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**Town of Ponce Inlet  
Town Council  
Regular Meeting Minutes  
July 16, 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 (attended virtually via Zoom technology)

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. Frazier, Senior Planner

Ms. French, Cultural Services Manager

Mr. Glazier, Police Chief

Ms. Hugler, Administrative Assistant

Mr. Miller, Interim Public Works Manager

Mr. Scales, Fire Chief

Mr. Shepard, Town Attorney – attended virtually via Zoom technology

Mr. Walker, Police Lieutenant

Ms. Witt, Town Manager

4. **ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA:** Ms. Witt stated there were no changes. While there was no motion made to adopt the agenda, it was presumed adopted as presented with no modification requested.

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

6. **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 – hearing none – he closed public comments.

A. **Approval of the Town Council regular meeting minutes – June 18, 2020.**

B. **Approval of agreement with Matthew & Philip Dvorak to allow for 10 of the parking spaces required for 4936 South Peninsula Drive to be accommodated**

46 at 4958 South Peninsula Drive; approval would be subject to the 2 conditions  
47 outlined in the staff report dated July 8, 2020.  
48

49 Councilmember Paritsky moved to approve the Consent Agenda as presented, seconded by Vice-  
50 Mayor Hoss. The motion PASSED 5-0, consensus.  
51

52 **7. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**  
53 **MEETING:**

54  
55 **A. Items related to COVID-19:**  
56

57 **1. Presentation from Holly Smith, Communications**  
58 **Manager/Government Liaison with the Florida Department of Health.** Ms. Smith provided a  
59 summary of the Covid-19 virus, noting that there are 4,572 cases in Volusia County, it is  
60 community spread, and has a 14-day incubation period. She urged everyone to mask up, back up,  
61 and wash up. She reviewed the term "asymptomatic", adding that these people have no or very  
62 minor symptoms. She reviewed the CDC guidelines and close contact transmission. Mayor Smith  
63 opened public comment - Jim Hinson, 4745 S. Atlantic Avenue asked if face shields should be  
64 used. Ms. Smith reiterated that CDC guidelines recommends cloth face coverings or face masks;  
65 not shields in lieu of these. James Barrow, 88 Buschman Drive shared information about how the  
66 Japanese greet each other: they bow and do not touch one another; they wear masks, even with the  
67 common cold, to prevent transmission to others. He reviewed the current statistics of this virus and  
68 urged everyone to be courteous to each other and take the precautions.  
69

70 Leading into the next agenda item, Ms. Hugler read a comment from Mickey Longcar, 4590 S.  
71 Atlantic Avenue, #151 - he stated that the numbers represent human lives; would like to be able to  
72 enjoy a meal at the restaurants, but there are not enough masks being worn; and supports requiring  
73 mandatory masks. Ms. Witt read emails of support for mandatory masks from Jim & Mary Lou  
74 Hinson, Julie Davis, and Michelle Rance; and an email from Rhonda Glasnak, on behalf of PIBA,  
75 raising concerns about mandating mask use (Attachments 1, a-d). Mayor Smith closed public  
76 comments. Councilmember Perrone asked if this item was discussed by the County Council. Ms.  
77 Witt stated she was unaware of this item being on a County agenda. Mayor Smith noted that  
78 Chairman Kelley stated it has not been on an agenda because Sheriff Chitwood has stated that it  
79 cannot be enforced.  
80

81 **2. Consideration of Emergency Ordinance 2020-07, mandating the use of**  
82 **face masks when in certain indoor areas.** Attorney Shepard read the ordinance by title only. AN  
83 EMERGENCY ORDINANCE OF THE TOWN OF PONCE INLET, FLORIDA REQUIRING  
84 FACE COVERINGS FOR INDOOR LOCATIONS IN ORDER TO CONTROL THE SPREAD  
85 OF COVID-19; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR  
86 SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION;  
87 PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE. Mayor Smith  
88 noted that Daytona Beach, Deland, Orange City, and New Smyrna Beach have all instituted mask  
89 mandates; some successfully. He noted that it would be complaint-driven, and enforcement could  
90 be problematic and cautioned about making this "mandatory". Councilmember Perrone asked if  
91 the town could be sued for mandating masks. Attorney Shepard stated that this ordinance was

