

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2009

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, October 5, 2009 at 6:00 PM in the Town Hall Meeting Chambers.

Pledge of Allegiance

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

Commissioner Bingham
Commissioner Pugh
Commissioner Brown
Commissioner Allison
Mayor Kaleel

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Manager Schenck requested to add Item #10 Change Order to the Island Drive Bridge contract.

Comm. Allison requested a correction to the minutes of the meeting on September 9, 2009; the last paragraph the work "employment" should be changed to "unemployment".

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of Sept. 10, 2009
2. Final Budget Adoption Meeting of Sept. 17, 2009
3. Authorize Mayor and Town Clerk to Execute Outstanding Garbage/Trash and Alarm Monitoring Liens for FY 2008/09

ANNOUNCEMENTS AND PROCLAMATIONS

4. The administrative offices will be closed on Monday, Oct. 12, 2009 for the official holiday

Comm. Pugh motioned to approve the consent agenda and agenda as presented. Seconded by Comm. Allison.

Motion Carried - yea 5.

PUBLIC COMMENT

Brandon Caldwell, 66 Spanish River Drive stated that last year, he had requested changes to the zoning code in reference to the Floor Area Ratio (FAR) that is used to determine the size of the residence. The matter had been referred to Planning and Zoning, but no changes were made. He planned to use a green material that would make his walls very thick, and he was asking that the FAR be determined by the interior area not the exterior area; to allow him additional square feet.

Atty. Spillias explained that there were 2 determinations used for the size of the home. One was lot area coverage and the other was FAR. The definition of FAR is to use the exterior dimensions of the structure. There is a variance process that a resident can use to go before the Board of Adjustment. The resident must prove a hardship, that could not be self-imposed, or be financial. The Florida Statute is asking local government to go toward a greener building code for DCA & Comp Plans. A survey had been done of other communities of who had implemented "green policies", and they were all large municipalities.

Clerk Hancsak explained that this had been to Planning & Zoning 2 times, and they had voted to not change the FAR. A computer disc had been just been received within the last month, and Planning & Zoning was reviewing it regarding the "green" initiatives.

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It was discussed that our codes were designed to avoid a high mass, and that architects are known to push the envelope. It was also discussed that there may be other alternative solutions such as different building materials that could be used or if a garage area was removed from the FAR calculations. The garage area could be limited to specific square feet also.

A consensus was made to request Planning & Zoning to set a date to review changes to our building code for “going green”.

Joe Belmonte, 5572 N. Ocean Blvd, thanked the commission for allowing the public to speak before the start of each meeting, and asked that this format be continued. He also requested a change of the resident vehicle stickers, and that there be glue on the back instead of the front.

Nancy Hogan, 37 Hibiscus Way, stated that there was a new state prosecutor that was concerned with ethics issues and asked for full disclosure at all levels. EDP, Economic Development Board had been formed concerning the 9 Marina Village Program, and she asked for it to be implemented in the Lake Worth Lagoon Meetings. She stated her concern with foreclosures in Ocean Ridge, where homes and pools were not been maintained properly, such as her neighbor.

REGULAR AGENDA

REPORTS

5. Town Manager

Manager Schenck reported the following: 1) New Town Hall – We have submitted the revised FEMA contract for an additional \$36,000 that has been approved. A request has been submitted for all of the funds which we hope to get soon. 2) Coconut Lane Drainage-This project is on hold until the Commission decides whether or not to proceed depending on the availability of funds. 3) Ocean Ave. Landscape – With budget constraints we are working with our landscape company to do some fill in plantings in lieu of the original proposal. 3) Island Drive Bridge - Construction has started and one lane would remain open at all times. The project is expected to take about 6 to 7 months. 4) Old Ocean Blvd - The Garden Club Dune Committee is assisting us with this effort, and will be working with the State and DERM and will present the plan to the Commission for approval. 5) No Wake Zone - The State is looking at speed zones but only as they relate to boater safety, at least at this time. Florida Fish and Wildlife Conservation Commission are reviewing the request and will determine if they want to look into it further in order to make the change. Neither the County or State could guarantee consistent enforcement due to their present minimal staffing. 6) Zoning Code Recommendations - The Planning and Zoning Board will meet again to discuss possible changes in the zoning code. 7) Noseeum Spraying – The spraying contract with Clarke has ended. 8) Pedestrian Street Signs- The permit application has been submitted to FDOT, and has been verbally approved. And they are writing the permit and maintenance memorandum for the signs. 9) Police Report – The September report was not available, and will be forwarded when received. 10) Briny Breezes- We submitted a proposal to provide police coverage, but did not include stationing an officer there 8 hrs a day. They will not make any decision until June 2010. 11) Garbage and Trash Collection - Republic Services of Palm Beach was the lowest bidder, and we signed a contract with them incorporating the changes requested by the Commission. They started on October 1st 2009.

Manager Schenck also reported that the County was willing to approve plantings along A1A at the entrance of Harbour Drive, and asked for direction from the commission.

Comm. Bingham noted that with budget constraints she was not in favor of approving landscaping because of related costs to the upkeep. Comm. Brown stated that 52 homes had

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raised some funds for the plantings, and he was in favor of planting simple palm trees. More funds could be raised if needed. He felt it would enhance the town.

Comm. Allison motioned to direct the Town Manager to pursue the Palm Beach County's approval of plantings at the entrance of Harbour Drive. Seconded by Comm. Brown.

Motion Carried – yea (4). Comm. Bingham nae (1).

6. Town Attorney
Atty. Spillias had nothing to report.

7. Director of Public Safety
Chief Hillery had nothing to report.

Clerk Hancsak reported that there would be no Code Enforcement meeting on Tuesday.

Comm. Brown asked for an update of missing kayaks along the beach. Chief Hillery noted that there had been problems with people tying their kayaks to the boardwalks which is not allowed, and the officers have had to remove them. He noted that it is difficult to acknowledge ownership as the kayaks have no names or numbers on them, however; the Town did not remove the kayaks he was referring to.

8. Town Engineer
Engineer Tropepe was absent with notice.

ACTION ITEMS

9. Confirm the Hiring of Two Police Officers
Manager Schenck requested the approval to hire two police officers to fill two present vacancies in the approved budget. He agreed with the recommendation and requested Commission approval to hire them subject to their satisfactory completion of the exams.

Comm. Brown motioned to authorize the approval of the hiring of two police officers as approved in the budget. Seconded by Comm. Pugh.

Motion Carried – yea (5).

10. Approval of Change Order for the Island Drive Bridge.
Manager Schenck reported that the change order was to replace the seawall on the northeast side of the bridge. It was found that once the vegetation was removed the condition of this seawall was badly deteriorated. The other 3 seawalls were in good condition. The cost of the replacement is \$50,587.96. Staff recommended approval of the change order with funds coming from the Capital Improvements Account.

Comm. Brown motioned to approve the Change Order of \$50,587.96 for the seawall repair of the Island Drive Bridge, with the funds to come from the Capital Improvements Account. Seconded by Comm. Pugh.

Motion Carried – yea (5).

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Adjournment at.6:45 p.m.

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Brown

Comm. Pugh