

JOHN TOMPECK  
Mayor

FRANK FENDER  
Vice Mayor

VINNY BARILE  
Commissioner

DAVE KURZMAN  
Commissioner

KAIJA MAYFIELD  
Commissioner

# TOWN OF SEWALL'S POINT



ROBERT DANIELS-ICMA-CM  
Town Manager

APRIL C. STONCIUS, MMC  
Town Clerk

TINA CIECHANOWSKI  
Chief of Police

JACK REISINGER, CBO  
Building Official/PW Director

MARIA PIERCE  
Finance/HR Director

**Regular Town Commission Meeting Minutes**  
**June 18, 2024**  
**6:00 p.m.**

## I. CALL TO ORDER

Mayor Tompeck called the meeting to order at 6:00 p.m.

### a. Pledge of Allegiance to the Flag

Mayor Tompeck lead the assembly in the Pledge of Allegiance.

### b. Roll Call

The Town Clerk called the roll with the following Commissioners present: Mayor Tompeck, Vice Mayor Fender, Commissioner Barile, Commissioner Kurzman and Commissioner Mayfield.

## II. PROCLAMATIONS AND PRESENTATIONS

There was nothing scheduled under this item.

**III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES.** *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

Joseph K. Joyce, 19 Palmetto Drive, email comment submitted dated June 18, 2024. (Attached.)

Lars Totterman, 107 N. Sewall's Point Road, stated that he was concerned with the increase in traffic on North Sewall's Point Road at night, and requested that the speed limit be lowered to 25 mph.

Cristal Totterman, 107 N. Sewall's Point Road, stated that she was also concerned with the amount of traffic on North Sewall's Point Road and the safety of the residents. She recommended stop signs be installed to slow down traffic and looked forward to working with the county in that regard.

Cynthia Lucas, 1 Mandalay Road, stated that she agreed with the previous comments, as a car was speeding down South Sewall's Point Road and she was concerned about her pet

being injured. She distributed pictures of her home after a rain event (Attached) and requested that the Commission fix the issue immediately with fill dirt.

#### IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

The Town Manager requested to move Item 11 d), Tree Canopy Improvements up on the Agenda to be heard after the Consent Agenda.

#### V. APPROVAL OF AGENDA

There being no further discussion, Vice Mayor Fender **moved** to approve the Agenda with Item 11 d), Tree Canopy Improvements moved up on the agenda to be heard after the Consent Agenda. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

#### VI. CONSENT AGENDA

- a. Financials – May
- b. Building – May
- c. Minutes – May 28, 2024 Regular meeting

There being no further discussion, Vice Mayor Fender **moved** to approve the Consent Agenda. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

(Clerk's Note: Item 11 d) was moved up on the Agenda, per the Town Manager's request.)

#### d. Tree Canopy Improvements – Town Engineer

Michael Flaugh Architect Landscape provided a presentation on the tree canopy improvements and stated that the appropriate species would be planted in the proper place. He stated that 12 trees would be removed and that the Town's crest, a Satin Leaf, would be planted, along with Green Buttonwoods, Live Oaks, and Sabal Palms. He explained that there was a 14-foot height restriction and that the specs for the tree sizes would be dictated by the budget, but recommended larger than 8-foot nursery stock.

Frank Tidikis, 12 Crane's Nest, inquired as to if it was part of the road resiliency project, to which the Town Manager replied in the affirmative and stated any additional funds need would be used from the Tree Fund.

There being no further discussion, Commissioner Kurzman **moved** to approve Item 11 d), Tree Canopy Improvements. Commissioner Barile **seconded** the motion, which **passed unanimously** by roll call vote.

#### VII. PUBLIC HEARING - ORDINANCE - SECOND READING

**a. Ordinance No. 459 – Referendum Authorizing Commissioner Eligibility Residency Requirements**

The Assistant Town Attorney, Susan Garrett, read the ordinance title into the record. Mayor Tompeck called for any public comments, to which there were none.

There being no further discussion, Commissioner Mayfield **moved** to approve the Second Reading of Ordinance No. 459. Vice Mayor Fender **seconded** the motion, which **passed unanimously** by roll call vote.

**b. Ordinance No. 460 – Referendum Authorizing Commissioner Forfeiture of Office Provision**

The Assistant Town Attorney, Susan Garrett, read the ordinance title into the record. Mayor Tompeck called for any public comments, to which there were none.

There being no further discussion, Commissioner Kurzman **moved** to approve the Second Reading of Ordinance No. 460. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

**c. Ordinance No. 461 – Referendum Authorizing Regulation of Transportation**

The Assistant Town Attorney, Susan Garrett, read the ordinance title into the record. Mayor Tompeck called for any public comments, to which there were none.

