

MINUTES

Regular Meeting of the Town Commission

Tuesday, December 11, 2012

Present: Mayor Bausch, Vice Mayor Busha, Cmsrs. Barile and Thurlow-Lippisch, and Town Manager Kellogg, Attorney Hunecke, and Acting Chief Ciechanowski and Building Official Adams

Absent: Cmsr. Luger

1. **Call to Order** - Mayor Bausch called the Meeting to order at 7:01 P.M. and asked if there were any changes to the agenda. He suggested amending the agenda to insert the Boy Scouts of America presentation. Hearing no other changes, a motion was made by Vice Mayor Busha, seconded by Cmsr. Barile to approve the agenda with the change indicated. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed: None

Representing the Boy Scouts of America, District Executive of the Gulf Stream Council Dennis Armstrong sought permission from the Commission to market their recycling carts to the residents of Sewall's Point going door-to-door. The Commission expressed concern about the solicitation [due to the Town's ordinance], but supported their efforts and will endeavor to find a solution.

2. **Comments from the public on topics not on the agenda** - Resident Paul Schoppe encouraged the Commission to include prayer at their meetings, and said a prayer at that time for the Commission and the community at large.

3. **Public Hearings & Presentations:**

- a. Mike Yustin, Martin County Engineering Department - provided an update on Bird Island and indicated Martin County is seeking the designation from the State as a critical wildlife area, and asked for a letter of support. The Commission indicated their support and would provide such a letter.

- b. Ordinance No. 377 Amending Chapter 42 Parking Restriction by requiring restricted vehicles to be totally concealed, First Reading - Attorney Hunecke read Ordinance No. 377 into the record. The Commission discussed a number of items outlined in the ordinance including definition of "overnight." It was determined that "overnight" would be from 2 to 6 AM. A motion was made by Cmsr. Thurlow-Lippisch, seconded by Cmsr. Barile to approve Ordinance No. 377, as revised, for a First Reading. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed: None

- c. Motion Authorizing retaining Attorney Barry Balmuth to represent the Town in the taking of the Nehme property - Attorney Balmuth was in attendance to discuss eminent domain procedures being considered by the Commission and explained the process for such an undertaking. A motion was made by Cmsr. Thurlow-Lippisch, seconded by Cmsr. Barile to support the retention of Atty. Balmuth. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed: None

4. **Consent Agenda:**

- a. Approval of Minutes: October 9, 23, 29 and November 27, 2012
- b. Approval of Disbursements for October 2012 - #15330-15406
- c. Approval of Balance Sheet

A motion was made by Vice Mayor Busha, seconded by Cmsr. Barile to table the minutes, and approve the Disbursements and Balance Sheet. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed:

None

5. **Financial Report for September 2012** - Cmsr. Barile made a motion, seconded by Cmsr. Thurlow-Lippisch to approve the Financial Report for November 2012. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed: None

6. **Chief of Police Report**

Acting Chief Ciechanowski -

Commented on the traffic fatality over the Thanksgiving holiday and said the Police Department was working with members of the McGrath family to acquire an FDOT memorial marker; noted the Holiday Open House on Sunday

saying it was very successful, and had a great turnout; said the Department has used discretion in the past for the Girl Scouts and will continue to do so for the Boy Scouts' recycling cart endeavor and would suggest certain hours/weekend when the Department could assist in this effort.

7. **Town Manager's Comments**

Mr. Kellogg –

Discussed the trees in the medians and said the rainy weather was hampering the paving schedule; anticipated completion of sidewalk project; Live Oak trees have to be replaced; and asked the Commission to send him their list of Visioning ideas;

8. **Comments from Commissioners on topics not on the agenda**

Vice Mayor Busha -

Clarified the fact that “we all knew we were not going to get that section [of the Nehme property],” and said she would go along with a reasonable price.

Cmsr. Thurlow-Lippisch -

Responded to the Vice Mayor's comment by saying she felt we were taking a risk and thought Dr. Nehme would respond in a positive way once this was discussed.

Thanked everyone for the Open House; thanked staff for their efforts in setting up the Holiday party, noting little Lily McGrath rode in the Fire Engine and was “Mayor for a Day;” asked about getting relief for residents on Riverview Drive who are dealing with flooding; asked Town Manager Kellogg to update Commission on FEMA which he did, and resident Carol Chontos indicated her difficulty in acquiring a contractor for her property; and lastly, handed out a sheet with comparison millage rates listed.

Cmsr. Barile -

Would like to have property maintenance put on the agenda for January's Workshop; thanked Lt. Ciechanowski and Town Clerk Ann-Marie Basler for their efforts at the Holiday Open House, along with Town Manager Kellogg; and, gave an update on the airport expansion.

Mayor Bausch -

Would like to schedule a Visioning meeting in early January at 5 PM for 1 ½ hour duration, and asked commissioners to be sure to give Mr. Kellogg their Visioning ideas; met with newly elected Congressman Patrick Murphy who seemed to be very supportive of our concerns for the Town, i.e. dredging of the inlet, cost of new traffic signal, and the Okeechobee runoff to name a few. He also said there was a move afoot to change our ability to enact our fertilizer ordinance (Sewall's Point was the first Town to do so); continuing, he said the railroad will be starting next year from Cocoa to Miami; and lastly, he was pleased with the progress of AIA and the additional lighting at the west end of town.

9. **Adjourn** - A motion was made by Cmsr. Thurlow-Lippisch, seconded by Cmsr. Barile to adjourn the meeting at 9:50 PM. All in favor. (4-0)

In Favor: Barile, Busha, Thurlow-Lippisch and Bausch

Opposed: No

Respectfully submitted,

Ann-Marie S. Basler, Town Clerk