

JOHN TOMPECK
Mayor

FRANK FENDER
Vice Mayor

DAVID 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
February 27, 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 Kurzman, and Commissioner Mayfield.

II. PROCLAMATIONS AND PRESENTATIONS

a. Swearing in of New Officer – Joseph Arena

Chief Ciechanowski provided a presentation and administered the Oath of Office to Officer Joseph Arena, who thanked the Commission.

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.*

There were no public comments heard under this item.

IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA

There were no changes made to the Agenda.

V. APPROVAL OF AGENDA

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

VI. CONSENT AGENDA

- a. Financials – January 2024**
- b. Building Report – January 2024**
- c. Minutes – February 13, 2024**
- d. Storm Debris Amendment Extension – CAPTEC**
- e. Disaster Debris Management – Support Services – Witt O'Brien's LLC**

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

VII. PUBLIC HEARING - ORDINANCE - SECOND READING

There was nothing scheduled under this item.

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. Second Amendment for Creation of the Martin County Metropolitan Planning Organization**

The Town Manager introduced Beth Beltran, MPO Administrator, who provided the background of the transportation planning agency for Martin County that was formed in 1993 and put in place by a federal mandate. She explained that urbanized areas with over a population of 50,000 that wanted federal and state transportation funds had to be governed by an MPO board. Ms. Beltran stated that the board currently was made up of eight voting members and Sewall's Point was one of the original signatories to the interlocal agreement forming the MPO. She said that the board was fortunate to have Commissioner Mayfield as a representative from Sewall's Point, and requested approval of the interlocal agreement.

There being no discussion, Commissioner Mayfield **moved** to approve the Second Amendment to the Interlocal Agreement for the Creation of the Martin County Metropolitan Planning Organization adding a fifth (5th) Martin County Commissioner as a voting member. Vice Mayor Fender **seconded** the motion, which **passed unanimously** by roll call vote.

XII. DISCUSSION

a. 2024 Lake Okeechobee Water Management Operations

The Town Manager stated that there was going to be an expansion of discharges coming from Lake Okeechobee and into the waterway system through the St. Lucie Canal and other waterways. He said discharges in the past were an issue, and that the City of Stuart had approved a letter to send to the U.S. Army Corps of Engineers requesting no discharges or minimal discharges if necessary. He recommended that the Town send their own letter of support of no discharges from the Lake that would be signed by Mayor Tompeck on behalf of the Commission.

Commissioner Kurzman stated that there was a House Bill regarding the matter, as he received an email from the Friends of the Everglades organization indicating big sugar would be exempt from lawsuits if there was an issue with the water in the future. He requested that the residents sign a petition against it.

Commissioner Mayfield and Mayor Tompeck stated that they both supported the letter.

There being no further discussion, Vice Mayor Fender **moved** to approve the authorization of the correspondence to the U.S. Army Corps of Engineers indicating the Town of Sewall's Point's position regarding no discharges and supporting the City of Stuart and all people on the Treasure Coast. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

The Town Manager stated that he had not seen the petition that Commissioner Kurzman was referring to previously and requested to have time to review it, along with the Town Attorney, for legalities. Commissioner Kurzman said that he would forward it to the Town Manager for further review.

XIII. COMMISSION AND STAFF CLOSING COMMENTS

a. STAFF

Gallo Pavo, LLC – Updated Grant Chart – Legislative Session Update

The Town Manager stated that Kloee Ciuperger was out of town and unable to make the meeting, but that she had provided a briefing update from the 2024 Legislative Session, as well as a current grant chart for review. Mayor Tompeck stated that it was reasonable to expect Ms. Ciuperger to attend the meeting once a month and asked the Town Manager to strongly encourage her to do so. The Town Manager remarked that he had explained the expectation to her previously.

Town Attorney – Sunshine in a Minute

The Town Attorney advised that he had distributed a memo in reference to four recent court

opinions and that the most important one involved Public Records and the Sunshine Law. He recommended that the Commissioners be cognizant when using cell phones and text messages for Town business, as they needed to be archived appropriately.

Town Manager Report

The Town Manager stated that a copy of the Use Agreement for the rental of the Commission Chambers was on the dais for the commissioners review. He pointed out that the State of the County Address would be held the next day, February 28, 2024, in Palm City, and that he would be attending. The Town Manager stated that the 2024 Legislative Priorities were also distributed for the Commission's review on the dais. He explained that a survey was crafted for the residents that resided South of Ocean Boulevard in reference to the Septic to Sewer Conversion Project in order to gauge the interest.

