

TOWN OF SEWALL'S POINT



PAMELA MAC'KIE WALKER
Town Manager

TO: Town of Sewall's Point Commission
FROM: Pamela Mac'Kie Walker, Town Manager
SUBJECT: Agenda Item 1
Financial Reports
Town Commission Meeting, October 27, 2015

Staff recommends acceptance of the attached financial reports.

Town of Sewall's Point
Financial Report
Revenues and Expenses Budget-to-Actual

	Actual		
	October 2014 - Sep 2015	Annual Budget FY 2015	% of Budget
	<i>unaudited</i>	<i>unaudited</i>	
Revenues			
Intergovernmental			
334.100 · Police Dept Grant Funds	2,208	-	
334.450 · SFWMD Grant	62,500	62,000	100.8%
312.400 · Gas Tax	68,235	40,000	170.6%
315.000 · Communications Services Taxes	67,130	55,000	122.1%
335.120 · State Revenue Sharing	61,290	45,000	136.2%
335.150 · Alcoholic Beverage Tax	1,468	1,000	146.8%
335.180 · Sales Tax	207,160	140,000	148.0%
Total Intergovernmental	469,991	343,000	137.0%
Local Taxes, Fees, Fines			
311.100 · Ad Valorem Taxes	1,469,693	1,442,107	101.9%
316.000 · Local Business Tax	3,876	2,000	193.8%
322.000 · Building Permit Fees	230,198	250,000	92.1%
323.100 · Electric Franchise	173,174	115,000	150.6%
325.200 · Road Impact Assessments	23,311	10,000	233.1%
351.300 · Civil Fines	6,090	3,000	203.0%
351.500 · Traffic Fines	18,379	15,000	122.5%
351.501 · Police Education	1,259	1,000	125.9%
361.100 · Interest	4,962	3,000	165.4%
366.900 · Miscellaneous Revenue	4,393	5,000	87.9%
367.000 · Town Licenses & Fees	5,015	1,000	501.5%
Total Local Taxes, Fees, Fines	1,940,350	1,847,107	105.0%
367.999 · Unrealized Loss/Gain on SBA	2,835	-	
Current Revenue	2,413,176	2,190,107	110.2%
381.000 · Transfer from Reserves	39,581	409,848	9.7%
Total Revenue	2,452,757	2,599,955	
Expenses			
Human Resources			
Public Safety	687,108	695,216	98.8%
Town Manager	125,343	116,300	107.8%
Town Assistant	39,054	35,938	108.7%
Town Clerk	62,462	61,550	101.5%
Building Dept.	120,264	118,404	101.6%
Maintenance Dept.	54,925	56,997	96.4%
Total Human Resources	1,089,155	1,084,405	100.4%
Insurance			
519.230 · Insurance Benefits	161,933	160,200	101.1%
519.45 · General and Liability Insurance	67,421	88,500	76.2%
Total Insurance	229,353	248,700	92.2%
Operating Expenses			
519.40 · Travel	861	3,000	28.7%
519.41 · Communication Network	28,187	25,400	111.0%
519.43a - Electricity	30,863	30,000	102.9%
519.43b - Water	25,491	30,000	85.0%
519.48 · Town Events	10,144	10,000	101.4%
511.49 - Contingency	500	1,000	50.0%
519.49D - Disaster Aid	-	1,000	0.0%
519.49F - Bank Fees	343	500	68.5%
519.51 · Office Supplies & Services	28,353	31,150	91.0%
519.52 · Fuel, Oil, Operating Supplies	22,537	35,500	63.5%
519.54 · Dues, Ed., Tuition Reimb	3,889	6,400	60.8%
521.52 · PD Enforcement Supplies	13,529	18,800	72.0%
Total Operating Expenses	164,697	192,750	85.4%

Town of Sewall's Point
Financial Report
Revenues and Expenses Budget-to-Actual

	Actual		
	October 2014 - Sep 2015	Annual Budget FY 2015	% of Budget
	<i>unaudited</i>	<i>unaudited</i>	
Outside Services			
Maintenance Services			
519.46a · Landscaping & Arborist Services	60,426	56,000	107.9%
519.46M · Town Hall	7,526	6,500	115.8%
519.46P · Parks	10,652	20,000	53.3%
519.46S · Facilities Streets & Storm Sewers	29,407	25,000	117.6%
519.46e - Equip. & Vehicle Maint.	23,382	26,800	87.2%
539.34 - Temporary Staffing	9,114	9,000	101.3%
Total Maintenance Services	140,507	143,300	98.1%
Professional Services			
513.32 - Financial Services	31,066	31,000	100.2%
514.31a · Legal Counsel -General	41,948	80,000	52.4%
514.31b · BZA Legal Counsel	1,113	1,000	111.3%
514.31c · CEB Legal Counsel	3,036	4,000	75.9%
514.31d · Litigation	8,764	50,000	17.5%
521.31 - PD Professional Services	7,712	8,200	94.1%
522.34 - Contracted Fire Rescue Services	355,720	360,000	98.8%
541.31 - Engineering Services	45,055	60,000	75.1%
Total Professional Services	494,414	594,200	83.2%
Total Outside Services	634,922	737,500	86.1%
Total Operating Expenses	2,118,127	2,263,355	93.6%
Capital Expenditures			
540.000 Machinery & Equipment	5,401	6,100	88.5%
541.63 · Road & Bridge Improvements	100,000	100,000	100.0%
541.635 · Town Hall/Park Improvements	45,000	45,000	100.0%
541.675 · Grant-Matched Projects/Stormwater	172,500	175,500	98.3%
541.690 · Street Lights	57,057	75,000	76.1%
Total Capital Expenditures	379,958	401,600	94.6%
Total Expenditures	2,452,757	2,599,955	94.3%
Other (Income)Expense			
332.000 FEMA Grant Management Fees	(91,484)	(75,000)	122.0%
519.31 FEMA Grant Management Support	46,156	10,000	461.6%
Total Other (Income)Expense	(45,328)	(65,000)	69.7%

Town of Sewall's Point
Financial Statement
Balance Sheet Prev. YTD Comparison
As of Sep 30, 2015