There being no further discussion, Commissioner Mayfield **moved** to approve the Second Reading of Ordinance No. 461. Vice Mayor Fender **seconded** the motion, which **passed unanimously** by roll call vote.

**d. Ordinance No. 463 – Amendment to Definition of Impermeable Area**

The Assistant Town Attorney, Susan Garrett, read the ordinance title into the record. Mayor Tompeck called for any public comments, to which there were none.

There being no further discussion, Vice Mayor Fender **moved** to approve the Second Reading of Ordinance No. 463. Commissioner Kurzman **seconded** the motion, which **passed unanimously** by roll call vote.

**e. Ordinance No. 464 – Modification to Lot Coverage Calculation**

The Assistant Town Attorney, Susan Garrett, read the ordinance title into the record. Mayor Tompeck called for any public comments, to which there were none.

Vice Mayor Fender inquired as to calculation of permeability that would include a pool, to which the Town Manager responded that water evaporated from pools and the goal was to have a larger permeable lawn.

Commissioner Mayfield was not in favor of the ordinance, as the pool would be counted as part of the structure, which was restrictive.

There being no further discussion, Vice Mayor Fender **moved** to approve the Second Reading of Ordinance No. 464. Commissioner Kurzman **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck, Vice Mayor Fender, Commissioner Kurzman, and Commissioner Barile voting in favor, and Commissioner Mayfield voting against.

#### VIII. PUBLIC HEARING - ORDINANCE - FIRST READING

There was nothing scheduled under this item.

#### IX. RESOLUTIONS

There was nothing scheduled under this item.

#### X. OLD BUSINESS

There was nothing scheduled under this item.

#### XI. NEW BUSINESS

##### a. Board of Zoning Adjustments Board Member – Town Clerk

The Town Clerk stated that the item was in reference to moving up an alternate member to a full board member, but in light of a recent resignation is recommending both alternate members move up to full board members, in order to maintain a quorum. She also requested that the two alternate positions be advertised for.

There being no further discussion, Vice Mayor Fender **moved** to approve the alternate members, Stephen Sedor and Yara Bashoor, to be moved up to full board members, and to advertise for two new alternate members for the BZA board. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

##### b. 2024 Florida League of Cities Annual Conference

The Town Manager introduced the item and requested that a voting delegate be chosen. Commissioner Barile offered to attend the conference and be designated the voting delegate.

There being no further discussion, Commissioner Mayfield **moved** to approve Item 11 b), Commissioner Barile's attendance at the Florida League of Cities Annual Conference and to be the voting delegate representing the Town. Vice Mayor Fender **seconded** the motion, which **passed unanimously** by roll call vote.

##### c. RFP 2024-001 - Outcome – Grant Writing & Grant Management Services

## Contracts

The Town Manager introduced the item and stated that CAPTEC Engineering, Inc. and Cape Canaveral Scientific, Inc. were the two top firms selected. Commissioner Barile inquired as to who the top third firm was, to which the Town Manager responded that it was In Rem Solutions, Inc. at 160 points. Commissioner Barile requested to see all seven of the proposals that were submitted, to which Commissioner Kurzman concurred.

Frank Tidikis, 12 Crane's Nest, stated that the two new firms would cost the town more than the previous grant writer, and recommended that the Town Manager, who stated he had grant writing experience during his interview, and the Finance Director take over some of the grant writing, as they were capable.

Commissioner Kurzman was not in favor of CCSI, and requested that future grants that were applied for that weren't awarded not be charged to the town and/or taxpayers by the grant writer. He was in favor of the previous grant writer Gallo Pavo, LLC.

Mayor Tompeck disagreed with Commissioner Kurzman and stated that the previous grant writer, Kloe Ciuperger, did not even show up for Commission meetings once a month to provide updates on the outstanding grants that were applied for. He pointed out that it was important for the Commission to know what grants had been applied for, in order to address it with their constituents.

Town Engineer, Joe Capra, stated that the Town had been awarded three DEP resiliency grants for sewer and stormwater; phases 2 and 3. He explained that there was more to a grant submission than writing it, as it entailed a presentation to the agency, and negotiating a contract.

Vice Mayor Fender inquired as to the urgency of the item, to which the Town Manager responded that there were three draft grants left in the Department of Environmental Protection's portal and that the deadline was on June 30, 2024. Mayor Tompeck questioned which grants were pending, to which the Town Manager answered that he was not sure and had to research it.

