

PUBLIC HEARING AND REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA HELD IN THE TOWN HALL ON MONDAY, JAN. 6, 1997 AT 7:00 P.M.

The meeting was called to order by Mayor Digby Bridges. Following the Pledge of Allegiance, roll call was answered by the following:

Commissioner Aaskov	Commissioner O'Hare
Commissioner Kaleel	Commissioner Stamos
Mayor Bridges	

IV. Requests for Additions, Withdrawals, Arrangement of Items

Comm O'Hare suggested that Item VII(B) be moved to the Consent Agenda. Town Manager Lanker requested that Item VIII(C)(3) be moved to immediately following the Consent Agenda. He also suggested that Item VIII(C)(2)&(3) be added to the Consent Agenda. Town Manager Lanker also advised that the Landscape Architect for Item VII(C) requested that this item be withdrawn.

V. PUBLIC HEARING

- A. An Application Submitted by Charles McIntyre, 5514 Old Ocean Blvd., Ocean Ridge FL 33435, Requesting a Variance from the Provisions of Chapter 26; LAND DEVELOPMENT CODE, Article VII; CONSTRUCTION & EXCAVATION SETBACK LINE; (A) SETBACK LINE ESTABLISHED to Permit Construction of a Dune Crossover 74+- Long and 4' Wide with 2-2'x8' Extensions Which Would Be East of the Coastal Construction Setback Line at the Legal Description of Lot B (less S 111.42') & S 26.09' of Lot C of Tropical Shores Subdivision. (Quasi-Judicial - Requiring Sworn Testimony)

Town Clerk Hancsak advised that all the proper paperwork and fees have been submitted and recorded and that no additional correspondence has been received.

Town Clerk Hancsak noted that the administrative comment was that the Town Manager advised that the applicant had received State approval.

Bernard Turner, who was representing the McIntyres, advised that an existing large tree would obstruct the bulk of the view of the crossover from the street. He added that the McIntyres were seeking a way to get to the beach without making a footpath.

Comm Stamos inquired as to how many people would be using the crossover and Mr. Turner told him that it would only be the McIntyres.

Comm Stamos expressed his concern that too many residents will be requesting crossovers where one could be used to accommodate many residents.

Comm Kaleel asked if there was a footpath there now to which Mr. Turner advised there was not.

Comm Kaleel asked if there was a platform included on this crossover. Mr. Turner replied that there

were 2' x 8' extensions.

Comm Aaskov questioned the harmfulness of a footpath. Mr. Turner explained that a footpath gets wider and deeper as time goes on enhancing dune erosion. Comm O'Hare suggested the possibility of meandering the crossover to miss some of the vegetation. Mr. Turner advised that the McIntyres would not have a problem with that.

Mayor Bridges asked how many houses were grouped in that area. Chuck McIntyre replied that there were three houses and a lot grouped there. He added that he would not oppose any funding necessary to make the landscaping look good.

Mayor Bridges commented that he is usually opposed to crossovers; however, due to the fact that there is a public crossover just north of the next vacant parcel and he felt they would not need a crossover, he would not oppose this request. Mr. McIntyre added that he would not oppose allowing his neighbors to use it.

Mayor Bridges stated that he would like to see some palm trees planted and suggested 4 or 5 6' to 8' Graywoods. Mr. McIntyre stated that they would be willing to add those.

Mayor Bridges asked for public comment on the issue.

Charlotte Carle, 7 Harbour Dr., questioned the distance to the closest crossover to which Mayor Bridges stated that it was approximately 300 feet. She then asked why the Homeowner's Association for the Northern lot would not request a crossover in the future. Mayor Bridges stated that in his opinion it would be declined because there would be too many.

Bernard Ratner, 32 Harbour Dr., asked if there was any way that people could be stopped from walking across the dune. Mayor Bridges advised that it is difficult to stop people from walking across their own property. Atty Nicoletti stated that there is a section in the Code that prohibits trampling of the dune; however, the question is what is considered trampling.

Charlotte Carle stated that she has seen a tiled footpath by Ocean Terrace and it does not seem to be causing any damage to the dune.

Mayor Bridges stated that he had been walking the beach and felt that no more crossovers should be approved.

