

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE
HELD IN THE TOWN HALL ON MONDAY, MARCH 3, 1997, 7:00 P.M.

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

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

At this point, Town Clerk Hancsak swore in Ken Kaleel and George Stamos for three year terms as Town Commissioners. There was applause from the public.

IV. REQUESTS FOR ADDITIONS, WITHDRAWALS, DEFERRALS,
ARRANGEMENT OF ITEMS

Comm O'Hare requested that items a,d and e in the Town Manager's reports be moved to item VII G 2.

V. CONSENT AGENDA

- A. Minutes
 - 1. Regular Meeting of February 3, 1997
 - 2. Special Meeting of February 18, 1997
- B. Reports
 - 1. Town Manager
 - a. Status of Ocean Ave Bridge
 - b. Status of Bridge Reconstruction - Inlet
 Cay and Sabal Island
 - c. Water Project Phase II Status
 - d. Status of Boynton Property Adjacent to
 Town Hall
 - e. Priest Property Located Northwest of Town
 Hall
 - f. Beaches and Shores Council
 - g. Palm Beach County Municipal League
 - h. Accessible Restrooms in Town Hall
 - 2. Director of Public Safety
 - a. Monthly Activity Report
 - 3. Town Clerk
 - a. Authorize Lot Mowing and Subsequent
 Liening of 5 Properties
- C. Announcements
 - 1. The Special Meeting Date to Discuss the Land
 Code Revisions will be held Tuesday, March 11,
 1997 at 7:00 P.M.

Comm Stamos moved to approve the consent agenda as amended, seconded by Comm Kaleel.

Motion Carried - Yea 5.

Mayor Bridges stressed the announcement of the special meeting on March 11 and invited all interested parties to attend.

VI. PUBLIC REQUESTS

A. Request for Extension of Master Site Plan Approval
for Ocean Harbour Estates - Joe Pike, EnviroDesigns

Joe Pike, EnviroDesigns Inc., representing Palm Beach Development Group, requested an additional 12 month extension on the Master Site Plan approval for the purpose of seeking the necessary financing. Mr. Pike gave a brief summary of the project thus far. He stated that in June 1995, approval was given by the Town Commission and that the year following was used to obtain additional permits. Among these were the Army Corp of Engineers and the South Florida Water Management permits acquired in February 1996 which expire in February 2001. Mr. Pike advised that Mr. Fender, the owner of the property, has agreed to a joint venture with the developer, and consequently the lenders have been more committed. He added that he expected a letter of commitment would be obtained by the end of the week. He concluded by stating that once the financing is in place, development could begin within 90 days.

Comm Stamos stated that he did not oppose the extension as he felt that with developments of this size, financing commonly causes delays.

Comm O'Hare stated that he would like to see the project finished, but added that he and his neighbors were unhappy at the condition of the property. Comm Aaskov agreed and added that the house on the property is in deplorable shape and that some residents are not pleased with Mr. Ross' response to the Town's requests.

Mr. Pike explained that the extension would be a development specific approval and that his intent is to keep everything current for whoever does the job.

Comm Kaleel concurred with Comms O'Hare and Aaskov and suggested a 3 month extension based upon Mr. Pike's statement that development could begin within 90 days upon a commitment of funding.

Mayor Bridges stated that he would like to see the approval extended for a 6 month period.

Comm Kaleel moved to extend the Master Site Plan approval for an additional 3 months. There was no second to his motion.

Comm O'Hare moved to extend the Master Site Plan approval for an additional 6 months, seconded

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by Comm Aaskov.

Mayor Bridges asked if the public had any comments.

David Berger, 45 Bimini Cove, asked if the developers or owners could be required to clean up the area before the extension is granted.

Town Manager Lanker stated that the house condition and the grass height violation are currently being prepared to be brought before the Special Master. Comm O'Hare advised the public that since the Town has the use of a Special Master, the occupant or owner will be held responsible for all violations.