	<i>unaudited</i>	Audited		
	Sept 30 15	Sept 30, 14	\$ Change	% Change
ASSETS				
Current Assets				
Total Cash Accounts	376,097	371,709	4,388	1.2%
Total Investment Accounts	2,224,477	2,217,260	7,217	0.3%
Total Cash & Investments	2,600,574	2,588,969	11,605	0.4%
Total Other Current Assets	81,826	97,808	(15,982)	-16.3%
Total Current Assets	81,826	97,808	(15,982)	-16.3%
Capital Assets				
161.91/.92 Land and Improvements	681,019	681,019	-	0.0%
161.94 · Roads & Walkways	1,624,183	1,624,183	-	0.0%
162.91 · BUILDING - TOWN HALL	411,010	411,010	-	0.0%
164.91 · STREET LIGHTS	140,590	140,590	-	0.0%
164.92 · LANDSCAPING	44,930	44,930	-	0.0%
165.000 · Construction In Progress	11,907	11,907	-	0.0%
166.91 · POLICE CARS & EQUIPMENT	370,554	370,554	-	0.0%
166.912 · TRUCK - BUILDING DEPT	40,727	40,727	-	0.0%
166.92/.93 · Equipment, Furniture & Fixtures	86,074	86,074	-	0.0%
Less Dep. & Invest.in Capital Assets	(3,410,994)	(3,410,994)	-	0.0%
Total Capital Assets	-	-	-	0.0%
TOTAL ASSETS	2,682,400	2,686,777	(4,377)	-0.2%
LIABILITIES & EQUITY				
Total Accounts Payable & Accrued Expenses				
207.000 · Technology/Processing Fee	103,963	70,666	33,297	47.1%
208.001 · State Fees Payable	648	-	648	100.0%
209.000 · Martin Cty Impact Fees Payable	2,604	1,445	1,159	80.2%
217.00 · Payroll Liabilities	-	-	-	0.0%
217.00 · Payroll Liabilities	-	(100)	100	100.0%
Total Current Liabilities	107,215	72,011	35,204	48.9%
Total Long Term Liabilities	-	-	-	0.0%
Total Liabilities	107,215	72,011	35,204	48.9%
Equity				
Designated for Special Projects				
247.030 · Reserve for Prepaid Insurance	22,920	5,367	17,553	327.1%
247.05 · Reserve - Infrastructure	-	62,500	(62,500)	-100.0%
247.32 · Hurricane Reserve	1,500,000	1,500,000	-	0.0%
Total Designated for Special Projects	1,522,920	1,567,867	(44,947)	-2.9%
Unrestricted and Retained Earnings	1,091,845	1,098,871	(7,026)	-0.6%
YTD Revenues over (under) Expenditures	(39,581)	(51,973)	12,392	23.8%
Total Equity	2,575,185	2,614,765	(39,581)	-1.5%
TOTAL LIABILITIES & EQUITY	2,682,400	2,686,777	(4,377)	-0.2%

TOWN OF SEWALL'S POINT



PAMELA MAC'KIE WALKER
Town Manager

TO: Town of Sewall's Point Commission
FROM: Pamela Mac'Kie Walker, Town Manager
SUBJECT: Agenda Item 2
Meeting Minutes
Town Commission Meeting, October 27, 2015

Staff recommends approval of the attached meeting minutes.



**Town of Sewall's Point
Town Commission Workshop Meeting
May 12, 2015**

CALL TO ORDER

Mayor Luger called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Paul Luger, Vice Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela M. Walker, Town Attorney.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Vice Mayor Morris requested that a discussion regarding the resolution on All Aboard Florida be added to the agenda. Town Manager Walker provided an update on the status of the Resolution.

The Commission reached consensus to add item to the next commission meeting regarding previous resolutions regarding All Aboard Florida including the dates the resolutions passed.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

DISCUSSION TOPICS

1. Striping North River Road Intersection w/ A1A

Town Manager Walker provided information regarding the current conditions. Joe Capra provided information about the proposed changes to the striping.

The Commission discussed the proposed changes.

The Commission reached consensus to authorize expenditure of an additional \$4,000 for striping per the plan and to add a teardrop striping across the street at River Road and Ocean Boulevard.

Commissioner Barile discussed MPO bike safety lane making bike lane green in color. FDOT will cover the additional cost.

The Commission reached consensus to participate in program and request that the bike safety lane color go from the base of Stuart bridge to the intersection.

2. Dark Sky resolution concepts

Town Manager Walker provided information on the item.

The Commission discussed the resolution.

The Commission reached consensus to support resolution and directed that it be on the consent agenda for next meeting.

3. Cost Recovery Policy for Code Enforcement Actions

Town Manager Walker provided information on the item.

The Commission discussed the item.

The Commission reached consensus for no policy changes.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker provided an update on upcoming agendas. She stated that on the next meeting will be the audit, striping, All Aboard Florida and a discussion about Police Level of Service. She advised that the next workshop is on June 16th, the third Tuesday, and next meeting is June 23, 2015. She stated that on June 16th workshop there will be a discussion regarding sign code changes. She advised that staff is still researching changes to the code regarding trees.

Commission discussed letter that is being sent to residents regarding the upcoming meeting and the topic of the police and level of service provided by the police department.

Commissioner Campo discussed indemnification of the Commission and asked when it would be on the agenda. Town Manager Walker stated that there are still items to discuss and it will be on an upcoming workshop agenda.

Commissioner Campo provided update regarding meeting the Nehme's regarding the missing sidewalk and stated that discussions are ongoing.

Vice Mayor Morris stated that there is a rally regarding All Aboard Florida on Thursday, May 14, 2015 at 8:30 am at Aviation way and A1A.

ADJOURN

The meeting was adjourned at 7:12 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



**TOWN OF SEWALL'S POINT
TOWN COMMISSION REGULAR MEETING
MAY 26, 2015**

The Town Commission of the Town of Sewall's Point met on Tuesday, May 26, 2015 at 7:00 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela M. Walker, Town Attorney Glen Torcivia and Town Clerk Lakisha Burch

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Town Clerk Burch made a correction to the April 28, 2015 regular Commission meeting minutes.

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve the amended minutes from the April 28, 2015 regular meeting; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

CONSENT AGENDA

1. Financial Reports for April 2015
2. Meeting Minutes for April 2015
3. Resolution Proclaiming Sewall's Point "Dark Sky Friendly"
4. Resolution Adopting Budget Amendment for North River Road Striping

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve the consent agenda; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor, Commissioner Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There were public comments made by George Blanchard.

PRESENTATION

5. FY 2013-2014 Audit

Mr. Jim Hartley of DiBartolomeo, McBee, Hartley and Barnes, P.A., presented the 2013-2014 audit to the Commission.

Motion for approval was made by Commissioner Campo, seconded by Vice-Mayor Morris; to approve the 2013-2014 audit; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioner Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

PROCLAMATIONS AND AWARDS

6. Proclamation of National Police Week

Mayor Luger read the Proclamation and presented it to Police Chief Ciechanowski.

Motion for approval was made by Vice Mayor Morris, seconded by Commissioner Campo; to approve the National Police Week Proclamation; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

7. Presentation of Award for 2014 Officer of the Year and Department Commendations

Police Chief Ciechanowski presented Master Officer Christopher "Ross" Wade with the 2014 Officer of the Year award.

Police Chief Ciechanowski presented Sergeant Bonnie Bare and Officer Anthony Bono with a formal commendation.

8. Presentation of Lifesaving Awards for Officer Anthony Bono and Firefighter Billy Jones.

Police Chief Ciechanowski presented Officer Anthony Bono and Firefighter Billy Jones with the Lifesaving Award.

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve Resolution 813; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

Motion for approval was made by Commissioner Thurlow-Lippisch, seconded by Commissioner Barile; to approve Resolution 814; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

Mayor Luger adjourned the regular Commission meeting at 7:34 p.m. Mayor Luger then opened the Workshop/Discussion.

WORKSHOP/DISCUSSION

9. Review Police Department Services

Mayor Luger made comments regarding the Police department and their services.

Town Manager Walker gave a presentation and overview of the Police department and the services that is provided by the Police department.

There were comments made by the Commission regarding the Police Department.

There were public comments by numerous citizens from the public.

Town Manager Walker recognized Police Chief Ciechanowski for the good work she does and has done for the Police department.

Police Chief Ciechanowski made a comment.

