

REGULAR MEETING OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE  
HELD IN THE TOWN HALL ON MONDAY, JUNE 2, 1997, 7:00 P.M..

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

Commissioner Aaskov  
Commissioner Kaleel

Commissioner Bridges  
Mayor Stamos

It was noted for the record that Commissioner O'Hare was absent with notice.

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

Comm Bridges stated that he wished to add the topic of contractors working after hours within the Town as Item VI. G 3.

Atty Nicoletti advised that he had withdrawn Ordinance No. 497 and substituted a new Ordinance No. 497 that would extend the moratorium on telecommunication towers for an additional 3 months.

Comm Bridges suggested that the Town Manager report on Sewer Funding be discussed following the Consent Agenda.

Town Manager Lanker stated that he would like to add Boynton Beach's contribution request for funding for the Fourth of July fireworks display as Item VI. G 4.

Vera Klein, 7 Sailfish Lane, requested that the Town Manager report on Beach Replenishment be removed from the Consent Agenda and discussed.

V. CONSENT AGENDA

- A. Minutes
  - 1. Regular Meeting of May 5, 1997
- B. Reports
  - 1. Town Manager
    - a. Budget Schedule
    - b. Budget Transfers
  - 2. Director of Public Safety
    - a. Monthly Activity Report
- C. Correspondence
  - 1. Supporting Legislation Expanding the Use of the Sewage Treatment Revolving Fund (SRF) to Include Stormwater Management Facilities
    - a. Village of Wellington - Res. No. R97-16
    - b. City of West Palm Beach - Res. No. 175-97

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2. Opposing Expenditures of Public Monies for the Study and Development of a High Speed Rail Transportation System, Supporting Such Expenditures for Uses Which would Benefit a Larger Number of the Citizens of Florida
  - a. City of Lake Worth - Res. No. 19-97
  - b. Town of Palm Beach Shores - Res. No. R-09-97
- D. Announcements
  1. Proclamations
    - a. National Garden Week June 1 - 7, 1997
- E. Town Resolutions
  1. No. 17; Authorize Execution of Telephone Contract with Intermedia Communications, Inc. (ICI)
  2. No. 18; Adopting Standard Preliminary Plat Review Fee

Comm Aaskov moved to approve the Consent Agenda as amended and set agenda, seconded by Comm Kaleel.

Motion Carried - Yea 4.

- B. Reports
  1. Town Manager
    - a. Sewer Funding

Comm Bridges advised that at the request of a Town resident, the Commission had discussed the topic of a sewer system within the Town of Ocean Ridge at the last meeting. He stated that when he first moved to the Town, the developers had expressed their desire to have on-site treatment plants for the condominiums. Now that they are having problems, they want the Town to fund a sewer system. Comm Bridges stated that if Crown Colony is having problems with their system, they should maintain the plant properly. He concluded that he believed the Town Manager should only look into this issue if and when the Town is mandated to have sewer systems.

Mayor Stamos stated that he believed Comm Bridges sentiments to be well said.

Comm Aaskov stated that the condos are maintaining the septic systems by good companies and have been informed that there is nothing that can be done to keep all the odor away.

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Comm Bridges reiterated that the condos wanted the treatment plants all along.

Comm Kaleel stated that he agreed with Comm Bridges, but he wanted the Town Manager to gather as much information as possible and keep an open mind for the residents who are interested in a sewer system.

b. Beach Replenishment

Town Manager Lanker explained that there will be six months of groin rebuilding and another six months to rebuild the sand on the beach which will be done next year during season.

VI. COMMISSION ACTION

A. Ordinances

1. No. 496; Amending Chapter 14 and Chapter 26 of the Code of Ordinances; Providing for Driveway Trench Drains; Providing for Appeals to the PBCty Construction Board of Adjustments and Appeals and the Fire Board of Appeal; Providing for Human Scale Criteria in Residential Development, Including Roof Pitch, Building Envelope, Floor Area Ratios, and the Like; Providing for a Prohibition on Chain Link Fences in Front Yards; Providing for Regulation of Concrete Block Walls; Providing for the Regulation of Exterior Accessory Structures and Balconies within the Setbacks; Providing for Certain Construction Documents (2nd Reading and Adoption)

Town Clerk Hancsak read Ordinance No. 496 by title only.

Comm Kaleel moved to approve Ordinance No. 496, seconded by Comm Aaskov.

Comm Bridges questioned if the 75% second floor limit included the garage as area on the first floor. Comm Kaleel advised that the definition of total floor area on page 13 stated the inclusion of the garage.

