

**MEETING MINUTES**  
**TOWN OF BEVERLY BEACH, FLORIDA**  
**REGULAR MONTHLY COMMISSION MEETING**  
**MAY 1, 2017 – 6 P.M.**

The regular monthly Commission meeting for the Town of Beverly Beach was duly noticed and held on Monday, May 1, 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
Dennis Bayer	Town Attorney
Dan Rodger	Code Enforcement Officer

**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 April 3, 2017. Motion made by **Commissioner Wingo**, seconded by **Commissioner Schuitema**. There was no further discussion.

**Motion Approved Unanimously 5-0 by Voice Vote**

**MAYOR’S REPORT AND ANNOUNCEMENTS**

- a. **Mayor Emmett** reported on the quarterly meeting of the Flagler County League of Mayors, hosted this time by Beverly Beach. All five mayors were in attendance and concerns about beach restoration are still at the forefront of everyone’s issues along with general recovery efforts.
- b. **The Mayor** also reported that the flashing yellow caution light in front of the Town Hall had *finally been repaired*. The light has not been operational since the hurricane and the Clerk’s efforts to have FDOT or FPL assist were fruitless. After speaking with Nestor Abreau, the Public Works Director for the City of Palm Coast, the light was repaired at no cost to Beverly Beach within 24 hours. Mr. Abreau stated that he would not send us a bill as a “good neighbor” gesture. The Mayor will send a letter of commendation to Palm Coast thanking Mr. Abreau.

**STAFF REPORTS**

- a. **Town Clerk**
  - i. The Clerk presented the **March 2017 financial reports**. There were no line items that were significantly out of line. Landscape maintenance was high due to the emergency safety fund erected to protect the dune washouts. Also, the walkover item was far over budget but only

because the grant funds from the County have not yet been reimbursed and are expected to be received soon. There was a slight overrun of \$500 on walkovers #3 and #4. **Commissioner Mathies** explained that was due to a modification of design to include two bulkhead supports behind the walkovers to more effectively prevent sand erosion during a storm surge.

- ii. **Changes in Banks:** Bank of America has been used for years as the Town’s depository for the general operating account. The Town received a letter from BOA stating that they would no longer service the Town’s account after performing an “account analysis” of all their business accounts. No real reason could be obtained from the Bank representative other than the fact that a decision was made to stop servicing several of their accounts as a result of the analysis performed. A new operating account was opened with SunTrust and the BOA account will be closed after all transactions have cleared.
- iii. **Code Violation Updates:**
  - See attached itemized list and status of code violations noted in Town.
- iv. **Business Tax Receipt Applications:**
  - Two businessmen indicated an interest in buying the food truck previously operated with German food as a specialty. The business has closed and is for sale. The two gentlemen were asking about obtaining a possible beer and wine license. No application for a BTR has yet been received.

b. **Town Attorney – Dennis Bayer**

- i. Mr. Bayer updated the status of the property north of Si Como No Inn. The owner (Carl Mauney) indicated that he has a contractor lined up and has paid a deposit, and is just waiting for the permit to be pulled to demolish the dilapidated vacant building and clean up the property.
- ii. With regard to the Code revision project, the lead student is taking final exams and expects to have the final product to us ten days prior to the June 1<sup>st</sup> Commission Workshop.

**OLD BUSINESS**

- a. **Speed Limit Control Signs** – The Town considered installing automatic signs that indicate the speed of vehicles passing by, but after meeting with a Sheriff’s Department Sargent and evaluating the cost involved (over \$2,000 each), it does not appear likely to get done. The Sargent advised that the signs generally have very little positive impact and that enhanced enforcement is the only thing that really deters speeding. The Mayor reiterated that the Town would continue to pursue a reduced speed limit despite the lack of FDOT responsiveness in the past. **Commissioner Schuitema** asked about getting blinking lights at the crosswalk. Again, the Sargent had the opinion that even blinking lights have very little impact and that only enforcement and fines make a difference. Lights in other areas that have been effective were discussed. However, with FDOT having complete control over SR A1A, the Town has no jurisdiction. The Sargent did say that we could push for a “traffic calming measure” wherein they change the paint lines in the road to become gradually narrower, giving the illusion that tends to make people slow down. **The Mayor** said that the City of Flagler Beach is fighting the same battle and they have always been in favor of dropping the speed limit to 35 all the way down from Beverly Beach through Flagler Beach.
- b. **Update on Conversion of Walkover #1** – **Commissioner Schuitema and Mayor Emmett** reported that the reconstruction is “done” except for the ADA metal handrails that are being fabricated. The walkover is already under increased usage and everyone has had a very positive reaction. The audience applauded. **Commissioner Wingo** suggested doing a ribbon cutting and a press release recognizing Sid Patel’s generous donation that enabled the Town to do the project.