The Commission reached a consensus and directed staff to fully staff the Police department with a total of ten (10) officers in this upcoming fiscal year.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker stated that she would be on vacation for the next three weeks and Police Chief Ciechanowski would be the Acting Town Manager.

Commissioner Campo asked a question in regards to the Road Impact assessment.

Town Manager Walker responded to his question.

ADJOURN

The meeting was adjourned at 8:42 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF WORKSHOP MEETING
MAY 12, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

CALL TO ORDER

Mayor Luger called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch and Town Manager Pamela M. Walker were present.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Vice Mayor Morris requested that a discussion regarding the resolution on All-Aboard Florida be added to the agenda. Town Manager Walker provided an update on the status of the Resolution.

The Commission reached consensus to add an item to the next commission meeting to discuss the previously adopted resolutions regarding All -Aboard Florida including the dates the resolutions passed.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

DISCUSSION TOPICS

1. Striping North River Road Intersection w/ A1A

Town Manager Walker provided information regarding the current proposal. Joe Capra provided information about the proposed changes to the striping plan.

The Commission discussed the proposed changes.

The Commission reached consensus to authorize expenditure of an additional \$4,000 for striping per the plan and to add a teardrop striping across the street at River Road and Ocean Boulevard.

Commissioner Barile discussed a proposed bike lane striping improvement program.

The Commission reached consensus to participate in the program and requested that the bike safety lane color go from the base of Stuart Bridge to the intersection.

2. Dark Sky resolution concepts

Town Manager Walker provided information on the issue.

The Commission discussed the resolution.

The Commission reached consensus to support resolution and directed that it be on the consent agenda for next meeting.

3. Cost Recovery Policy for Code Enforcement Actions

Town Manager Walker provided information on the issue.

The Commission discussed the issue.

The Commission reached consensus for no policy changes.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker provided an update on upcoming agendas. She stated that on the next meeting will include discussions of the audit, road striping, All Aboard Florida and a discussion about Police Level of Service. She advised that the next workshop is on June 16th, the third Tuesday, and next meeting is June 23, 2015. She stated that on June 16th workshop there will be a discussion regarding sign code changes. She advised that staff is still researching changes to the code regarding trees.

The Commission discussed a letter that is being sent to residents regarding the upcoming meeting and the topic of level of service provided by the Police Department.

Commissioner Campo discussed indemnification of the Commission and asked when the issue would be on the agenda. Town Manager Walker stated that there are still items being researched and it will be on an upcoming workshop agenda. Commissioner Campo also provided an update regarding meeting the Nehme's potential sidewalk and stated that discussions are ongoing.

Vice Mayor Morris stated that there is a rally regarding All Aboard Florida on Thursday, May 14, 2015 at 8:30 am at Aviation way and A1A.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:12 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF REGULAR MEETING
MAY 26, 2015

[Verbatim details available at www.sewallspoint.org by clicking the "audio" link for the meeting]

The Town Commission of the Town of Sewall's Point met on Tuesday, May 26, 2015 at 7:00 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela M. Walker, Town Attorney Glen Torcivia and Town Clerk Lakisha Burch were present.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Town Clerk Burch made a correction to the April 28, 2015 regular Commission meeting minutes.

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve the amended minutes from the April 28, 2015 regular meeting; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

CONSENT AGENDA

1. Financial Reports for April 2015
2. Meeting Minutes for April 2015
3. Resolution Proclaiming Sewall's Point "Dark Sky Friendly"
4. Resolution Adopting Budget Amendment for North River Road Striping

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve the consent agenda; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor, Commissioner Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was public comment made by George Blanchard.

PRESENTATION

5. FY 2013-2014 Audit

Mr. Jim Hartley of DiBartolomeo, McBee, Hartley and Barnes, P.A., presented the 2013-2014 audit to the Commission.

Motion for approval was made by Commissioner Campo, seconded by Vice-Mayor Morris; to approve the 2013-2014 audit; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioner Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

PROCLAMATIONS AND AWARDS

6. Proclamation of National Police Week

Mayor Luger read the Proclamation and presented it to Police Chief Ciechanowski.

Motion for approval was made by Vice Mayor Morris, seconded by Commissioner Campo; to approve the National Police Week Proclamation; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

7. Presentation of Award for 2014 Officer of the Year and Department Commendations

Police Chief Ciechanowski presented Master Officer Christopher "Ross" Wade with the 2014 Officer of the Year award.

Police Chief Ciechanowski presented Sergeant Bonnie Bare and Officer Anthony Bono with formal commendations.

8. Presentation of Lifesaving Awards for Officer Anthony Bono and Firefighter Billy Jones.

Police Chief Ciechanowski presented Officer Anthony Bono and Firefighter Billy Jones with the Lifesaving Award.

Motion for approval was made by Vice-Mayor Morris, seconded by Commissioner Thurlow-Lippisch; to approve Resolution 813; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

Motion for approval was made by Commissioner Thurlow-Lippisch, seconded by Commissioner Barile; to approve Resolution 814; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

Mayor Luger adjourned the regular Commission meeting at 7:34 p.m. Mayor Luger then opened the Workshop/Discussion.

WORKSHOP/DISCUSSION

9. Review Police Department Services

Mayor Luger made comments regarding the Police Department and the valued services they provide.

Town Manager Walker gave a presentation and overview of the Police Department.

There were comments made by the Commission regarding the Police Department.

There were public comments by numerous citizens.

The Commission reached a consensus and directed staff to fully staff the Police department with a total of ten (10) officers in the upcoming fiscal year.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker stated that she would be on vacation for the next three weeks and that Police Chief Ciechanowski would be the Acting Town Manager.

Commissioner Campo asked a question in regards to the Road Impact assessment. Town Manager Walker responded to his question.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:42 p.m

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF WORKSHOP MEETING
JUNE 16, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall’s Point met on Tuesday, June 16, 2015 at 5:30 p.m. at Town Hall.

CALL TO ORDER

Vice-Mayor Morris called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Vice-Mayor Morris led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger (absent), Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Thurlow-Lippisch, Town Manager Pamela Walker and Town Clerk Lakisha Burch were present.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Vice-Mayor Morris asked for item 3 (Lantana Pocket Park) be postponed until the regular Town Commission meeting.

The Commission reached a consensus to postpone item # 3 (Lantana Pocket Park) to the next regular Town Commission meeting.

PRESENTATIONS

- 1. FDOT regarding Ernest Lyons & Evans Crary Bridges Handrail Replacement Project**

Kathleen Dempsey, Project Public Information Officer for the Florida Department of Transportation gave a PowerPoint presentation to the Commission.

COMMENTS FROM THE PUBLIC

There was no public comment.

DISCUSSION TOPICS

- 1. Proposed Changes to Commercial Sign Code**

Town Manager Walker gave a presentation and overview of the proposed changes to the Commercial Sign Code.

There was discussion among the Town Manager and the Commission.

2. Lantana Pocket Park Report

This item was removed from the agenda.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker stated that the meeting to adopt the tentative millage rate is upcoming and she would like to meet with the Commission individually to discuss.

Commissioner Barile gave an update from the Martin County Metropolitan Planning Organization (MPO).

Commissioner Thurlow-Lippisch stated she is enjoying being a member of the Treasure Coast Regional Planning Council and has been asked to be the Treasurer. She also gave an overview of what is happening with the Treasure Coast Regional Planning Council and expressed her concerns regarding the FDOT project.

