

Special Town Commission Meeting of the Town of Ocean Ridge held on Tuesday, August 19, 2003 at 4:00 PM in the Town Hall Meeting Chambers

The meeting was called to order by Mayor Aaskov and roll call was answered by the following:

Commissioner Bingham Commissioner Kaleel
Commissioner Pugh Commissioner Schulte
Mayor Aaskov

Mayor Aaskov advised that the meeting was being held to discuss to Stormwater Drainage Project.

Action Items

Director Hillery requested to change the agenda order and to discuss item 5 first because he had another meeting to attend.

5. Approve and Authorize Execution of Contract with Town of Briny Breezes for Police and Fire Services for the FY 2003/04.

Comm Kaleel moved to approve the contract with the Town of Briny Breezes for Police and Fire Services for the fiscal year 2003/04, seconded by Comm Pugh.

Motion carried - yea 5.

1. Presentation on status of GIS System by Shalloway, Foy, Rayman, Newell, Inc.

Town Engineer Tropepe summarized the activities accomplished with the GIS System. She stated that the system has mapped lots with Palm Beach County Property Appraiser's data attached to each parcel. Engineer Tropepe also mentioned that it has mapped existing stormwater pipes and structures identifying pipe type and size, mapped water distribution system from drawings supplied from Boynton Beach Utilities, identified street names and researched right-of-way widths along N Ocean Blvd. She stated that the system has also surveyed and attached finish floor elevations to lot coverage, prepared a zoning map for Commission Chambers, mapped signage along Old Ocean Blvd, located beach crossovers and verified fire protection hydrants.

Town Engineer Tropepe explained that SFRN has also worked with staff in the purchase of Town software, installed software in all the computers to begin training to be used for reference and printing purposes.

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Town Engineer Tropepe stated that the second phase of the GIS System for the fiscal year 2003/04 includes completing the zoning map for the clerk's office, continuing education of the software with staff, integrating the system with the new Town permitting program, continuing investigation of right-of-way widths, developing emergency evacuation routes and developing a stormwater maintenance plan gathered with GASB data. She also advised that work will be done to convert microfiche to digital documents and linked to existing parcel maps, integrating maps into police department and map Town's incidents (theft, speeding, vandalism, etc.) as well as generating maps for Public Safety information.

Mayor Aaskov questioned if the old permits would be installed into the new system. Engineer Tropepe stated that the older permits can be scanned into the new system. Town Clerk Hancsak advised that not all permits are currently on microfiche and most are house plans, additions/renovations and major permits.

Comm Kaleel questioned what phase a reverse 911 system, which is used to send notification to residents in emergencies, would take place. Engineer Tropepe explained that the reverse 911 system is a different software program but could be integrated with the GIS system.

Town Engineer Tropepe advised that the program will be able to give an accounting of the Town's infrastructure which will help with asset accounting. Town Clerk Hancsak also added that this information will be mandatory for the Town's audit next year.

2. Update on Stormwater Drainage Project
 - A. Direction on Proposed Options
 - B. Authorization to Proceed with Bidding Process
 - C. Authorization to Obtain Proposals from Electrical Engineer and Hydrogeologist for Professional Services Relating to the Bid

Town Engineer Tropepe stated that the stormwater project was submitted in 2002 and all permits were issued to install a 48" drainage piping system to the detention area on the corner of Woolbright Road and N. Ocean Blvd.

Town Engineer Tropepe explained that in March 2003, an initial analysis was completed by Gerhardt M. Witt & Associates and it was determined that drainage wells were feasible in Ocean Ridge which would alleviate the cost and inconvenience of tearing up A-1-A from Tropical Drive to the detention area. She explained that two test wells were drilled near Tropical Drive and Coconut Lane and the conclusion of the report was that both sites are favorable locations for stormwater drainage wells.

Town Engineer Tropepe explained that at this point the Town needs to decide whether to proceed with including in the bid packages the option of using drainage wells in the Tropical Drive area of the South phase of the project and on Coconut Lane. She stated that the Hudson Avenue phase of the project would not be changed and would be constructed as designed.

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Town Engineer Tropepe also mentioned that the design of the stormwater drainage improvements on Coconut Lane can be done at a future date so as to not delay the entire stormwater project. Engineer Tropepe then explained the bidding process, contracts for professional services, the potential solutions, legal issues and fiscal impacts. She advised that the entire cost of the project is estimated at \$4,935,500. Engineer Tropepe added that the reason the Town chose to pursue the feasibility of the drainage wells was due to the potential cost savings of \$500,000 to the South phase project.

