

**TOWN OF SEWALL'S POINT
EXECUTIVE SESSION
MAY 11, 2010**

1. **CALL TO ORDER** - MAYOR KLINGENSMITH CALLED THE EXECUTIVE SESSION TO ORDER AT 6:15 P.M. ATTORNEY TORCIVIA SAID THE EXECUTIVE SESSION WAS PRIVATE, AND IMMEDIATELY FOLLOWING THE SESSION WILL BE THE PUBLIC WORKSHOP AT 7:00 P.M.

**MINUTES OF WORKSHOP
MAY 11, 2010**

PRESENT: MAYOR KLINGENSMITH, VICE MAYOR THURLOW-LIPPISCH, CMSRS. BAUSCH AND BUSH, AND TOWN MANAGER KELLOGG, ATTORNEY TORCIVIA, CHIEF CERNIGLIA AND BUILDING OFFICIAL ADAMS

ABSENT: CMSR. SCHOPPE

1. **CALL TO ORDER** - MAYOR KLINGENSMITH CALLED THE WORKSHOP TO ORDER AT 7:00 P.M. AND ASKED IF THERE WERE ANY CHANGES TO THE AGENDA. CMSR. BAUSCH ASKED TO MOVE ITEM 3F. *DISCUSSION OF NEW STATE LAW REGARDING PAIN MANAGEMENT CLINICS* TO 3A. HEARING NO OTHER CHANGES, A MOTION WAS MADE BY CMSR. BAUSCH, SECONDED BY CMSR. SCHOPPE TO APPROVE THE AGENDA AS PRESENTED. ALL IN FAVOR. (5-0)

IN FAVOR: BAUSCH, BUSH, SCHOPPE, THURLOW-LIPPISCH, AND KLINGENSMITH

OPPOSED: NONE

2. **COMMENTS FROM THE PUBLIC ON TOPICS NOT ON THE AGENDA** - NONE

3. **OLD BUSINESS:**

- A. DISCUSSION OF NEW STATE LAW REGARDING PAIN MANAGEMENT CLINICS - ATTORNEY TORCIVIA TALKED ABOUT RECENT LEGISLATION PASSED BY THE STATE REGULATING PMCS AND SUGGESTED THE TOWN MAY WANT TO SEE WHAT THE COUNTY AND CITY OF STUART ARE DOING AND THEN GO FORWARD, POSSIBLY LOOKING AT ZONING, AND SAID FLOC MAY BE SENDING INFORMATION REGARDING THIS ISSUE. IT WAS DECIDED TO WAIT.

- B. PRESENTATION OF AUDITOR SERVICES BIDS - CMSR. BAUSCH REVIEWED THE PROPOSALS SUBMITTED AND INTRODUCED THE THREE FIRMS:

JAMES HARTLEY OF DIBARTOLOMEO, MCBEE, HARTLEY & BARNES, FT. PIERCE

BILL BENSON OF KEEFE, MCCULLOUGH & CO., LLP

ED HOLT OF NOWLEN, HOLT & MINER, P.A.

EACH OF THE FIRMS GAVE A BRIEF PRESENTATION WITH MR. HARTLEY NOTING HIS FIRM HAD PREVIOUSLY DONE AUDITING FOR THE TOWN [SEVERAL YEARS AGO] AND FELT THEY HAD A STRONG UNDERSTANDING OF THE TOWN; MR. BENSON, OUT OF FT. LAUDERDALE, INDICATED HIS FIRM HAD WORKED WITH MANY LOCAL GOVERNMENTS AND FELT CONFIDENT IT WOULD BE A "GOOD FIT." LASTLY, MR. HOLT SAID HIS FIRM HAD ENJOYED WORKING WITH THE TOWN FOR THE LAST THREE YEARS AND NOTED THE IMPROVEMENT DURING THEIR TENURE, AND WAS HOPEFUL IT WOULD CONTINUE.

COMMISSIONERS ASKED QUESTIONS OF EACH OF THE FIRMS DURING THEIR PRESENTATIONS. AFTERWARDS, THE MAYOR OPENED THE FLOOR FOR DISCUSSION. COMMISSIONERS TALKED ABOUT RELATIONSHIPS, EXPERIENCE, KNOWLEDGE, HOURS, COSTS, AND THE NEED FOR CHANGE. RESIDENT GLEICHMANN SUGGESTED GOING WITH THE LOWEST BIDDER. A MOTION WAS MADE BY CMSR. SCHOPPE, SECONDED BY VICE MAYOR THURLOW-LIPPISCH TO ACCEPT THE SERVICES OF DIBARTOLOMEO, MCBEE, HARTLEY & BARNES.