Joe Capra, Captec Engineering, Town Engineer, addressed the Commission and gave an update on the South Sewall's Point Road striping project, stormwater maintenance and the FEMA Flood grant program for elevation of houses.

Vice-Mayor Morris commented on the retirement of Jose Torres after 28 years of service. He encouraged the Town Manager to be creative as how to replace Jose and to address the future retirement of John Adam, Building Official's office. He stated that he also encourages the Commission to meet directly with the Town Manager. Vice-Mayor Morris also commented on the landscaping on AIA.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:21 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF WORKSHOP MEETING
JUNE 23, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall’s Point met on Tuesday, June 23, 2015 at 7:00 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela M. Walker, Town Attorney Glen Torcivia were present.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Mayor Luger requested that a presentation from Florida Power and Light (FPL) regarding the hardening project along North Sewall’s Point Road be added to the agenda as the first item under discussion.

Motion was made by Commissioner Thurlow-Lippisch, seconded by Vice-Mayor Morris, to amend the agenda to add Presentation from Florida Power and Light to the agenda; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion therefore carried unanimously.

CONSENT AGENDA

1. Financial Reports for April 2015

Vice Mayor Morris requested that the Financial Report for April 2015 be pulled from the consent agenda.

Motion was made by Vice-Mayor Morris, Seconded by Commissioner Campo, to pull item one from the consent agenda and be heard as item 6a; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion therefore carried unanimously.

2. Meeting Minutes for April 2015

Commissioner Thurlow-Lippisch requested that the Minutes for April 2015 be pulled from the consent agenda. She stated that the minutes need additional detail and discussed the availability of the meeting audio on the Town's website.

The Commission discussed the minutes and the audio on the Town's website.

Motion was made by Vice-Mayor Morris, Seconded by Commissioner Thurlow-Lippisch, to postpone the approval of April 2015 minutes; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

3. Town Manager Annual Evaluation Results

Motion was made by Vice-Mayor Morris, Seconded by Commissioner Campo, to approve item three on the consent agenda acknowledging the 4.61 overall evaluation score of the Town Manager; it was voted as follows: Ayes: Mayor Luger, Vice-Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion carried unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was no public comment.

WORKSHOP/DISCUSSION

4. Presentation from FPL regarding the hardening project along North Sewall's Point Road

Amy Brunjes made presentation regarding project.

5. Review Lantana Park Survey Results

Town Manager Walker made presentation regarding survey results.

Ella Ford spoke in support of benches but not a water fountain or picnic tables because of the cost of the maintenance.

Mr. Cameron, 4 Admirals Walk, expressed concerns regarding liability.

The Commission further discussed the plan.

The Commission reached consensus to bring back plan with landscaping and benches with associated costs and an ongoing maintenance budget.

6. Review of Liquid Assets/Reserves

Town Manager Walker made a presentation.

6a. Financial Reports for April 2015

Town Manager Walker answered questions regarding the financial reports.

7. Policy for Legal Defense of Commissioners

Town Manager Walker made presentation.

Town Attorney Torcivia made presentation.

The Commission discussed the policy.

The Commission reached consensus and directed Town Attorney Torcivia to prepare a policy and bring back for Commission consideration.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker discussed the upcoming meeting schedule.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:22 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF SPECIAL MEETING
JULY 21, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall's Point met on Tuesday, July 21, 2015 at 5:30 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Braille, Commissioner James W. Campo, Commissioner Thurlow-Lippisch, Town Manager Pamela Walker and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Town Manager Walker introduced Police Chief Ciechanowski who then addressed the Commission. Police Chief Ciechanowski stated that the Sewall's Point Police Department received two awards from the Law Enforcement Liaison funded by FDOT (Florida Department of Transportation). She stated that one award was for 1st place for a city of our size in the Law Enforcement Challenge which is basically recognized for comprehensive safety program and will receive about fifteen thousand dollars specifically for traffic equipment. The second award was for 3rd place for a city of our size in Seat Belt Enforcement which the Town will receive about ten thousand dollars. The money will be used to put in a car video system in the three line cars and a Sargent's car. She also stated there will be some expense by the Town for installation but can be absorbed through the maintenance budget.

Town Manager Walker congratulated Chief Ciechanowski and her staff for their excellent work.

COMMENTS FROM THE PUBLIC

There was public comment by Scott Wade.

DISCUSSION ITEMS

- 1. Adoption of Tentative Millage for Truth-In-Millage (TRIM) Notices**

Town Manager Walker stated there were some errors in the budget spreadsheet in the agenda packets. She then gave the correct numbers that should have been in the budget. She then gave the Commission an overview of the 2015-2016's tentative budget.

Motion was made by Commissioner Barile, Seconded by Vice Mayor Morris; to approve the tentative proposed millage rate of 3.1; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile and Thurlow-Lippisch. Nay: Commissioner Campo. Motion passed 4 to 1.

2. Summer Meeting Schedule

Town Manager Walker presented the item.

Motion was made by Commissioner Barile, Seconded by Vice Mayor Morris, to approve the cancellation of both meeting dates in August and the meeting on September 22nd; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

3. Announcement of Date, Time and Meeting Place for Budget Hearings

Motion was made by Vice Mayor Morris, Seconded by Commissioner Barile, to approve the tentative millage rate of 3.1, roll back rate of 2.55 and to have the preliminary budget meeting on September 16, 2015; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile and Thurlow-Lippisch. Nay: Commissioner Campo. Motion passed 4 to 1.

COMMISSIONERS OR STAFF COMMENTS

No comments were made by Commissioners or Staff.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 7:47 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF MEETING
SEPTEMBER 16, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall’s Point met for its Preliminary Budget Hearing on Wednesday, September 16, 2015 at 5:30 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela Mac’Kie Walker, Town Attorney Carolyn Ansay and Town Clerk Lakisha Burch.

Town Attorney Ansay gave an overview to the Town Commission of why tonight’s meeting needed to be recessed to another day and time. The Meeting was recessed due to Martin County Board of County Commission continuing their meeting on Tuesday, September 9, 2015 to Wednesday, September 16, 2015.

There was discussion among the Commissioners as to what time and date would be satisfactory to all.

Motion was made by Commissioner James W. Campo, seconded by Vice-Mayor Morris, to recess the preliminary budget hearing to Monday, September 21, 2015 at 5:05 p.m. at Town Hall located at 1 South Sewall’s Point Road, Sewall’s Point, FL; it was voted as follows: Ayes: Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioners Vincent N. Barile, James W. Campo and Jacqui Thurlow-Lippisch. Motion therefore carried unanimously.

Motion was made by Commissioner Thurlow-Lippisch, seconded by Commissioners Vincent N. Barile, to set final budget hearing to Friday, September 25, 2015 at 5:01 p.m. at Town Hall located at 1 South Sewall’s Point Road, Sewall’s Point, FL; it was voted as follows: Ayes: Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, James W. Campo and Jacqui Thurlow-Lippisch. Motion therefore carried unanimously.