Comm Schulte questioned why the projects would be separate. Engineer Tropepe answered that the infrastructure for the David Lane and Adams Road improvements is not included as permitted but can be submitted as a modification. She also explained that because of the grants there is a timeline of May 2004 and the project needs to be started.

Town Engineer Tropepe recommended that the Commission put the project out for bid the way it is designed, modify for drainage wells and come back with costs to decide which direction to proceed.

Town Attorney Spiliias questioned if Environmental permits would be necessary for the David Lane and Adams Road projects. Dan Shalloway, President of SFRM, Inc., stated that they could be permitted with a letter of modification.

Comm Kaleel questioned if there would be an additional cost to the Town to leave the project as currently permitted or by combining the projects. Engineer Tropepe stated that there is a time delay if the Town decided to join the projects but that the design costs would remain the same.

Comm Kaleel moved to proceed to bid South phase and Hudson Ave. phases and to alter the project with additional wells on Tropical Drive and Coconut Lane as recommended by Engineer Tropepe, seconded by Comm Bingham.

Comm Kaleel asked if the Commission could reject a bid that is submitted. Town Attorney Spiliias stated that the acceptance of a bid is not mandatory.

Town Engineer Tropepe stated that it is important to move forward with contracts for the Hydrogeologist and Electric Engineer to design a generator on Tropical Drive. She also stated that a cost is needed for the generator design.

There was a concensus to negotiate a contract with the Hydrogeologist and Electrical Engineer and bring it back to the Commission.

Motion carried – yea 5.

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Public Comment

Scott Kelso, 16 Sailfish Lane, stated that he would appreciate a change when refereeing to what is now his property as a detention area. He mentioned that the proposed detention area is not an option or land belonging to the Town.

3. Authorize approval of contract with Shalloway, Foy, Rayman, & Newell, Inc. for Engineering services to design the David Lane and Adams Road drainage and road improvements in an amount not to exceed \$26,650 from budgeted funds in the Capital Project Fund (Approval is also requested to authorize the Town Attorney to obtain the necessary easements for this project also funded from the Capital Projects Fund).

Comm Schulte recused himself from the discussion on road improvements for David Lane and Adams Road.

Town Engineer Tropepe stated that South phase project involves the existing drainage system and a new main system. She explained that the project will help drainage for David Lane and Adams Road, however, David Lane has no drainage infrastructure and has less than 20 feet of asphalt which makes it substandard. Engineer Tropepe advised that new infrastructure and a roadway built to standards is being proposed for David Lane. She added that building a road to standard includes building a turn-a-round such as a cul-de-sac on Scott & Betty Kelso's property at the end of David Lane. Town Atty Spillias explained that the Kelso's are required by the trial court's order to dedicate whatever land is necessary for the Town to properly improve Davis Lane and provide the access to their property.

Comm Kaleel questioned if the road would be considered substandard if the Commission did not put in a cul-de-sac. Engineer Tropepe stated in her opinion it would be substandard and she could not accept the liability as the Engineer for the road.

Comm Kaleel questioned if the Town has a legal obligation to construct a road. Town Attorney Spillias advised that the Town does not have an obligation to construct a road but does have a responsibility to maintain a road. Attorney Spillias also mentioned that if the Town builds a road it should be consistent with good engineering to avoid liability.

Comm Kaleel questioned what percentage of the \$110,000 cost estimate would be for the construction of a cul-de-sac. Town Engineer Tropepe stated that approximately \$20,000 to \$24,000 would be for the cul-de-sac. Comm Kaleel felt that not building the cul-de-sac and constructing the road to standards was a legal risk.

Comm Kaleel moved to approve the contract with SFRN, Inc., in an amount of \$26,650 from the Capital Projects Fund, to design drainage and road improvements to current standards and for the attorney to obtain the necessary easements, seconded by Comm Pugh.

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Motion carried – yea 4.

Comm Bingham stated she was not in favor of building a cul-de-sac unless the Town owned the land. Town Attorney Spillias explained that the court ordered access be given to the Kelso's on David Lane and the Kelso's be required to dedicate necessary land to complete the improvements. Attorney Spillias also added that there is no difference for the interest of the Town and the rights would be the same for ownership or easements. Mayor Aaskov questioned if the drainage could be accomplished without constructing a cul-de-sac. Engineer Tropepe stated that the drainage can be done but the Town would be responsible for the liability of the substandard road.