Betty Bingham, Ocean Ave., questioned if the crossover could be made smaller. Comm O'Hare stated that he had no problem with it being 4' wide including the rail.

Comm Kaleel moved to approve the dune crossover contingent upon meandering the crossover, adding 5 palm trees with 6' Graywoods with proper irrigation, and the removal of evasive plants, seconded by Comm O'Hare.

Comm Stamos voted yea with concern and Mayor Bridges also approved with concern and added that he would look at all future applications for crossovers unfavorably.

Motion Carried - Yea 5.

Comm O'Hare suggested that the Town Manager obtain information from the State regarding the proper way to cross the dune to possibly draft a new code in the future.

VI. CONSENT AGENDA

A. Minutes

1. Regular Meeting of Dec. 2, 1996
2. Special Meeting of Dec. 9, 1996

B. Reports

1. Town Manager
 - a. Property Appraisal
 - b. Status of Bridge Products
 - c. Tropical Drive Roof Appeal
 - d. South Lake Worth Inlet Study
 - e. Telecommunications Conference
 - f. General Education-Staff/Commission
 - g. Mangrove Property
2. Director of Public Safety
 - a. Monthly Activity Report

C. Announcements

1. 1997 Municipal Election
 - a. Date of Election is February 11, 1997
 - b. Two Commission Seats for Three Year Terms
 - c. Candidate Filing Dates are Dec. 31, 1996 through 3 PM Jan. 22, 1997
2. Proclamations
 - a. General Election of February 11, 1997
3. Public Hearing to Discuss Land Development Revisions Proposed by Urban Design Studios will be held Jan. 13, 1997 at 7 PM

VII. B. Presentation of Audit of Fiscal Year 1995/96 - Bob Rives, Rives & Company

VIII. C. Resolutions

1. 97-01; Designating the Supervisor of Elections as a Member of the Canvassing Board to be in Attendance for the Testing of the Computer Electronic Systems Tabulating Equipment to be Used for the General Election Scheduled for February 11, 1997 and to Canvass Ballots Following the Election
2. 97-02; Approving New Purchase Agreement for Lot 14, Block 4, Boynton Beach Park Subdivision with FL Dept. of Transportation

Comm. Aaskov moved to approve the Consent Agenda as amended, seconded by Comm. O'Hare. The Consent Agenda was approved by unanimous vote.

Town Clerk Hancsak announced the information regarding the election.

VIII(C)(3) 97-03; Authorizing the Issuance of a Note of the Town in the Principal Amount of \$ to Finance the Cost of Various Capital Improvement Projects of the Town; Providing that Such Note Shall Not be a General Obligation of the Town But Shall be Payable Only From Appropriated Funds as Provided Herein; Providing for the Rights, Securities, and Remedies for the Owner of Such Note; Providing for the Creation of Certain Funds; Making Certain Covenants and Agreements in Connection Therewith

Town Manager Lanker reminded the Commission that he was asked to see if the loan obtained for the bridge funding could be increased. He stated that \$425,000.00 could be added at the same interest rate and the same schedule of payments as before and the only additional cost would be \$2,000.00 in attorney's costs. He advised that the Town may want to take advantage of the available money while they could and keep the Town's surplus money earning interest.

Comm Stamos asked if the Town needs the additional funding. Town Manager Lanker explained that there was an approximate \$260,000 shortfall for the water project and \$250,000 was being utilized from the surplus for the bridge shortfall.

Comm Stamos asked how much the Town has in surplus. Town Manager Lanker stated that the Town had \$1.9 million in surplus. Comm Stamos concluded that if the money from the project shortfalls were taken from the savings, the Town would still have \$1.3 or \$1.4 million in surplus funds. He then added his concern that if there is too much money available, it will be spent.

Town Manager Lanker reminded the Commission that the Town would be receiving the appraisals on the land owned by Boynton Beach next week and that this may be something that the Town would want to purchase. Comm Stamos stated that this would be a good purchase for the Town.

Comm O'Hare stated that he felt the Town should get the money now when the rates are low rather than waiting and possibly spending more. He added that he did not believe that the Town would foolishly spend the money.

Comm Aaskov commented that she was still undecided on this issue.