Motion was made by Commissioner James W. Campo, seconded by Commissioner Jacqui Thurlow-Lippisch, to recess the preliminary millage rate hearing to Monday, September 21, 2015 at 5:05 p.m. at Town Hall located at 1 South Sewall's Point Road, Sewall's Point, FL; it was voted as follows: Ayes: Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioners Vincent N. Barile, James W. Campo and Jacqui Thurlow-Lippisch. Motion therefore carried unanimously.

Motion was made by Commissioner James W. Campo, seconded by Vice-Mayor Morris, to set final millage rate hearing to Friday, September 25, 2015 at 5:01 p.m. at Town Hall located at 1 South Sewall's Point Road, Sewall's Point, FL; it was voted as follows: Ayes: Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioners Vincent N. Barile, James W. Campo and Jacqui Thurlow-Lippisch. Motion therefore carried unanimously.

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 5:45 p.m.

APPROVED:

Mayor Paul Luger, PRESIDING OFFICER

ATTEST:

Lakisha Q. Burch, TOWN CLERK



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF RESCHEDULED PRELIMINARY BUDGET
HEARING
SEPTEMBER 21, 2015

[Verbatim details available at www.sewallspoint.org by clicking the "audio" link for the meeting]

CALL TO ORDER

Mayor Luger called the meeting to order at 5:05 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela Walker, Town Attorney Carolyn Ansay and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

There were no additions, deletions or changes to the agenda.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was public comment by Darlene Straka.

PUBLIC HEARING

1. **Discuss proposed budget, the percentage increase in millage over the rolled-back rate necessary to fund the budget, and the specific purposes for which ad valorem tax revenues are being increased.**

Town Manager Walker gave an overview of the proposed budget, percentage increase in millage and the specific purposes of ad valorem tax revenues increase.

There were discussion among the Commission.

2. **Comments from the Public regarding the proposed tentative budget and millage rate.**

There were public comments from the following Laura DeBerard, Roz DeGraff, Bill Escue, Ella Ford, Darlene Straka, Scott Wade and Anna Bergalis

3. **Commission Discussion regarding any proposed amendments to the tentative budget; and proposed millage rate;**

There was discussion among the Commission.

Motion was made by Commissioner Campo, Seconded by Vice Mayor Morris; to approve that the Town only pays 75% of the total health insurance premium for each employee and their dependents; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris and Commissioner Campo; Nays: Commissioners Barile and Thurlow-Lippisch. Motion passed 3-2.

Motion to have the Town Manager explore options to save additional 20,000 dollars was made by Commissioner Campo. Motion failed due to a lack of second.

4. RESOLUTION No. 815, A RESOLUTION OF THE SEWALL'S POINT TOWN COMMISSION ADOPTING THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2016

Motion was made by Vice Mayor Morris, Seconded by Commissioner Thurlow-Lippisch, to approve Resolution No. 815 adopting the tentative millage rate of 3.1 for the FY 2016; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris and Commissioner Thurlow-Lippisch. Nays: Commissioners Barile and Campo. Motion failed due to lack of majority vote needed for this millage rate.

Motion was made by Commissioner Thurlow-Lippisch, Seconded by Vice Mayor Morris, to approve Resolution No. 815 adopting a tentative millage rate of 2.87 for the FY 2016; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

Town Manager announcement of the percentage by which the adopted tentative millage rate exceeds the rolled-back rate.

5. RESOLUTION No. 816, A RESOLUTION OF THE SEWALL'S POINT TOWN COMMISSION ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2016

Motion was made by Vice Mayor Morris, Seconded by Commissioner Thurlow-Lippisch, to approve Resolution No. 816 adopting the tentative budget for the FY 2016 with the change of health insurance being paid at 75% per the earlier motion; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

6. RESOLUTION No. 817, A RESOLUTION OF THE SEWALL'S POINT TOWN COMMISSION ADOPTING THE ANNUAL SALARY & BENEFITS PLAN AND THE REVISED PERSONNEL MANUAL

Motion was made by Commissioner Campo, Seconded by Vice Mayor Morris, to approve Resolution No. 817 adopting the Annual Salary & Benefits Plan and the Revised Personnel Manual with small language change regarding the Police Department Pay Plan; it was voted as follows: Ayes Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

7. RESOLUTION No. 818, A RESOLUTION OF THE SEWALL'S POINT TOWN COMMISSION ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2016

Motion was made by Commissioner Thurlow-Lippisch, Seconded by Vice Mayor Morris, to approve Resolution No. 818 adopting the Five Year Capital Improvement Plan for FY

2016; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

COMMISSIONERS OR STAFF COMMENTS

Commissioner Campo asked what dates are the meetings in October. Town Manager Walker responded to Commissioner Campo's question by reviewing all meeting dates and times for the months of October and November.

Vice Mayor Morris inquired about the replacing the royal Poinciana tree across the street from Town Hall. There was discussion among Commissioner Thurlow-Lippisch and Town Manager Walker in regards to Vice Mayor Morris' inquiry, with a conclusion that the tree would be replaced.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 9:25 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF FINAL BUDGET HEARING
SEPTEMBER 25, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

CALL TO ORDER

Mayor Luger called the meeting to order at 5:01 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Dan Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela M. Walker, Town Attorney Glen Torcivia and Town Clerk Lakisha Burch

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

There were no additions, deletions or changes to the agenda.

PUBLIC HEARING

1. Millage Rate Increase Discussion

F.S. 200.065(2)(e)1 requires that the first substantive issue to be discussed must be the percentage increase in millage over the rolled-back rate necessary to fund the budget and specific purposes for which the ad valorem tax revenues are being increased.

- a. Presentation by Town Manager regarding purposes of millage increase

Town Manager Walker presented the item.

- b. General Public Comment regarding the proposed increase.

There were no public comments.

2. **Public announcement:** per F.S. 200.065(2)(d) & (e), the following announcement must be made:

“The Town of Sewall’s Point, Florida’s rolled back rate is 2.54. The percentage increase in property taxes for Fiscal Year 2015-2016 is 0.33% and the Town’s millage rate to be adopted is 2.87 mills.”

3. Resolution No. 819 adopting the final FY 2015/2016 millage rate.

Motion was made by Commissioner Campo, Seconded by Vice Mayor Morris, to approve Resolution No. 819 adopting the final FY 2015-2016 millage rate; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioners Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

4. Resolution No. 820 adopting the final FY 2015/2016 operating budget.

Motion was made by Vice Mayor Morris, Seconded by Commissioner Campo, to approve Resolution No. 820 adopting the final FY 2015-2016 operating budget; it was voted as follows: Ayes: Mayor Luger, Vice Mayor Morris, Commissioner Barile, Campo and Thurlow-Lippisch. Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was public comment by George Blanchard.

COMMISSIONERS OR STAFF COMMENTS

Town Manager Walker mentioned now that the budget process was completed she would be bringing before the Commission in the upcoming meetings and workshops other items of discussion.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 5:34 p.m.

APPROVED:

Mayor Paul Luger, PRESIDING OFFICER

ATTEST:

Lakisha Q. Burch, TOWN CLERK



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF SPECIAL MEETING
OCTOBER 13, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall’s Point met in special meeting on Tuesday, October 13, 2015 at 8:05 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 8:05 p.m.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela Walker, Town Attorney Carolyn Ansay and Town Clerk Lakisha Burch.

