

Town of Pomona Park - Town Council & Public Hearing Meeting Minutes
Tuesday, June 11, 2019 (6pm)

Mayor Joseph Svingala presided. Council present were CarrieAnn Evans, Dr. Robert Warren, Pat Bergquist, Patricia Mead, James Griffin, Victor Szatkowski and Attorney Sherar was also present.

Mayor Joseph Svingala led in the pledge to the flag and had a moment of silence for the loss of Marjorie Jacob, Rodney Sheffield, Susan Lippincott and Julie Laurie. Mayor Svingala called the meeting to order at 6:00 pm and welcomed everyone. The Mayor also commented on Marjorie Jacob being a 28 year Town Clerk for our town, loved by everybody; Rodney Sheffield was the owner/operator of Hills Hardware, loved and respected by all; Susan Lippincott, I didn't know her but Al Williams town maintenance worked for her and she must be a wonderful person; Julie Laurie, owner/operator of the Courier Journal who was a huge supporter of Pomona Park in her paper and we are going to surely miss that.

Meeting Minutes:

The Mayor requested approval of the Minutes from 5/14/19. Councilwoman Evans made a Motion for approval and it was seconded by Councilman Griffin. Vote to approve was unanimous.

Guest Speakers:

Donna Cooney presented community sharing educational and community building opportunities through The Turning Table and includes the following committees. Race Relations – Race Issues Study Circle, 5 week, 2hrs, once a week commitment held at 236 Central Ave, Crescent City; Mental Health First Aid July 9 & 11, Grant through Stewart Marchman so it's free; Summer Sisters Women's Forum, starting July 7 by life coach Jamie Howard. Fliers regarding these programs are available in the Clerk's office.

Unfinished Business:

Bruce Wolfred, Maintenance Supervisor, presented a time allocation chart and pictures of repaired picnic tables. Town Hall shutters now work manually. Doctor Warren and I finalized the light pole installation at Mayor's park and the lighting for that, both ordered. Evaluated the mowing processes and trailering mowers to some areas to make it more efficient. Mowers too wide for some areas so purchased and received a push mower to reduce weed eating time. The Mayor and I reviewed all the maintenance inventory and there's a file kept in the Clerk's office with this list. This should be done annually and if the Maintenance Supervisor leaves the Town's employ. I have completed the maintenance procedure manual. I have been putting together a list of trees that are too high to reach but need trimming. This fall I want to rent a high lift for this. The ball field is not good, clay wise and the irrigation system and that's probably why there's been a drop in use. If you want to do something with soccer fields we can incorporate that in at any time. We need to get that back and keep it in shape, we need to have a regular schedule for this. Completed a draft budget for the maintenance department for the upcoming fiscal year. The only thing that I have not included yet is the cost of the pier renovations. Donna found where the Trex material was brought up. They make a 2x6 material which is the same size as we currently have and we wouldn't have to add any more stringers or rim joices. My initial estimate is about \$16,000 in material and I'm working on a better deal. The Mayor asked how long it will take to do and Bruce said about a week and a half. Councilwoman Bergquist asked it that is just the pavilion or the whole thing. Bruce said that is the whole dock. Clerk asked about doing the picnic tables too since that was discussed in a prior meeting. Bruce said we probably will, but we just put new wood on them and they should be good for a while but even with that the span of the wood wouldn't work for the seating on the tables. Last item is that I put in the budget for this upcoming fiscal year is to replace the 2 Kubota mowers, both of those are 2007 mowers and have over 1600 hours each on them. Maintenance issues, I've rebuilt the gear boxes and they are operational and my hopes are that they will make it through the summer. I reached out to contacts and I have been able to negotiate a pretty decent deal. The mowers that I want to replace them with will not be diesels because they are too expensive and if the engines are maintained properly, I don't think there will be too much difference in longevity. The 2 new mowers would be like the one we already have which will standardize the fleet and keep stocking of items much easier. The 2 mowers unit price was \$11,000 each, I negotiated them down \$9280 each. I wanted sun canopies for all 3 because the guys being out in the heat. They were \$300 a piece, I got them to throw in the 3rd one for free for the other mower. I've negotiated a \$1000 trade in each for both of the old mowers. That comes to a net of \$17, 160.00. In addition, one of the problems we have is parts failure that no one stocks. I've convinced them to stock belts, blades, lubricants at no cost to us. They will charge us as we use the materials,