The Town Manager advised that in reference to the NPDES (National Pollutant Discharge Elimination System) Annual Report, the permit had expired for a two-month period regarding the outfall lines and the amount discharged into the river after it was treated. He stated that the permit was being reapplied for, but that there was a fine incurred in the amount of \$2,999. The Town Manager explained that he negotiated the fine down to \$1,800 and would continue to negotiate until the whole amount was waived.

The Town Manager stated that a street sweeping service was required under the permit for the streets that led into the stormwater system. He said that the current service was insufficient, as dirt was moved around instead of picked up. The Town Manager stated that he would meet with the county to explore other options, as well as meet with the City of Stuart to research other opportunities.

b. COMMISSIONER REPORTS REGARDING MEETINGS ATTENDED

Commissioner Mayfield stated that budget season was approaching and recommended funds to refurbish the parking spaces in front of Town Commons Park.

Commissioner Kurzman stated that he was concerned that a person that appeared to represent a surveyor entered his property and did not have the proper ID. The Town Attorney advised that he would look into the matter. The Town Manager recommended that he call 911 next time.

Vice Mayor Fender requested information regarding 10 Oakwood Drive and the flooding of the neighbor's home to the east. The Town Manager responded that the paver driveway that was being installed would not flood, as it contained porous materials. He clarified that the Building Official was monitoring the situation, in order to make sure the project was built correctly.

Vice Mayor Fender stated that he was excited to hear about the planning of this year's Easter Eggstravaganza to be held on March 29, 2024, at Town Commons Park and thanked staff for keeping the tradition alive.

The Town Manager stated that the Arbor Day Celebration would be held on April 27, 2024.

Vice Mayor Fender inquired as to the coffee shop trailer that was parked at the park over the weekend. Chief Ciechanowski stated that if the Commission wanted to allow food trucks in Town, a law would need to be passed, as it was not currently allowed and was against the code. She advised that they were only allowed when an event was scheduled at the park and served the attendees of that specific event only.

Vice Mayor Fender stated that the Marathon of the Treasure Coast was being held on Sunday, March 3, 2024, and thanked the police officers that kept the event safe for everyone.

Commissioner Kurzman suggested that a six-inch high edge be constructed on driveways, in order to keep the water on the homeowner's property.

Mayor Tompeck stated that the maintenance for the stormwater system needed to be discussed, as significant infrastructure was being installed currently. He pointed out that maintenance included outfalls, in-ground storage, pumps, and drains that needed to be cleaned. Mayor Tompeck said that the funding of the cost of the maintenance could come from the General Fund, or set up a special restricted account, or establish a stormwater utility fee account.

Commissioner Mayfield stated that she had mentioned previously that a stormwater utility fee made sense, in order to take proper care of the system. She recommended that staff return with different scenarios and/or options to review moving forward, and agreed with Mayor Tompeck. Commissioner Kurzman recommended estimates be brought forward first, in order to budget for it efficiently.

It was the **consensus** of the Commission to have staff return within six-weeks with recommendations and a preliminary plan that contained options.

Mayor Tompeck stated that there was a lot on North Sewall's Point Road that was clear-cut and that a fine was collected. He inquired as to if a fine was of little consequence, how would the requirements of the permit be met moving forward. Mayor Tompeck said that after speaking with the Building Official, in the future the trees would be marked with fencing that were not to be removed.

Vice Mayor Fender asked the Building Official if there was a mitigation plan in place when the permit was applied for, and if it occurred after the ordinance that was put in place recently regarding mitigation. The Building Official responded that the address was 140 N. Sewall's Point Road and that the lot was not clear-cut completely. He explained that a majority of the trees were on the footprint of the house and that a landscape plan was submitted, along with a retention plan. The Building Official explained that as they were clearing the lot, the other trees were removed at the property owners' request.

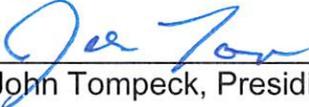
Mayor Tompeck thanked the Town Manager for all of the recent email communications

regarding upcoming meetings. He clarified that the Charter Review Committee meetings had come to a conclusion. The Town Manager stated that the last meeting was on February 26, 2024, and that the final report would be presented to the Commission at the March 12, 2024, meeting.

XIV. ADJOURN

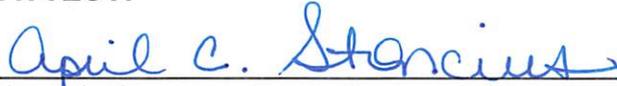
There being no further business, the meeting adjourned at 7:00 p.m.

APPROVED:



Mayor John Tompeck, Presiding Officer

ATTEST:



April C. Stoncius, Town Clerk

Minutes approved at the meeting of: March 12, 2024