

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, October 4, 2004 at 6:30 PM in the Town Hall Meeting Chambers

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

Commissioner Bingham
Commissioner Allison

Commissioner Pugh

Mayor Kaleel

Commissioner Schulte was absent with notice.

Pledge of Allegiance

Additions, Deletions, Modifications and Approval of Agenda

Comm Pugh requested to add a discussion regarding meeting start times.

Comm Bingham requested that the minutes of September 23, 2004 page 3 be corrected to read Mayor Kaleel.

Town Atty Spillias requested that the minutes of August 23, 2004 page 1 be changed to read "research".

Comm Bingham requested to discuss state laws regarding vegetation around power lines.

Consent Agenda

1. Minutes of Special Town Commission Meeting of August 23, 2004
2. Minutes of Budget/Regular Town Commission Meeting of Sept. 16, 2004
3. Minutes of Final Budget Meeting of Sept. 23, 2004
4. Authorize Mayor and Town Clerk to Execute Garbage/Trash Liens and Record Same
5. Authorize Beach Cleaning to be Performed by Boy Scouts of America on Sat., Nov. 6, 2004 from 8:00 AM – 12:00 PM

Comm Pugh moved to approve the agenda and consent agenda as amended, seconded by Comm Allison.

Motion carried - yea 4.

Announcements and Proclamations

6. The administrative offices will be closed on Monday, October 11, 2004 for the official holiday
7. Proclamation Declaring the month of November as "National Epilepsy Awareness Month"

8. Coastal Clean Up to be held on Saturday, November 6, 2004 from 9:00 to 12:00 PM

Town Clerk Hancsak read the above announcements.

Public Comment

George Bierlin, 26 Hudson Ave., questioned when the maintenance for non-paved rights-of-way would be discussed. Atty Spillias advised that it had been postponed until November due to the hurricanes.

Justus Brown, 39 Coconut Lane, thanked the Department of Public Safety for their work during the hurricanes.

Bruce Gimmy, 12 Ocean Ave, also thanked the Department of Public Safety and Staff for the work during the hurricane. He mentioned that because of the hurricanes he learned that Florida Power and Light must be contacted to trim vegetation when it is close to power lines and also that more swales should be installed wherever possible to help with flooding. Mr. Gimmy commented that he felt the P&Z recommendations for the rights-of-way was correct and should be implemented.

Jerry Magruder, 9 Ridge Blvd., stated that the natural catch basin at A1A and Woolbright Road worked well during the hurricanes and did not feel there was a need for the pumps. She felt that a consideration should be given to the catch basin as it is for the future drainage projects.

Jan Gresham, 16 Hudson Ave., advised that there is still a drainage problem on Hudson Avenue that needs to be corrected.

Maria Hisson, 17 Hudson Ave., stated that there is a pond in front of her house and she cannot get onto her driveway without a vehicle. She felt that the drainage problem is caused by the drains being higher than the ground and the water cannot drain properly.

Patrick Doyle, 18 Hudson Ave., thanked the Department of Public Safety and also mentioned the problem with standing water on Hudson. Mr. Doyle felt that part of the problem could be that there are not swales on all of the properties and that the drains are too high. He advised that the problem was diverted from the street onto the properties.

Donald Magruder, 9 Ridge Blvd., stated that the natural catch basin worked well as it is and should not be altered. He also mentioned that there was no flooding on Adams Road.

Reports

9. Town Manager

Manager Mathis advised that the preliminary cost damage from the Hurricanes was approximately \$217,350. He mentioned that the seawall on Island Drive had collapsed

and temporary emergency repairs and precautions were being taken to help protect the road and the FPL transformer. Manager Mathis also gave an update on the drainage project and Tropical Drive easement documents.

10. Town Attorney

Atty Spillias stated that he received an e-mail from the Department of Environmental Protection certifying funds for the drainage grant. He also advised that he was asked to review the requirements for declaring a state of emergency. Atty Spillias stated that after the Governor declares a state of emergency the Town can consider it automatic without a special meeting if the code is written as such.

There was a consensus for Town Atty Spillias to draft an Ordinance to alleviate the need for a special meeting to declare impending emergencies or disasters.

11. Director of Public Safety

Director Hillery had no reports.

Mayor Kaleel expressed his gratitude to Director Hillery and the staff for their work during the hurricanes.

12. Town Engineer

Mayor Kaleel requested that a written report be given by the engineer to show how the hurricanes may have impacted the drainage project and if any changes would be necessary. He also requested a summary of discussions and solutions for the concerns from the residents of Hudson Avenue expressed earlier in the meeting.

