

REGULAR TOWN COMMISSION MEETING HELD ON OCTOBER 1, 2007

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, October 1, 2007, at 6:00PM 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 Pugh
Commissioner Allison Commissioner Hogan
Mayor Kaleel

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Comm. Hogan requested to pull items #2 & 3. She also requested to add Item #13 regarding millage rates.

CONSENT AGENDA

1. Minutes of Public Hearing/Tentative Budget Adoption/Regular Town Commission Meeting of Sept. 10, 2007
2. Minutes of Final Budget Adoption of Sept. 17, 2007

Comm. Pugh motioned to approve the consent agenda as amended. Seconded by Comm. Bingham.

Motion Carried – yea 5.

Comm. Hogan requested to change the minutes of the September 17th, 2007 meeting as follows in the 3rd paragraph of page 3: “Regarding some specific expenditures, Comm. Hogan commented that she felt the legal fees concerning Briny Breezes were too high and \$5,996 spent on lobbying efforts in Tallahassee was excessive.” She asked that it be changed to: “Regarding some expenditures, Comm. Hogan commented that we spent \$87,644.96 on legal fees including \$6,000 that went for lobbyists in Tallahassee.” Comm. Hogan also requested to change the word “dismayed” to “disappointed” on Page 3, 1st Paragraph, line 7.

Comm. Hogan moved to adopt the minutes of Final Budget Adoption of September 17, 2007 as amended. Seconded by Comm. Allison.

A discussion was held stating that the minutes are not verbatim, but summarized and in context. It was noted that the audio tapes are only kept for 2 years, after that the minutes are the only record of the meetings. The purpose of the minutes was to keep the public informed for those who were not able to attend. The minutes would be extensive if they were word for word, and some felt a waste of time for staff to review them word for word. Comm. Hogan commented that she felt that she had the right to review the minutes. She had been questioned by the press, quoting her from the minutes. She asked that the minutes be accurate and reflect what transpired or heard. Comm. Allison suggested bulleting the minutes to make them shorter. Atty. Spillias reported that the absolute minimum of the minutes would be the action items only. Some government minutes have a format of some kind that a statement was said or that a discussion was held, but not as extensive. It is somewhere in between. He stated that he would review it with staff and then come back with a format that could be used.

Motion carried – yea 5.

3. Authorize Mayor/Town Clerk to Execute Garbage/Trash and Alarm Monitoring Liens

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Comm Hogan requested an explanation of the procedure for billing garbage/trash and alarm monitoring. Clerk Hancsak explained that garbage/trash and alarm monitoring were annually billed, and then reminder notices are sent out. In August, Certified Letters were sent to the homeowners requesting payment. Last year per the commission's action, \$25 tiers were added for each quarter that payments were not received. If full payment is not paid by October 1st, 2007, then liens are processed. The implementation of the tier has been successful as there are very few garbage/trash or alarm invoices that are outstanding, compared to prior years.

Comm. Pugh motioned to authorize the Mayor/Town Clerk to execute Garbage/Trash and Alarm Monitoring Liens. Seconded by Comm. Bingham.

Motion carried – yea 5.

ANNOUNCEMENTS AND PROCLAMATIONS

4. The administrative offices will be closed on Monday, October 8, 2007 for the official holiday.

PUBLIC COMMENT

Earl Jones, 14 Sailfish Lane stated that he supported the 4.75 millage because of the unknown. It was reported in the paper a 9% decrease in taxable value. He stressed that the budget be reviewed on a monthly or quarterly basis to seek future reductions, to make up the \$300,000 without increasing the resident's taxes. Mayor Kaleel reported that the reality is a projected 13.5% loss, and he is working with legislation on some proposals.

Steve Greenhut, 5907 N. Ocean Blvd, commented that Old Ocean Blvd was a treasure and that it should be beautiful and safe for all residents. He noted that 4 owners had removed or cut back all the vegetation at base, and then replanted with non-invasive plants. Others had moved back their hedges and removed the chain link fence. He reported however that those at 6000 Old Ocean had not done anything and supposedly commented they had political clout, and felt it was a dangerous corner. He asked that the code be upheld for all, and that they should be fined appropriately. Overall he thought that Old Ocean was looking great, and that most homeowners were doing a good job. Manager Schenk reported that there were 5 residents left that still needed to comply, and after underground FPL lines were done, then just 2 homeowners. No homeowner had come to him stating that they had political clout and asked for preferential treatment. Mayor Kaleel asked the Town Manager to work with the homeowners without resolving to legal action. It was also commented that a Planning & Zoning Meeting was scheduled to review the Simmons & White traffic study for Old Ocean.