Mayor Bridges suggested that the Commission approve a one month extension to see if they can clean up the property first.

Comm Stamos stated that he did not see the necessity of associating the approval of the extension to the code violations. He added that the violations should be dealt with as they would be for anyone else.

Earl Jones, 14 Sailfish Lane, questioned what would be seen next on the property, if there would be another fence, more holes, et cetera.

Comm Stamos reiterated his feelings that the violations should not be confused with the Site Plan approval.

Comm Kaleel repeated his feelings that the Town should exercise more control and keep the developers on the time schedule of the Town.

Mr. Pike advised that this is only a Site Plan approval and that permits would have to be pulled for any building. He also stated that this is a wonderful project and that he would be very disappointed if there was a lapse in the Site Plan.

Mayor Bridges inquired if the developers will be required to erect a fence when they pull a permit to build. Town manager Lanker stated that there is no code requirement that they put up a fence. He suggested that the permanent wall may also be erected with its identification signage.

Roll Call was made on Comm O'Hare's motion.

Motion Carried - Yea 4 (Aaskov, O'Hare, Stamos, Bridges)
Nay 1 (Kaleel)

VII. COMMISSION ACTION

A. Ordinances

1. No. 494; Amending Section 30-36, Town Code;
Providing for an Occupational License Fee for
Insurance Companies Doing Business Within the
Town (2nd Reading)

Town Clerk Hancsak read Ordinance No. 494 by title only.

Comm Kaleel moved to approve Ordinance No. 494 and to authorize the Town Clerk and Mayor to execute the contract with Florida League of Cities, seconded by Comm Stamos.

Motion Carried - Yea 5.

2. No. 495; Amending Section 22-1, Town Code;
Adopting the Most Recent Edition of the
Standard Fire Prevention Code; Adopting the
Most Recent Edition of the Line Safety Code as
Promulgated by the National Fire Protection
Association (NFPA-101) (2nd Reading)

Town Clerk Hancsak read Ordinance No. 495 by title only.

Comm Aaskov moved to approve Ordinance No. 495, seconded by Comm Stamos.

Motion Carried - Yea 5.

B. Resolutions

1. No. 97-07; Electing a Mayor

Mayor Bridges requested to say a few words before the nominating began. He stated that he sees government doing a lot of taxing and useless spending. He expressed his thoughts that the Town Commission does a good job in allocating the Town's funds. He added that he will continue to fight to keep the taxes in Ocean Ridge low and to keep the Town itself beautiful.

Mayor Bridges nominated Comm Stamos for a one year term as Mayor, seconded by Comm O'Hare. There were no other nominations.

Motion carried - Yea 5.

2. No. 97-08; Electing a Vice Mayor

Comm O'Hare nominated Comm Bridges as Vice Mayor, seconded by Mayor Stamos.

Motion Carried - Yea 5.

Town Clerk Hancsak read Resolution Nos. 97-07 and 97-08 in their entirety.

Comm Bridges moved to approve Resolution Nos. 97-07 and 97-08, seconded by Comm O'Hare.

Motion Carried - Yea 5.

Comm Bridges passed the gavel to Mayor Stamos. Mayor Stamos stated that although he and Comm Bridges did not always agree on all issues, but he believed Comm Bridges to always have the best for the Town in mind. Mayor Stamos thanked Comm Bridges for his efforts on behalf of the Town and for the support of the Town Commission.

3. No. 97-09; Designating Depositories for Town Funds

Town Clerk Hancsak read Resolution No. 97-09.

Mayor Stamos advised that Daniel O'Connell who was listed as a Commissioner should be changed to Kenneth Kaleel. Town Clerk Hancsak advised that the change would be made.

Comm Kaleel moved to approve Resolution No. 97-09, seconded by Comm O'Hare.

Motion Carried - Yea 5.

4. No. 97-10; Reappointment of Town Staff

Town Clerk Hancsak read Resolution No. 97-10.