Kathleen Christison, 17 Sailfish Lane, stated that she did not agree with carports being included in the total floor area as they are not enclosed areas similar to garages. She mentioned that she would like to add a bedroom on a second floor and this would limit her usable area.

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Town Manager Lanker stated that Mrs. Christison would have to apply for a variance as both the proposed code and the current code count carports in the total floor area. He added that he is comfortable with the Ordinance the way it is proposed.

Christina D'Angelo, Lot south of Anna St. between Old Ocean Blvd. and N Ocean Blvd., commented that the floor area is important to her as she has a small lot. She mentioned that she would have to eliminate living space in her children's rooms to have a carport.

Comm Kaleel explained that the intent is to control the size of the house resulting in a carport being treated as garage area. Mayor Stamos added that the Commission wanted to control homes being overbuilt on small lots.

Joyce Bruck, 14 Inlet Cay Dr., advised that in Real Estate there is a distinction made between square footage under air conditioning and total square footage. She added that she did not feel that this Ordinance was deviating from what she believed to be the norm.

Betty Bingham, 1 Ocean Ave., advised that she was pleased with the ordinance as it disallows the monster homes that residents are concerned about.

Roll Call was made on Comm Kaleel's motion.

Motion Carried - Yea 4.

2. No. 497; Extending the Term of the Temporary  
Moratorium on the Construction of  
Telecommunications Towers and Antennae  
Previously Adopted by the Town Commission on  
February 3, 1997, as Ordinance No. 491;  
Readopting all of the Remaining Provisions of  
the Moratorium Ordinance (1st Reading)

Atty Nicoletti advised that the 3 month extension on the moratorium is a result of both PBCty and the School Board having moratoriums and an Environmental Study Group being formed to explore this issue.

Atty Nicoletti read Ordinance No. 497 by title only on first reading explaining that Ordinance No. 491 would expire on July 6, 1997 and this would extend the moratorium until October 7, 1997 during which time the Town will be able to adopt a common set of standards.

Comm Kaleel moved to approve Ordinance No. 497, seconded by Comm Aaskov.

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Motion Carried - Yea 4.

B. Approval of First Addendum to Contract Documents for  
Water Distribution System Improvements Phase II

Town Manager Lanker stated that the Mayor had requested additional minor clarifications to the base contract which has resulted in an addendum to the phase 2 water distribution system contract approved at the May commission meeting.

Comm Bridges moved to approve the First Addendum to Contract Documents for Water Distribution System Improvements Phase II, seconded by Comm Aaskov.

Motion Carried - Yea 4.

C. Select Special Meeting Date to Discuss New Bridge  
Landscape

Mayor Stamos stated that he was aware of the tremendous concern over the new bridges particularly their size and landscaping. He added that suggestions to improve the approach railings were discussed between himself, the Town Manager and Brian Rheault, the engineer for Bridge Design Associates. He also mentioned that the Town has the funding for the landscaping that will be needed for these areas.

Comm Kaleel moved that the special meeting date to discuss the bridge landscaping be held on June 17, 1997 at 5:00 P.M..

Comm Bridges suggested that the residents of each of the Islands meet and discuss proposed plans before the June 17th meeting.

Atty Nicoletti advised that since Ordinance No. 497 would have to go for second reading before July 6, 1997 he would like to include it on the June 17th agenda.

Comm Bridges seconded Comm Kaleel's motion.

Neil Hamilton stated that he had given thought to adjusting the size of the railing on the bridges. Comm Bridges requested that he add his thoughts to his plans for the bridges and bring them before the engineer at the special meeting.

MaryAnne Eaton, 52 Spanish River Dr., asked if the scale of the railings could change to which Mayor Stamos advised that possibly it could.

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Dave Berger, 45 Bimini Cove Dr., stated that the concrete base on the bridge is much larger than the street. Comm Bridges stated that the size of the bridges is dictated by the Department of Transportation (DOT).

Peggy Smith, 69 Spanish River Dr., advised that when the bridge for the third island is contemplated, the Town and engineer should consider the size of the island and build the bridge to be comparable. Comm Kaleel concurred, but reiterated that DOT and the Army Corps of Engineers control the size of the bridge not the engineer.

Mr. Berger commented that the Town should have maintained the old bridges to prevent this from happening. Atty Nicoletti explained that the Town staff had no alternative but to replace the bridges because of their condition.

Mrs. Bruck commented that pipes will be needed for the irrigation system that will be needed to landscape the area. Comm Bridges stated that he hoped the area would be completed with Xeriscape.

Roll Call was made on Comm Kaleel's motion.

