schedule and the racquetball court is about 1 month ahead of schedule; he explained that the
92 park flooded during recent heavy rains, the surveyors are installing more stakes, and the Town can
93 expect to see increased construction activity and progress in the park starting next week.

94 Council requested the Town Attorney draft a three-year warranty agreement to cover any possible
95 issues caused by the sewer line as it effects the roadway construction work performed on South
96 Peninsula Drive in front of Pollard Park (because the work performed was not inspected as
97 required per contract).

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

100
101 **9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:**

102
103 A. Cultural Services, Historic Preservation, and Tree Advisory Board Membership
104 change. Ms. Witt noted that the ordinance will eliminate seat #6, and seat #1 is
105 currently vacant, therefore it is staff's recommendation that Ms. LaBarre be moved
106 to seat #1.

107
108 1. Authorization to move the member serving in Seat #6 to Seat #1. Mayor
109 Smith asked for public comments – hearing none – he closed public comments.

110
111 Councilmember Paritsky moved to authorize moving Ms. LaBarre from Seat #6 to Seat #1;
112 seconded by Vice-Mayor Hoss. The motion PASSED 5-0, consensus.

113
114 2. Second reading / adoption of Ordinance 2019-06, amending the number of
115 regular members on the Cultural Services, Historic Preservation, and Tree Advisory Board from
116 seven regular members to five regular members. Attorney Shepard read the Ordinance by title
117 only. AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET,
118 FLORIDA, AMENDING ARTICLE 6 OF THE LAND USE AND DEVELOPMENT CODE
119 REGARDING MEMBERSHIP AND MEMBERSHIP TERMS OF OFFICE OF THE
120 CULTURAL SERVICES, HISTORIC PRESERVATION, AND TREE ADVISORY BOARD;
121 PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE
122 DATE. Ms. Witt confirmed that this is for second reading, reducing the number of regular
123 members from seven to five. Mayor Smith asked for public comments – hearing none – he closed
124 public comments.

125
126 Councilmember Paritsky moved to approve and adopt Ordinance 2019-06; seconded by Vice-
127 Mayor Hoss. The motion PASSED with the following vote: Councilmember Paritsky - yes; Vice-
128 Mayor Hoss - yes; Councilmember Perrone - yes; Councilmember Milano - yes; Mayor Smith -
129 yes.

130
131 3. Approval of amended by-laws for the Board. Ms. Witt noted that the
132 proposed revisions reflect changes as approved tonight. Mayor Smith asked for public comments
133 – hearing none – he closed public comments.

134
135 Councilmember Paritsky moved to approve the amended by-laws, pursuant to Ordinance 2019-
136 06, as presented; seconded by Vice-Mayor Hoss. The motion PASSED 5-0, consensus.

137
138 **10. CITIZENS' PARTICIPATION:** Mayor Smith opened public participation - hearing
139 none, he closed public participation.

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

142

143 **12. OLD BUSINESS:** None.

144

145 **13. NEW BUSINESS:** None.

146

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

148

149 A. Councilmember Paritsky, Seat #5 – Reported she will be leaving Sunday to attend
150 the Summit on Flood & Sea Level Rise in Washington, DC.

151

152 B. Councilmember Perrone, Seat #4 – Stated there is an opening for a representative
153 on the River 2 Sea, TPO; thanked County Councilwoman Billie Wheeler for her support of the
154 beach (racing) legends parade; referred to a letter and emails he received from residents and asked
155 Ms. Hoss if she was interested in continuing to serve as Vice-Mayor. Ms. Hoss stated she was not
156 sure how to answer that; she stated that is Council’s decision. Mr. Perrone expanded on the topic
157 and noted that several residents sent emails and letters which seemed to disparage the current Vice-
158 Mayor; and he read excerpts from his response to one of the letters and provided a copy to Council
159 and the Town for the record.

160

161 C. Vice-Mayor Hoss, Seat #3 – expressed her appreciation for the joint meeting they
162 had earlier that day with the planning board, feeling they had accomplished a lot, and stressed the
163 importance of working with the advisory boards.

164

165 D. Councilmember Milano, Seat #2 – Reported that the First Step Shelter has selected
166 an Executive Director; invitations will be going out soon for the grand opening on December 11th
167 and gave a status update; stated that each municipality must have a *safe zone* (referring to the
168 Pottinger Law); and is confident that the Shelter will make a difference in Volusia County.

169

170 E. Mayor Smith, Seat #1 – Reminded everyone of the Veterans Day ceremony on
171 November 11th at 10:00 AM and that Congressman Michael Waltz will be the guest speaker.

172

173 **15. FROM THE TOWN MANAGER** – Ms. Witt stated that she will be out of the office
174 attending a conference beginning on October 18th and returning on October 28th; she referenced
175 the Council Calendar and reminded everyone that the November and December regular meetings
176 have been changed to the **second** Thursday respectively.

177

178 **16. FROM THE TOWN ATTORNEY** – Nothing to report.

179

180 **17. ADJOURNMENT** - Mayor Smith adjourned the meeting at 7:05 p.m.

181

182 Respectfully submitted by:

183

184

185 _____
Jeaneen Witt, CMC, Town Manager/Town Clerk

186 Peg Hunt, Board Secretary