Comm Aaskov moved to approve Resolution No. 97-10, seconded by Comm O'Hare.

Motion Carried - Yea 5.

5. No. 97-11; Amending 1996-97 Annual General Fund Appropriations/Revenues; Increasing Same by

\$48,000.00, and by Making Certain Line-Item
Adjustments

Town Clerk Hancsak read Resolution No. 97-11 by title only and explained that the money was needed due to the increased loan amount approved by the Town Commission.

Comm Kaleel moved to approve Resolution No. 97-11, seconded by Comm Aaskov.

Motion Carried - Yea 5.

6. No. 97-12; Approving Addendum No. 1 to the Agreement Between the City of Boynton Beach and the Town, Providing for the Installation of a Subaqueous Water Main Between the Town and the City of Boynton Beach Water Distribution Systems

Town Clerk Hancsak read Resolution No. 97-12 by title only.

Comm Bridges moved to approve Resolution No. 97-12, seconded by Comm O'Hare.

Comm O'Hare stated that this Resolution is a direct result of the efforts of the staff and Comm Bridges and added that he is very happy for the Town that this will happen. Comm Bridges added that thanks would also have to go to former Town Manager Bill Mathis who also put forth a lot of effort.

Motion Carried - Yea 5.

7. No. 97-13; Authorizing the Mayor and Town Clerk to Enter Into an Agreement for Coastal Engineering Services and Consulting Services with Mote Marine Laboratory

Comm Bridges moved to approve Resolution No. 97-13 for discussion purposes, seconded by Comm Kaleel.

Comm Bridges stated that he believed the Commission got the best man for the job although he disagreed with compensating him for travelling time in addition to travelling expenses.

Comm Kaleel concurred with Comm Bridges citing that when Dr. Truitt of Mote Marine bid for the job with the Town, he knew that he would be doing his work on this Coast. Comm Kaleel agreed that travel expenses should be paid, but not travel time.

Mayor Stamos advised the public that the Town Commission had interviewed three firms to discuss technical advisor services and they had selected the firm of Mote Marine Laboratory on the West Coast of Florida.

Town Manager Lanker stated that Dr. Truitt came in with a rate 35-40% less than the others adding that he would not charge for more than an 8 hour day or 6 hour day in travel time. He stated that Dr. Triutt's hourly rate of \$90 was well below the others interviewed as well as the cost of Manalapan's consultant which is \$145 per hour. Town Manager Lanker advised that he would have no problem renegotiating the portions of the contract that the Commission disagreed with.

Comm O'Hare suggested that Dr. Truitt fly for all the meetings thereby leaving him refreshed for the meetings as opposed to driving all the way.

Bernard Ratner, 32 Harbour Dr S, stated that the hourly rate is only one component which gives no indication of what his total fee could be. Comm Kaleel explained that the Commission has budgeted \$10,000.00 for fees for this year and that it would be impossible to judge what the fee would be.

Mayor Bridges explained that the decision to hire Dr. Triutt was largely based on his understanding that he is not there to design the project, but rather his participation will begin when the design is accepted by the County.

Town Manager Lanker stated that he attended a joint meeting with Dr. Truitt and he was impressed. He added as a result of Dr. Truitt's comments at the meeting the course of the study has been modified.

Atty Nicoletti suggested that his travel hours be reduced to 2 hours round trip. Comm Kaleel added that if his time is not paid for, he may decide to fly rather than drive, thus saving money for the Town.

Betty Bingham, 1 Ocean Ave., suggested that a cap be put on his hotel and meal allowances also.

Comm Bridges and Comm Kaleel agreed to withdraw their motion approving Resolution 97-13.

Comm Kaleel moved to adopt Resolution 97-13 eliminating the second sentence of the second

paragraph allowing for paid travel time, but allowing for travel expenses as set forth in the State guidelines, seconded by Comm Bridges.