The Assistant Town Attorney, Susan Garrett, advised that a not to exceed phrase could be added to the contract that indicated inclusive of funds eligible for reimbursement.

Commissioner Mayfield **moved** to approve Item 11 c), Grant Writing & Grant Management contracts with CAPTEC Engineering, Inc. and Cape Canaveral Scientific, Inc. to include a not to exceed amount and inclusive of funds that may be eligible for reimbursement by grantor agencies. Mayor Tompeck passed the gavel to Vice Mayor Fender and **seconded** the motion. Commissioner Kurzman stated that he was concerned about the cost, as it was not provided beforehand, and he had a responsibility to the taxpayers.

Amy Adams, Cape Canaveral Scientific, Inc. stated that 5% of the total grant would be applied to the reimbursement for the grant management cost. She explained that

submission of applications were not covered under reimbursements and were done at the expense of the town/grant writer. There being no further discussion, the motion **passed unanimously** by roll call vote.

**d. Tree Canopy Improvements – Town Engineer**

(Clerk's Note: Item 11 e) was previously heard after the Consent Agenda.)

**e. South River Road Drainage Project -Town Engineer**

The Town Manager stated that the cost to fix the drainage issue would be \$250,000 and proposed the following funding options: from the CIP dedicated millage fund that contained \$900,000, which were funds for the South Sewall's Point Road resiliency project only; from the general fund, via an interfund loan; or apply for a state revolving fund.

Commissioner Mayfield stated that the cost was too high and was not in favor of using the CIP dedicated millage fund. The Town Engineer said that directional drilling was being done ahead of Phase 3, in order to address the utilities first. He explained that Phase 3 would be put out to bid on August 1<sup>st</sup> and that work would not begin until September/October.

Frank Tidikis, 12 Crane's Nest, stated that the drainage issue needed to be addressed and recommended swales be installed on the east side of the road, in order to capture the water in the right-of-way on the west side of the road. He pointed out that during the plan review process the issue could have been resolved by moving the driveway, and requested that moving forward a better job was done when a new home was being constructed that included swales on the property. Mr. Tidikis stated that when he built his home 15 years ago, he was told by the town that any water had to be retained on his property, and wanted to know when it stopped being required.

Cindy Lucas, 1 Mandalay River Road, stated that she had been dealing with the influx of water for two years at her home and provided photographs of the flooding. (Attached) She was concerned that if the town was hit by a hurricane, she would be underwater and would have to take legal action.

Mayor Tompeck requested confirmation that there would be no issue with the resolution that was passed previously in reference to the dedicated millage.

The Town Clerk read Resolution No. 961 into the record as follows: 'A Resolution of the Town Commission of the Town of Sewall's Point, Florida, Regarding the Dedication of Millage for Capital Projects;

**WHEREAS**, pursuant to Section 200.065, Florida Statutes, the Town must annually adopt a millage rate and a budget for funding the Town's activities for the upcoming fiscal year; and

**WHEREAS**, pursuant to Section 163.3177(3)(b), Florida Statutes, the Town must annually adopt a capital improvements schedule establishing the Town's proposed capital

improvement projects and funding for the upcoming five (5) fiscal years;  
and

**WHEREAS**, the Town Commission has approved numerous capital projects that are necessary to protect the health, safety, and welfare of the residents and citizens of the Town; and

**WHEREAS**, the Town Commission desires to dedicate millage specifically for the purposes of completing capital projects; and

**WHEREAS**, the Town Commission finds that dedicating millage for this purpose serves a public purpose and is in the best interest of the public health, safety and welfare of the Town of Sewall's Point.

**Section 2. - Dedication of Millage.** It is the intent of the Town Commission that so long as the Town levies a millage rate greater than the current millage rate of 2.87 mills, the additional millage, up to .40 mills, shall be dedicated and used solely for capital projects. This dedication shall sunset September 30, 2036.

**Section 3. - Dedication of Millage for FY 2023-2024.** The Town Commission of the Town of Sewall's Point does hereby dedicate .40 mills to be used solely to for Capital Projects approved in the five-year Capital Improvement Plan.'

Commissioner Mayfield was not in favor of using the dedicated millage funds for the project. There being no further discussion, Commissioner Barile **moved** to approve Item 11 e), Authorization for Town Manager to prepare a resolution for an interfund loan of \$250,000 from the dedicated millage rate funds. Vice Mayor Fender **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck, Vice Mayor Fender, Commissioner Kurzman, and Commissioner Barile voting in favor, and Commissioner Mayfield voting against.