REGULAR AGENDA

REPORTS

5. Town Manager

Manager Schenck reported that the South Drainage Project was complete, and that Tropical Drive was now one of the drier areas in town. At Woolbright, the landscaper would be placing more plantings, and he noted that minnows were in the detention area, as the water can be 6" to 1ft in depth depending on the rains. Comm. Hogan requested a warning be placed for children as the water is not visual. Manager Schenck commented that there isn't usually that much water, but this was a result from a lot a recent rains. She also asked when the water report of the detention area would be ready. Manager Schenck reported that Geosyntex would have all the samples in by November or December. Once they had all the samples, they can finish their study. The report

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would then go to the proper agencies. He also stated that Engineer Tropepe would be signing off on the construction portion as it is complete.

Manager Schenck reported that in regards to the construction for the new Townhall and Police Complex, they were working out a discrepancy with the parking lot base. He hoped it would be settled soon, so that construction can commence.

Manager Schenck reported that the work to resolve the flooding of Harbour Drive South should be starting on October 16th. A South Florida Water Management permit was needed to resolve the flooding of Coconut Lane. They were evaluating ways to alleviate the flooding at the western end of Coconut Lane. A \$400,000 quote had been received from Chaz Equipment to construct these improvements. When the permits were complete, it would be brought to the Commission for approval and direction at that time. It would be the decision of the Commission if it would go out to bid, but the manager's recommendation was that it be added to the current contract with Chaz Equipment. At this time however the proposal was still in the process of being reviewed.

Manager Schenck gave the Commission an analysis of bidding procedures of the neighboring towns. He recommended keeping the current bidding procedures. Comm. Allison was also satisfied with the current procedures. Comm. Hogan felt the need for change in the bidding procedures. She felt that the \$400,000 proposal received from Chaz Equipment should have gone out to bid. Manager Schenck replied that the South Florida Water Management permit was not ready yet, and when it was he would bring it to the commission for approval at that time.

Comm. Bingham reported that she researches and checks approximate costs for the projects. She also discusses with staff, and feels very satisfied with the fair pricing that the town has received for their projects before a vote is taken by the Commission. It was discussed that if an item was in the budget, the Town Manager can approve it. If not budgeted and over \$10,000, then the commission must approve the purchase. When going out to bid, there are extra startup costs, and advertising costs involved, and then a time delay in completing the work.

6. Town Attorney

Atty. Spillias reported that the home tax amendment was off the ballot because the Supreme Court ruled it as not being constitutional. The judge did uphold the legislation that allowed the legislature to cap the millage rates. There is a current case that the Supreme Court struck down certain bond issues without referendum, to make it clear that the projects already approved and authorized by local government are not covered. It was not retroactive. Other motions are pending from cities and state school boards and may take time to resolve.

7. Director of Public Safety

Chief Hillery had nothing to report.

8. Town Engineer

a. GIS Presentation

Engineer Tropepe introduced Nester Navarro, who created the GIS System for West Palm Beach and other municipalities. He is the Director of GIS for their SFRN office. The Town's GIS system has taken several years to put together. A power-point presentation was given on the GIS system, it is on Google Earth and is a combination of maps and drainage data together. The photos are constantly updated and used can be used as a tool for all staff. The budgeted amount this year was \$20,000 for the GIS System. With the clean water act and GASB, and this system makes it more efficient for the mandatory reporting. It can also be built upon and expanded if desired.

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Comm. Hogan requested that Lisa Tropepe clarify a statement made by Andre Rayman last month regarding SFRN working with or for the County, citing she had a conversation with Bob Weissman regarding possible contradicting information relayed to here. Mayor Kaleel and the other commissioners didn't feel the need to discuss this at this time. All were in agreement, excluding Comm. Hogan. Atty. Spillias reported that the Mayor chairs the meeting and the majority can decide whether to discuss the item or not. The majority was in agreement and the meeting continued.

ACTION ITEMS

9. Authorize Execution of Renewal Contract with Clark Mosquito Management, Inc. for "No Seeum" Control in the Amount of \$61,540 from Budgeted Funds By: Ken Schenck, Town Manager.

