



Town of Ponce Inlet
Town Council
Regular Meeting Minutes
July 20, 2023

4

5
6 1. **CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to
7 order at 6:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

8
9 2. **PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance. Mayor
10 Paritsky then reviewed the protocol for filling out the Citizens' Participation request forms for
11 agenda item #10.

12
13 3. **ROLL CALL:**

14 **Town Council:**

15 Mayor Paritsky, Seat #1
16 Councilmember Milano, Seat #2
17 Councilmember Caswell, Seat #3
18 Councilmember Villanella, Seat #4
19 Vice-Mayor Smith, Seat #5

20
21 **Staff Members Present:**

22 Ms. Cherbano, Town Clerk
23 Mr. Disher, Town Manager
24 Ms. French, Cultural Services Manager
25 Ms. Gjessing, Permit Technician
26 Chief Glazier, Police Department
27 Mr. Griffith, Public Works Director
28 Ms. Hall, Accountant/Grants Coordinator
29 Ms. McColl, Finance Director
30 Mr. Okum, IT Manager
31 Chief Scales, Public Safety Director *pro tem*
32 Attorney Shephard, Town Attorney
33 Ms. Stewart, Assistant Deputy Clerk

34
35 4. **ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA.** There were
36 no changes.

37
38 Mayor Paritsky moved to approve the agenda as presented; seconded by Councilmember Caswell.
39 The motion PASSED 5-0, consensus.

40
41 5. **PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**

42
43 A. **Proclamations:** Mayor Paritsky reported there were no proclamations this month.
44

45 Mayor Paritsky recognized Mr. John Booker, Volusia County Government Affairs,
46 who is in the audience. Mr. Booker oversees the legislative affairs for Volusia County and assists
47 the town with federal, state, and local issues. He is the person to contact to find out what is
48 happening in the legislature or the status of a particular bill; she thanked him for attending.

49
50 **6. CONSENT AGENDA:** Mayor Paritsky asked if there was any item a Council member
51 would like to remove from the consent agenda; hearing no requests, Mayor Paritsky asked for
52 public comments – hearing none, she closed public comments.

53
54 **A. Approval of the Town Council regular meeting minutes – June 15, 2023.**

55 **B. Town Council Budget workshop meeting minutes – June 23, 2023.**

56 **C. Monitor/Defibrillator Purchase for the Fire Department**

57
58 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember
59 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. Request for Co-Sponsorship – Ponce Inlet Christmas Parade (tabled at the**
65 **June 15, 2023 meeting)** – Vice Mayor Smith announced that he is a member of the Ponce Inlet
66 Veterans Memorial Association which creates a conflict for this item; therefore, he will abstain
67 from voting. Ms. French stated the Council reviewed a co-sponsorship request last month for the
68 Christmas Parade and Breakfast with Santa; a substantial difference between that request and from
69 past years is that the event will be run by an outside organization, and proceeds after the event
70 would be donated to two non-profit organizations. The applicant submitted a financial plan
71 describing the Ponce Inlet Veteran’s Memorial Association (PIVMA) would take responsibility of
72 hosting the event and collect the application fees within their organization’s account to later
73 distribute the proceeds; however, that financial plan was not included in the staff report for the co-
74 sponsorship request but was provided later at the Council meeting. The town attorney noted that
75 there is no legal issue to provide the PIVMA the remaining \$492 from the town’s parade donation
76 account from last year’s parade because they are taking responsibility of managing the event. The
77 attorney advised the legal issue with the request was that the town donate the proceeds after the
78 event to non-profit organizations and suggested they withdraw their request and revise that aspect.
79 The applicants met with staff to discuss those concerns and revised their application, which now
80 includes: ending the route and dispersing at Harbour Village, giving Ponce Inlet clubs and
81 organizations priority, modifying the start times of the bands, and explaining the role the DJ will
82 play. The co-sponsorship application also includes advertising both events by the town’s means of
83 advertising and the C4PI Newsletter; closure of the boat ramp and boat trailer parking lot; waiver
84 of the special event application fees; waiver of all town staff personnel costs (dependent on the
85 number of volunteers recruited for this event); and donating the remaining funds from the town’s
86 donation account to the PIVMA. Insurance coverage of this special event permit is contingent on
87 the receipt of the applicant’s liability coverage. Ms. French noted that staff has evaluated this
88 request and all required criteria has been met. Councilmember Milano asked how much time the
89 applicants spent with Mr. Jim Hinson, who was the previous organizer of the parade for many
90 years and did an outstanding job. Mr. Mark Oebbecke, 4758 S. Peninsula Drive, replied that he