Comm Kaleel stated that he thought the Town should get the money while the funds were available at an inexpensive rate because there will be purchases in the future that the Town will need to make.

Mayor Bridges advised that he was undecided, but he also felt that the Town would want to purchase the property from Boynton Beach and they would need funding to do so.

Bernard Ratner inquired as to the length of the note to which Town Manager Lanker replied that it would be amortized over a 10 year period.

Earl Jones, 14 Sailfish Lane, asked if there would be any penalty for prepayment. Town Manager Lanker informed him that there would not. Mr. Jones suggested putting a time limit on these future purchases and if they do not occur, the money could be put back as a prepayment.

Bob Rives, auditor from Rives and Company, advised that the Town is currently seeing a positive cash flow and the assets are increasing.

Bernard Ratner commented that he was interested in the Town's income vs. the outgo. Mr. Rives summarized that in 1996, all revenues came in greater and expenditures came in lower than expected.

Comm Kaleel moved to borrow \$425,000.00 from First Union at 5% interest for 10 years and approve Resolution 97-03, seconded by Comm O'Hare. Comm Stamos requested that no prepayment penalty be added to which Mark Raymond of First Union stated that it was already in the resolution.

Motion Carried - Yea 5.

VII. PUBLIC REQUESTS

A. Appearance by Browning Ferris Industries (BFI) at the Request of the Commission

John Archambo, Marketing Director of BFI, advised that he had previously met with the Town Clerk and Town Manager. He stated that he was advised of the Town's concerns about collecting late at night and the speed of the trucks. He urged anyone seeing a truck speeding through Town to contact the Town Manager who would pass the information on to him.

Mr. Archambo commented that the truck currently servicing the Town is being replaced and rerouted so that Ocean Ridge is finished by 5:00 PM. He stated that it would be very uncommon now that a truck would be out past 5:00 and suggested that the greater accumulation of trash on Mondays was the reason for pick-up being late on those days.

Comm Kaleel asked when this new rerouting began to which Mr. Archambo replied that it started over the Christmas holidays.

Mr. Archambo acknowledged that Ocean Ridge has a limitation on the amount of yard waste that will be picked up to which Mayor Bridges stated that he thought that 2 cubic yards was not enough. Mr. Archambo agreed with this explaining that an agreement was made with Ex-Town Manager Mathis to keep the price constant, eliminating the cost of living increase. The cost to operate another truck for unlimited vegetative waste pickup would be an additional 75 cents per unit.

Comm O'Hare asked what the cost for pick-up of vegetative waste is and Mr. Archambo replied that he would be able to obtain that information for him.

Mayor Bridges asked when the current contract would be up to which Mr. Archambo informed him that it ended on September 30, 1999.

Comm Stamos asked what the policy was on the pick-up of Christmas trees as they were not picked up on his street. Mr. Archambo stated that the trees should have been picked up, but since Christmas and New Year's Day were on Wednesday's that there was no pick-up. Town Clerk Hancsak informed him that BFI had been contacted and the alternative day of Thursday's was given for pick-up for those 2 weeks.

Comm Kaleel added that trash did not get picked up on Inlet Cay until after 8:30 PM.

The Commission thanked Mr. Archambo for attending the meeting.

- B. This item was moved and made part of the Consent Agenda
- C. Request to Trim Vegetation on the Dune at Ocean Terrace, 5720 Old Ocean Blvd. - Bernard Turner, Landscape Architect

This item was withdrawn at the request of the Landscape Architect.

- D. Request to Trim Vegetation on the Dune at Diamond Beach, 5450 Old Ocean Blvd. - Bernard Turner, Landscape Architect

Bernard Turner, Landscape Architect, representing Diamond Beach, advised that the drawings were prepared in accordance with Ordinance No. 484.

Comm. Aaskov asked for clarification about the visual portion of the presentation in regards to the windowed areas.

Mayor Bridges stated that he felt the presentation was not up to the usual standards presented by Mr. Turner and suggested that he give more thought to the softness of the corners. Comm Stamos also commented that the lines for the windows were too harsh.

Mr. Turner explained that he showed what the ordinance would allow.