ATTORNEY CLIENT SESSION

- 1. Attorney client session** pursuant to Section 286.011(8), Florida Statutes (2012), to discuss strategy related to litigation expenditures and/or settlement negotiations in 122 South Sewall’s Point, LLC, Florida Limited Liability Company, Plaintiff, v. Town of Sewall’s Point, a Florida municipal corporation, Defendant, in the Circuit Court of the Nineteenth Judicial Circuit in and for Martin County, Florida, Case. No. 14-879 CA

ATTENDEES: Town Commissioners Barile, Campo, Luger, Morris, and Thurlow-Lippisch; Town Manager Walker; Town Attorneys Stearns, Martinez and Ansay

Town Attorney Ansay provided to the Commission an overview of how the Attorney Client Session would proceed and who would be in attendance.

Mayor Luger recessed the meeting at 8:07 p.m.

Meeting was called to order at 8:38 p.m.

- 2. Action Items (if any) Stemming from Attorney Client Session**

There was no action taken by the Commission.

COMMENTS FROM THE PUBLIC

There was no public comment.

COMMISSIONERS OR STAFF COMMENTS

Commissioner Campo expressed concern about not hearing of the case prior the Attorney Client Session.

Commissioner Thurlow-Lippisch asked was this on the agenda and she also stated that communication is very important.

Town Manager Walker responded to Commissioner Campo and Thurlow-Lippisch's concerns and stated that she would get advice from Town Attorney Ansay on how to communicate information regarding pending litigation to Commission.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:42 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk



TOWN OF SEWALL'S POINT
TOWN COMMISSION MINUTES OF WORKSHOP MEETING
OCTOBER 13, 2015

[Verbatim details available at www.sewallspoint.org by clicking the “audio” link for the meeting]

The Town Commission of the Town of Sewall's Point met on Tuesday, October 13, 2015 at 5:30 p.m. at Town Hall.

CALL TO ORDER

Mayor Luger called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Luger led the Pledge of Allegiance.

ROLL CALL

Mayor Paul Luger, Vice-Mayor Morris, Commissioner Vincent N. Barile, Commissioner James W. Campo, Commissioner Jacqui Thurlow-Lippisch, Town Manager Pamela Walker, Town Attorney Carolyn Ansay and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

Town Manager Walker asked for item #1 (Living Shorelines Presentation) could be removed from the agenda.

The Commission reached a consensus to remove item #1(Living Shorelines Presentation) be removed from the agenda.

PRESENTATIONS

- 1. Living Shorelines Presentations by Pamela Hopkins, PH.D., Florida Oceanographic Society**

This item was removed from the agenda.

COMMENTS FROM THE PUBLIC

There were public comments by Todd Braun and Ella Ford.

DISCUSSION TOPICS

- 2. FPL Franchise Fee Renewal**

Town Manager Walker introduced the item and gave an overview.

Patrick Bryan, attorney representing Florida Power and Light, addressed the Commission in regards to the Franchise Fee renewal fees.

The Commission came to the consensus to prepare an ordinance for First Reading at the October 27, 2015 scheduled meeting.

3. Sign Code Update

Town Manager Walker presented the item to the Commission and gave an overview with a PowerPoint presentation.

There was discussion among the Commission, the Town Manager and John Adams, Building Official.

There were public comments by Deb Devall and Steve Garrett.

The Commission came to the consensus to bring the sign code before the Commission at another workshop.

4. Lantana Pocket Park

Town Manager Walker presented the item to the Commission and gave an overview of the item.

There was discussion among the Commission and the Town Manager.

The Commission reached a consensus to move forward with two benches and landscaping as staff recommended.

COMMISSIONERS OR STAFF COMMENTS

Mayor Luger inquired of the Town Manager potential annexation of the property on the north side of town.

Mayor Luger raised the issue of flooding on Riverview. Town Engineer Joe Capra discussed the issue with the Commission.

Commissioner Barile asked the Town Manager for an update on rental registration. Town Manager reported that the program is being implemented successfully.

Commissioner Campo asked the Town Manager for an update about FEMA Audit/Flood Insurance Program. Building Official John Adams responded and the Town Manager committed to a full report to the Town Commission at an upcoming workshop.

Town Manager received consensus to send a letter to Representative Caldwell regarding Election Laws.

Commissioner Thurlow-Lippisch gave Commissioner Barile kudos for being in the Florida League of Cities' newsletter for his work on the Advocacy Committee.

Commissioner Barile stated that on the 21st of October will be presenting Stuart Middle School with a check from Town of Sewall's Point that was given to the Town from the Treasure Coast League of Cities.

The Town Commission authorized the Town Manager to provide input to a commercial community newsletter.

ADJOURN

There being no further business to come before the Commission, the meeting was adjourned at 8:01 p.m.

APPROVED:

Mayor Paul Luger, Presiding Officer

ATTEST:

Lakisha Q. Burch, Town Clerk

Proclamation

Declaring November

“Hunger Awareness Month”

in Sewall’s Point

Whereas, hunger and poverty remain issues of grave concern in the United States, the State of Florida, the Treasure Coast, and the Town of Sewall’s Point; and

Whereas, The Town of Sewall’s Point is committed to taking steps to raise awareness about the need to combat hunger in every part of our community and to provide additional resources that local residents need; and

Whereas, The Town of Sewall’s Point is committed to working with the Treasure Coast Food Bank in mobilizing people about the role and importance of food banks and hunger relief organizations in addressing hunger and bringing attention to the need to devote more resources and attention to hunger issues; and

Whereas, Treasure Coast Food Bank invites residents, both young and old, to become engaged in the local fight against hunger this holiday season in Martin County and throughout the Treasure Coast this November.

Now, therefore, be it proclaimed by the Town of Sewall’s Point that November is Hunger Awareness Month in Sewall’s Point and that this observance is called to the attention of our citizens.

Presented this 27th Day of October 2015

Paul Luger
Mayor

TOWN OF SEWALL'S POINT



PAMELA MAC'KIE WALKER
Town Manager

TO: Town of Sewall's Point Commission
FROM: Pamela Mac'Kie Walker, Town Manager
SUBJECT: Agenda Item 5
FPL Franchise Ordinance
Town Commission Meeting, October 27, 2015

Background: As discussed at the October 14, 2015 Workshop, the Town's 1986 Franchise Agreement with Florida Power and Light (FPL) will expire at the end of the year. The proposed new Franchise Agreement, as codified in Ordinance 407 (attached) provides a non-exclusive right to install and maintain electric facilities within the Town's rights-of-way and prohibits the Town's establishment of a municipal electric utility to compete with FPL in exchange for FPL's collection and remittance of franchise fees to the Town each month in at the rate of six percent (6%) of the revenues collected from the sale of electricity by FPL to its customers within the Town.

The estimated revenues for the Town from a new franchise agreement with FPL are \$177,855 per year at current consumption levels.

Recommendation: Staff recommends that Ordinance 407 be transmitted for second reading and adoption at the Town Commission meeting on November 17, 2015.

