

## REGULAR TOWN COMMISSION MEETING HELD MARCH 1, 2010

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, March 1, 2010 at 6:00 PM in the Town Hall Meeting Chambers.

Pledge of Allegiance

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

Commissioner Bingham	Commissioner Brown
Commissioner Pugh	Commissioner Allison
Mayor Kaleel	

### ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Atty. Spillias requested to amend the minutes and add a phrase, Page 5, #12 - ...after Florida Statute... "unless the co-op documents provide otherwise."

Manager Schecnk requested to add under Item #10. a) Approval of Chief Hillery as a Reserve Officer.

### CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of February 1, 2010
2. Ocean Ridge Resolution No. 2010-04; Adopting the 2009 Revised Unified Palm Beach County Local Mitigation Plan

### ANNOUNCEMENTS AND PROCLAMATIONS

3. 2010 Municipal election/Eleccion Municipal 2010
  - a. Proclamation for election Held on March 9, 2010/Proclamacion para eleccion sostenida el 10 de marzo de 2010
  - b. One Commission Seat Open for a Three Year Term/Comision uno puesto para tres anos cada
  - c. Candidate Filing Dates run January 29, 2010 through 3:00 PM on February 12, 2010/Las fechas de la clasificacion del candidate corren el 29 de enero de 2010 por 3:00 PM el 12 de febrero de 2010

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

Motion Carried - yea (5)

PUBLIC COMMENT - None

### PUBLIC HEARINGS

4. Public Hearing to Adopt Ordinance No. 587; Amending the Adopted Town of Ocean Ridge Comprehensive Plan by Adopting the Evaluation and Appraisal Report-Based Comprehensive Plan Amendments as Set Forth Herein and Attached Hereto; Providing for Severability; Repealing all Ordinances or Parts of Ordinances in Conflict Thereof; Providing for Codification and Providing for an Effective Date

Manager Schenck reported that the consultant had completed the incorporation of the EAR Amendments into the Town's Comprehensive Plan. The Planning & Zoning Board and State has reviewed and approved the changes. Staff is recommending approval on First Reading. He added that Marty Minor, Urban Design, was present to answer any questions if necessary. There was no Public Comment.

## REGULAR TOWN COMMISSION MEETING HELD MARCH 1, 2010

Comm. Bingham motioned to adopt Ordinance No. 587 at First Reading. Seconded by Comm. Pugh.

Motion Carried – yea (5).

### 8. Manager Report

Manager Schenck reported the following: 1) Coconut Lane Drainage-This project is on hold due to the availability of funds. A verbal confirmation had been received that we were in line for a grant of \$119,000. 2) Ocean Ave. Landscape – The Garden Club planted lilies along Ocean Ave. Letters were sent to the residents reminding them not to put trash or disposed vegetation in the landscaped islands. 3) Island Drive Bridge – The water lines have been changed, and the contractor is waiting for FPL to move the poles from the south side back to the north side. 4) Old Ocean Blvd - The Garden Club Dune Committee has completed the Landscape plan and Jerry Lower was present for any questions. 5) Zoning Code Recommendations - The Planning and Zoning Board had met in January regarding the “green” codes and no new recommendations are proposed at this time. 6) Pedestrian Street Signs- FDOT approved the permit and the MOT proposal and the signs are scheduled to be installed tomorrow. 7) Police Report – The January report is attached. 8) Harbour Drive Plantings – The residents of Harbour Drive have met and are discussing their desires for the entrance landscaping, and we are waiting for their comments before we proceed. 9) Town Hall Painting Exhibit – the first showing opened on Feb. 25<sup>th</sup> with 3 artists displaying their paints and sculptures. It was a huge success with approximately 130 people attending. There was \$413 collected in donations; and \$512 received from the silent auction and our portion of the art sales was \$822. He thanked everyone for their hard work and attending this historical event. 10) Energy Grants – The \$50,000 Grant is being reviewed by State; the \$500,000 Grant has been submitted along with 150 other applications. There is a third grant that will be available at a later time, but there are no details concerning it yet. Over 1000 questionnaires were sent out concerning the installation of gas lines in Ocean Ridge, and we received 323 responses: single family – 123 yea, 124 nay; multi-family: 19 yea, 40 nay. 11) Telephone Contract. We contracted with the League of Cities last year to review our telephone expenses. We are reviewing their cost saving ideas and also interviewing other companies besides AT&T as our AT&T contract expires this summer. 12) Town Hall Pond. A proposal for the repairs will be discussed later in the meeting. 13) Dune Maintenance – a reminder of dune regulations for maintenance and plantings were sent out to all residents with dune properties and will be sent to each registered contractor along with guidelines for maintenance and leaf blowing.

Manager Schenck stated that the League of Cities did a presentation of Amendment #4. This Amendment would require municipalities to have public referendums before any actions could be taken. The majority of the municipalities were against it. Comm. Bingham suggested that information regarding this Amendment be sent out to the residents making them aware of it. Comm. Bingham also noted that the lilies planted along Ocean Ave. by the Garden Club were being maintained, and despite the cold weather the flowers were in good shape.

Clerk Hancsak announced that there would be no Code Enforcement Hearing on Tuesday, as the one case had been brought into compliance.

Jeff Lee, 15 Sabal Island Drive suggested that Ocean Ridge be declared a bird sanctuary, as Ocean Ridge had a lot of natural areas and mangroves. In order to do this, The Town would need to pass an Ordinance that would include bird safety and no killing of eggs or their habitats. He submitted a proposed drawing for the change to the Ocean Ridge entrance signs.

Manager Schenck reported that he had contacted the State and the Audubon Society and received favorable support. Ocean Ridge could declare it through a Resolution or Ordinance. Comm. Bingham felt it would bring esteemed recognition to Ocean Ridge, and also bird watchers.