no upfront cost. They take back obsolete parts. If we move now we may be able to get this deal and may be able to get it in October. What I don't know is if the current mowers will survive without another major failure over the summer. I wanted to see if you all want to move on this now so I can make it happen before I depart at the end of the month for Minnesota. Councilman Warren asked how much more are the diesels? Bruce said they are about \$4000 a unit higher. Councilman Warren asked what company has he been dealing with and Bruce answer Futch's Power Depot. I prefer to deal with a local company because of the response and you know the people and you can get a lot better repair time if needed and in some cases I have been able to get replacement or loaner mowers if we had a major failure under warranty. Councilman Warren said, good work. That's something we've never had before. Councilwoman Evans asked is this something that we have in the budget now that we can... Kelly said to look on page 37, Parks & Recs were delegated \$166,000 this year and they have used \$37,000. Councilwoman Evans made a Motion to allow Bruce to make the purchase of the 2 mowers for \$17,160.00. Councilman Griffin seconded the Motion. Councilman Warren asked if that is it? Councilwoman Evans asked if there is a maintenance plan? Bruce said there is a 2 years warranty and then all the regular routine maintenance I will provide. Art Blount asked if these are hydrostatic units? Bruce replied, yes sir. Art Blount said and there is \$4000 between a gas and a diesel? Bruce said yes sir. Art Blount asked if they hold right to that price and Bruce said yes but it varies unit to unit. There was more discussion about diesels and the price difference with gas. Art Blount asked what is the Kabota that we have now and Bruce replied diesel and they further discussed diesel vs. gas and the condition of the current diesel unit. Bruce stated that he can't rebuild the diesel engine because you need special tools and if we lose one transmission you are looking at around \$2000 to fix it and with these being 13 year old mowers they are not worth that. Councilman Warren asked if these are stamp decks or welded and how wide are they. Bruce said they are stamp deck and the biggest one we have is 61, the ones we have currently are 51 and I'm running 52 because there are so many places we can't get into. They are not stamp deck, they are welded commercial decks. Canopies are included in the \$17,160. Michelle asked why the Parks & Rec budget is so high? Councilwoman Bergquist said it might be the pavilion, they were going to redo it. I think it was the pavilion and maybe the dock. Bruce had a list which included rec equipment, picnic table, upgrade bathrooms, new pavilion and a sidewalk. Councilwoman Bergquist said part of that was going for the grant. Kathy's suggestion to us was to spend up to \$25,000 as part of the grant and we will get 25 points for that. Clerk informed them that they can do that out of Better Place fund. Mayor asked if there was any more discussion? All in favor of the Motion, unanimous vote to approve the purchase of the lawn mowers.

Councilwoman Evans, reported on the Beautification Committee, they served 39 breakfasts and brought in \$211. It was a very slow breakfast, very shorthanded, they need volunteers.

Councilwoman Mead – Tree Board update – The trees are very thankful for the recent showers. Report included removing a dead tree on Hwy 17, trimming trees at Mayor's Park, the ball field, Feagle Ave., Town Hall and trimming and cutting trees at the maintenance shop. I've never had this much help from the maintenance department actually giving me the hours spent, monies and trees worked on. It will be a great help when I have to do the report at the end of the year for Tree City USA. I want to thank Bruce for that. We are looking for places plant new trees to replace those removed. Some of these trees are in a place where they have grown out of proportion and you really can't replace them there because there's not room for them now but if you have suggestions about new places to plant, I'd like to hear it. Councilman Warren asked if the trees can be planted in the right of ways and Councilwoman Mead said yes, as long as they are not in the way. Keeping in mind that sidewalks are planned.

Code Enforcement – 104 Sunny Lane Branch – Attorney Sherar requested that Clerk watched the foreclosure sale online that was on Tuesday and it was sold to Bruce Birkett. He came in and spoke to us about what he is doing to fix the property. He and his wife have already begun cleaning the property and he is replacing windows, cabinets, etc. At this point we will stop all code enforcement for now to allow the new owners to work on the property. 131 Lake St. is not our code enforcement case, it is one by Putnam County Code Enforcement. There are many issues, but the main issues are that a shed and pig pen are partially over their property lines. The County has scheduled a Notice of Violation before the General Magistrate for 8/20/19 at 1:30pm. If this case proceeds, then Councilman Warren and I should go to observe how it is handled. I did speak to the Code Enforcement Officer and he provided all of the pictures in your packet. The front porch entryway was not permitted, there is a lot of trash and construction debris. County Code said they will work with the homeowner if they decide they want to try and remedy items. He may hold off on the meeting. No ordinances against pigs in Town but there is a County Ordinance about pigs. Attorney Sherar said that the County's ordinances do not apply in the Town unless we adopt