#### **f. Task Orders 1-4 (South River Road) – Town Engineer**

The Town Manager stated that the item consisted of the design work for the South River Road drainage issue in the amount of \$40,000.

There being no further discussion, Vice Mayor Fender **moved** to approve Item 11 f), CAPTEC Engineering, Inc. Task Order 1-4 in the amount of \$40,000 to fix the South River Road drainage issue. Commissioner Kurzman **seconded** the motion, which **passed unanimously** by roll call vote.

#### **g. Meeting Dates – September 2024 – Town Manager**

The Town Manager requested to change the tentative and final budget meetings from September 10th to September 9, 2024, and from September 24th to September 23, 2024, as not to interfere with the school board and the county's budget meetings.

There being no further discussion, Commissioner Mayfield **moved** to approve Item 11 g), New Regular Commission Meeting dates of September 9, 2024, and September 23, 2024, in reference to the tentative and final millage budget hearings. Vice Mayor Fender **seconded** the motion, which **passed unanimously** by roll call vote.

**XII. DISCUSSION**

There was nothing scheduled under this item.

**XIII. COMMISSION AND STAFF CLOSING COMMENTS**

**a. STAFF**

The Town Manager stated that the 4<sup>th</sup> of July Celebration would be held at Town Commons Park with the Annual Bike Parade beginning at 8:45 a.m., and requested that Town Hall be closed on July 5, 2024, in order to give town staff that would be working the event a day off.

**b. COMMISSIONERS**

Commissioner Barile stated that he wanted to amend his 'yes' vote on Resolution No. 971 to a 'no' vote from the May 28, 2024 meeting in reference to the CIP, and referenced Robert's Rules.

Commissioner Barile **moved** to reconsider the vote in reference to Resolution No. 971 regarding the CIP. Vice Mayor Fender inquired as to why he wanted to change his vote, to which Commissioner Barile responded that he didn't agree with the North Sewall's Point Road Project being listed in the CIP, as the county should be responsible for it. There being no further discussion, Commissioner Mayfield **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck and Vice Mayor Fender voting against, and Commissioner Barile, Commissioner Mayfield, and Commissioner Kurzman voting in favor.

There being no further discussion, Commissioner Mayfield **moved** to approve Resolution No. 971 regarding the CIP. Commissioner Kurzman **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck, Vice Mayor Fender, Commissioner Kurzman, and Commissioner Mayfield voting in favor, and Commissioner Barile voting against.

**XV. ADJOURN**

There being no further business, the meeting adjourned at 9:00 p.m.

**APPROVED:**

  
\_\_\_\_\_  
Mayor John Tompeck, Presiding Officer

**ATTEST:**

  
\_\_\_\_\_  
April C. Stoncius, Town Clerk

Minutes approved at the meeting of: July 16, 2024



**From:** [dj](#)  
**To:** [April Stoncius](#)  
**Subject:** Fw: comments  
**Date:** Tuesday, June 18, 2024 8:57:14 AM

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hi april,

i hope that you are doing well and staying cool. my husband joe has been watching town meetings on TV and looking through meeting agenda attachments. he is very concerned about the town spending, and asked me to send you some comments to read aloud at tonight's meeting. i have pasted them below. thank you, donna

My name is Joseph Joyce. I have lived here for almost 19 years. As a 100% combat-related disabled veteran, I watch town meetings on Youtube because I cannot attend. I have several questions:

1) At the last town meeting, residents were told that the 5-year Capital Improvement Plan was "just a wish list" and that the projects are not likely to be done. If that is true, why are you planning to spend hundreds of thousands of dollars to hire grant writers?

2) Why has the 5-year CIP gone from \$17,452,500 for 2022-2026 to \$79,726,314 only 3 years later?

The South Sewall's Point Road project has soared from \$10,050,000 3 years ago to \$39,933,814.

The South Sewalls Point Road sewer project has gone from \$2,556,000 to \$5,062,000.

The North Sewall's Point Road project was \$2,800,000. Now it is \$27,335,000. This is a county road, not our responsibility to improve. Are you buying a concession on gravity sewer mandates?

Maintenance has declined from \$2,046,000 to \$395,000. Shouldn't maintenance be a priority, rather than new projects?

Where are these alarming figures coming from?

3) Taking out a 10-year \$500,000 loan for a "cash flow backup" suggests that the town is stretched too thin financially. I suggest that you save \$500,000 by not hiring grantwriters. Doing more projects will require even more maintenance!

Sincerely,  
Joseph K. Joyce  
19 Palmetto Drive