Comm O'Hare commented that since the drawing is showing what could happen as opposed to what will happen, he suggested to wait until drawings could be submitted that correctly reflect the request.

Mayor Bridges agreed with Comm O'Hare's feelings that the Commission wait until properly detailed drawings were submitted. The Commission agreed and requested Mr. Turner revise his drawings for the next meeting.

- E. Discuss Beach Areas and Width for Walking Same - Abe Epp, 5550 N. Ocean Blvd.

Mayor Bridges asked if Mr. Epp was present to which he was not and then stated he did not fully understand his letter.

Comm. Aaskov stated that she had spoken with Mr. Epp and he was essentially requesting that ladders, similar to a swimming pool type, be installed at each of the groins to permit residents to complete their walks along the beach. The Commission all concurred that this would present a liability issue and then proceeded on to the next item on the agenda.

VIII Commission Action

A. Appointment to Town Board

Town Clerk Hancsak advised that there was currently an opening for a regular member to the Board of Adjustment through Feb. 1997 due to the resignation of Felix Zajac.

Comm. O'Hare reminded the Commission that at the last meeting he had suggested Barbara Souther as a possible alternate member and he would like to do the same now.

Comm. Aaskov suggested appointing Mr. Vanze or Mr. Cunningham as the regular member and appoint Mrs. Souther as the alternate member. Town Clerk Hancsak advised she would contact Mr. Vanze first and then Mr. Cunningham.

Comm. O'Hare moved to appoint either Mr. Vanze or Mr. Cunningham as a regular member and Mrs. Souther as a alternate member to the Board of Adjustment, seconded by Comm. Kaleel.

Motion Carried - Yea 5.

B. Ordinances

1. No. 491; Establishing a Temporary Moratorium on the construction of Telecommunications Towers and Antennae; Establishing Exemptions; Providing an Appeal Process (1st Reading)

Mayor Bridges read Ordinance No. 491 by title only.

Comm. Aaskov questioned whether many other municipalities have addressed this issue. Atty Nicoletti advised that he was aware of one other municipality adopting a moratorium and that Palm Springs was on second reading regarding the telecommunications issue, however, he did not feel he had completed enough research for a first reading for our municipality. He stated that he would like the moratorium in place prior to contacting the public companies for their input.

Comm. O'Hare clarified that this ordinance provided for a six month moratorium and that the ordinance would include property owned by the County. Atty Nicoletti advised that the ordinance exempted public buildings.

Comm. Stamos moved to adopt Ordinance #491 on first reading, seconded by Comm. Kaleel.

Charlotte Carle, 7 Harbour Drive South, questioned whether this ordinance only related to commercial buildings to which Atty Nicoletti stated that the current code does not provide for any prohibition on the placement of antennas. Comm. Stamos then stated that the town may want to rent space from our antenna in the future.

Motion Carried - Yea 5.

2. No. 492; Amending Section 54-2, Code of Ordinances of the Town of Ocean

Ridge, FL; Providing for Amendments to Parking Violation Fines (First Reading)

Town Clerk Hancsak read Ordinance No. 492 by title only.

Comm. O'Hare moved to approve Ordinance #492 on first reading, seconded by Comm. Kaleel.

Charlotte Carle, 7 Harbour Drive South, asked the nature of the ordinance to which she was advised that the parking fees were being raised and an additional provision for a late fee. She was also advised that the handicap violation was being increased to \$250.00 as provided in the state statute.

Motion Carried - Yea 5.

3. No. 493; Amending Section 26-79, Permitted Signs by Adding a New Subsection (3), "Governmental Signs", and Amending Section 26-80 Signs Exempted by Clarifying Exempt Governmental Signs (1st Reading)

Town Clerk Hancsak read Ordinance #493 by title only.

Mayor Bridges advised the public that this ordinance would now provide regulations for governmental signs which were previously exempt. He cited the size of the Palm Beach County sign for the Hammock Parking Lot as an example. Atty Nicoletti advised that the ordinance provided an exemption for Public Safety signs.

Betty Bingham, 1 Ocean Ave., questioned whether this ordinance would regulate the Adopt a Highway signs on SR A1A to which she was advised that SR A1A was under State control.