them so the pig is allowed. As far as the encroachments go there is nothing that the Town can do about them, that is a private matter and the abutting property owner will have to bring an ejectment action. The building code issues are the same because it is the building code. The pig issue there is nothing that we have that says you can't have a pig. The care of premise and the construction that was done we just need to get them to redo it. Maybe the thing to do is to sit back and wait and see if they get it done. The back has issues but the front looks nice. Someone has spent some money & effort to put millings down and it certainly isn't the worst place we've got in town. They were kind enough to put a big fence up so a lot of it you can't see from the road. Decision made to leave the animals the way that it currently reads. Michele Johnson, page 19 & 21, shouldn't Charlie just be writing about #1 because 2 and 3 belong to us, don't they? The pigs and the housing code section, so it seems like he should be just covering the permit problem. Attorney Sherar, the care of premises we basically have. He's charging the wrong provision because he's using the county code, but the building code issues are covered under the FL building code. Michelle, what I'm saying is its not fair to the Povlich's to be having 3 things from the county when they should only have 1. Why isn't Charlie coming to the town before he does these things? These people are singled out because someone went to the county. Attorney Sherar, maybe the Councilman in charge of Code Enforcement should talk to Charlie. Councilman Warren, there isn't a Councilman in charge of Code Enforcement. My position is a liaison, Donna is the Code Enforcement Officer. This started before Donna was hired and I wanted to bring it to the Council from the perspective of an ongoing case with the County. I don't see a problem with Charlie handling the aspects of the building code/permit enforcements. He has made it clear that he is willing to work with the homeowners. The main issues are that they need to get those items moved off of the neighboring property then they could address some of the other issues at a separate time. Councilman Warren, is there a setback requirement and how far do they have to move it from where it is? Attorney Sherar, there is a setback requirement, minimum lot requirements, 20 on the front, 10' or 15% whichever is smaller on the side and 10' on the back. We really can't go forward with a hearing with the wrong charge even if the guy didn't know it, but if he is working with Charlie and trying to fix the issue, and the Town's position has been we would rather have things fixed than to have running fines. Let Charlie know that at some point in time he's going to have to redo this and push it off to another date and rewrite it in accord with our code provisions. Donna will talk to Charlie about this. Councilman Griffin asked how hard it would be to do a code against livestock. Attorney Sherar, it depends how many people you want to see in this conference room. Nuisance animals can be enforced.

Financial review and Grant updates by Kelly Krupski. Check registry page 32, there are 4 voided checks from 5/2/19 and 4 voided checks from 5/3/19. These were not checks that had any money attached to them. What they were, somehow, there was a time period created in the Quickbooks payroll that had to be voided before any checks could be written, so I had to call Intuit Quickbooks to assist me and there is a case number if you guys would like to have it. There also is a, on 5/7 a voided deposit from Ad Valorem taxes for 2 of the same deposits for separate months. Unfortunately, I made the deposit a second time and then voided the error on the same day. 5/24, you will see a payment for \$3237.52, this is all the payroll taxes that gets deducted from the employees weekly and they get submitted quarterly. There are also 2 payments to Florida Blue, the first being 5/29 for \$115.26 and the second on 5/30 for \$1076.01. What has happened with Blue Cross is that I found that Joan O'Connor was never removed from the insurance so she was on the insurance from October until March. We received 3 credits in the amount of \$996.74, with a combined total of \$2990.22. The reason for the EFT payment for \$115.26 is because the credits changed our total payment due and kicked us out of the automatic payment. On 5/30, the \$1076.01 was the monthly amount for the health insurance. General fund currently has a total of \$297,857.66, Better Place Plan has \$262,927.13, 1 to 5 gas tax has \$36,518.29 and Beautification has a total of \$10,137.53, with a combined total of \$607,440.61. Michelle asked if there is a time limit for using Better Place Funds? Kelly said the only thing she has found is that it has to be spent on a 5 year capital improvement. Attorney Sherar said that you have to spend it before it expires which I believe is 20 years. Grant update, there will be a meeting Monday, June 17 at 6pm to open the sealed proposals from the Administrator for the Grant and the Engineer. Deadline is Thursday at 2pm for receipt of all bids. I will be going on vacation June 19th, this was planned before I was hired here. I am not getting paid because I will not meet my 6 months until the day I come back. Attorney Sherar asked if the Mayor wanted him at the meeting on Monday and the Mayor said I think so. Kelly sent the notice via email to 181 minority recipients.