Manager Schenck recommended approval of the renewed contract and noted that it was a budgeted item. A discussion was held about the time schedule of the spraying, possibly increasing the area that is treated, and possibly cutting the month's of treatment to reduce the cost. The oil base that is used was also questioned as it seemed to affect some of the landscaping. It was requested that Clark Mosquito Management be present at next month's meeting, and this item deferred till that time.

10. Approval of Contract to Design the Island Drive Bridge Replacement to Bridge Design Associates, Inc. in the Amount of \$65,000 Funded from Capital Projects Fund Surplus Monies

Manager Schenk reported that Bridge Design had prepared an engineering report on the condition of the Island Drive Bridge. The report confirmed FDOT's conclusion and recommended the replacement of the bridge. The cost of the design, if done by Bridge Design Assoc, Inc., is \$65,000. It included design and permitting and would take about 6 months. The construction of the bridge would be bid out and staff recommended approval of the project with design funds coming from the capital projects loan funds. Manager Schenck also commented that Bridge Designs had several other bridges in the areas and had designed the other 2 bridges in Ocean Ridge. He also might be able to reduce their price slightly.

Atty Spillias stated that he was unsure if the CCNA would require going out to bide because of the estimated design and construction cost thresholds. Mayor Kaleel suggested going out for an RFQ and hire based on qualifications then negotiate a price.

Comm. Hogan motioned to go RFQ for design. Seconded by Comm. Bingham.

Motion Carried – yea 5.

TOWN COMMISSION COMMENTS

11. Report on League of Cities Seminar held on Sept. 28, 2007. By: Comm Allison
Comm. Allison reported that she attended the workshop, and found it very informative. The workshop covered conflict resolutions and had a diverse group in attendance. She returned with a booklet/brochure from the workshop, and noted that any of the commissioners were welcome to review the information.

Comm. Allison also noted that a beach clean up was forthcoming, and that Gary Solomon from the Sandsifters had a new slogan, "Be Green, Stay Clean, Do Not Litter. The Garden Club was scheduling a beach clean up activity also, and Suzie Miller had T-Shirts ready.

12. Report on South Lake Worth Inlet District Meeting By: Comm Pugh

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Comm. Pugh reported that the Boynton Inlet Study had to go through the South Lake Worth Inlet District first for approval. The cost of the sand transfer was discussed, and the plant was scheduled to be refurbished on June 2008.

Mayor Kaleel recommended having Comm. Pugh also serve on the Boynton Inlet Study Committee. He felt Comm. Pugh would be able to voice our views on South Lake Worth Inlet District as he understood waterways, boating, and would do a good job of representation. He also felt that it should not be up to Boynton Beach to choose who should represent our town. Comm. Hogan felt it would be unfair to have her removed. Mayor Kaleel stated that he was requesting that Comm. Pugh be added to the study.

Comm. Bingham motioned to appoint Comm. Pugh to serve on the Boynton Inlet Study Board. Seconded by Comm. Allison.

Motion carried – yea 5.

13. Millage Rates. Presented by Comm. Hogan

Comm. Hogan requested to read on record the millage rates of other municipalities similar to Ocean Ridge: Manalapan 2.908, Hypoluxo 2.350, South Palm Beach higher, Gulfstream 2.956, Highland Beach 3.95, Juno Beach 2.8, Palm Beach 3.36, and Jupiter Island 2.99

Comm. Bingham noted that the municipal tax is low in comparison to the County and School Tax, and is still lower than other towns. Ocean Ridge only receives 17 cents per dollar which is low. She noted that it was at the request of the Ocean Ridge residents, to stop flooding of their streets and homes, and for decent signage, and for an increase of staff. Comm. Bingham did not feel that Ocean Ridge had given money away and felt that the town was very conservative. Mayor Kaleel reminded that we satisfied a \$3 million bond, and if that was added with the water bond and bridge financing. He felt that it was the right decision. Many of the other towns have commercial tax revenue and water departments that generate separate revenue.

Manager Schenck asked that since Clark Environmental was postponed until next month, did they want any spraying done in October. Mayor Kaleel suggested that a 30 day extension be requested from Clarke Environmental. A final decision could then be made at the next meeting.

Meeting adjourned at 7:50pm.

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Hogan

Commissioner Pugh