

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, August 8, 2005 at 6:00 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 Allison
Commissioner Hogan

Commissioner Bingham
Commissioner Pugh

Mayor Kaleel

Pledge of Allegiance

Additions, Deletions, Modifications and Approval of Agenda

1. Minutes of the Regular Town Commission Meeting of July 11, 2005
2. Minutes of Special Meeting/Proposed Millage Meeting of July 25, 2005
16. Designate Voting Delegate & Alternate(s) to the Palm Beach County League of Cities, Inc. By: D. Bill Mathis, Town Manager

Mayor Kaleel requested to move item #16, designating the voting delegate and alternate(s) to the Palm Beach County League of Cities, to the consent agenda.

Mayor Kaleel also requested to defer item #8 regarding the application submitted by The Ocean Club of Florida to December. He also requested to move up item #17, Resolution No. 2005-14; approving and authorizing execution of FDOT Maintenance for Landscaping on A1A, after consent agenda.

Comm Pugh moved to approve the agenda and consent agenda as modified, seconded by Comm Bingham.

Motion carried – yea 5

Announcements and Proclamations

3. The Tentative Budget Adoption and Regular Town Commission Meeting will be held on Tuesday, Sept. 6, 2005 commencing at 5:01 PM and Regular Meeting Immediately to Follow
4. The Administrative Office will be closed Monday, Sept. 5, 2005 for the official holiday
5. Proclamation Declaring September 2004 as LITERACY MONTH
6. Proclamation Declaring August 15-19, 2005 as Florida Water, Wastewater and Systems Operators Week
7. Keep Palm Beach County Beautiful – Coastal Beach Cleanup will be held on Sat., Sept. 17, 2005 from 9 AM – 12 Noon at the Corrine Street Beach Access – VOLUNTEERS NEEDED

Mayor Kaleel read the above announcements.

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Public Comment

Jerry Magruder, 9 Ridge Blvd., stated that she was concerned with Gulfstream Lumber located in Boynton Beach. She felt that the material located at their site could be dangerous during a hurricane and asked if the Chief had any influence. Mayor Kaleel advised that a letter would be sent to the City of Boynton expressing the concerns with debris and if they could take action.

Mrs. Magruder also questioned the status of the Town signage and mentioned that the area near Ridge Blvd and A1A is becoming congested with traffic and asked if a sign could be posted advising that the road is open for local traffic only. Mayor Kaleel mentioned that the Town signage project is moving south and Chief Hillery advised he would look into posting a local traffic only sign.

George Bierlin, 26 Hudson Ave, questioned the status of the encroachment at 5616 N Ocean Blvd. Atty Spillias advised that nothing has been finalized and Mayor Kaleel stated that it was not on the agenda.

Bruce Gimmy, 12 Ocean Ave, commented that approximately 2 weeks ago there was a power outage for 5 hours at his residence. He mentioned that it was caused from a resident attempting to remove a tree and knocking out the power and asked that the Commission consider these issues when making decisions regarding the rights-of-way. Mayor Kaleel advised that this item would be addressed later in the agenda.

Resolutions

17. Resolution No. 2005-14; Approving and Authorizing Execution of FDOT Maintenance Memorandum of Agreement for Landscaping on A1A By: D. Bill Mathis, Town Manager (POSTPONED ITEM)

Mayor Kaleel advised that he met with Jason Litterick from FDOT before the meeting and addressed some of the concerns from the Town. He stated that Mr. Litterick agreed to meet with Town Manager Mathis to review and make recommendations to the Commission regarding the landscaping on A1A at the September Commission Meeting. Mayor Kaleel added that the agreement for landscaping would have to be signed tonight.

Jason Litterick, FDOT Architect, stated that approximately \$91,000 is being held for landscaping in Ocean Ridge. He mentioned that during the Planning and Zoning Commission Meeting held August 1, 2005, the P&Z Commission asked if the Town would receive the remaining balance if all of the funds were not utilized. Mr. Litterick advised that he spoke with FDOT and that if there were remaining funds the Town would not receive them.

Comm Bingham moved to approve that landscape maintenance agreement with FDOT as modified and with Town Manager Mathis working with Jason Litterick on the landscape plan, seconded by Comm Allison.

Motion carried – yea 5

Regular Agenda

Reports

9. Town Manager

Town Manager Mathis advised that work has begun on Ixora Way and that the contractor will begin milling ½ of Ixora Way this week in preparation of the installation of 48” pipe along Ixora Way.

10. Town Attorney

Town Attorney Spillias had no reports at this time.