Councilwoman Evans said we have 3 employees here. Are they being paid overtime for this or how are they flexing out? Mayor said just like always in the past, they take time off. Mayor said that its always been that the Clerk takes the time off but in the last few months this council said they wanted Kelly and Bruce here at our meetings to give up their own information. It did not come out of that office.

Town Clerk discussed town owned properties and reviewed each property. The only one that is one that the Town would want to sell is 117 Hill St. Attorney Sherar suggested that we send letters to abutting property owners and see if they have interest in buying it. The Mayor said that someone came forward and said they wanted to give us \$500 for it. Can we take that? Attorney Sherar said yes, we can take anything. Councilwoman Mead asked if we should advertise it and Councilman Griffin agreed we should. Councilman Griffin said we should put a for sale sign on the property. Attorney Sherar said if we sell it then at least we start getting some tax money from it. Councilwoman Mead asked if we have any money into the property? Attorney Sherar said we had it abated so, probably spent \$5000.00. We will never get what we have in it. Councilwoman Evans thinks we should take sealed bids and whatever is the highest bid gets it. Mayor said I know somebody that said they would give \$500 for it because they heard what Attorney Sherar said last month and now you're saying, no that's not really right we're going to the 2 people that live on either side. How can we do that? Attorney Sherar said because the guy hasn't made a written offer and the best way to create competition is take that person's name and send a letter and see what kind of response you get. Judy Szatkowski said that she thinks it should be sealed bids because she'd like to buy the property. Attorney Sherar said then advertise it in the paper, stick a sign on it "Property for sale, sealed bids on date" and see how many envelopes you get. Councilman Szatkowski asked what happened to the property on 308 and May St. that we tore the house down and we were supposed to put a lien against that property. Attorney Sherar and Clerk will determine status of that property. Councilwoman Evans made Motion for sealed bids for 117 Hill St., Councilman Warren seconded the Motion. Run it twice in the paper and deadline 3 weeks after last ad runs and put a sign on it for sale see Town. Unanimous vote to approve Motion.

Clerk – Parking stickers and towing. Sticker is placed on driver's side window, not the windshield. The back of the sticker is filled out and kept on file. R&J said that the towing signs are very expensive and he does not have them but will order them if that's what we want to do. Councilman Warren said that the concern is because we aren't sure where the right of way is for these areas. Discussion regarding pins that were put out by the surveyor but no one knows where they are. Main St and Palm are the streets that need towing. Attorney will help locate the pins. Sign must conform with Statute and we must allow roving towing. That's when the tow company drives through and sees a car illegally parked, hooks up to it and off he goes. The Town will have to take the heat. Mayor asked what's our liability and the Attorney Sherar said that the towing company takes the liability because of the statute. Next step is to confirm who the current towing company is, if it's a statutory sign, approve towing company and that they can do roving towing, confirm where the pins are and tell towing company stick the sign here. Find out how much the signs are if we use R&S. People at the beach parking on the sides of the road every weekend.

Councilwoman Evans regarding an Ordinance for Tobacco Free Areas. Mayor does not like putting out ordinances that we have no teeth. I understand but cannot control this. The Community Center has the butt bucket outside and if we put in an Ordinance then the butt bucket has to go and butts will be all over the place. Discussion ensued about enforcement issues. Cops don't even enforce no alcohol. Discussion ensued about off duty Sheriff's not enforcing the laws while on duty for the town. Councilwoman made Motion for the Ordinance but there was no second. Motion died on floor.

Adina Condol cancelled her request to attend regarding the speeding on Lake St. and putting speed bumps and speeding signs every 30 feet. Shirley Griffin brought up that without a Police Department there are just too many things that we can't enforce. Discussion ensued about how to prosecute speeding infractions. Attorney Sherar stated that it's a Civil infraction and it would go to court. On a Misdemeanor the officer would have to see the violation and attend the hearing. Most people pay the fines. If you want to have a penal code enforced its going to cost money. Councilwoman Mead asks if there is an interlocal agreement wherein the Sheriff's are supposed to be doing this. No one knew. Attorney Sherar said if you don't do anything, nothing will happen. Councilwoman Evans discussed how on the beach cameras at 6am she observed 2 people arose from their sleep out of the pavilion on the water, took a bath in the lake. Two people came out with paddleboards and were out for 2 hours and couldn't get out of the locked fence, so they had to squeeze through the fence. It was locked for cleaning the lake weeds. Next time put signs up the night before. Homeless people sleeping in the pavilion and taking baths in the lake. Audience asked if there was a way to close it sometimes. Mayor said there is a 25 year Federal Grant for that beach park. The children love it, it's the parents that are the issue.