Engineer Tropepe gave the rainfall records for both Hurricane Frances and Jeanne and advised that there was not significant stormwater damage to the homes or roads in Town. She stated that the stormwater system and catch basins should be cleaned again especially after storms to clear any leaves or debris. Engineer Tropepe gave a brief update on the drainage through Town and advised that she would like to address and respond to each property owners concerns individually. She mentioned that the catch basins on Hudson cannot be flush with the swales because there is a 3" requirement before stormwater can be drained into the intracoastal. Engineer Tropepe advised that there are lots on Hudson that do not have swales because they are not elevated enough. She stated that she is looking into prices for fill for the lots to bring the elevation up and the property owners have been cooperative.

Mayor Kaleel requested that Town Manager Mathis and Engineer Tropepe investigate vacant lot solutions for Hudson Ave. and Coconut Lane relating to standing water.

Action Items

13. Decision regarding proceeding with the Tropical Drive portion of the drainage improvements By: D. Bill Mathis, Town Manager

Town Manager Mathis stated that Tropical Drive had 16 lots with 14 owners and that 6 of the owners had not returned the executed corrected documents. Atty Spillias stated that a lot of time has been spent working with the property owners to address concerns. He advised that if all of the documents are not in order Tropical Drive may have to be done as an alternate plan in the bid.

Comm Allison questioned if the Town had any legal alternatives. Atty Spillias explained that there are alternative possibilities that could be expensive and difficult. He mentioned that the Town is proposing to improve the road which will benefit the property owners on Tropical Drive as well as the drainage on several other streets.

Comm Allison questioned if the project could be constructed on another street. Engineer Tropepe advised that it is not certain if Douglas and Oceanview Drive are private roads. There was a consensus that Atty Spillias should determine if the streets are private or public.

14. Authorize the closure of vehicular traffic at the eastern entrance to Douglas and Oceanview Drive from Old Ocean Blvd. per a recommendation by the Planning and Zoning Commission By: D. Bill Mathis, Town Manager

Comm Allison moved to approve \$600 from the contingency account for the closure of vehicle traffic at the eastern entrance to Douglas and Oceanview Drive from Old Ocean Blvd. as recommended by the Planning and Zoning Commission, seconded by Comm Pugh.

Motion carried - yea 4.

Comm Bingham requested that a study be done of traffic on other streets.

Mayor Kaleel stated it would be difficult to conduct a study and there was a consensus for staff to monitor any traffic related complaints from other streets.

15. Discuss the Town Manager Position By: Mayor Kaleel

Mayor Kaleel advised that Interim Town Manager Mathis has expressed interest for the permanent Town Manager position. He advised that Manager Mathis has agreed to a salary of \$75,000 and the same benefits as previous Manager Kathleen Dailey.

Comm Bingham moved to appoint D. Bill Mathis as Town Manager at a salary of \$75,000 and the same associated benefits as former Town Manager Kathleen Dailey, seconded by Comm Allison.

Motion carried - yea 4.

16. Discuss Hurricane Pay Compensation By: Mayor Kaleel
Town Manager Mathis stated that there would be approximately \$11,000 available from the Town Manager’s salary account. He requested that the funds be divided between the officers and maintenance employees that worked during hurricane Frances and Jeanne. Mayor Kaleel agreed and mentioned that the employees gave up their homes and families to protect the Town.

Comm Pugh moved to approve that the officers and maintenance employees be paid \$250.00 per hurricane worked, with funding utilized from the surplus Town Manager Department funds from FY 2003/04 that is to be set up as a reserve account, seconded by Comm Allison.

Motion carried - yea 4.

17. Discussion regarding meeting start times

Comm Pugh moved to change the Regular Commission Meeting start time from 6:30 PM to 6:00 PM, seconded by Comm Allison.

Motion carried - yea 4.

18. Discuss state laws regarding vegetation around power lines

Comm Bingham stated that she would like The Planning and Zoning Commission to look into State and other agencies vegetation regulations around power lines.

Mayor Kaleel suggested researching Florida Power & Light protocol first and Engineer Tropepe added that Palm Beach County League of Cities has also formed a committee to address the same concerns.

There was a consensus for Manager Mathis to research FPL protocol on trimming and maintaining around utility lines and poles and also to inventory potential problems with FPL lines and poles.

Adjournment

Meeting adjourned at 7:45 PM

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Pugh