Motion Carried - Yea 5.

C. Discuss Placement of Proceeds of Ocean Ave. Lot

Town Clerk Hancsak stated that the proceeds from the previous sale of the other Ocean Ave. lot had gone into the Capital Projects Fund and suggested the \$114,000 from this sale be added to these funds.

Comm Kaleel moved that the proceeds of Lot 14, Boynton Beach Park be placed in the Capital Projects Fund, seconded by Comm O'Hare.

Motion Carried - Yea 5.

D. Appropriate Funding for Beautification of Old Ocean Blvd. and Beachway

Town Manger Lanker stated that this would be the first presentation by the Beautification Task Force. Charlotte Carle, Joan Beck, and Shelly Childers of the Garden Club gave the presentation.

Charlotte Carle began the presentation by explaining that the Task Force chose the entrance of Old Ocean Blvd. and Beachway Dr. to cultivate first as they felt it was the neediest entrance to the Town.

Joan Beck described the various vegetation that the Garden Club would be using. She also explained that plantings requiring minimal care were selected.

Shelly Childers then gave an overview which included the order in which the plan would be completed. She announced that the planting would take place on the weekend of April 26th and possibly continue through the following weekend. She added that additional volunteers were still being sought for this project. She also explained that the new plantings may possibly be a deterrent to parking on the shoulder.

Mrs. Childers then gave an overview of the budget for the project. She explained that the value of the project is approximately \$14,500; however, with transplanting some of the trees from Ocean Ave., the volunteer labor and the wholesale prices for the new vegetation, they felt they could complete the project for under \$7,000.

Mayor Stamos inquired how the irrigation would be maintained. Mrs. Childers explained that they would be tapping into the fire hydrant. Mayor Stamos asked if they would need a temporary hydrant and Director Hillery explained that the set up would be similar to how the Town irrigates the landscaping at Harbour Dr South.

Comm Kaleel asked if the homeowner on the corner who will benefit from this project has been solicited for funds and Mrs. Childers explained that the homeowner has been asked, but as of yet, no funds have been donated.

Comm Bridges suggested encouraging the homeowner to permit the Task Force to use his tap for the irrigation because even though the vegetation may be low maintenance, it takes a year for them to be established.

Charlotte Carle advised that the Task Force would like to have permission to place signs near the project and also request the minimum funding needed from the Town Commission. She added that after this initial project is completed, the Task Force intends to ask residents again for more donations.

Mayor Stamos mentioned that the Town budgets \$5,000 a year for beautification and that he feels projects such as this should be supported.

Comm Kaleel stated that he felt the requested temporary signs advising that the work was done by resident volunteers would be appropriate. Jerry Lower stated that additional educational plaques could be placed at the sites. The Commission concurred that the suggested signs would be acceptable.

Betty Bingham questioned whether it would be allowable to commingle funds with the not-for-profit Garden Club. Atty Nicoletti stated that it was not a problem for the Town.

Comm Bridges moved to approve \$6,500 from the Contingency Fund to fund the project, seconded by Comm Kaleel. Comm Bridges added that he would also like to make a personal donation of \$200 to be used in addition to the money approved by the Town Commission.

Richard Lucibella, 5 Beachway North, advised that the Beachway North Homeowner's Association would like to donate an additional \$4,000 to the Beautification Task Force. There was applause from the public.

Marilyn Tuppen, 87 Island Dr S, stated that she believed it was shameful that the Town does not budget more money towards the beautification of the Town.

Charlotte Carle reiterated that the Garden Club welcomes any help from the residents for this project and Comm O'Hare added that he believed this project when completed would inspire the rest of the Town.

Roll call was made on Comm Bridges' motion.

Motion Carried - Yea 5.

E. Appointments to Town Boards

Town Clerk Hancsak summarized the memo regarding the appointments to the Town Boards.