Attorney Sherar said when you hire the officers you have to be careful about requesting tickets but you can tell them to enforce the no drinking, no speeding laws. This is a quality of life issue. This is a facility that the public should be able to use without dealing with reprobates. Discussion ensued regarding hiring off duty Sheriff's for the beach

for weekends from 11am – 7pm. Mayor said that is roughly \$500 a weekend. Mayor wants to also hire the off duty sheriffs for the speeding issues on Worcester, Main, Lake? In the past they didn't want to work 2 hours they wanted 4. Mayor asked if the council is looking for Saturday & Sunday 11am – 7pm and holidays for the beach? Several councilmembers said yes. Councilwoman Evans makes Motion that we hire off duty Sheriffs for 2 hours minimum every other week for 10 weeks to patrol speeding. Councilwoman Bergquist seconded the Motion. After discussion Councilwoman Evans amends the Motion from every other week to weekly for 10 weeks. Councilwoman Bergquist seconded the Amended Motion. Unanimous vote to approve Motion.

Mayor – identify grant leverage expenditure options. It sounds like everybody wants the ramp done. It won't be \$25,000, Bruce's estimate is \$17,000. That won't be done until the Fall. Clerk reminds that council that the minimum that they must use for the leverage is \$25,000. The council was talking about sidewalks which will be over that amount which they can take from Better Place. Mayor said he thought sidewalks would be approximately \$33,000.00. Councilman Griffin said we need to take bids. Mayor said that if we had that in the Grant then we would have to buy property from people because there's not enough room but if we were to do that on our own with a reputable company that knows what he's doing then they could go around power poles and come back and do what they have to do. Mailboxes would have to be moved. Clerk explained that you could use multiple items to make up the \$25,000.00. Councilwoman Evans makes Motion that we do the walkway to gazebo, gazebo and pavilion floor at the beach as our Grant leverage. Councilman Warren seconded the motion. Kelly said the grant application doesn't come out until July, so by the time Bruce gets back we should know if we get approved. Mayor asked if we have to spend it or allocate during that 45 day Grant cycle. As long as we dedicate the money then we are good on the 25 points. Unanimous to approve Motion.

Mayor to discuss pay increase for Bruce and Al which have 90 days and Kelly which has more than 90 days but we held off because she was making more because she was handling both positions. Mayor recommends that Kelly and Bruce receive a \$1 raise and would like Bruce to speak for Al. Bruce said that also would recommend \$1 raise for Al. Councilwoman Bergquist asked what Al is currently making. Bruce replied \$11 an hour and he's basically going to be the one filling in for me while I'm gone. Councilwoman Mead asked aren't we hiring part time help. Bruce replied, yes ma'am but Al is the one that is very well versed on how things work and will be the go to. Councilman Griffin made a Motion that we should give all 3 the \$1 an hour raise. Councilwoman Bergquist seconded the Motion. Councilman Warren said that is still very low amount considering how they have extended themselves and look at how well they performed tonight at the meeting and I think it should be \$2 raise. Mayor said at this point I agree but we can't do that. The maximum we can do is \$1 at the 90 days. Unanimous to approve Motion.

Mayor said that he will be requesting in the upcoming budget \$25 an hour so you can be prepared later.

Questions and comments. – Michelle spoke of concerns with no letters going out to try an address Code Enforcement. The Red house at 254 E. Main was discussed that they bought the house for \$1000 and they did fix it up but now they have to clean up after that. Scott Johnson said that there are pier issues and it is a huge cost issue. There are many other outside issues that need to be cleaned up. Attorney Sherar said they knew it was a mess, we made it very clear. They fixed the roof, painted it and took a bunch of stuff out of there. There's still a camper. Our only requirement is that they maintain curb appeal. Clerk explained that some of these cases are going to require the attorney to file court cases against and that's going to cost us money but that's the only way to get these things enforced in some cases. Some discussion regarding Posey Lane and asking the homeowner if we can knock the house down and they will turn the property over to us. There's a place on 207 E. Main that was really bad, the owner is from California, and he told Attorney Sherar that he would take care of it but hasn't.

Upcoming events: Thursday night is Neighborhood Watch; Monday June 17 to open sealed bids.

Councilman Griffin made a Motion to adjourn.

Adjourned 8:46 pm



Handwritten signatures in blue ink, including one that appears to read 'Joseph ...' and another that appears to read 'Montana'.