Comm. O'Hare moved the adoption of Ordinance #493 on first reading, seconded by Comm. Stamos.

Motion Carried - Yea 5.

C. Resolutions

Resolution No. 97-01 and 97-02 were moved to the Consent Agenda.

Resolution No. 97-03 was discussed prior to the Consent Agenda.

D. Appointment of Poll Workers

Town Clerk Hancsak advised that she had contacted previous poll workers, Mary Athanasakes, Persifor Frazer, Felix Zajac, Pat Frick, Fred Robinson, and alternate poll workers, Marie Robinson and Nancy Hiebert, and they advised they were interested in working the Feb. 11, 1997 election again. She added that the last two years Mrs. Frick has split her day with Mrs. Klein and after speaking with both women they would be willing to split the day again.

Comm. Aaskov moved to appoint the list of poll workers submitted by Town Clerk Hancsak and add

Mrs. Klein, seconded by Comm. O'Hare.

Motion Carried - Yea 5.

E. Authorize Full Time Position for Network Administrator

Town Manager Lanker stated that there is a need for the Town to upgrade its computer system and that the simplest way to do this would be to upgrade Michael Tait, an employee who is currently doing an excellent job with the computer system, to a full time employee.

Mayor Bridges stated that he believed this to be a waste of money. He suggested that the Commission approve a temporary full-time position and when the computers are upgraded, reduce Mr. Tait's position back to a part-time employee.

Comm Stamos commented that Mr. Tait is an electrical engineer and highly educated. He reminded the Commission that there had been previous discussions on replacing Mr. Tait with an outside service, but they felt it would be difficult receiving service on a timely basis as the Town has with Mr. Tait. Comm Stamos added that companies have a need for on site people to do this type of work and that he felt the Town should be treated the same.

Comm O'Hare asked if a new position for \$43,000, should be advertised.

Comm Aaskov moved to approve moving Michael Tait to a full time employee with the increase in salary and benefits of \$14,020.00 to be taken from the contingency fund, seconded by Comm Stamos.

Comm Kaleel asked if the position could be a temporary one if the only purpose is to upgrade the computer system. He suggested that the idea be investigated further.

Town Manager Lanker explained that the Town has not upgraded the computers from 286 systems to 486 systems because of the lack of funding. He added that he felt that Mr. Tait's knowledge could assist in determining the upgrading needs and added that he was very dedicated to the Town regarding computer systems.

Comm Kaleel stated that if the problem was that the Town is working with an antiquated system then perhaps the Commission should look into other ways of upgrading the system. Mayor Bridges voiced his agreement with Comm Kaleel stating that he did not see the reason for putting him as full-time permanent for a temporary job.

Comm Stamos stated strongly that he felt they should not be treating Mr. Tait this way and questioned why they are putting a price on him.

Comm Aaskov added that the Commission has hired a Town Manager that they believe in and they should respect his opinion.

The Commission then voted on the motion made by Comm Aaskov.

Motion Carried - Yea 3 (Aaskov, Kaleel, Stamos)
Nay 2 (O'Hare, Bridges)

Comm Kaleel moved that the Town fully investigate the computer needs and how to bring them into the 21st century, seconded by Comm O'Hare.

Comm Kaleel inquired as to what the job currently involved. Town Clerk Hancsak advised that Mr. Tait had set up the Novell Network that is currently being used, developed the Team-Up program, and is currently developing a program for the tracking of building permits. She stated that the majority of his work is done in the Public Safety Department and in maintenance for the Town Clerk's office. She added that he is certified in all areas of the dispatch including the 911 system.

Comm Kaleel suggested that the computer system needs be evaluated to see if it would be possible to purchase the programs needed off the shelf.

Comm O'Hare amended the earlier motion to include having an outside consultant evaluate how to make the needed upgrade. He added that he would like to have an impartial opinion.

Betty Bingham, 1 Ocean Ave., stated that consultants tend to be partial to one system or another and this would make it necessary to keep patching the system.

Comm Kaleel suggested that someone contact IBM or AT&T to come and assist the Town with this endeavor.

Earl Jones, 14 Sailfish Lane, suggested that the Town get a sense of what other Town's of a similar size have. He added that he was not aware that the Town had a person doing this work part-time or a need for a full-time person to do it.