91 has not met with Mr. Hinson but relied on notes from previous meetings. Councilmember Caswell
92 asked if any consideration has been given to altering the name to a Holiday Parade versus
93 Christmas Parade; Mr. Oebbecke replied no, that has never been an issue. All participants are
94 welcome and it is a non-issue.

95
96 Councilmember Villanella moved to approve the request for co-sponsorship of the Ponce Inlet
97 Christmas Parade; seconded by Councilmember Caswell. The motion PASSED 3-1 with the
98 following vote: Councilmember Villanella – yes; Councilmember Caswell – yes; Mayor Paritsky
99 – yes; and with Councilmember Milano dissenting and Vice Mayor Smith abstaining.

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

102
103 **9. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:** None.

104
105 **10. CITIZENS' PARTICIPATION:** Mayor Paritsky opened citizens' participation.
106 Mr. Skip White, 4885 S. Atlantic Avenue, stated an issue has come up regarding the stop sign on
107 SR A1A near Beach Street; it is very faded, and drivers are ignoring the 25-mph posted speed
108 limit. It is a danger to children and gopher tortoises which are a protected species. He referred to
109 the gopher tortoise signs and suggested they be enhanced to be more visible; he notices citizens
110 will move the tortoises from the roadway, but many visitors do not and may not understand they
111 are protected and that there are fines. He recalled that a few years ago the prior Police Chief would
112 hide near public crosswalks, attempt to cross the roadway, and have vehicles stop for him; another
113 officer would be posted down the road to stop vehicles not obeying the law. He would like to see
114 that program back as a simple reminder to drivers that they must stop for pedestrians. Mayor
115 Paritsky commented she has reached out to Volusia County regarding the gopher tortoises asking
116 that they approve additional signs at the Ponce Preserve and to change/enhance the signs. It could
117 be a felony, a misdemeanor, or a citation depending on the manner in how an individual handles
118 themselves. She will speak with the Police Chief to see how to enhance safety at crosswalks as
119 well. Councilmember Milano commented that he worked with Chief Glazier a couple of years ago
120 to add an additional crosswalk on Ocean Way and moved both stop signs closer in; however,
121 drivers and bicyclists are still speeding through them. He hopes the town will once again look at a
122 four-way stop sign there.

123
124 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

125
126 **A. First Reading of Ordinance 2023-03.** Attorney Shephard read the resolution into
127 the record by title only. **AN ORDINANCE OF THE TOWN OF PONCE INLET, FLORIDA;**
128 **AMENDING CHAPTER 51 OF THE PONCE INLET CODE OF ORDINANCES TO**
129 **PROVIDE STANDARDS AND CRITERIA GOVERNING REQUESTS FOR THE TOWN**
130 **TO CO-SPONSOR SPECIAL EVENTS OR OTHER EVENTS; PROVIDING FOR**
131 **CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN**
132 **EFFECTIVE DATE.** – Ms. French stated that at the April 20, 2023 meeting, Council requested
133 staff prepare an ordinance modifying the existing criteria for co-sponsorship of special events with
134 the intent to support Council's decision to approve or deny co-sponsorship requests. Council stated
135 the desire to approve full co-sponsorship for events planned, organized, and conducted by the
136 Ponce Inlet Community Center Board, Inc. and by all established non-profit Ponce Inlet