ORDINANCE NO. 407

AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF SEWALL'S POINT, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Sewall's Point, Florida recognizes that the Town of Sewall's Point and its citizens need and desire the continued benefits of electric service; and

WHEREAS, the provision of such service requires substantial investments of capital and other resources in order to construct, maintain and operate facilities essential to the provision of such service in addition to costly administrative functions, and the Town of Sewall's Point does not desire to undertake to provide such services; and

WHEREAS, Florida Power & Light Company (FPL) is a public utility which has the demonstrated ability to supply such services; and

WHEREAS, there is currently in effect a franchise agreement between the Town of Sewall's Point and FPL, the terms of which are set forth in Town of Sewall's Point Ordinance No. 161, passed and adopted January 8, 1986, and FPL's written acceptance thereof dated January 28, 1986, granting to FPL, its successors and assigns, a thirty (30) year electric franchise ("Current Franchise Agreement"); and

WHEREAS, FPL and the Town of Sewall's Point desire to enter into a new agreement (New Franchise Agreement) providing for the payment of fees to the Town of Sewall's Point in exchange for the nonexclusive right and privilege of supplying electricity and other services within the (Town of Sewall's Point free of competition from the Town of Sewall's Point, pursuant to certain terms and conditions, and

WHEREAS, the Town Commission of the Town of Sewall's Point deems it to be in the best interest of the Town of Sewall's Point and its citizens to enter into the New Franchise Agreement prior to expiration of the Current Franchise Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:

Section 1. There is hereby granted to Florida Power & Light Company, its successors and assigns (hereinafter called the "Grantee"), for the period of 30 years from the effective date hereof, the nonexclusive right, privilege and franchise (hereinafter called "franchise") to construct, operate and maintain in, under, upon, along, over and across the present and future roads, streets, alleys, bridges, easements, rights-of-way and other public places (hereinafter called "public rights-of-way") throughout all of the incorporated areas, as such incorporated areas may be constituted from time to time, of the Town of Sewall's Point, Florida, and its successors (hereinafter called the "Grantor"), in accordance with the Grantee's customary practice with respect to construction and maintenance, electric light and power facilities, including, without limitation, conduits, poles, wires, transmission and distribution lines, and all other facilities installed in conjunction with or ancillary to all of the Grantee's operations (hereinafter called "facilities"), for the purpose of supplying electricity and other services to the Grantor and its successors, the inhabitants thereof, and persons beyond the limits thereof.

Section 2. The facilities of the Grantee shall be installed, located or relocated so as to not unreasonably interfere with traffic over the public rights-of-way or with reasonable egress from and ingress to abutting property. To avoid conflicts with traffic, the location or relocation of all facilities shall be made as representatives of the Grantor may prescribe in

accordance with the Grantor's reasonable rules and regulations with reference to the placing and maintaining in, under, upon, along, over and across said public rights-of-way; provided, however, that such rules or regulations (a) shall not prohibit the exercise of the Grantee's right to use said public rights-of-way for reasons other than unreasonable interference with motor vehicular traffic, (b) shall not unreasonably interfere with the Grantee's ability to furnish reasonably sufficient, adequate and efficient electric service to all of its customers, and (c) shall not require the relocation of any of the Grantee's facilities installed before or after the effective date hereof in public rights-of-way unless or until widening or otherwise changing the configuration of the paved portion of any public right-of-way used by motor vehicles causes such installed facilities to unreasonably interfere with motor vehicular traffic. Such rules and regulations shall recognize that above-grade facilities of the Grantee installed after the effective date hereof should be installed near the outer boundaries of the public rights-of-way to the extent possible. When any portion of a public right-of-way is excavated by the Grantee in the location or relocation of any of its facilities, the portion of the public right-of-way so excavated shall within a reasonable time be replaced by the Grantee at its expense and in as good condition as it was at the time of such excavation. The Grantor shall not be liable to the Grantee for any cost or expense in connection with any relocation of the Grantee's facilities required under subsection (c) of this Section, except, however, the Grantee shall be entitled to reimbursement of its costs from others and as may be provided by law.

Section 3. The Grantor shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its facilities hereunder, and the acceptance of this ordinance shall be deemed an agreement

on the part of the Grantee to indemnify the Grantor and hold it harmless against any and all liability, loss, cost, damage or expense which may accrue to the Grantor by reason of the negligence, default or misconduct of the Grantee in the construction, operation or maintenance of its facilities hereunder.

Section 4. All rates and rules and regulations established by the Grantee from time to time shall be subject to such regulation as may be provided by law.

Section 5. As a consideration for this franchise, the Grantee shall pay to the Grantor, commencing 90 days after the effective date hereof, and each month thereafter for the remainder of the term of this franchise, an amount which added to the amount of all licenses, excises, fees, charges and other impositions of any kind whatsoever (except ad valorem property taxes and non-ad valorem tax assessments on property) levied or imposed by the Grantor against the Grantee's property, business or operations and those of its subsidiaries during the Grantee's monthly billing period ending 60 days prior to each such payment will equal 6.0 percent of the Grantee's billed revenues, less actual write-offs, from the sale of electrical energy to residential, commercial and industrial customers (as such customers are defined by FPL's tariff) within the incorporated areas of the Grantor for the monthly billing period ending 60 days prior to each such payment, and in no event shall payment for the rights and privileges granted herein exceed 6.0 percent of such revenues for any monthly billing period of the Grantee.

The Grantor understands and agrees that such revenues as described in the preceding paragraph are limited, as in the existing franchise Ordinance No. 161, to the precise revenues described therein, and that such revenues do not include, by way of example and not limitation: (a) revenues from the sale of electrical energy for Public Street

and Highway Lighting (service for lighting public ways and areas); (b) revenues from Other Sales to Public Authorities (service with eligibility restricted to governmental entities); (c) revenues from Sales to Railroads and Railways (service supplied for propulsion of electric transit vehicles); (d) revenues from Sales for Resale (service to other utilities for resale purposes); (e) franchise fees; (f) Late Payment Charges; (g) Field Collection Charges; (h) other service charges.

Section 6. As a further consideration, during the term of this franchise or any extension thereof, the Grantor agrees: (a) not to engage in the distribution and/or sale, in competition with the Grantee, of electric capacity and/or electric energy to any ultimate consumer of electric utility service (herein called a "retail customer") or to any electrical distribution system established solely to serve any retail customer formerly served by the Grantee, (b) not to participate in any proceeding or contractual arrangement, the purpose or terms of which would be to obligate the Grantee to transmit and/or distribute, electric capacity and/or electric energy from any third party(ies) to any other retail customer's facility(ies), and (c) not to seek to have the Grantee transmit and/or distribute electric capacity and/or electric energy generated by or on behalf of the Grantor at one location to the Grantor's facility(ies) at any other location(s). Nothing specified herein shall prohibit the Grantor from engaging with other utilities or persons in wholesale transactions which are subject to the provisions of the Federal Power Act.

Nothing herein shall prohibit the Grantor, if permitted by law, (i) from purchasing electric capacity and/or electric energy from any other person, or (ii) from seeking to have the Grantee transmit and/or distribute to any facility(ies) of the Grantor electric capacity and/or electric energy purchased by the Grantor from any other person; provided, however,

that before the Grantor elects to purchase electric capacity and/or electric energy from any other person, the Grantor shall notify the Grantee. Such notice shall include a summary of the specific rates, terms and conditions which have been offered by the other person and identify the Grantor's facilities to be served under the offer. The Grantee shall thereafter have 90 days to evaluate the offer and, if the Grantee offers rates, terms and conditions which are equal to or better than those offered by the other person, the Grantor shall be obligated to continue to purchase from the Grantee electric capacity and/or electric energy to serve the previously-identified facilities of the Grantor for a term no shorter than that offered by the other person. If the Grantee does not agree to rates, terms and conditions which equal or better the other person's offer, all of the terms and conditions of this franchise shall remain in effect.