92 written to respect constitutional rights; but there is always the possibility of a lawsuit. He  
93 recommended that Council determine the best policy for the community. Vice-Mayor Hoss asked  
94 the audience if they would be willing to wear a mask voluntarily when entering a business or town  
95 hall. She noted that when "mandated", human nature is to rebel; she suggested that everyone  
96 cooperate and do this voluntarily to slow the spread of this deadly virus. Councilmember Milano  
97 noted his support of mandating masks based on personal experience and encouraged everyone to  
98 work together. Ms. Witt reported that the town has offered to purchase the signage for any town  
99 businesses to promote the "mask up, back up, and wash up" program; several have expressed  
100 support for this campaign, and we've ordered them. Mayor Smith expressed concerns of mandating  
101 masks and suggested strongly encouraging the use of masks instead. Councilmember Perrone  
102 noted that we have control over town buildings and asked if we can provide the masks. Ms. Witt  
103 stated that if we have sufficient masks available, yes; she added that staff has gotten very good at  
104 providing services virtually as well and after being closed for about a month, we learned that few  
105 really need to come inside for service. Councilmember Paritsky noted that the "Whereas" clauses  
106 outline the premise for which Council can act, to protect the health, safety, and welfare of the  
107 residents. She stated that this ordinance meets the intent of Council's responsibility to protect the  
108 community. Mayor Smith opened public comment: Pete Finch, 105 Rains Court asked what  
109 "certain indoor areas" means. Attorney Shepard responded that it applies to business  
110 establishments and lodging establishments as defined in Section 2 of the ordinance. Mr. Finch  
111 asked if this would apply to all restaurants and the 7-11. Attorney Shepard read the definition. Mr.  
112 Finch expressed concerns of the town directing privately-owned businesses how to conduct  
113 business; adding that it should be up to each business to require their patrons to wear masks. He  
114 provided a personal experience and added that he will not patronize a business that does not use  
115 the guidelines. Mayor Smith referenced the Daytona Beach ordinance, and asked if the hallways,  
116 lobbies, and common areas of a condominium would be subject to this and is it "reasonable".  
117 Attorney Shepard stated yes, it is reasonable. He added that the restaurants should be able to set  
118 their own rules; he reminded everyone of the Florida Indoor Clean Air Act - which was mandated  
119 by the State, to eliminate smoking in restaurants. He noted that this is new to all of us, it can be  
120 done, and is in the best interest of the health, safety, and welfare of the public. Mark Oebbecke,  
121 4758 S. Peninsula Drive stated mandating masks places an unfair burden on employees of those  
122 businesses to enforce; however social distancing should be enforced. Judy DiCarlo, 32 Caribbean  
123 Way noted that Council has a tough job; she noted that the Coastal Grill requires masks upon entry,  
124 while in the establishment, and requires everyone to wash their hands. She stated it is a matter of  
125 choice. Mayor Smith noted that the town's restaurants are fortunate in that each has outdoor  
126 seating, which helps. He reported that the number of cases in Ponce Inlet is eight. Ms. Witt  
127 reviewed the current countywide municipal employee stats, noting that no town employees have  
128 reported contracting the virus; she reported the internal regulations that have been implemented  
129 within the town facilities regarding mask use. Ms. Hugler read the following public comments:  
130 Mickey Longcar, 4590 S. Atlantic Avenue, #151 stated his concerns with restaurants not requiring  
131 masks. Mayor Smith closed public comment. Council discussed a motion; it was noted that  
132 because this is an Emergency Ordinance, it requires four out of five affirmative votes to pass.

133  
134 Councilmember Paritsky moved to approve Emergency Ordinance 2020-07 as presented,  
135 seconded by Councilmember Milano. The motion FAILED 3-2, with the following vote:  
136 Councilmember Paritsky - yes; Councilmember Milano - yes; Vice-Mayor Hoss - yes; Mayor Smith  
137 - no; Councilmember Perrone - no.