Comm O'Hare inquired if anyone evaluated if the hourly rate should remain the same for going from part-time to full-time. Town Manager Lanker replied that he thought the rate should remain the same.

Roll Call was made on Comm Kaleel's motion as amended by Comm O'Hare.

Motion Carried - Yea 5.

F. Authorize Appointment of Special Master RE: Code Enforcement Violations

Town Atty Nicoletti advised that the town has obtained several names of individuals that might be interested in serving as Special Master for code enforcement violations. He stated that the Commission should appoint 2 or 3 individuals to hear cases as necessary. He suggested appropriating \$5,000 from the Contingency Fund to be spent on a per hour basis.

Comm. Aaskov stated that she thought the Special Master cost would be a wash in funding due to the

finer that would be imposed on the individual. Town Atty Nicoletti advised that hopefully it would be a wash, however, the fines are unknown at the present time. Comm. O'Hare disagreed citing that the fines could actually turn into an asset for the town. Town Clerk Hancsak advised that in prior discussions the Commission had hoped that the creation of a Special Master would create a great deterrent against the code violations and many violations would never get to the Special Master.

Comm. O'Hare moved to create a funding source of \$5,000 from the Contingency Fund for a Special Master, seconded by Comm. Stamos.

Motion Carried - Yea 5.

G. Authorize Engineer to Solicit Bids for Phase II Water Improvements

Town Manager Lanker summarized his memorandum by stating that Barker, Osha and Anderson (BOA) has completed the contract documents for the Phase II directional drilling water project and they have been submitted to Boynton Utilities for review. He added that the documents will be returned to the attorneys to draft the revisions to the Interlocal Agreement.

He advised that the next step would be to advertise for bids and open them in late February, then award the contract in mid-March and contract completion by mid-May. He therefore recommended that the engineer be authorized to proceed with the bidding process upon approval of the documents by Boynton Beach and Attorney approval. He added that the Interlocal Agreement must be adopted by the Commission prior to awarding to the contract.

Comm. O'Hare questioned whether direction was needed on how to solicit the bids to which Town Manager Lanker replied that the engineer has guidebooks on how to proceed.

Comm. Stamos questioned how many contractors perform this type of work to which Town Manager Lanker advised that there were approximately 10 contractors in Florida. He added that there was a section in the specifications addressing prequalification.

Comm. O'Hare moved to authorize the engineer to proceed with the bid advertisement upon contract document approval by Boynton Beach and approval of the Interlocal Agreement by the Town Attorney, seconded by Comm. Stamos.

Motion Carried - Yea 5.

I. Items by Commissioners

1. Discuss Postponing Public Hearing on Land Development Revisions until after February 11, 1997 Election - Mayor Bridges

Mayor Bridges advised he would like to withdraw this request and added that he hoped that the public would be well informed on the issue for the meeting.

Town Manager Lanker advised that he had prepared a draft agenda for Commission review. Charlotte

Carle, 7 Harbour Drive South, questioned whether the 1/13/97 meeting was advertised. Town Clerk Hancsak advised that this meeting has been placed on the last several agendas and posted in the shadow boxes throughout town. Comm. Aaskov also advised that it was also mentioned in the Ocean Ridge Reporter.

Comm. Kaleel inquired who would make the presentation at the meeting to which he was advised by Town Manager Lanker that he had anticipated that the staff would make the presentation. Mayor Bridges stated that he thought the consultant would be present. Town Manager Lanker advised that Mr. Skokowski would be in attendance at the meeting.

Comm. Kaleel stated that he felt that the consultant should officiate the meeting to which Town Manager Lanker stated that the Commission had stressed that staff present the proposed revisions.

Earl Jones, 14 Sailfish Lane, and also a member of the Planning & Zoning Commission, stated that he was disappointed in the manner the consultant made his presentation and felt he was a poor salesman. Comm. Kaleel advised that the Commission was not interested in a sales pitch. Mr. Jones agreed and further added that the P & Z had come to a consensus but he still felt that the consultant would not have a good response from a large crowd. Comm. Kaleel commented that he did not feel that the residents were aware that the P & Z had already met at several meetings spending approximately 10 - 15 hours reviewing the revisions.