Motion Carried - Yea 4.

- D. Select Commissioners to Replace Open Committee Memberships to Intergovernmental Coordination, PBCty Municipal League and PBCty Beaches and Shores

Town Manager Lanker summarized his memo regarding the vacancies on these committees.

Mayor Stamos asked Comm Bridges to explain what the Intergovernmental Coordination Program is about. Comm Bridges, representative for the Town, stated that it allows all of the municipal governments to share information. He added that they have only met twice in the last four years. Comm Bridges expressed his desire to remain as representative for this, but felt he needed to resign from the Treasure Coast council as it was too time demanding. Mayor Stamos commented that the Town should not need an alternate for the Intergovernmental Coordination Program.

Town Manager Lanker stated that he was the representative for the PBCty Beaches and Shores Council and that Comm O'Hare had expressed interest in this Council.

Comm Bridges moved that Comm O'Hare be appointed as alternate to the PBCty Beaches and Shores Council, seconded by Comm Kaleel.

Motion Carried - Yea 4.

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Town Manager Lanker explained that the Palm Beach County Municipal League mainly discusses Florida Legislative intent on Palm Beach County. He added that they have a number of meetings on issues such as the proposed 1% school tax increase.

Comm Bridges moved that Comm Kaleel be appointed as alternate to the Palm Beach County Municipal League, seconded by Comm Aaskov.

Motion Carried - Yea 4.

There was discussion on the South Lake Worth Inlet Advisory Committee for the county that meets once a month. Town Manager Lanker explained that the County is now the manager of the Inlet District and has the advisory committee where previously the management district internally governed the district.

Comm Kaleel stated that he would be happy to serve as an alternate to this board and to receive updates on the meetings. Mayor Stamos suggested that the minutes from each meeting be distributed to the Commissioners.

Bruce Gimmy, 12 Ocean Ave., questioned what changes have taken place since the change in management. Mayor Stamos explained that the Palm Beach County Parks and Recreation Department now controls maintenance and improvements.

Mr. Berger questioned why Bird Island now has "No Trespassing" signs. Mayor Stamos explained that it is a privately owned island that was not previously enforced as such. The preserve controlled by the Audobon Society will have guided tours in the future. Comm Bridges added that he feels places such as that are marvelous and thanked the Mayor for his role in the project.

E. Discuss Maintenance of Right-Of-Ways

Town Manager Lanker stated that he wanted input from the Commissioners on whether maintenance of the right-of-ways should be added to the budget.

Atty Nicoletti advised that the Town has previously received requests for abandonment of certain right-of-ways. He suggested that the Planning and Zoning Commission do some preplanning to decide if the Town wants to maintain or abandon the right-of-ways.

Comm Bridges moved that the issue of maintenance of the right-of-ways be deferred to the Planning and Zoning Commission, seconded by Comm Kaleel.

Betty Bingham, 1 Ocean Ave., suggested that if right-of-ways are abandoned, the residents be

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notified. Atty Nicoletti explained that this could be a recommendation of the Planning and Zoning Commission.

Roll call was made on Comm Bridges' motion.

Motion Carried - Yea 4.

#### F. Discuss Property Surrounding Town Hall

Town Manager Lanker summarized his meetings with Kerry Willis, City Manager of Boynton Beach. The first possibility that was discussed involved the Town purchasing all the Boynton Beach owned property adjacent to the Town Hall outright. The staff of Boynton Beach would not consider this possibility without an offer that is considerably greater than the appraised value. The second possibility involves Boynton Beach purchasing the Town Hall and its facilities and the Town moving the Town Hall to another location e.g. by the new Ocean Ave. bridge or the conservation area near Woolbright and A1A. The third option discussed involves joint development of the site with some land transfer to accommodate the Town's future growth requirements. This option would require a study for the possibility of wetland mitigation.

Town Manager Lanker continued by stating that he is requesting \$5,000 for a study of the wetland area which will also be equally funded by Boynton Beach. He suggested that the Commissioners and the Staff meet to discuss this option.

Comm Bridges inquired if the Town could use eminent domain to acquire the property. Atty Nicoletti explained that the Town using the property for governmental reasons as opposed to recreational would have the higher use if that option was pursued.

Comm Kaleel stated that he felt obtaining this property is vital and suggested an open discussion with the Commissioners of Boynton Beach. Mayor Stamos agreed with the idea of a meeting stating that the Town should give Boynton Beach every opportunity to work with the Town and then explore other options, if necessary.

Comm Bridges mentioned that consideration must be given to the right-of-way and to the property owner to the rear of the property.

