

MEETING MINUTES
TOWN OF BEVERLY BEACH, FLORIDA
REGULAR MONTHLY COMMISSION MEETING
AUGUST 7, 2017 – 6 P.M.

The regular monthly Commission meeting for the Town of Beverly Beach was duly noticed and held on Monday, August 7, 2017, in the Town Hall Conference Room at 2735 N Oceanshore Boulevard. A quorum was present.

ATTENDEES:

Stephen Emmett	Mayor
Larry Mathies	Commissioner
Sandra Siepietoski	Commissioner
Jeffrey Schuitema	Commissioner
Ernie Sund	Commissioner
Debra Wingo	Commissioner
Donna Francis	Town Clerk
Matthew Maguire	<i>Substituting for Town Attorney Dennis Bayer</i>

CALL TO ORDER – The meeting was called to order at **6:00 p.m.** by **Mayor Emmett**, who then led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mayor Emmett called for a motion to approve the Minutes of the regular Commission meeting held on July 10, 2017. Motion made by **Commissioner Schuitema**, seconded by **Commissioner Siepietoski**. There was no further discussion.

Motion Approved Unanimously 5-0 by Voice Vote

MAYOR'S REPORT AND ANNOUNCEMENTS

- a. **Mayor Emmett** brought everyone's attention to the fact that the town is flying the Purple Heart flag this week in honor of Purple Heart recipients. He gave a brief explanation of the origin and purpose of the medal and stated that there are several Beverly Beach residents who have earned the honor.
- b. **The Mayor** announced that the annual Worldwide Beach Cleanup, sponsored by the Ocean Conservancy organization, is coming up in September. More details will be forthcoming soon. It is scheduled for Saturday, September 16. The local Friends of A1A group is coordinating locally.
- c. **Mayor Emmett** introduced **Jim Troiano** of the St. Johns River Water Management District. Mr. Troiano explained that SJRWMD sent a letter in January to area partnership municipalities asking them to update their Comprehensive Plans because of a new water plan regarding water use long-term. Their staff is available to assist in preparing the appropriate documentation. The amendment must be adopted by September 2018. The partnership will assess each region's water use trends and evaluate what possible changes can be made to most efficiently use our water resources.

STAFF REPORTS

a. Town Clerk

- i. The Clerk presented the **June 2017 financial reports**. There were no revenue items of concern and overall revenue is trending ahead of budget for the first nine months of the year. Seacoast Bank money market account is earning better interest than budgeted and continues to perform well. Expenditures for June were under budget for most every line item. **Commissioner Schuitema** asked if the bill had been paid for the UF legal students' consulting on the Code revisions. **The Clerk** reported that it had, and was actually much lower than anticipated. The budget was \$8,000 and the bill was only \$3,000 to-date. She also took the opportunity to explain that the Planning and Zoning expenditures for FY 2018 will be much higher due to the anticipated Municode costs of updating and publishing all the Code revisions as well as codifying the new Ordinances not yet filed. **Commissioner Wingo** had a question regarding the funds on the Balance Sheet notated as "restricted." **The Clerk** needs to talk with the accountant about the proper way to handle the presentation.
- ii. The Town Clerk explained the upcoming **TRIM process** and formulation of the **fiscal year 2018 Budget**. The preliminary meeting is scheduled for September 11 at 5:15 p.m.
 - The proposed **millage rate** is again **2.3000%** for at least the sixth year in a row. Individual tax bills may rise due to the Property Appraiser increasing valuations on land and homes. Beverly Beach still has an extremely low millage rate compared to most municipalities and continues to operate a very "bare bones" budget in terms of expenditures and operating expenses.
 - **Revenue** projections for FY 2018 were explained in detail. **Commissioner Wingo** asked if the local discretionary revenue was the "bed tax." It is not. The Town does not get any bed tax funds.
 - **Expenditures** were explained next and the Clerk pointed out a few line items that needed to be increased based on data received to-date. A few line items have been decreased based on the 2017 expenditures. An increase in the 2018 Office Equipment budget is actually a combination of expenditures that previously were budgeted separately and are now consolidated into one item.
 - **Mayor Emmett** explained proposed payroll increases for the Town Clerk and the Code Enforcement Officer. He suggested a \$2 per hour increase for the Clerk, and to round the CEO's hourly wage up to \$12 per hour. He justified the Clerk's increase based on the scenario that she functions more as a city manager than just a clerk as well as assuming some of the accounting duties with the acquisition of QuickBooks. Commissioners had no questions and supported the increase by consensus. There was a brief discussion about the Code Enforcement Officer's rate. **The Mayor** stated that for the volume of work involved as well as the fact that the CEO does not hold any state or local Code licensing, his wages cannot be adequately compared to Code Officers in other cities. The same employee also does contract work for the Town and that is billed separately. A 1099 is issued to him annually for that work, and a W-2 for the COE position. **Commissioner Wingo** stated that she believes it is a possible violation of employment regulations to have him work in the two capacities under different compensation arrangements. The Clerk stated that the annual auditor gave his approval after reviewing the issue. This issue has been raised before; four different accounting professionals have been consulted on the issue and each stated that it was legal under the circumstances of the current arrangements. The duties as COE were detailed as well as the method of