138 Ms. Witt clarified that if Council wishes to give specific direction on the change of the title from  
139 an ordinance to a resolution and eliminating the penalties, etc., then we can pass that tonight; or  
140 we can bring a new resolution; or we can prepare a proclamation. Mayor Smith stated he wanted  
141 it to be strongly worded and all agreed that this needed to be done tonight.

142  
143 Mayor Smith moved to approve a resolution strongly urging the use of face coverings for indoor  
144 locations and removing all references to "mandatory" and removing "penalties"; seconded by  
145 Councilmember Milano. The motion PASSED 4-1, with the following vote: Mayor Smith yes;  
146 Councilmember Milano - yes; Vice-Mayor Hoss - yes; Councilmember Paritsky - no;  
147 Councilmember Perrone - yes.

148  
149 **3. Consideration of a request to co-sponsorship a t-shirt sales program to**  
150 **support mask use from the Ponce Inlet Community Center, Inc (PICCI),** for the purpose of  
151 advertising via the Town's website and Facebook page. Pete Finch, 106 Rains Drive and PICCI  
152 President, stated that due to COVID-19, the Center is unable to hold fundraisers. He asked for the  
153 town's assistance with advertising the t-shirts for sale. Councilmember Milano asked how the shirts  
154 are delivered or obtained. Mr. Finch stated that residents may stop by the Center and order the  
155 shirts and once there is a sufficient order, the order will be placed with the vendor. Mayor Smith  
156 stated it was a creative idea and expressed his support. Councilmember Perrone suggested they  
157 contact the Lighthouse Gift Shop too. Mayor Smith opened public comment - hearing none, he  
158 closed public comment.

159  
160 Councilmember Paritsky moved to approve the request for co-sponsorship of t-shirt sales from the  
161 Ponce Inlet Community Center for the purpose of advertising via the Town's website and Facebook  
162 page; seconded by Vice-Mayor Hoss. The motion PASSED 5-0, consensus.

163  
164 **B. Update on Ponce de Leon Circle septic-to-sewer project and request for**  
165 **approval of professional services proposal for bidding and construction oversight.** Ms. Witt  
166 provided a summary of this project and noted that the Town has been awarded a 34% grant match  
167 from the St. John's River Water Management District. She added that the City of Port Orange is  
168 amenable to cost sharing via Interlocal Agreement for this project. She stated that the City of Port  
169 Orange has paid for the project design at a cost of approximately \$200,000 so that the project could  
170 be considered shovel-ready for a grant application. The Town submitted the grant application and  
171 would be responsible for the bidding and construction oversight of this project. Ms. Witt reported  
172 that Mead & Hunt, the Town's Engineering firm, has provided a scope of services proposal for  
173 these activities in the amount of \$78,300. She noted that Brad Blais is present on behalf of Mead  
174 & Hunt to answer any questions. Mr. Blais stated that after the Interlocal Agreement is executed,  
175 the bids for this project would be posted, and construction is expected to last approximately nine  
176 months. Councilmember Perrone asked if there was assistance available to help residents with  
177 costs associated with connection fees. Mr. Blais stated that there are 319-H grants available  
178 through the DPH, but if the project is already "funded", assistance is unlikely. Ms. Witt stated the  
179 Connection Fee, which will be waived by the City of Port Orange if connection is made within the  
180 first year of availability, is \$1,400; the Impact Fee is \$1,868 and Port Orange cannot waive this  
181 fee, but they are not enforcing mandatory hookup either; simply aiming to incentivize it. She noted  
182 that the neighborhood has researched plumbing costs, and these vary a bit based upon locations of  
183 each property's existing septic system. Mayor Smith explained that in his experience, the

184 neighborhood will hire one plumber to do everyone's work for a reduced cost. Mayor Smith  
185 opened public comment - hearing none, he closed public comment.