137 organizations and clubs. It also provides a process for Council to designate special events by
138 separate resolution for full co-sponsorship that have annually provided a local commemoration of
139 a national holiday or provide historical, educational, cultural enrichment or recreational
140 experiences to the public and town residents. She reviewed the six differences between the current
141 process of event co-sponsorship requests and that of the process of the new ordinance including
142 who is eligible for town co-sponsorship; what can be submitted as a written request for those events
143 not eligible for Town co-sponsorship; how co-sponsorship written requests are submitted; the
144 requirements for a written request; how an applicant can request event advertising; and what type
145 of written event co-sponsorship requests will be presented to Council for review. Mayor Paritsky
146 noted that this ordinance was a team effort, including the town attorney; there was a lot that the
147 Council asked for. Councilmember Villanella noted that the memo and ordinance covered every
148 point succinctly; Councilmember Caswell agreed and endorsed this recommendation.
149 Councilmember Milano agreed and asked if staff is comfortable with the 28 and 30 days on the
150 60-day request and that all the information will be available in that length of time. Ms. French
151 replied yes; 28 days is the minimum for a permit application. Mayor Paritsky also announced that
152 she received an email from the Director of Marketing and Promotions from North Turn Restaurant
153 that they will be having their parade next year. Mayor Paritsky opened public comment; seeing
154 none, public comment was closed.

155
156 Councilmember Villanella moved to approve Ordinance 2023-03 as presented, seconded by
157 Councilmember Milano. The motion PASSED, 5-0 with the following vote: Councilmember
158 Villanella – yes; Councilmember Caswell – yes; Councilmember Milano – yes; Mayor Paritsky –
159 yes; Vice-Mayor Smith – yes.

160
161 **B. Resolution 2023-06.** Attorney Shephard read the resolution into the record by
162 title only. **A RESOLUTION OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY,**
163 **FLORIDA ADOPTING THE PROPOSED MILLAGE RATE FOR THE LEVYING OF AD**
164 **VALOREM PROPERTY TAXES FOR MUNICIPAL PURPOSES ON ALL TAXABLE**
165 **PROPERTY WITHIN THE TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER**
166 **1, 2023, AND ENDING SEPTEMBER 30, 2024; ESTABLISHING THE PUBLIC**
167 **HEARING DATES AND TIMES; PROVIDING FOR SEVERABILITY; PROVIDING**
168 **FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**
169 - Mr. Disher stated this resolution establishes the proposed millage rate that the town will be
170 working with between now and when the final millage rate is adopted in September. The rate that
171 has been set is the product of months of work with input from staff department heads and
172 Councilmembers over two budget workshops. The proposed 6.5 millage rate is designed to
173 maintain the level of service provided by the town to its residents and citizens, accounts for
174 stormwater maintenance and improvements, and for the damages from the hurricanes, legal fees,
175 and other unforeseen expenses. Staff will be working to streamline the budget as much as possible
176 between now and September and meet the Council's expectation of level of service to the residents.
177 Mayor Paritsky thanked Mr. Disher and staff for the work put into this proposed budget that
178 addresses the Council's goals, the vulnerabilities of the town, and the needs of the residents.
179 Council has received public input and recommendations from the Essential Services Advisory
180 Board (ESAB), and advice from the accreditation company for the Fire Department. The proposed
181 budget provides the funds to match these goals, needs and services. Councilmember Milano noted
182 that there have been two budget workshops thus far with another scheduled for September 6, 2023,

183 before the final budget is adopted. Mayor Paritsky added councilmembers have had the
184 opportunity to review the budget and each line item, to speak with the department heads and have
185 their concerns and the public's concerns addressed. She opened public comment.
186

187 Dr. Arun Iyampillai, 1 Mar Azul, stated that any time the Council is making decisions
188 regarding public money, they must look at the cost versus benefits; he referred to the \$55,000
189 allocated to the Ponce Inlet Community Center for a new generator and noted it is not a hurricane
190 shelter and there is no need for it there. He noted there is an 8.5% increase in property values and
191 half the population does not have a homestead exemption, so there will be extra taxes coming in.
192 He would like to reduce the millage rate from 5.3 to 3.9 and requested council review each line
193 item of the proposed budget; if firefighting gear is needed, the town should ask the citizens and
194 businesses to donate. The citizens here are affluent and can afford to donate towards the
195 defibrillator/monitors. We must look for waste and do a cost versus benefit on each line item. Mr.
196 Charles Burge, Harbour Village Links South, stated the millage rate decreased last year and the
197 only person that questioned it was Mr. White; he does not understand the yo-yo effect where in
198 good times taxes go down and in times like now, they are raised. There should be a standard
199 approach to this, so it is more effective for citizens to manage their finances as a homeowner. He
200 suggested it be done on a two- or three-year basis instead of annually. He is for fortifying the town
201 and supplying our first responders with the necessities needed to protect us; however, no one other
202 than Mr. White discussed the lower millage rate last year. Councilmember Villanella explained
203 that Florida is known as the home-rule state, which means that the municipalities are responsible
204 for all expenses; we cannot rely on the federal, state, or county government for assistance as other
205 states can. The transparency of the budget process in Ponce Inlet is outstanding and the document
206 is available for all citizens to critique and make comments. It has been discussed for years to
207 increase the police and fire presence and that is being included in the budget; this is a large item
208 number and is representative of why the tax rate is going up in addition to the expenses incurred
209 from the last hurricanes. We are waiting on reimbursement for some of that expense from the
210 federal government. We are in the final year of paying for the municipal facility and there may be
211 a minor reduction next year.
212