Comm. O'Hare stated that he felt the residents were expecting the Town Commission and Town Manager to lead the meeting and the consultant would provide backup information. Comm. Aaskov and Comm. Kaleel agreed. The Commission all agreed that member/s of the P & Z should be present at the 1/13/97 meeting.

Betty Bingham, 1 Ocean Ave., also a member of the P & Z Commission, agreed with Mr. Jones on his opinion of the consultant.

Charlotte Carle, 7 Harbour Drive South, questioned when the agenda and backup material would be available to the residents to which she was advised that the material would be available 1/7/97 provided the Commission agreed with the proposed agenda. The Commission approved the proposed agenda.

There was a brief discussion regarding the meeting location to which the Commission all concurred that the Town Hall Chambers should provide adequate space.

2. Discuss Swale Areas - Mayor Bridges

Mayor Bridges commented on his dismay with the filling of the swale area at Anna and North Ocean Blvd. He felt there were problems with the swale areas in town and requested input on code provisions to provide for adequate drainage. Town Manager Lanker advised there was an ordinance but he felt the problem was when all the overflow meets there was not adequate drainage in the streets.

Mayor Bridges suggested then that perhaps the ordinance was not being enforced.

Comm. O'Hare questioned whether residences with no swales were grandfathered to which Town Manager Lanker advised there are many areas that do not have swales and would be considered grandfathered. He added that the town had neglected to adopt a continuing drainage plan and he was not certain that creating or amending the current ordinance would solve the problem.

Comm. Stamos agreed with Mayor Bridges that if the swale is at 6" there will be a place where the water is caught and not going down the street.

Betty Bingham, 1 Ocean Ave., mentioned that she did not feel that residents should plant or build in the swale areas.

Town Attorney advised that FDOT could be contacted to determine whether a permit was necessary at Anna and North Ocean Blvd. to fill in the swale area that was pointed out in the earlier discussion.

3. Update on South Lake Worth Inlet Advisory Committee - Comm. Stamos

Comm. Stamos advised that he is a member of this committee along with the Palm Beach County Parks Director, County Attorney and other individuals who are currently working with several issues including the Beach Renourishment project. He commented that the town is currently seeking bids for a Technical Engineer in order to protect the town's interests.

Comm. Stamos further advised that a current problem involves the previous Inlet Atty who has refused to release the surplus funds. He added that a Judge had ordered that \$250,000 of the surplus be released for park maintenance.

Comm. Stamos then advised that the County should be commended for their part in the Inlet Plan and hoped there would be a resolution to the surplus funds soon. Mayor Bridges questioned whether a class action suit has been filed to return the surplus funds to the taxpayers to which Comm. Stamos stated that there was a suit recently filed.

4. Discuss Funding to Relocate Plants from Ocean Ave. Properties Obtained by FDOT - Comm. O'Hare

Comm. O'Hare advised that FDOT was starting to demolish several homes on Ocean Ave. and advised that there were various expensive plant materials left behind. He was suggesting that the Town Manager obtain prices to relocate the plants.

Comm. Stamos questioned the difference in cost to relocate or purchase new plants. Comm. O'Hare stated that he felt it would only cost a couple of hundred dollars to move plants that were worth \$1,000+ and have the Beautification Task Force locate appropriate locations to replant them.

Betty Bingham, 1 Ocean Ave., questioned why the plants could not be left on Ocean Ave. to which Comm. O'Hare advised that FDOT already had a landscaping plan and if the plants were left in their current location they might receive less landscaping from FDOT.

The Commission concurred to authorize the Town Manager to examine the costs to relocate the plants.

Comm. O'Hare stated that he felt Felix Zajac should be commended for his dedication to the town in serving the Board of Adjustment for so many years. The staff and audience all applauded Mr. Zajac's dedication to the Town.

IX. PUBLIC COMMENT

There was no public comment from the public.

X. ADJOURNMENT

Mayor Bridges adjourned the meeting at approximately 9:55 P.M.

Mayor Bridges

Commissioner Aaskov

Commissioner Kaleel

Attest:

Commissioner O'Hare

Town Clerk

Commission Stamos