compensation for the separate maintenance work. Commissioners agreed to evaluate this further and come to a consensus at the next meeting.

- **Commissioner Wingo** asked why the payroll tax expenditures are shown on the Budget. The Clerk explained that the Budget presentation was essentially the same as they have for the past five years. The monthly reports produced by the accountant always include the employee withholding even though that is not a Town expense. It is one reason the Town is going to start assuming the bulk of the accounting duties by acquiring QuickBooks. Additional research will be done on the payroll situations.
- Repair and upkeep costs for the walkovers are significantly decreased since all four are reconstructed and costs should be minimal, barring major damage from a storm.
- Waste removal is the biggest expense in the Budget and Flagler Beach notified the Town of a probable increase, as well as the fact that new homes are being added to the route as they are built.
- A resident of Surfside Estates suggested that the Town spend some funds to upgrade the cosmetic appearance of the Meeting Room. It was discussed in the past and is on the Commission's radar for future upgrades.

iii. **Code Violation Updates:**

- Ramputi home at 2661 N Oceanshore Boulevard (Hurricane Matthew damage). The contractor stated that they are preparing for the permit process; work ongoing.
- Mauney property at 2488 N Oceanshore Boulevard (abandoned building). Demolition of the building is complete. Si Como No Inn (adjacent property to the south) plans to permit a fence along the property line.
- Stajo Construction – new single-family home at 2693 N Oceanshore Boulevard. Second violation of Construction Hours Ordinance; contractor notified by e-mail and certified mail of \$250 fine to be paid no later than July 28.

b. **Town Attorney – Matthew Maguire**

- i. Mr. Maguire reported that he had talked with Dennis Bayer regarding the building height section of the Code, particularly relevant to Ted Barnhill's proposed hotel structure. Mr. Bayer suggested amending the language during the Code update. Unfortunately, the language may not be amended without a full referendum vote of the registered voters in Beverly Beach. Due to the language distinction between a "story" and a "floor" in a structure and the proposed design, the plans examiner for the Flagler Beach Building Department has given preliminary indication that he would be inclined to approve the application based on the latest design. There continues to be a lot of disagreement among all interested parties regarding the language involved. Under the terms of the Interlocal Contract, it is the responsibility of the plans examiner to make the final decision as to whether the structure complies with our Code. He also stated that, in his professional opinion, the extension of the elevator shaft above the height restriction is irrelevant because it is considered an ancillary structure of the main building. There is opposition among Commissioners regarding the ancillary structure decision and that will need to be addressed before a permit is issued. The consensus was that the garage level with an additional three levels occupied by guest rooms and utility space is acceptable, but nothing exceeding the 38.5 feet above the peak of the gable roof. **Commissioner Schuitema** asked **Mr. Maguire** to ensure that Attorney Bayer is made aware of the Commission's discussion.

OLD BUSINESS

- a. **Repair of Concrete Drain Basins in Osprey Point** – **Commissioner Mathies** reported that he and the Town Clerk are trying to get at least three contractors to provide the Town with bids for the repairs. He will follow-up at the next meeting.

NEW BUSINESS - None

COMMISSIONER COMMENTS

- a. **Commissioner Mathies** reported that he had not realized until the Mayor’s announcement about the Purple Heart recognition that four out of five of his uncles earned the Purple Heart – and one of them received the honor twice.

PUBLIC COMMENTS

- a. **Tony Altieri of Sunset Inlet** asked about the height of the elevator shaft above roof level for the proposed hotel, and why the Town’s residents supported the restriction when it was adopted. **Commissioner Schuitema** also stated that there may be a distinction between commercial and residential property.

ADJOURNMENT

There being no further comments or questions, the Mayor called for a Motion to adjourn; so moved by Commissioner Schuitema, seconded by Commissioner Siepietoski.

Motion Approved by a 5-0 Unanimous Voice Vote; Meeting adjourned at 7:14 p.m.

Respectfully Submitted,



Donna Francis, Town Clerk