Public Comment

Cheryl Olenoff, 566 David Lane, asked why the Town is responsible for putting a cul-de-sac on a private road. Mrs. Olenoff felt that the property owner should be responsible for the cost of the cul-de-sac.

Town Attorney Spillias stated that the cul-de-sac would be part of a public road and the Town would have the right to build and maintain it.

Mayor Aaskov questioned if the property owners could be responsible for putting in the cul-de-sac when the property is developed. Attorney Spillias stated that if the improvements are designed and not built the liability would be to the Town if the road is not improved to today's standards.

Ms. Olenoff stated that she wanted priority on drainage because her property is the worst area for flooding.

Mayor Aaskov suggested moving forward with the drainage and putting off the decision for a cul-de-sac.

Mary Lebowitz, 16 Adams Road, stated she agreed with Mayor Aaskov and stated the drainage project is a concern.

Town Engineer Tropepe advised that if the project is done with a letter modification it would speed up the David Lane project. She stated that after the design is completed it would take approximately 2 to 3 weeks for bidding.

Mayor Aaskov asked when construction could begin. Engineer Tropepe stated that with everything in place the South phase and Hudson phase could begin in January 2004. Engineer Shalloway also stated that construction on David Lane could be started in the first quarter of the year.

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Comm Pugh felt that the drainage improvements could not be done without improving the road to standards because the road would be part of the construction in the drainage project. Comm Pugh stated that the Town would be liable if the road was not repaired to current standards after the drainage project construction.

Comm Kaleel questioned the cost differential for the drainage project and the cul-de-sac being done separately. Engineer Shalloway stated that doing the projects separately could cost \$10,000 or more.

Mayor Aaskov suggested making the cul-de-sac a condition of development for the property owners at the end of David Lane. Comm Kaleel stated that he was not willing to expose the Town by waiting for the property to be developed.

Comm Kaleel questioned if the Town could assess the property owners of David Lane for the total roadway improvements. Attorney Spillias explained that each property owner would be assessed approximately \$25,000 and the Town would have to create a benefit unit.

George Beirlin, 26 Hudson Ave., asked what the legal costs are for the Kelso property. Attorney Spillias stated they totaled approximately \$80,000+. Mr. Beirlin felt the Town was trying to spite the Kelso's by not putting in the cul-de-sac.

Comm Bingham questioned if the design would be brought back to the Commission. Town Manager Dailey stated that once the design is received it would be brought back.

4. Ocean Ridge Resolution No. 2003-14; Establishing a Building Permit Fee Schedule

Town Manager Dailey stated she was directed by the Commission to create a building permit fee schedule similar to the schedule used by the Town of Manalapan. She advised that staff created a similar fee schedule and adjusted the flat fee cost and percentages based on the Town's costs for the average permits issued in the FY '01-'02. Town Manager Dailey explained that the fee schedule has a minimum fee of \$45 for estimated jobs up to \$3,000, plus 1.5% over \$3,000 up to \$100,000, plus .75% over \$100,000.

Comm Kaleel advised that the permit fee schedule was put together very well however he would like the percentage of .75% for estimated jobs over \$100,000 to be changed to 1.0%.

Comm Schulte commented that the fee schedule was incorrect in that it did not provide for each fee schedule. Town Attorney Spillias suggested adding language to the fee schedule that stated "flat" fee of \$45 instead of minimum and "in addition to" 1.5% for jobs \$3,000 and "in addition to" 1.0% for jobs over \$100,000.

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Comm Kaleel moved to adopt Resolution 2003-14 with the amendments to the language as suggested by Town Attorney Spillias and the revision of 1.0% for jobs over \$100,000, seconded by Comm Pugh.

Motion carried - yea 5.

Announcements

Town Manager Dailey advised that a meeting has been scheduled with the Ridge Blvd residents regarding the median on September 3, 2003 at 6:30 PM.

Comm Kaleel stated that a final analysis of the audit he is working on with staff will be ready next month.

Adjournment

Meeting adjourned at 6:45 PM

Attest By:

Town Clerk

Mayor Aaskov

Commissioner Bingham

Commissioner Kaleel

Commissioner Pugh

Commissioner Schulte