186  
187 Councilmember Paritsky moved to approve the scope of services fee estimate in the amount of  
188 \$78,300 for the bidding and construction oversight of a gravity sewer line for Ponce de Leon  
189 Circle as presented by Mead & Hunt; seconded by Vice-Mayor Hoss. The motion PASSED 5-0,  
190 with the following vote: Councilmember Paritsky - yes; Vice-Mayor Hoss - yes; Mayor Smith -  
191 yes; Councilmember Milano - yes; Councilmember Perrone - yes.

192

193 **8. PUBLIC HEARINGS / QUASI-JUDICIAL:** None.

194

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

196

197 **10. CITIZENS' PARTICIPATION:** Mayor Smith opened citizen's participation. James  
198 Barrow, 88 Buschman Drive thanked Council for its work with many difficult topics and reminded  
199 everyone that *listening* and *talking* have been an effective way to get things done. He noted that it  
200 is election time, and that you cannot please all the people all of time, and that Councilmembers are  
201 not "entitled" to sit in that seat forever. He stated that the residents received a letter from the  
202 firefighters, and he thanked Mayor Smith for addressing that issue. He expressed concerns that the  
203 Council refused to meet with the Fire Union Representatives. Mayor Smith stated he met with  
204 Derek George, Union President for a two-hour session; Councilmember Paritsky noted that she  
205 accepted an invitation from Lt. George and provided three available dates, to which she did not  
206 receive a response. Mayor Smith noted that when negotiations are ongoing, which Council does  
207 not participate in, it is inappropriate to meet with the union representatives. Attorney Shepard  
208 concurred, adding that the negotiation sessions are secret until the negotiations are finalized.  
209 Mayor Smith noted that communication is a two-way street and this Town goes above and beyond  
210 in its attempts to inform the public on all matters by email notifications, website postings, and  
211 Facebook. Councilmember Milano added that the marquis at PICCI advertises events as well.  
212 Michael Lang, 4366 S. Atlantic Avenue reported that beginning in late July or early August, berry  
213 pickers invade the Ponce Preserve. There are runners who place the bags along the road for pickup  
214 by drivers, and many of the pickers sleep under the boardwalk during the harvest. He requested  
215 that there be stricter enforcement because the berry pickers are reckless with their "hacking" of the  
216 vegetation, leave trash in the Preserve, sleep in the Preserve, and are not pleasant when approached.  
217 Mayor Smith noted that a State permit is required to harvest the berries. Ms. Witt stated that the  
218 berries are a food source for wildlife and if the machetes and other tools are not properly cleaned,  
219 there is the possibility of the spread of disease. She stated that she will discuss this issue with staff  
220 as they try to increase awareness and enforcement. Councilmember Perrone suggested sending an  
221 email to all residents and post on our website and Facebook, because some residents may think the  
222 pickers were hired by the Town.

223

224 Council requested increased police patrols to manage the issue of berry pickers in the Ponce  
225 Preserve.

226

227 Judy DiCarlo, 36 Caribbean Way, stated that not once, has a member of this Council ever refused  
228 a call from her. She thanked Ms. Witt for her hard work and for always making herself available.  
229 She commended the Manager and Council for their hard work on the many topics that are faced