Section 7. If the Grantor grants a right, privilege or franchise to any other person or otherwise enables any other such person to construct, operate or maintain electric light and power facilities within any part of the incorporated areas of the Grantor in which the Grantee may lawfully serve or compete on terms and conditions which the Grantee determines are more favorable than the terms and conditions contained herein, the Grantee may at any time thereafter terminate this franchise if such terms and conditions are not remedied within the time period provided hereafter. The Grantee shall give the Grantor at least 60 days advance written notice of its intent to terminate. Such notice shall, without prejudice to any of the rights reserved for the Grantee herein, advise the Grantor of such terms and conditions that it considers more favorable. The Grantor shall then have 60 days in which to correct or otherwise remedy the terms and conditions complained of by the Grantee. If the Grantee determines that such terms or conditions are not remedied by the

Grantor within said time period, the Grantee may terminate this franchise agreement by delivering written notice to the Grantor's Clerk and termination shall be effective on the date of delivery of such notice.

Section 8. If as a direct or indirect consequence of any legislative, regulatory or other action by the United States of America or the State of Florida (or any department, agency, authority, instrumentality or political subdivision of either of them) any person is permitted to provide electric service within the incorporated areas of the Grantor to a customer then being served by the Grantee, or to any new applicant for electric service within any part of the incorporated areas of the Grantor in which the Grantee may lawfully serve, and the Grantee determines that its obligations hereunder, or otherwise resulting from this franchise in respect to rates and service, place it at a competitive disadvantage with respect to such other person, the Grantee may, at any time after the taking of such action, terminate this franchise if such competitive disadvantage is not remedied within the time period provided hereafter. The Grantee shall give the Grantor at least 90 days advance written notice of its intent to terminate. Such notice shall, without prejudice to any of the rights reserved for the Grantee herein, advise the Grantor of the consequences of such action which resulted in the competitive disadvantage. The Grantor shall then have 90 days in which to correct or otherwise remedy the competitive disadvantage. If such competitive disadvantage is not remedied by the Grantor within said time period, the Grantee may terminate this franchise agreement by delivering written notice to the Grantor's Clerk and termination shall take effect on the date of delivery of such notice.

Section 9. Failure on the part of the Grantee to comply in any substantial respect with any of the provisions of this franchise shall be grounds for forfeiture, but no such

forfeiture shall take effect if the reasonableness or propriety thereof is protested by the Grantee until there is final determination (after the expiration or exhaustion of all rights of appeal) by a court of competent jurisdiction that the Grantee has failed to comply in a substantial respect with any of the provisions of this franchise, and the Grantee shall have six months after such final determination to make good the default before a forfeiture shall result with the right of the Grantor at its discretion to grant such additional time to the Grantee for compliance as necessities in the case require.

Section 10. Failure on the part of the Grantor to comply in substantial respect with any of the provisions of this ordinance, including but not limited to: (a) denying the Grantee use of public rights-of-way for reasons other than unreasonable interference with motor vehicular traffic; (b) imposing conditions for use of public rights-of-way contrary to Florida law or the terms and conditions of this franchise; (c) unreasonable delay in issuing the Grantee a use permit, if any, to construct its facilities in public rights-of-way, shall constitute breach of this franchise and entitle the Grantee to withhold all or part of the payments provided for in Section 5 hereof until such time as a use permit is issued or a court of competent jurisdiction has reached a final determination in the matter. The Grantor recognizes and agrees that nothing in this franchise agreement constitutes or shall be deemed to constitute a waiver of the Grantee's delegated sovereign right of condemnation and that the Grantee, in its sole discretion, may exercise such right.

Section 11. The Grantor may, upon reasonable notice and within 90 days after each anniversary date of this franchise, at the Grantor's expense, examine the records of the Grantee relating to the calculation of the franchise payment for the year preceding such anniversary date. Such examination shall be during normal business hours at the Grantee's

office where such records are maintained. Records not prepared by the Grantee in the ordinary course of business may be provided at the Grantor's expense and as the Grantor and the Grantee may agree in writing. Information identifying the Grantee's customers by name or their electric consumption shall not be taken from the Grantee's premises. Such audit shall be impartial and all audit findings, whether they decrease or increase payment to the Grantor, shall be reported to the Grantee. The Grantor's right to examine the records of the Grantee in accordance with this Section shall not be conducted by any third party employed by the Grantor whose fee, in whole or part, for conducting such audit is contingent on findings of the audit.

Grantor waives, settles and bars all claims relating in any way to the amounts paid by the Grantee under the Current Franchise Agreement embodied in Ordinance No. 161.

Section 12. The provisions of this ordinance are interdependent upon one another, and if any of the provisions of this ordinance are found or adjudged to be invalid, illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 13. As used herein "person" means an individual, a partnership, a corporation, a business trust, a joint stock company, a trust, an incorporated association, a joint venture, a governmental authority or any other entity of whatever nature.

Section 14. Ordinance No. 161, passed and adopted January 8, 1986 and all other ordinances and parts of ordinances and all resolutions and parts of resolutions in conflict herewith, are hereby repealed.

Section 15. As a condition precedent to the taking effect of this ordinance, the Grantee shall file its acceptance hereof with the Grantor's Clerk within 30 days of adoption

of this ordinance. The effective date of this ordinance shall be the date upon which the Grantee files such acceptance.

PASSED on first reading this _____ day of _____, 2015.

PASSED AND ADOPTED on second reading this _____ day of _____, 2015.

TOWN OF SEWALL'S POINT, FLORIDA

By: _____

ATTEST:

By: _____
Town Clerk of the Town of Sewall's Point, Florida

(SEAL)

APPROVED AS TO FORM AND LEGALITY

Town Attorney, Town of Sewall's Point, Florida

TOWN OF SEWALL'S POINT



PAMELA MAC'KIE WALKER
Town Manager

TO: Town of Sewall's Point Commission
FROM: Pamela Mac'Kie Walker, Town
SUBJECT: Agenda Item 6
November and December Meeting Schedule
Town Commission Meeting, October 27, 2015

Background: Town ordinances provide as follows:

Sec. 2-341. - Time of regular meetings.

The regular meeting of the town commission shall be at 7:00 p.m. of the fourth Tuesday of each month unless otherwise prescribed by motion and vote of the town commission.

While there is no ordinance requiring it, it is the practice of the Town Commission to hold workshops at 5:30 on the second Tuesday of each month.

Due to the winter holidays, it is sometimes difficult and often unnecessary to hold meetings at those times and dates.

The regularly scheduled dates for the Town Commission meeting in those months are:

- November 13 @ 5:30
- November 27 @ 7:00 (Thanksgiving week)
- December 8 @ 5:30 (Hanukkah)
- December 22 @ 7:00 (Christmas week)

Recommendation: Staff recommends that the workshops and regular meetings in November and December be combined and held on the following dates at 5:30:

- November 17
- December 15

As a point of information, pursuant to Ordinance 2-23, the Commission will elect its Mayor and Vice Mayor at the November meeting. Appointments of Commissioners to various community boards will also be made at the November meeting.