IN FAVOR: BUSH, SCHOPPE, THURLOW-LIPPISCH, AND KLINGENSMITH

OPPOSED: BAUSCH

- C. DISCUSSION OF SIDEWALKS - TOWN MANAGER KELLOGG MENTIONED THAT TOM LUCIDO TEAMED WITH TOWN ENGINEER CAPRA TO COME UP WITH A SIDEWALK IMPROVEMENT PLAN AND INCLUDED TWO PLANS FOR THE COMMISSION TO REVIEW. ENGINEER CAPRA GAVE AN EXTENSIVE OVERVIEW: PLAN A PROVIDED ABOUT 4' OF SOD BETWEEN THE ROAD AND THE PAVERS, PLAN B PROVIDED 2 1/2 ' OF PERVIOUS CONCRETE BETWEEN THE ROAD AND THE PAVERS. DISCUSSION ENSUED AROUND FLEXI PAVE AND THE PERC RATE, PERVIOUS CONCRETE IS POROUS AND ALLOWS FOR DRAINAGE, THE OPTION OF BRICK PAVERS WITH SPACE TO DRAIN; SOD/GROUND COVER AND LESS MAINTENANCE; CURBING WHICH MIGHT BE CLOSER TO THE ROADWAY, USE (NON-USE) OF FERTILIZER FOUR TIMES PER YEAR; RIGHTS-OF-WAY AND SAFETY; TREES; AND FUNDING. \$600,000 HAS BEEN SECURED AND MR. CAPRA NOTED THAT HE AND TOWN MANAGER KELLOGG WOULD BE MEETING WITH SFWMD ABOUT FUNDING [FROM THEM]. IT WAS ALSO NOTED BY THE MAYOR THAT BEFORE WE GO AFTER GRANTS, WE NEED THE RIGHTS-OF-WAY. RESIDENTS: CINDY LUCAS COMMENTED ABOUT SPEED BUMPS AND STOP SIGNS; CAROLE CHONTOS - CONCERNED ABOUT SPEED; DON GLEICHMANN - FLEXI PAVE; ELLA FORD - COST AND MAINTENANCE; B. J. ESCUE - DOES NOT WANT TO SPEND TAX DOLLARS AND WOULD LIKE TO SEE THIS ISSUE "DISAPPEAR"; VINNIE BARILE - COST, LOWER SPEED LIMIT AND PUT IN SPEED BUMPS. IN CONCLUSION, MAYOR KLINGENSMITH SAID HE WAS INTERESTED FROM TOWN HALL TO MIRAMAR AS TO COSTS, TOWN HALL TO HIGH POINT WAS TOO MUCH, HE SAID.

- D. DISCUSSION OF A1A LANDSCAPING PLAN – CMSR. BAUSCH SAID HE AND TOWN MANAGER KELLOGG ATTENDED A MEETING WITH REPRESENTATIVES FROM FDOT THAT AFTERNOON REGARDING THE LANDSCAPING PLAN. HE WENT ON TO SAY THE LANDSCAPING WOULD START AT THE BASE OF THE EVANS CRARY BRIDGE AND EXTEND TO THE OTHER SIDE OF THE LYONS BRIDGE. AS CONCERNS MEDIAN #1, HE SUGGESTED PUTTING IN SOME SORT OF PAVERS AS HE FELT THE TOWN WOULD NOT WANT THE RESPONSIBILITY OF IRRIGATING THAT AREA; STRIPING IN THE BIKE LANES WOULD GO IN NORTH/SOUTH SIDES OF ROAD AND SHRINK THE TRAVEL LANE BY APPROXIMATELY ONE FOOT. THE LANDSCAPING WOULD COST THE TOWN BETWEEN \$50-60,000, SAID TOWN MANAGER KELLOGG. IT WAS CMSR. BUSHAS FEELING THAT THE TOWN SHOULD PRESSURE ON THEM. CONVERSATION CONTINUED ABOUT THE MASTARMS AND THE COST TO THE TOWN, ALONG WITH THE CROSSWALK PROPOSAL ON S. SEWALL’S POINT ROAD ON EACH SIDE WITH STAMPED ASPHALT, ETC. AT THAT TIME, TOWN MANAGER KELLOGG SUGGESTED HAVING A MEETING WITH FDOT TO COME UP WITH OUR OWN DESIGN/PLAN.
- E. DISCUSSION OF CHAPTER 10, ARTICLE 1, SEC. 10-2 DOG BARKING – TOWN MANAGER KELLOGG INDICATED HE HAD TALKED WITH ATTORNEY TORCIVIA AND MAYBE THIS SHOULD BE COMPLAINT-DRIVEN. MAYOR KLINGENSMITH STATED HE HAD TROUBLE WITH THIS AND AFTER MUCH DISCUSSION, IT WAS DETERMINED THAT INFORMATION SHOULD BE PUT IN THE TOWN’S NEWSLETTER AND FOLLOW THROUGH WITH LETTERS TO RESIDENTS.
- F. DISCUSSION OF APPOINTMENT TO THE BOARD OF ZONING & ADJUSTMENT – TWO APPLICATIONS FOR THE BZA WERE RECEIVED, TOWN MANAGER KELLOGG SAID, AND THERE IS ONLY ONE VACANCY. CMSR. SCHOPPE MOVED TO HAVE MR. PRYCE APPOINTED ON THAT BOARD (CMSR. SCHOPPE AND VICE MAYOR THURLOW-LIPPISCH INDICATED THEY HAD APPOINTED ANOTHER PERSON BASED ON DATE OF APPLICATION AND SAID WHEN THE NEXT POSITION OPENS, THE OTHER CANDIDATE WOULD BE PLACED IN THAT POSITION AND VICE MAYOR THURLOW-LIPPISCH “... WANTED TO KEEP HER WORD.”) DISCUSSION FOLLOWED AND IT WAS DETERMINED THAT A DIFFERENT PHILOSOPHY EXISTED CURRENTLY IN WHICH QUALIFICATIONS SHOULD BE CONSIDERED BEFORE DATE OF APPLICATION WAS RECEIVED. IT WAS ALSO NOTED THAT THERE WERE TWO ‘ALTERNATES’ AND THE COMMISSION ASKED TOWN MANAGER KELLOGG IF EITHER OF THOSE TWO PEOPLE WERE INTERESTED IN MOVING INTO THE OPEN POSITION. HE SAID HE TALKED WITH CY KISSLING AND HE WAS NOT INTERESTED, BUT WOULD CONTACT FRANK TIDIKUS TO ASK IF HE MIGHT BE INTERESTED AND BRING BACK AT THE NEXT MEETING.