213 Councilmember Villanella moved to approve Resolution 2023-06, adopting a proposed millage
214 rate for fiscal year 2023/24 and establishing dates for the tentative and final millage rate public
215 hearings; seconded by Councilmember Milano. The motion PASSED 5-0, with the following vote:
216 Mayor Paritsky – yes; Councilmember Milano – yes; Councilmember Caswell – yes;
217 Councilmember Villanella – yes; Vice-Mayor Smith – yes.
218

219 Mr. Disher noted that the original date of the first hearing was September 7, 2023, but had to be
220 changed as it conflicted with the date of the Volusia County School Board budget hearing; the
221 Town's hearing date cannot be on the same date as the budget hearing of another taxing authority.
222 It is now scheduled for September 6, 2023, at 6:00 pm. He noted that the generator for the
223 community center received \$20,000 from state appropriations which will offset the \$55,000 listed
224 in the budget.
225

226 **12. OLD BUSINESS:** None.
227

228 **13. NEW BUSINESS:**

229 **A. Lien abatement request – Filardo, 4453, S. Atlantic Avenue #504** – Attorney
230 Shephard explained that when accrued fines have been properly recorded in a written order, a lien
231 exists in favor of the city. The authority to consider reductions of liens belongs to the Town Council
232 and its latitude is broad. Mr. Hooker reviewed the background information regarding the lien
233 against Mr. Filardo’s property; a hearing was scheduled, and the Code Enforcement Board (CEB)
234 granted the owner an extended period of time to obtain the required rental permit. However, the
235 owner failed to comply, which resulted in the imposition of a daily fine of \$50 beginning January
236 25, 2021 until the violation was remedied, along with the \$250 administrative fee. The order
237 imposing fines was sent to the owner per state statute; at this point the owner expressed
238 his belief that he had submitted the permit application and the matter was duly rendered. Staff
239 clarified that they did not receive the rental permit application on March 3, 2021; Mr. Filardo
240 submitted a new application with all required documentation which marked the accumulation of
241 days of non-compliance for this lien. Staff then sent courtesy letters to the property owner that
242 there was an outstanding lien, and he had several conversations with Mr. Filardo where Mr. Filardo
243 provided supporting documents pertaining to his case. One of the submittals was an email with the
244 rental permit application; staff was unable to locate the original email. Mr. Hooker contacted the
245 town’s IT Director to conduct a search and found the email that staff did not have from September
246 2020 sent by Mr. Filardo with his rental permit application. Although there is a record of the email
247 being sent, the email itself cannot be located. Given that the town possesses records of Mr.
248 Filardo’s attempt to submit the required paperwork prior to the compliance date, staff believes Mr.
249 Filardo made a genuine effort to achieve compliance. Staff recommends releasing the outstanding
250 enforcement lien which was recorded in Volusia County on February 22, 2021 with the Instrument
251 Number 2021038834, corresponding Book 7993, and Page Number 3687. Councilmember
252 Caswell asked if any of the \$2,200 fine to be abated was incurred before the email disappeared.
253 Mr. Hooker replied yes; Mr. Filardo was properly notified in accordance with Florida law and no
254 response was received so it went through the code enforcement process. The CEB granted Mr.
255 Filardo 14 days to comply; he received the original order and began the permitting process where
256 his emailed application was lost. It was when Mr. Filardo received the second notice notifying him
257 a lien would be imposed that he provided supporting documentation. Councilmember Caswell
258 commented that maybe we should consider adding something in the first notice regarding the
259 possibility of liens; however, this owner has followed the process and did what he was supposed
260 to do; therefore, she supports the abatement. Councilmember Milano asked if the abatement
261 request includes the \$250 administrative fee; it does.

