

MINUTES of the REGULAR
TOWN COUNCIL MEETING
32 WEST AVENUE
March 8, 2022 @ 7:00PM

1. **CALL TO ORDER**

Mayor Reddington called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**.

Present: Council Members Frank Twardzik, Don Walsh, Tom Maly, and Bruce White. Town Manager Carol Houck, Police Chief Ken McLaughlin, Finance Director Dawn Parks, Planning, Zoning & Development Director Ken Cimino, Town Solicitor Dennis Schrader, and Town Clerk Donna Schwartz were also present. Russ Carter was present to videotape the meeting.

2. **ADOPTION of Agenda**

A motion was made by Council Member Maly, seconded by Council Member Walsh, to adopt the agenda as presented. The motion carried unanimously 5/0.

3. **APPROVAL of the Town Council Minutes**

A motion was made by Council Member Twardzik, seconded by Council Member Maly, to approve the minutes of the Regular Meeting held on February 8, 2022. The motion carried unanimously 5/0.

A motion was made by Council Member Walsh, seconded by Council Member Maly, to approve the executive minutes of February 8, 2022. The motion carried unanimously 5/0.

4. **COMMUNICATIONS AND PRESENTATIONS**

- A. Communications: Fowler letter. Mr. Thomas Fowler, Ocean View Marina, was present to talk to Council about how he would like to open a restaurant at the marina. He also commented that he would build a trail connection, he does not want to see the marina destroyed. Mr. Fowler stated that he thinks most people are in favor of the idea, and he does not believe traffic would be impacted too badly. He claimed this is a way to preserve history. Mayor Reddington stated that he would pass the letter to Planning and Zoning for review, and the idea would be tabled until the new council is seated. Council Member White said the marina makes District One special and wished good luck to Mr. Fowler.

5. **REPORTS**

A. **Financial (Dawn Parks)**

Report received and filed.

B. **Public Safety (Chief McLaughlin)**

Report received and filed.

Chief McLaughlin offered some additional insight on Ogre Drive. He said based on comments that the Council received last month he did a roadway safety analysis and he looked at data and had conversations with people using the roadway. Chief McLaughlin said the average speed is 18mph. He said he has seven or years of crash data for Ogre Drive. There has been only one crash on Ogre Drive, which involved an elderly woman

and a mailbox in 2020. The bus stop at Ogre has been utilized for decades with no problems. He said that he contacted Indian River School District about Ms. Cziraky's bus stop concerns. The next morning someone from the school district was out there checking the situation. Chief McLaughlin said he talked with people on the street walking their dogs or jogging, and no one has any complaints. He stated he sees no problems with Ogre Drive and does not see in the data what justifies the attention the PD has given Ogre Drive over the past couple of years. He said Mr. Jennison and Ms. Cziraky are the only ones they hear complaints from. Chief McLaughlin said they track data for every vehicle that drives on Ogre Drive, and there is not a speeding problem today.

C. Planning, Zoning and Development (Ken Cimino)

Report received and filed.

Mr. Cimino spoke briefly about Ogre Drive and referred to a copy of an attached email to Mr. Jennison dated 10/20/2020, that stated the Town has chosen the option to add signage only to the street, which contradicts what Mr. Jennison said at the last meeting. Mr. Cimino also referred Council to a copy of a 2020 Traffic Calming Study of Ogre Drive that was included in the packet. The study on page 15 recommended a 20mph speed limit, Ogre Drive is posted at 15mph. Mr. Cimino also commented on the statement made by Ms. Cziraky that Ogre Drive needs crosswalks. He said that Ogre Drive is considerably under the quota for daily foot traffic based on recommendations for crosswalks, and a crosswalk on Ogre would take you from ditch to ditch. Mr. Cimino noted that currently another speed study was being done to see if there is any problem with speeding on Ogre Drive.

D. Town Manager (Carol Houck)

Report received and filed.

E. MVFC Report - January

F. South Coastal Village Volunteer Newsletter

6. CITIZEN'S PRIVILEGE ON AGENDA ITEMS

Elaine Cziraky, Ogre Drive, spoke to Council regarding her concerns she expressed at the budget meeting about handicap people and school children on Ogre Drive. She also spoke about the traffic calming study and the timing of the study. She complained that the dates were bad timing, referring to the snowstorm on January 31, 2022, where there was only one lane of traffic from the snowplow. Ms. Cziraky asked if there was data from 2021. She said she knows of no data source for pedestrian foot traffic.

7. NEW BUSINESS

A. Introduction of Ordinance(s)

Council Member Maly introduced an ordinance defining the FY2023 Operating Budget.

Council Member Maly introduced an ordinance defining the Five-Year Capital Budget.

B. Discussion, Consideration, and Possible Voting on MOU with Bear Trap Dunes.

Town Solicitor Schrader explained the MOU. He said the residents want the speed signs and the Bear Trap HOA was willing to purchase and donate them to the town. The donated cost for four speed signs was \$10,221. The MOU requires a 60-month deployment agreement with the town.

A motion was made by Council Member Twardzik, seconded by Council Member Maly to approve the MOU with Bear Trap. The motion carried unanimously 5/0.

