

# MINUTES

Regular Meeting of the Town Commission

Tuesday, January 24, 2012

**Present:** Vice Mayor Schoppe, Cmsrs. Busha, and Luger, and Town Manager Kellogg, Attorney Torcivia, Chief Cerniglia and Building Official Adams

**Absent:** Mayor Thurlow-Lippisch, Cmsr. Bausch

1. **Call to Order** – Vice Mayor Schoppe called the Meeting to order at 7:00 P.M. and asked if there were any changes to the agenda. He asked to amend the agenda by tabling 3a. Arbor Day Proclamation and 3b. Martin Luther King Service Day Proclamation until Mayor Thurlow-Lippisch returns. A motion was made by Cmsr. Busha, seconded by Cmsr. Luger to approve the agenda as amended. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

2. **Comments from the public on topics not on the agenda** – Resident Mrs. Neild reminded Vice Mayor Schoppe of his commitment to her husband to install sidewalks from Miramar down to High Point. Vice Mayor Schoppe told Mrs. Neild he had not forgotten and that the commission was still working on sidewalk plans.

### 3. Public Hearings & Presentations:

- a. Arbor Day Proclamation – Tabled as indicated above.
- b. Martin Luther King Service Day Proclamation – Tabled as indicated above.
- c. Presentation to Lt. Ciechanowski - Town Manager Kellogg told the Commission Lt. Ciechanowski had returned from a 13-week training session at the FBI National Academy in Quantico, Virginia. He went on to say Lt. Ciechanowski participated in a 6.1 mile grueling run through a wooded trail built by the Marines and along the way had to climb over walls, run through creeks, jump through windows, scale rock faces with ropes, etc. When the students complete the test, he said, they receive an actual yellow brick to memorialize their achievement. Lt. Ciechanowski received the “Yellow Brick.” He concluded by presenting the Lieutenant with a plaque and a yellow brick, saying “We could not be more proud of the Lieutenant and her accomplishments.” Lt. Ciechanowski thanked Town Manager Kellogg, the Commission, and the Town for allowing her the opportunity to participate in the FBI program. She also thanked the Police Department staff for taking on more [responsibilities] while she was at the Academy. A brief recess was called in order for the Commission, residents, and staff to congratulate Lieutenant Ciechanowski for her achievement.
- d. Resolution No. 745 Requesting State Legislature place Palm City and the City of Stuart in one State House of Representatives District - Cmsr. Luger made a motion, seconded by Cmsr. Busha to approve Resolution No. 745 as indicated. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

- e. Approve Repairs to Seawall by Sunshine Land Design in the amount of \$34,524.37 from Acct. 541.675 - A motion was made by Cmsr. Busha, seconded by Cmsr. Luger to approve Repairs to Seawall by Sunshine Land Design in the amount of \$34,524.37, as indicated. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

- f. Approve additional cost for Street Lighting on AIA in the amount of \$74,669.91 (see FDOT correspondence) from Acct. 247.300 - A motion was made by Cmsr. Busha, seconded by Cmsr. Luger to approve the additional cost for Street Lighting on AIA in the amount of \$74,669.91, as indicated. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

- g. Discussion of Ordinance No. 366 Amending Definition of Private Passenger Van, First Reading - Chief Cerniglia gave an historical overview of Ordinance No. 366 and went on to say the Sprinter Van is a new type of van and when this ordinance was first amended, discussion centered on pick-up trucks, not vans. Vice Mayor Schoppe read a letter from resident David Shore opposing the ordinance. Several residents expressed their displeasure with changing the ordinance to suit a small number of people and said, “it changes the aesthetics of the Town.” Another resident noted the demographics [of the Town] have changed, i.e., average age is 45 and there are more children.

After much discussion, a motion was made by Cmsr. Busha, seconded by Cmsr. Luger to table discussion of Ordinance No. 366 and place on the February 15<sup>th</sup> workshop agenda. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

- h. Discussion of Ordinance No. 367 Landscapers/Tree Trimmers Registration, First Reading – Town Manager Kellogg presented Ordinance No. 367 to the Commission for discussion and first reading, explaining this would help to prevent landscapers from leaving debris piles on property, real estate signs being moved, and trees being trimmed inappropriately. He said this requirement could be placed in the Town's newsletter quarterly. He also suggested establishing a registration fee to help defray the maintenance costs incurred by the Town [for clean-up]. Resident Ford said she felt it would be an unfair fee to charge workers to work in the Town. Residents Escue and Barile also noted their concern over this ordinance and the result of such to the homeowners. Another resident suggested that from Miami on up, fees similar to this are not uncommon. Discussion ensued. Cmsr. Luger made a motion to approve Ordinance No. 367 for First Reading. Hearing no second, the motion failed.

4. **Consent Agenda:**

- a. Approval of Minutes: December 13, 2011 and January 4 and 10, 2012
- b. Approval of Financial Reports for December 2011
- c. Approval of Disbursements for December 2011 #14729-14778
- d. Approval of P&L Report for December 2011

A motion was made by Cmsr. Busha, seconded by Vice Mayor Schoppe, to approve Consent Agenda. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

5. **Town Manager's Comments** - Town Manager Kellogg indicated we had collected 80% of our ad valorem tax by the end of December; permit fees are up, FEMA funds should provide an additional \$70,000 in revenue to the Building Department, and concluded by saying, "We are \$17,000 under budget for the first quarter of the year."
6. **Chief of Police Report** – Chief Cerniglia congratulated Lt. Ciechanowski for her achievement at the FBI National Academy. He then gave a brief update of the past year's activities compared to the previous five years.
7. **Comments from the Commissioners on topics not on the agenda** – None
8. **Adjourn** - A motion was made by Cmsr. Busha, seconded by Cmsr. Luger to adjourn the meeting at 8:40 PM. All in favor. (3-0)

**In Favor:** Busha, Luger, and Schoppe

**Opposed:** None

Respectfully submitted,  
Ann-Marie S. Basler, Town Clerk