230 by the town. She asked if someone could explain to her the new ambulance purchase and how this  
231 affects the fire department and the Agreement. Chief Scales stated that we are part of an Agreement  
232 with Volusia County Public Protection, which allows municipalities to provide emergency and  
233 non-emergency transport services. A condition of the agreement is that municipalities are required  
234 to provide closest-unit response. He explained that he was able to temporarily opt-out of that  
235 condition due to COVID-19. He stated that if we do not participate in the Agreement and abide by  
236 the conditions, the town will no longer be able to transport Ponce Inlet residents. He noted that the  
237 transport program has been in the works since before 2012. He noted there were issue with out-of-  
238 town transports last year, but that has since been addressed to ensure we are not over utilized. He  
239 noted that there is also additional staff to ensure there are two full crews; and added that there may  
240 be times when both crews are on calls. What happens in a case such as that, is that other units are  
241 automatically dispatched to Ponce Inlet. He noted that the original ambulance was donated to the  
242 town and would respond to calls but could not transport. He stated that he has a meeting next week  
243 to discuss the Agreement to see what can be re-negotiated. Ms. Witt noted that in 2005, the town  
244 paid a fine to EVAC because the town transported a patient based outside of having an Agreement  
245 in place to do so. She added that we had long sought to just be allowed to transport Ponce Inlet  
246 residents, which is what we are doing today due to the COVID-19 pandemic. Ms. DiCarlo asked  
247 if the town is reimbursed for out-of-town services. Mayor Smith stated yes, we receive the  
248 payments processed by the County minus an administrative fee for doing so and noted that the  
249 town operates under the County's insurance. He provided statistics, showing that on average less  
250 than 1 patient is transported by our department every 24 hours. He noted that since April, we've  
251 only averaged 2½ transports per week, and that our ambulance is not out of town often or for very  
252 long. Ms. DiCarlo asked if Council can assure it will communicate with our firefighters to  
253 determine their needs, as the residents count on them to be there. Mayor Smith noted that the  
254 firefighters are very good at what they do and that he has never heard a negative comment about  
255 the EMS service we provide. Ms. Witt noted that she communicated with the fire union president  
256 at the beginning of this pandemic and instead of utilizing the federal leave opt-out for COVID-19,  
257 she offered firefighters an increase in the amount of sick leave for COVID-19 from 80 hours to  
258 112 hours, which they accepted and expressed appreciation for. Her goal has always been to ensure  
259 equity among all employees of the town. Ms. DiCarlo asked if the town has ever considered giving  
260 up the fire department and going with the County? Ms. Witt stated she has never been asked to get  
261 a quote for that. Mayor Smith stated that he has been curious about the cost and service provision,  
262 but it was not something they had explored. Mayor Smith closed public comment.

263

## 264 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

265

266 **A. Resolution 2020-05, establishing a proposed millage rate for fiscal year**  
267 **2020/2021.** Attorney Shepard read the resolution by title only. A RESOLUTION OF THE TOWN  
268 COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, ADOPTING  
269 THE PROPOSED MILLAGE RATE FOR THE LEVYING OF AD VALOREM PROPERTY  
270 TAXES FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE  
271 TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING  
272 SEPTEMBER 30, 2021; ESTABLISHING THE PUBLIC HEARING DATES AND TIMES,  
273 PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS  
274 AND PROVIDING FOR AN EFFECTIVE DATE. Ms. Witt stated that the FY 20/21 budget is  
275 balanced with a proposed millage rate of 5.9 mills, estimated at 95% to produce \$5,320,931 in ad

276 valorem revenue. The Town’s current millage rate is 5.9, the rolled-back rate is 5.7359, and the  
277 proposed millage rate is 2.86% above the current rolled-back rate. She noted homesteaded property  
278 owners would pay approximately \$14 more per \$100,000 of property value and non-homesteaded  
279 property owners would pay approximately \$17 more per \$100,000 of property value. Mayor Smith  
280 asked for public comments – hearing none, he closed public comments.

281  
282 Councilmember Paritsky moved to approve Resolution 2020-05 as presented, adopting a proposed  
283 millage rate of 5.9 mills; seconded by Vice-Mayor Hoss. The motion PASSED 5-0, with the  
284 following vote: Councilmember Paritsky – yes; Vice-Mayor Hoss – yes; Mayor Smith – yes;  
285 Councilmember Perrone – yes; Councilmember Milano – yes.