262
263 Mayor Paritsky moved to release the outstanding code enforcement lien including the \$250
264 administrative fee in the sum of \$2,250 regarding the property located 4453 S. Atlantic Avenue
265 #504; seconded by Councilmember Caswell. The motion PASSED 5-0, with the following vote:
266 Mayor Paritsky – yes; Councilmember Milano – yes; Councilmember Caswell – yes;
267 Councilmember Villanella – yes; Vice-Mayor Smith – yes.

268
269 **B. Lien abatement request – Phillips, 92 Buschman Drive** – Mr. Hooker stated that
270 Mr. Phillips is requesting a lien abatement of an \$850 code enforcement lien that was imposed on
271 February 5, 2023, which includes a \$100 daily fine that accrued for six days of non-compliance
272 ending on February 10, 2023; this amount includes the \$250 administrative fee. Mr. Hooker
273 provided background information regarding the code violation which included a light trespass
274 emanating from the second story balcony lighting fixtures of the property. A second complaint

275 was received on January 5, 2023, and photographs were provided indicating the light trespass. This
276 case was presented to the CEB on January 23, 2023, where they found the owner in violation; the
277 owner was granted 14 days to correct the lighting. Staff spoke to the property owner several times
278 and the property came into compliance six days after the Board’s order. This case was brought
279 back to the CEB on February 27, 2023; the board found that the property was in violation after the
280 original order and issued a fine amount of \$100 per day for non-compliance. Florida Statute
281 162.09(3) states “the lien runs in favor of the local governing body (Town Council) and any
282 reduction or abatement of lien is entirely at the Council’s discretion.” If the Council desires to
283 reduce the lien, staff requests that the reduced amount be paid within 10 business days or else the
284 full outstanding lien of \$850 shall apply. Mayor Paritsky commented she does not understand the
285 basis of the request for lien abatement; it does not appear to be a procedural issue. The CEB did
286 what was required; absent any additional information, she is not comfortable granting this request.
287 Councilmember Milano noted the owner has indicated in his correspondence that he is operating
288 an AirBnB on Buschman Drive and asked if it is in the AirBnB area. Mr. Hooker explained the
289 owner obtained a rental permit valid through the town that allows one rental every 28 days.
290 Councilmember Milano asked why the owner was fighting the installation of a motion-detection
291 light. Mr. Hooker noted he cannot answer that, but the tenants reported visibility problems walking
292 up the stairs. Councilmember Villanella asked if there had been communication between the owner
293 and the renter regarding the light issue. Mr. Hooker explained the owner lives on the US west
294 coast; however, his brother is local to Volusia County and by law, the owner must be notified; the
295 property was found to be in violation of the CEB’s order, thus the lien.

296
297 Councilmember Villanella moved to approve the lien abatement request as requested – Phillips,
298 92 Buschman Drive. Councilmember Villanella modified his motion to reduce the fine to \$200 and
299 assess the \$250 administrative fee; The motion DIED for lack of a second. Mayor Paritsky moved
300 to deny the lien abatement request of \$850 which is comprised of a \$600 fine of \$100 per day fine
301 plus the \$250 administrative fee for Mr. Phillips, 92 Buschman Drive; seconded by
302 Councilmember Caswell with the following vote: Mayor Paritsky – yes; Councilmember Milano –
303 yes; Councilmember Caswell – yes; Councilmember Villanella – yes; Vice-Mayor Smith – yes.

304
305 **14. FROM THE TOWN COUNCIL:**

306
307 **A. Vice-Mayor Smith, Seat 5** – Referred to the budget process and noted that Council
308 wants to provide the services that the residents moved here for; the town does not waste money
309 but spends money to maintain the atmosphere and environment. If we do not maintain services, it
310 is a step backwards.