There is money left over from the original contribution and the proposal is to construct a concrete walkway from the Town Hall back to the walkover entry to make it even smoother for wheelchair and walker accessibility rather than the uneven grass and dirt that exists.

- c. **FEMA Update – Commissioners Schuitema and Sund** announced that a meeting is scheduled for May 8 with the most recent FEMA representative. It has been a challenge to get our claim processed because we've been assigned several different FEMA representatives and must keep providing copies of documentation that we have already given them. Each time we are assigned a new representative we must start over again. We also need to complete a 30+page "funding agreement" with the state to qualify for distribution of any monies.

## **NEW BUSINESS**

- a. **Removal of Brazilian Pepper Trees in Osprey Point** At the request of some residents of Osprey Point, the Town will contact Island Breezes (the monthly maintenance contractor) to do a one-time removal of excessive roadside growth and the invasive pepper trees. The Town has a contract with Island Breezes for routine monthly work, but this project will be a separate bill. **Commissioner Mathies** will handle the initiate the contract and inspection of the work. The quote is \$1,025, the same amount we paid to have the same job done last year.

## **COMMISSIONER COMMENTS**

- **Commissioner Sund** suggested that the Town consider production of Beverly Beach t-shirts as a way of getting some public identity branding for the Town and as a fundraiser. A volunteer committee could decide how to use the funds raised. The store at Camptown does sell shirts, but they are specific to the campground. Some visitors in the past have expressed interest in purchasing a shirt or hat. **Commissioner Siefertoski** asked about the legality. The Town Attorney said the legality of such an endeavor would need to be examined and the funds would have to be segregated in a separate account. He also said Flagler Beach has done something similar. **Mayor Emmett** said a commissioner would need to oversee the project. **Mr. Sund** said he would be willing to do so.
- **Commissioner Wingo** asked if Gary Lee has a business tax receipt to operate the vacation rentals at his home. More information needs to be obtained about the nature of the business. They do not currently have a BTR. **Mr. Bayer** said if they rent it out more than three times per year they should have a BTR.
- **Ms. Wingo** also asked if Sheriff Staly was going to follow up on his campaign suggestion of converting the COP Office to a regular manned station. **Mayor Emmett** did mention it to him and the response was that they were looking at doing so but have not yet come to any decisions.
- **Commissioner Mathies** brought up the issue of a nuisance drone flying low over and around local homes at night. Several complaints have also been received at the Town Hall. Resident **Sue Cureton** said that one has been over their pool on a few occasions and it makes residents feel uncomfortable. A couple of people mentioned that they thought they knew who owns the drone.
- **Commissioner Siefertoski** reported that she attended the Flagler County Centennial celebration at the end of April and represented the Town. The event was very successful.

## **PUBLIC COMMENTS**

- **Sue Cureton** of Osprey Point complimented the Mayor on working closely with the Mayors of the other municipalities in the area and developing a good rapport that has been to the benefit of Beverly Beach.
- **Mike Vendetti** of Surfside Estates asked about the passing regulations along A1A since people are passing on the double yellow lines and it is very dangerous. The Town has brought this to the

attention of FDOT as part of the efforts to get the speed limit reduced but has had no luck. **Mayor Emmett** said that Palm Coast Mayor Milissa Holland used to be a lobbyist in Tallahassee and has offered to try to set up a meeting at the state offices along with Mayor Emmett to see if something can be done in bypassing the local district FDOT offices. Mike also asked if there were any regulations regarding the drone situation and was advised that there are no regulations since drones are a relatively new technology.

- **Frank Gromling** stated that the FAA controls drone activity and that it is illegal to operate them at night. Mr. Gromling also asked about the dune restoration efforts led by the County. He has been asked to not rebuild his walkover until the sand is restored. FDEP advised Mr. Gromling's contractor that there are no turtle season waivers, but the County said there was a plan proposed that has not yet been signed into effect. Mr. Gromling and other beachside homeowners would like some clarification on what is going to be done and when. He requested that the Town try to gather additional information, particularly before moving forward with a trip to Tallahassee. **Mayor Emmett** said he would try to set up a meeting with County Administrator Craig Coffey to get some clarified answers. In addition, Mr. Gromling was told that the County is waiting for all the beachfront property owners to fill out the temporary easement agreements to allow access for the equipment to bring the sand in to do the restoration.
- **Howard Clay** of Surfside Estates announced that there will be a "motorcycle run" on June 10, beginning at 10 a.m. as a benefit for resident Reggie Henderson who is being treated for cancer. The ride will be a 60-mile run ending at the Oceanside Grill with entertainment and food donated by the restaurant. The donation for drivers is \$20 and \$15 for each passenger. More information is forthcoming later.

## 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 7:05 p.m.**

Respectfully Submitted,

*Donna M. Francis*

Donna Francis, Town Clerk