286  
287 **12. OLD BUSINESS:**

288  
289 **A. Continued discussion of the recommendation from the Cultural Services**

290 **Board for speed limit reduction on South Peninsula Drive.** Mr. Disher provided additional  
291 information, noting the 85<sup>th</sup> percentile, which is the percentage of drivers operating at the posted  
292 speed limit. He stated that studies fail to show how speed affects other users of the road, such as  
293 cyclists and pedestrians. The Feasibility Study includes the following recommendation to reduce  
294 the speed limit “*consideration should be given to lowering the posted speed limit from Inlet*  
295 *Harbor Road to the northern town limit due to the very small buffer distance between the sidewalk*  
296 *and the edge of roadway over much of the section with no curb or other barriers; reducing speed*  
297 *limit would encourage drivers to slow down and therefore improve safety for sidewalk users”*. He  
298 noted that these recommendations are based on data used by engineers. Councilmember Perrone  
299 asked if the new sidewalk will increase the buffer. Mr. Disher stated it hasn’t been designed yet so  
300 we don’t have that information. Mr. Disher noted that state law establishes a maximum municipal  
301 speed limit of 30 mph and it can be adjusted if it is reasonable. Councilmember Milano expressed  
302 support of reducing the speed limit to 30 mph. Councilmember Paritsky agreed. Councilmember  
303 Perrone suggested the speed limit be 30 mph south of Harbour Village Boulevard and leave it at  
304 35 mph north of Harbour Village Boulevard, since the majority of the children’s parks are south  
305 of that. Councilmember Milano agreed. Mayor Smith opened public comment: Joe Villanella, 46  
306 Jana Drive expressed support of the compromise being proposed, noting that the roadway is  
307 straighter in the area north of Harbour Village Boulevard and there is a larger sidewalk and larger  
308 buffer along much of it. Ms. Witt read an email from Leslie Shaffer, 4716 Dixie Drive, wherein  
309 he noted that the speed limit jumps from 10, to 25, to 35, to 30 in Wilbur; many parks are located  
310 on Peninsula Drive, emergency vehicles enter on Peninsula Drive; and that reducing the speed  
311 limit to 30 mph from Inlet Harbor Road north to the north end of the town would be a step in the  
312 right direction. Mayor Smith closed public comment. In responding to an email inquiry from a  
313 citizen, Ms. Witt had researched the speed limit decision regarding the current reduced speed limit  
314 of 25 mph south of Inlet Harbor Road on South Peninsula Drive. In 1974, the speed limit was 35  
315 mph for all of South Peninsula Drive (except perhaps the lighthouse area); the then police chief  
316 recommended the speed limit be reduced from Cindy Lane – south due to an increase in traffic and  
317 the number of families moving into that area; no action was taken at that time. In March of 1976  
318 the item was re-visited and the police chief modified his recommendation to reduce the speed limit  
319 to 25 mph from Inlet Harbor Road – south and the Council approved it.

320

321 Councilmember Perrone moved to reduce the speed limit on S. Peninsula Drive between Inlet  
322 Harbor Road and Harbour Village Boulevard from 35 mph to 30 mph and providing for proper  
323 notice to the public; seconded by Councilmember Milano. The motion PASSED 5-0, with the  
324 following vote: Councilmember Perrone - yes; Councilmember Milano -yes; Councilmember  
325 Paritsky - yes; Vice-Mayor Hoss - yes; Mayor Smith - yes.

326

327 Ms. Witt noted that there would be a grace period before enforcement of the speed limit becomes  
328 effective, after the signs are installed.

329

### 330 **13. NEW BUSINESS:**

331

332 **A. Discussion of regulations for “Micromobility devices” and “E-bikes”.** Mr.  
333 Disher provided a summary of the law and noted that there have been changes which classify these  
334 devices into three categories based on how they are assisted by human power. He noted that these  
335 include electric bikes, power-assisted bikes, and skateboards. He noted that these devices can be  
336 operated in the same manner as bicycles and must follow the same rules. He noted that the Town  
337 could prohibit use on certain sidewalks and/or set a sidewalk speed limit for them; in addition, the  
338 Town has the ability to control how these devices are rented (i.e. permitting, etc). Mayor Smith  
339 agreed that the Town needs to get ahead of the curve and get regulations in place. Councilmember  
340 Paritsky asked if the owner renting out the device would be required to carry liability insurance;  
341 Mr. Disher stated yes. There was a brief discussion regarding where the devices might be allowed.  
342 Mr. Disher clarified that the town can prohibit them from sidewalks, but not roadways. Mayor  
343 Smith asked for public comments – hearing none, he closed public comments.