Comm Kaleel moved to approve the reappointments of Bob Cunningham as a regular member with a three year term and Barbara Souther and Stephen Vanze as alternate members with one year terms to the Board of Adjustment and the addition of Earl Jones as a regular member to the Board with a three year term, seconded by Comm O'Hare.

Motion Carried - Yea 5.

Comm Bridges moved to appoint Neil Hamilton and Richard Lucibella as alternates to the Planing and Zoning Board for one year terms, seconded by Comm O'Hare.

Motion carried - Yea 5.

F. Items by Commissioners

1. Approve design of Hammock Parking Lot Sign - Comm Bridges

Comm Bridges advised that everyone was in agreement that the current sign is too large. He had received permission to change the sign at the expense of the Town. He suggested reducing the sign to 2.3' x 4.6' and having the sign only 2' off the ground. Comm Bridges also distributed an illustration of a sign that contained the County crest and the words "Ocean Ridge Hammock Park." Comm O'Hare advised that he would be happy to donate the sign to the Town. Comm Bridges stated that the sign would be subject to County approval by Comm McCarty.

2. Status of Ocean Ave Bridge (Item moved from Town Manager's Reports on the Consent Agenda)

Town Manager Lanker summarized the schedule of the landscaping on Ocean Ave. stating that the Town will receive the next version of the landscape drawings prior to the end of March. He added

that the US Coast Guard is inviting comments on the proposed bridge be sent to their office prior to March 20, 1997. Comm O'Hare advised that the US Coast Guard is only interested in hearing concerns regarding navigation and the environment.

3. Status of Boynton Property Adjacent to Town Hall
(Item Moved from Town Manager's Reports on the
Consent Agenda)

Town Manager Lanker explained that Boynton Beach has just recently allowed Dale Sugarman to talk to him on this issue. He further explained that the Town had just received the appraisal on the properties done by Boynton Beach which is \$60,000 higher than the appraisal done by Ocean Ridge.

Comm Bridges stated that there may be a possibility of land adjacent to the north Boynton Beach property being deeded to the Town. The owner has suggested that if approval was acquired by the State and County to develop a portion of his property as he wants, he would be willing to deed the rest of the land to the Town.

4. Priest Property Located Northwest of Town Hall (Item
moved from Town Manager's Reports on the Consent
Agenda)

Town Manager lanker summarized a letter that he had received from Mr. Priest stating that he would be willing to sell the property to the Town for \$2.4 million instead of the \$3.4 million. The Commission concurred that the offer of \$2.4 million was not an option that the Town would accept.

Town Manager Lanker advised that the County still has interest in the property owned by the Town south of Ocean Ave. and may help remove objectionable species and make this property available for mitigation.

VIII. Public Comment

Charlotte Carle wanted to announce that Earl Jones had just volunteered to help with the Task Force project and that additional volunteers would be welcome the weekends of April 26 and possibly May 3.

Betty Bingham advised that she had been to a Boynton Beach meeting where the opening of a dry marina was discussed. She stated that the fumes that are associated with such a project will blow over to Ocean Ridge and kill the mangroves. She encourages everyone to go to Boynton Beach's meeting, possibly on March 11th, to express their disapproval of the project.

Comm Bridges suggested that the Town strongly object to this project. He added that he also felt the Town should object to the 2 new condominiums that are being proposed on the Boynton Beach side of the intracoastal. Comm Kaleel stated that the economic council in Boynton Beach voted down the condominiums, although the Chamber still wants development, it will not be that project.

Earl Jones, 14 Sailfish Lane, inquired if the Town could suggest to FPL that when they are cutting the trees from the wires, that they do some shaping as opposed to just cutting away the part that they want. Mayor Stamos suggested that Town Manager Lanker contact FPL.

IX. Adjournment

The meeting was adjourned at 9:00 P.M..

Mayor Stamos

Commissioner Aaskov

Commissioner Bridges

Commissioner Kaleel

Commissioner O'Hare

Attest By:

Town Clerk Hancsak