311
312 **B. Councilmember Villanella, Seat #4** – Complimented staff and Councilmembers
313 for diligence in preparing and reviewing the budget materials and for the transparency of the
314 process.

315
316 **C. Councilmember Caswell, Seat #3** – Stated this is the third year of year-over-year
317 double-digit increase in the overall budget for the town and the citizens have every right to ask
318 why the increases keep happening, where the money is going and why a 10% staff increase is
319 needed. She asked the candidates seeking her seat on the council where, specifically, they would
320 cut the budget. Staff cuts will need to be made or staff positions will need to be deferred to lower

321 the millage rate. She has requested citizen input on the budget; she cannot represent them if they
322 do not share what it is they would cut from the proposed budget. She reminded everyone that
323 Ponce Inlet is a barrier island and property insurance rates are going to increase. She stated it has
324 been her privilege to serve on the Council and clarified that she is not running for re-election as
325 the legislature passed a new rule in July that candidates, even at the municipal level, must disclose
326 their full net worth and so has declined a bid for re-election. She is hoping to serve the community
327 in a different capacity.

328
329 **D. Councilmember Milano, Seat #2** – Announced Mr. Ed Vrona, 104-year-
330 old veteran and Ponce Inlet resident, passed away last Friday. The *Daytona News-Journal* included
331 an article about Mr. Vrona in Sunday’s edition. He provided an update on the First Step Shelter;
332 Ponce Inlet put another individual in the safe zone this past month; that is three in the last two
333 months. The shelter opened in December 2019 and has since had 948 people come through of
334 which 423 came from non-charitable organizations, churches, etc., throughout east Volusia
335 County. As of last month, 90% are still in permanent housing. Ponce Inlet became involved with
336 the shelter in 2018. The City of Daytona Beach runs the shelter; he volunteered and the following
337 year he became the Treasurer. Over the last couple of months, the shelter’s Board voted to take
338 every cent and deposit into investments at banks; there are two criteria for the banks. First, they
339 must make donations to non-profit organizations and two, participate in special events. He listed
340 the banks that do this including PNC, Fairwinds Credit Union, Fifth/Third Bank, and Centerstate
341 Bank. He is grateful that Ponce Inlet participates, and he prays the town continues to support the
342 shelter. The amount of money required to be a member of the shelter when the town started was
343 .0062%; a little over \$14,000 per year which has not increased. Since then, the town’s ad valorem
344 taxes have risen from just over \$5 million to over \$8 million. The shelter has not had to return to
345 the municipalities for additional funds because they were awarded over \$2 million in grants. They
346 have the funds to increase the number of people entering the shelter but do not have the staff. The
347 shelter held a Mayors gala last year; Mayor Paritsky bought a table and invited staff; he bought a
348 table for the other Council members and their guests; they generated over \$200,000 at that event
349 and another is scheduled for February 2024. There will be an event at the brewery in Holly Hill on
350 September 7, 2023, where tables can be purchased; he will provide the information to the town
351 when it is available.

352
353 **E. Mayor Paritsky, Seat #1** – Mayor Paritsky thanked those that attended the
354 Candidate Forum meeting on Tuesday; it was the 40th year the Citizens for Ponce Inlet (C4PI) has
355 hosted the event. She stated it is an honor and a privilege to serve another term as the Town’s 17th
356 Mayor. Last week, she accepted the nomination for a second consecutive term as President of the
357 Volusia League of Cities. This organization continues to play a major role in our ongoing
358 relationship with the county and the state, and she will work to ensure that the positive path we are
359 on is sustained. She acknowledged the passing of Mr. Gordis Preston, the fourth Mayor of Ponce
360 Inlet. Mayor Preston presided from 1972 to 1974 and served on the Council from 1970 to 1971;
361 he was also a building official.