11. Chief of Police

Chief Hillery had no reports at this time.

12. Town Engineer (SFRN, Inc.) – Drainage Update

Engineer Dan Shalloway advised that there was a delay in construction on Ixora Way because the Town had to wait for Bell South to remove a utility pole. He stated that the pole was removed and construction is beginning. Engineer Shalloway also commented that there will be an inconvenience during construction but that the contractor will work as fast as they can. He advised that the engineers are working on alternatives for Coconut Lane because the elevations are very low and that a report will be ready next month. Engineer Shalloway also mentioned that there are 6 houses on Coconut Lane that are below a 5’ elevation and that the current requirements for homes are 8’ elevation.

Town Manager Mathis advised that there is not a set time for the closing of A1A but that it will be posted as soon as he knows. He also mentioned that the Town of Gulfstream will be closing A1A on August 15th for approximately 4 to 6 days.

Public Comment

James Bonfilglio questioned what will be done with the Woolbright construction site if there is a hurricane. Engineer Shalloway explained that there is a plan in place to secure the site and materials if there is a hurricane. He advised that it is part of the requirements and the contractor is aware of what to do.

Action Items

13. Request to Extend Building Permit #9265 for a Six (6) Month Period for a Proposed Single Family Residence at 6103 North Ocean Blvd. By: William Duffey, Jr., Trustee of Old Ocean Real Estate Trust

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Comm Pugh moved to approve the extension of Building Permit #9265 for a six month period, seconded by Comm Hogan.

Motion carried – yea 5

14. Discuss Removing of Obstructions in the Rights-of-Way By: Kenneth Spillias, Town Attorney

Atty Spillias advised that the case has stalled in the court system and the time period has expired. He explained that the Town has the ability to send a 60 day notice to end the status-quo and terminate the agreement.

Manager Mathis stated that the problem is that FPL cannot get into the rights-of-way to access the poles. He advised that he needs the Commission to give him direction for removal of the obstructions. Atty Spillias mentioned that the Town has the right to do what they want can declare the clearing of the rights-of-way for emergency purposes and he would send a letter to Atty Leveinstein to advise that the agreement is being terminated and give the 60 day status-quo notification.

Comm Bingham moved to authorize Town Manager Mathis to send a letter notifying residents to remove the obstructions in the rights-of-way between Coconut Lane and Ocean Avenue, seconded by Comm Allison.

Motion carried – yea 5

Comm Allison moved to direct Atty Spillias to terminate the rights-of-way agreement, seconded by Comm Pugh.

Motion carried – yea 5

15. Discuss P & Z Commission's Recommendation Regarding Section 66-44; Fences Walls and Hedges By: D. Bill Mathis, Town Manager

Manager Mathis advised that the P&Z Commission met and discussed the chain link fence section of the Land Development Code and that their recommendation was to allow for chain link fences only along the side setbacks provided they are located beyond the front yard or double frontage setbacks.

Comm Pugh moved to approve the recommendation of the P&Z Commission and for Atty Spillias to draft an amended Ordinance, seconded by Comm Allison.

Motion carried – yea 5

Resolutions

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18. Resolution No. 2005-16; Revising the Building Permit Fee Schedule By: Karen Hancsak, Town Clerk

Town Clerk Hancsak advised that after reviewing the estimated cost staff believes an increase in the building permit fees is justified. She explained that staff is proposing to implement a new tear to the building permit fee schedule by changing the current minimum \$45 fee to apply for any job with an estimated cost of less than \$1,000 and then creating a new tear increasing the minimum fee to \$60 for any jobs with an estimated cost between \$1,000 and \$3,000. She stated that the remaining tear percentages would remain the same.

Comm Bingham moved to approve Resolution No. 2005-16, revising the building permit fee schedule, seconded by Comm Pugh.

Motion carried – yea 5

Second Reading, Public Hearing and Adoption of Ordinances

19. Ordinance #557; Amending the Code of Ordinances Chapter 2; Article 3, Division 2, to Delete References to the Department of Public Safety and Modify the Language to Reflect that the Police Department has Assumed the Duties and Functions of the Department of Public Safety with the Exception of Duties and Responsibilities Pertaining to Fire Fighting and Emergency Medical Services; Amending all Code Sections that Refer to the Department of Public Safety

Comm Bingham moved to adopt Ordinance #557 on second reading, seconded by Comm Allison.

Motion carried - yea 5

Adjournment

Meeting adjourned at 6:55 PM

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Hogan

Commissioner Pugh