344

345 Council agreed that the two issues be addressed by staff and provide more information for future  
346 consideration.

347

### 348 **14. FROM THE TOWN COUNCIL:**

349

350 **A. Councilmember Paritsky, Seat #5** – Reported that the October 22<sup>nd</sup> Volusia  
351 League of Cities dinner meeting has been cancelled; she participated in the American Flood  
352 Coalition teleconference where the Town was recognized for the Resolution and the grant  
353 applications.

354

355 **B. Councilmember Perrone, Seat #4** – Stated he received an email from a resident  
356 expressing concerns with the proximity of the cell tower and the park and asked if there could be  
357 a study done to determine if there is a danger of radiation. Ms. Witt stated she will research and  
358 report back.

359

360 **C. Vice-Mayor Hoss, Seat #3** – Stated that the ECHO and Volusia Forever programs  
361 are renewed every twenty years and this Town has benefited from these programs; she encouraged  
362 everyone to support these programs during the election. She noted that lasting effects from  
363 COVID-19 include lung and heart-related issues even after “recovering”; she encouraged everyone  
364 to take precautions.

365



366 **D. Councilmember Milano, Seat #2** – Reported that the First Step Shelter Board will  
367 be taking over operations and that they currently cannot accept new clients due to the pandemic;  
368 he noted that the Safe Zone is under construction and was fully funded by Wholesale Lighting,  
369 South Daytona.

370  
371 **E. Mayor Smith, Seat #1** – Stated he had no report.

372  
373 **15. FROM THE TOWN MANAGER** – Ms. Witt provided a report as follows:

374 The Kay & Ayres Davies Lighthouse Park Improvements Project has begun. These  
375 improvements will include expansion of the existing perimeter sidewalk to 8ft wide (decorative  
376 sidewalk is already 8ft and not part of this project); decorative pole lighting along the sidewalk;  
377 and playground improvements. Our goal is to have this project completed by the end of October,  
378 so as to not impede any potential opportunity for a Children’s Halloween Event and Veteran’s  
379 Day Event should conditions allow for such.

380 Ponce’s Happy Tails Dog Park improvements will be considered at the August Cultural  
381 Services Board. We are aiming to submit a grant application to ECHO this Winter. If awarded  
382 next spring, this project is anticipated to begin in latter part of FY 20/21.

383 As directed at the June Council meeting, staff has moved the stop bar and stop sign on the  
384 east side of the intersection of Harbor Village Boulevard and Peninsula Drive forward several  
385 feet to provide vehicles stopping at that intersection with better visibility. Also, as directed at the  
386 June Council meeting, staff has installed a Reduce Speed Ahead sign and an additional Speed  
387 Limit sign north of Ocean Way Drive on Peninsula.

388 In follow-up to last month’s meeting, staff is researching regulations of other cities  
389 regarding the boat ramp and parking, as it relates to commercial use. We are looking at any  
390 relevant deed restrictions for consideration of limiting parking, use of meters, and time limits that  
391 might be considered.

392 The Town’s Election is scheduled for August 18<sup>th</sup> and absentee ballots may be requested  
393 by contacting the Volusia County Supervisor of Elections, or voters may utilize early voting  
394 locations, and we will have our Town precinct open on Election Day at the Community Center.

395 A monthly calendar of events / meetings was provided.

396  
397 **16. FROM THE TOWN ATTORNEY** – Attorney Shepard stated he had no report.

398  
399 **17. ADJOURNMENT** - Mayor Smith adjourned the meeting at 9:21 p.m.

400  
401 Respectfully submitted by:

402  
403  
404  
405 \_\_\_\_\_  
406 Jeaneen Witt, CMC, Town Manager/Town Clerk  
Peg Hunt, Board Secretary