- C. Discussion, Consideration, and Possible Voting on appointment of Board of Election Members Gene Brendel, Nicole Manthos, and Linda Fiscus.**

Ms. Schwartz introduced Nicole Manthos and Linda Fiscus who were present at the meeting. The Brendel term expires 2024, Manthos and Fiscus terms expire 2025.

A motion was made by Council Member Twardzik, seconded by Council Member Walsh to approve the appointment of the Board of Adjustment members Brendel, Manthos, and Fiscus. The motion carried unanimously 5/0.

- D. Discussion, Consideration, and Possible Voting on appointment of Board of Adjustment Member John Planchart for a three-year term.**

A motion was made by Council Member Maly, seconded by Council Member Walsh to appoint John Planchart to Board of Adjustment. The motion carried unanimously 5/0.

- E. Discussion, Consideration, and Possible Voting on a reappointment to the Planning & Zoning Commission for Ken Sigvardson to May 2026.**

A motion was made by Council Member Walsh, seconded by Council Member Twardzik, to approve the reappointment of Ken Sigvardson. The motion carried unanimously 5/0.

- F. Discussion, Consideration, and Possible Voting on an appointment of Joseph Tyminski to the Planning & Zoning Commission for a five-year term.**

A motion was made by Council Member Walsh, seconded by Council Member Twardzik to appoint Joseph Tyminski to the Planning & Zoning Commission. The motion carried unanimously 5/0.

- G. Discussion, Consideration, and Possible Voting on appointment of Bob Lawless, Bill Olsen, and Ed Donnelly to the Board of Assessment.**

A motion was made by Council Member Maly, seconded by Council Member White, to approve the appointments of Lawless, Olsen and Donnelly to the Board of Assessment. The motion carried unanimously 5/0.

Council Member White expressed his thanks to all the residents who step forward and volunteer to work on our boards and committees. He said the Town cannot function without them.

- H. Discussion, Consideration, and Possible Voting on follow-up to Presentation of Proposed FY2023 Operating Budget, 5-year Capital Improvements Budget, and Water Utility Budget.**

Mrs. Houck told Town Council she was looking for any additional feedback about the budget. Council Member Twardzik stated he was satisfied with the budget the way it is. All agreed. No other comments were made.

I. Discussion, Consideration, and Possible Voting on direction related to use of ARPA Funds.

Mrs. Houck commented that on 1/6/2022 the Treasury adopted the final rules for the use of ARPA funds. She also noted that the following items had been approved by our legal team as qualifying for ARPA use. The broadband item was the only exception at \$100,000. The rest of the list that has been approved include MVFC - \$100,000 for their building fund; Town Road \$495,000; Open Space purchase \$200,000; Façade improvement loans \$25,000; Street scaping beautification \$25,000; Legal fees \$4,730; and premium pay for employees \$121,486. Leaving a contingency balance of \$111,000.

Council Member Maly noted that employees are our best asset and deserve the premium pay, saying the Town employees did not miss a beat during the pandemic. Council Member Twardzik agreed 100% with Mr. Maly. He asked about the amounts that would be given out. Mrs. Houck said that the amounts ranged from \$500 to \$5,000. Council Member Twardzik said he agrees with Mr. Maly. Council Member Walsh also said he was all for premium pay; he stated he appreciates the work the employees do.

8. CITIZEN'S PRIVILEGE

Dick Jennison, Ogre Drive, commented that he is hard of hearing and is having trouble with the acoustics in the meeting room. He also asked for four-minutes to talk, which Mayor Reddington agreed to. Mr. Jennison complimented the Chief and his staff for all their efforts. He feels that a rubber hose across the road is causing people to slow down, creating false results. He said he stands corrected the Director of Planning & Zoning was right regarding the speed study. Mr. Jennison asked if the results were shared with all the residents. Mrs. Houck replied that it was shared and asked him and Ms. Cziraky exactly what it is they are trying to achieve. Mr. Jennison replied that the road is unsafe with no sidewalks and all the swales, it is not safe to walk in the street.

Elaine Cziraky, Ogre Drive, said there were two points about the road. She said her deed says she purchased on a private road. Since the road is no longer private, she can no longer ensure her safety. She said she does not feel safe getting mail out of her mailbox. Mr. Schrader told her that you cannot have a private street and want police services. He said Mr. Jennison was the one who came countless times and asked for the Town to take the road over into the municipality. She claims the swales are also a concern. She said some of them are unsafe. Mr. Cimino replied that all of them were deemed to be an appropriate 3/1 slope. Ms. Cziraky questioned why he was planning to make repairs at two of the houses. Mr. Cimino said he reserves the right to make safety adjustments where needed. Mrs. Houck noted that they have heard from other property owners on Ogre Drive that there are no safety issues on the street. Mayor Reddington suggested they have the other concerned citizens come to a meeting of the Council.

9. ADJOURNMENT

A motion was made by Council Member Twardzik, seconded by Council Member Maly, to adjourn the meeting at 8:35pm. The motion carried unanimously 5/0.

Respectfully submitted,
Donna M. Schwartz, CMC,
Town Clerk