Comm Kaleel moved that the Town meet with Boynton Beach to discuss options for the property surrounding the Town Hall, seconded by Comm Bridges.

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Motion Carried - Yea 4.

Comm Kaleel also moved that the Town Commission establish a workshop and have the Town Attorney investigate the legal options, seconded by Comm Bridges.

Motion Carried - Yea 4.

Earl Jones, 14 Sailfish Lane, stated that he feels Boynton Beach is doing a good job keeping their park nice and added that he has never seen the beach parking lot full.

Mayor Stamos explained that the concern was over parking for peak times when the lot is full.

Mrs. Bruck suggested that the Hammock Parking Lot be used for overflow parking.

Mr. Gimmy questioned when there would be additional parking created as a result of the parking lost from the new Ocean Ave. bridge. Comm Bridges explained the original plan had not gone through when the county opted for the Hammock parking lot.

G. Items By Commissioners

1. Discuss Cable Television Service and Rates -  
Comm Kaleel (Postponed Item)

Comm Kaleel stated that he noticed that the Town is paying higher rates than other communities for cable. Town Clerk Hancsak suggested that Adelphia be contacted and asked for comparisons between the rates for Ocean Ridge and other municipalities. Town Manager Lanker mentioned that any new company in Town would have to install new lines and equipment which would inhibit passing on high savings to the residents. Comm Kaleel suggested that the Town look into comparable costs and other possibilities. Comm Aaskov agreed and added that she thinks the prices are too high and the service not great.

2. Discuss Interior Bridge Approaches - Mayor  
Stamos

Mayor Stamos stated that this issue will be discussed at the meeting on June 17. Mrs. Eaton asked if someone would be there who could respond to the concerns of the residents. Mayor Stamos advised that Brian Rheault, the engineer from Bridge Design Associates, would attend the meeting.

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3. Discuss Working after hours in Town - Comm  
Bridges

Comm Bridges stated that he felt work should not have been allowed in Town on Memorial Day. Town Clerk Hancsak advised that the new code states that work is not allowed on "holidays;" however, the old code specifically states the holidays as Thanksgiving, Christmas, and New year's Day and they have continued enforcing the Old Code. Mayor Stamos suggested that the Town Atty draft an amendment to the code.

Mr. Jones suggested that the 6 National Holidays of New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving, and Christmas be those specified in the code.

Comm Bridges moved that the Town Attorney prepare an amendment to the code on the definition of holidays, seconded by Comm Kaleel.

Motion Carried - Yea 4.

4. Discuss Fourth of July Fireworks Donation to  
Boynton Beach - Town Manager Lanker

Town Manager Lanker summarized the letter from Boynton Beach and stated that the Town has previously given a \$1,000 donation for the event.

Comm Kaleel moved to donate \$1,000 from the contingency account to the City of Boynton Beach, seconded by Comm Bridges.

Comm Aaskov suggested a \$500 donation of which there was no support from any other Commissioner.

Motion Carried - Yea 4.

VII. PUBLIC COMMENT

Sylvia King, 11 Tropical Dr., questioned who was effected by Resolution No. 17 executing a telephone contract with Intermedia Communications, Inc.. Town Manager Lanker explained that this contract effects the Town Hall lines only.

Mrs. King asked for an update on the sewer discussion. Comm Bridges explained that there are agricultural grants that the Town can apply for. He added that he did not believe Boynton Beach could handle the addition of the Town to their system when a sewer system is mandated by the state.

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Mrs. King also inquired when Tropical Dr. would be paved. Town Manager Lanker stated that currently there were no plans to pave Tropical Dr. as it would be the responsibility of the homeowners to deposit the money in an escrow account before the paving company would even begin the project. He mentioned that the estimated cost would be \$3,000. He added that the Commission had previously decided that issues such as these were the responsibility of the homeowners when it involves a private street.

Mr. Jones asked when the new sanitation contract would be signed that allows for unlimited vegetative pick-up. Town Manager Lanker advised that the contract was scheduled to be brought before the Commission at this meeting, but there was a problem in the language regarding multi-family. He added that the contract would hopefully be on the next meeting.

Merle Augustin introduced herself to the Commission stating that she is new to the Sun Sentinel and would be covering the stories concerning Ocean Ridge.

IX. ADJOURNMENT

The meeting was adjourned at approximately 8:55 P.M..

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Mayor Stamos

\_\_\_\_\_  
Commissioner Aaskov

\_\_\_\_\_  
Commissioner Bridges

\_\_\_\_\_  
Commissioner Kaleel

Attest By:

\_\_\_\_\_  
Town Clerk