362
363 **15. FROM THE TOWN MANAGER** – Mr. Disher announced that the Town passed its
364 annual certification with the CRS Program which is part of the national flood insurance program
365 through which the town receives discounts on flood insurance. The town remains a Grade 5, which
366 gives residents in a flood zone a 25% discount on their flood insurance and everyone else a 10%

367 discount. He announced the “Check on Your Neighbors” program which was Ms. Cathy Harvey’s
368 idea at last month’s meeting; she met with Chief Scales and Ms. Hugler at the Fire Department to
369 come up with this program. It is a citizen’s network to pass out information in addition to what the
370 town provides during an emergency. Anyone interested in participating should contact Ms. Hugler
371 at the Fire Department. Volusia County is creating a program titled “Transform 386”; the county
372 will be a recipient of several hundred million dollars from the federal government as part of the
373 Community Development Block Grant Disaster Relief (CDBG-DR) program. They must develop
374 a plan on how those funds will be spent; it is intended to address any unmet needs related to
375 Hurricane Ian that cannot be recovered from FEMA, insurance, etc. A series of public workshops
376 will be held; one on July 27, 2023, at the New Smyrna Beach Library, while the workshop for our
377 council district will be at the library on City Island on August 3, 2023; he will be attending to
378 better understand the program and what it covers; the town will submit a list of items that may be
379 eligible. The county will submit the information to the federal government for approval. He
380 announced the St. Johns River Water Management District recently held a celebration for projects
381 completed including the Ponce DeLeon septic-to-sewer project. He announced the hurricane fee
382 waivers expired the end of June with a total of 233 emergency repair permits and over \$78,000 in
383 fees waived. He reminded everyone of the August 22, 2023 election. Mayor Paritsky asked when
384 the Town Hall meeting is scheduled; it is August 24, 2023, at the Ponce Inlet Community Center.
385 Senator Tom Wright and Representative Chase Tramont will be attending to announce the
386 appropriation the town is receiving and to answer audience questions. If time permits, the
387 department heads will discuss what each department does for hurricane preparation.
388

389 **16. FROM THE TOWN ATTORNEY** – Attorney Shephard referred to Senate Bill 170 that
390 went into law in late June and becomes effective for municipalities on October 1, 2023. He referred
391 to lawmakers in Tallahassee not supporting home-rule, such that local governments cannot
392 regulate short-term rentals as they see fit as well as clean air, fire alarms, etc. SB 170 is an attempt
393 to get rid of the home-rule pre-emption; this statute states that for every ordinance the town passes,
394 with few exceptions, we must provide a business impact estimate as to how the ordinance may
395 impact business; this is almost impossible to determine. The advice he received from the Florida
396 Municipal Attorney’s Association (FMAA) is “undetermined”; meaning if we do not know what
397 it is, put the business impact estimate as “undetermined”. The bill allows business owners to sue
398 if they believe a law passed is arbitrary or unreasonable. The filing of a lawsuit immediately stays
399 operation of the ordinance and allows up to \$50,000 of attorney fees to be awarded against us if
400 the party suing wins; if the town wins, the town gets nothing. He provided an example of adjusting
401 where lights can be because of the concern for sea turtles and how no lights may affect a business.
402 This idea was from Florida Senate President Senator Kathleen Passidomo, a Naples real estate
403 attorney. The quote from the Tampa Bay Times regarding this bill is; “it is a powerful new tool
404 intended to end the perennial pre-emption battle that takes place in Tallahassee. Opponents warn
405 that it will have a chilling effect on the willingness of cities and counties to manage their
406 communities. Senator Passidomo stated in the article that the purpose of the bill is to end all pre-
407 emptions; she is sick and tired of having to pre-empt when a local government passes an ordinance
408 that is unreasonable. Attorney Shephard stated he does not understand how bringing lawsuits
409 against the cities is a better solution than pre-emption.
410

411 **17. PUBLIC PARTICIPATION (on items 14 – 16 only)** – Mayor Paritsky opened public
412 participation; Mr. Mark Oebbecke, 4758 S. Peninsula Drive, stated the week before Mr. Ed Vrona

413 passed, members of the Ponce Inlet Veterans Memorial Association celebrated his birthday and
414 organized a mini fly-over. He referred to the future generator for the community center and noted
415 that it is being installed there so power is available during a weather emergency for first responders
416 and residents. Mayor Paritsky closed public comment.

417
418 **18. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at
419 7:26 PM.

420
421 Respectfully submitted by:

422 

423 Kim Cherbano, CMC / Town Clerk

424 Prepared by: Debbie Stewart, Assistant Deputy Clerk

425
426
427 Attachment(s): None.