4. NEW BUSINESS:

- A. DISCUSSION OF ORDINANCE ALLOWING PIGGYBACKING ON STATE OR OTHER GOVERNMENTAL CONTRACTS – TOWN MANAGER KELLOGG SAID THERE IS NO MECHANISM IN PLACE TO FORMALLY PIGGYBACK ON STATE AND LOCAL BID PRICES FOR PURCHASES ON BID ITEMS PREVIOUSLY BID BY GOVERNMENTAL UNITS, I.E., STATE BID FOR POLICE CRUISERS, STRIPPING ON S. SEWALL’S POINT ROAD. HE WENT ON TO SAY THE COMMISSION WOULD STILL HAVE BUDGETARY CONTROL, AND HE WOULD LIKE TO PLACE ON AGENDA FOR NEXT MEETING.
- B. DISCUSSION OF CHANGE IN SEC. 82-276 FENCE ORDINANCE – IT WAS DECIDED TO BRING BACK AT NEXT MEETING.

5. TOWN MANAGER’S COMMENTS - NONE

6. COMMENTS FROM COMMISSIONERS ON TOPICS NOT ON THE AGENDA

VICE MAYOR THURLOW-LIPPISCH:

- COMMENDED STAFF ON JOB THEY DID AT THE GARDEN TEA SAYING THERE WERE ABOUT 150 PEOPLE WERE IN ATTENDANCE;
- THANKED FP&L FOR STRAIGHTENING THE POLES ON A1A;
- AS A MEMBER OF THE TCCLG, SHE WAS ABLE TO CONTACT STEVE MARTINO WHO IS THE SE REGIONAL DIRECTOR IN SEN. GEORGE LEMIEUX’S OFFICE WHO SHE WILL GIVE A TOUR OF SEWALL’S POINT TO AND VERBALIZE CONCERNS THE TOWN FACES. SHE ALSO INVITED LTC MICHAEL KINARD TO MEET HER AT TOWN HALL AND TAKE A TOUR AS WELL. SHE NOTED THE IMPORTANCE OF MAKING THIS CONNECTION SO IN THE FUTURE, SEWALL’S POINT WILL BE A “FACE WITH THE NAME.”

MAYOR KLINGENSMITH NOTED THAT JAYNE BERGSTROM FROM SFWMD WILL BE SPEAKING TO THE COMMISSION.

CMSR. BAUSCH SAID HE IS GOING TO WASHINGTON NEXT WEEK TO PUSH FOR THE RIVER (CLEAN UP, ETC.)

CMSR. BUSHAS ASKED IF WE WERE BEING ASKED BY THE ECONOMIC COUNCIL TO PASS A RESOLUTION OPPOSING AMENDMENT NO. 4? IT WAS DECIDED TO GIVE BOTH SIDES 15 MINUTES TO MAKE A PRESENTATION.

- 7. **ADJOURN:** THERE BEING NO FURTHER DISCUSSION, CMSR. BAUSCH MADE A MOTION TO ADJOURN, SECONDED BY CMSR. SCHOPPE. MEETING ADJOURNED AT 10:20 P.M.

RESPECTFULLY SUBMITTED,

ANN-MARIE S. BASLER
TOWN CLERK