## REGULAR TOWN COMMISSION MEETING HELD MARCH 1, 2010

Comm. Allison was in agreement. Atty. Spillias stated that an Ordinance would be necessary if it includes any penalties for bird harming or other requirements. Comm. Brown stated that he would support it, but suggested that we get a recommendation in writing from the State or Audubon Society before proceeding.

Dr. Weege, 19 Sabal Island Drive, asked if a program for injured birds would be required.

A consensus was to proceed with the idea but gather further information for any necessary requirements to designate Ocean Ridge as a bird sanctuary.

### 6. Town Attorney Report

Atty. Spillias reported that the Art Policy was still being prepared. An indemnification agreement had been added to the Contract for the artists to complete.

### 7. Police Report

Chief Hillery reported that on February 27<sup>th</sup> at 9:36am, there was a report of auto burglaries on Oceanview Drive that resulted in 2 arrests, and recovery of stolen property. In regards to his retirement bonus, he requested that in lieu of a bonus that these funds be allocated toward the repairs of the water feature instead.

### 8. Town Engineer

Engineer Tropepe was absent with notice.

### 10. Discuss and Possibly Authorize Retirement Bonus for Chief Edward G. Hillery, Jr.

Manager Schenck recommended that the Commission approve a bonus of \$100 per year for Chief Edward Hillery in the amount of \$1700 from budgeted funds for police salaries.

Comm. Pugh motioned to approve a retirement bonus for Chief Edward G. Hillery, Jr. in the amount of \$1700 from budgeted police funds adding that he could do what he wanted with the bonus. Seconded by Comm. Bingham.

Motion Carried – yea (5)

James Bonfiglio, 5616 N. Ocean Blvd, stated the believed the Chief should not have to give up his bonus funds, and would start a fund for the Chief and match any receiving monies.

### 10.a) Discuss approval of Chief Hillery as a Reserve Officer.

Manager Schenck recommended that the Commission approve Chief Hillery's appointment as a Reserve Police Officer.

Comm. Pugh motioned to approve Edward G Hillery as a Reserve Police Officer. Seconded by Comm. Bingham.

Motion Carried – yea (5)

### 9. Discuss and Possibly Appoint Open Appointments to the Board of Adjustment and Planning & Zoning Commission

Clerk Hancsak stated that on the Board of Adjustment Commission there were 2 alternate appointments open (1yr term each). Jeff Lee stated that he would be willing to serve again as an alternate, and Eric Kramer had moved out of Town, and must be replaced. Jeff Lee stated that would be willing to serve on either Commission. On the Planning & Zoning Commission there were 2 Regular Member Appointments (3yr term each) and 2 Alternate Appointments open (1yr term each). The regular members were currently Ward Northrup and Mauro Walker & both have expressed a desire to remain on the Commission. The alternate members are currently Dr. Richard Bajakian and Penny Kosinski, who both indicated they would like to serve again as alternate members. Dr. Bajakian would also be willing to serve as a regular member. In prior

REGULAR TOWN COMMISSION MEETING HELD MARCH 1, 2010

years, the Commission deferred a few of the appointments for one month in the event that additional residents would want to submit a brief resume. If the Commission decided to defer appointments, please appoint the existing members to serve until April.

Comm. Brown motioned to appoint the existing member to serve until April, and to advertise and have the official vote deferred to the April Commission Meeting. Seconded by Comm. Allison.

It was discussed that this deferral would then coordinate with the election, and that it allowed time for those who would be interested in serving on the Commission to submit a resume.

Motion Carried – yea (5)

11. Authorize \$1,708 from Contingency Account as the Town’s Portion of the Water Feature Repairs

Manager Schenck reported the cost to repair the water feature had been reduced from \$5000 to \$2708 with BSA paying \$1000. Our cost would be \$1708. This method of repair should prevent this from happening again, and staff recommends we authorize the repairs.

It was discussed that the repair work should include a warranty. Comm. Brown suggested that to avoid further maintenance costs that it be changed to a garden feature. The other commissioners noted that the water feature was funded from the McGinty bequest, and it was a nice feature, and should stay.

A consensus was made to defer this to next month and that the repairs should include a warranty.

12. No. 586; Amending the Code of Ordinances, Chapters 64, Section 64-1(j)(3) and (k)(3) Decreasing the Maximum Height of a Single Story Residence; Amending Chapter 64, Section 64-1, Figure 64-6 Reflecting the Reduction of Maximum Height of a Single-Story Residence and Reducing the Maximum Tie Beam for a Single-Story Residence

Comm. Bingham motioned to approve Ordinance No. 586 Reflecting the Reduction of Maximum Height of a Single-Story Residence and Reducing the Maximum Tie Beam for a Single-Story Residence at First Reading. Seconded by Comm. Brown.

Brandon Caldwell, 66 Spanish River Drive, stated that he was at the first meeting when they recommended it and felt it should be looked into more, as it was reducing the size of home.

James Bonfiglio, 5616 North Ocean Blvd, Chairman of Planning & Zoning stated that this Ordinance can reduce the mass and restrict the boxiness of structures. He also stated that Mark Marsh, an architect and member of Planning & Zoning had recommended this idea and they agreed with the explanation.

Motion Carried – yea (4); Comm. Pugh – nay (1).

Comm. Brown asked the Town Attorney to research if donations made to the Town of Ocean Ridge were tax deductible.

Adjournment at 6:42p.m

Attest By:

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Town Clerk

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Mayor Kaleel

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Commissioner Allison

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Commissioner Bingham

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Commissioner Brown

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Comm. Pugh