

## REGULAR TOWN COMMISSION MEETING HELD MARCH 3, 2014

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, March 3, 2014, at 6:00PM in the Town Hall Meeting Chambers.

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

Commissioner Aaskov	Commissioner Hennigan
Commissioner Brookes	Mayor Pugh

It was noted that Commissioner Allison was in transit on a delayed flight from New York and may not be present.

Pledge of Allegiance

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

Town Manager Schenck requested to add a discussion on the Inlet Cay Approach as Item #11a after Eleuthera Drive.

Comm Brookes and Hennigan stated that they each had a couple of comments to make at the end of the meeting.

### CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of March 3, 2014
2. Ocean Ridge Resolution No. 2014-01; Authorizing the Execution of the Interlocal Agreement Between Palm Beach County and the Town by Which the County will Provide Comprehensive Radio Repair Services and Charging the Town for Same

Comm. Hennigan motioned to approve the agenda as amended and the consent agenda. Seconded by Comm. Brookes.

Motion Carried – yea (4).

### ANNOUNCEMENTS AND PROCLAMATIONS

3. 2014 Municipal election/Elección Municipal 2014
  - a. Two Commission Seats Open for a Three Year Term/Comision dos puesto para tres anos cada
4. Proclamation Declaring March as “Myeloma Awareness Month”
5. The PBC Bookmobile will be in the Town Hall Parking Lot on the Following Fridays (March 14<sup>th</sup> and March 28<sup>th</sup>) from 1:00-1:45 pm

### PUBLIC COMMENT

Justin Brown, 39 Coconut Lane, advised that the pumps at the end of Coconut Lane worked efficiently during the recent storm that generated 22” of rain, however; a lot of trash washed down to the drain that needed to be cleaned out. He added that he felt the noseem spraying did not appear to be working and requested the Town Manager speak with the company.

Dr. Ted Ritota, 4 Hudson Ave., stated he has been a resident since 1983 and has spoken with the Town Manager on several occasions regarding flooding in the alley between Ocean and Hudson. He also stated that the water runoff from 2 Hudson Ave. travels along the alleyway. He also commented that the Hudson Ave. drainage project was supposed to assist with standing water in the front of their residences and it takes 3-5 days to dissipate. The Town Manager advised that he would review the problem.

Stella Kolb, 204 Beachway, wished to thank the staff for their assistance with the Garden Club Rummage Sale. She also thanked Comm Hennigan and Comm Brookes for serving the Town.

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### REPORTS

#### 6. Town Manager

Manager Schenck reported the following: 1) Inlet Cay Island – Staff is still trying to isolate the inflow coming in the discharge pipes and must wait until the high tides go down. Too much water in the lines obstruct the camera but problems with the line on Bimini Cove has been detected. Two other lines may also have leaky valves. The algae growth issue at the end of Eleuthera Dr. and also a possible road modification to correct the problem will be discussed later in the agenda. 2) Inlet Cay Bridge Approach. The palm trees have been replaced, the curbing has been installed, and the road repaved. The road will be restriped in approximately 3 weeks. Staff is currently working on the ground vegetation, sprinkler system and lighting. 3) FEMA Flood Maps – Engenuity has prepared a disc with the Town's drainage improvements and submitted it to FEMA in hopes that it will lead to changes in the flood map. We did have about 145 parcels removed from the flood zone; however, there should be more. It appears that FEMA will not be inclined to revise their original proposed changes and there is no timetable for their actions. 4) Old Ocean Right of Way – The surveys on the 4 properties are complete and have been given to Atty. Spillias to draw up the necessary transfer documents. These should be ready for the April agenda. 5) Thompson Street Repairs – Anzco Inc. has worked very hard on this project and is expecting to complete the job in 5 weeks instead of the allotted 8 weeks. The project should correct the drainage problems on Thompson St. 6) Beach Crossovers – the review status will be discussed later in the agenda. 7) Eleuthera Drive – The engineers are developing a plan for raising the street. We want to discuss it with the residents prior to bidding. 8) Lecture Series – The next lecture is about turtles and will be held on March 13, 2014 at 7 PM.

Mayor Pugh complimented Anzco Inc. for their time efficiency and also for paving the access road to the Woolbright Detention area for \$1,000 instead of the \$4,000 quoted.

#### 7. Town Attorney

Atty. Spillias commented that the Inspector General Suit set to begin today is continued again.

#### 8. Police Chief

Chief Yannuzzi presented his monthly report and the monthly Boynton Beach Fire/EMS Activity Report and two commendation letters. He commented that turtle season started March 1<sup>st</sup> and the County has checked the lighting on the beach and they are performing the follow up at this time. He mentioned the Annual Hunger Walk on March 8<sup>th</sup> and a Coastal Bicycle Event on March 23<sup>rd</sup>. The event has been coordinated with the coastal communities from Boca Raton to South Palm Beach whereby violators will be stopped and educated regarding safety issues.

Mayor Pugh complimented Dispatcher Guiddy on her recent handling the verbal abuse on a recorded line that she endured from an irate resident on the phone.

#### 9. Town Engineer

Engineer Tropepe was absent with notice.

### ACTION ITEMS

10. Request to Obstruct the Unimproved Right-of-Way (ROW) on Anna Street for the Purpose of Replacing an Existing Fence that Encroaches a Maximum of 2' into the ROW By: Vicki Conway, 2 Engle Drive

Town Clerk Hancsak summarized the request by stating that the Conway's would like to replace a chain link fence utilizing the same posts along their north property line, however; it was discovered that the existing fence encroaches a maximum of 2' into the unimproved Anna St. ROW. She advised the owners that if approved by the Commission she would be required to execute the ROW Obstruction Agreement to which she was agreeable.

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Mrs. Conway, 2 Engle Drive, stated that years ago when her pool was constructed a fence was not required, however; in subsequent years she was required to install one and it was lined up with the other existing fences. She added that the ROW is usually used for pedestrian use only.

Comm Aaskov moved to approve the request as submitted provided the ROW Obstruction Agreement is executed. Comm Hennigan seconded the motion.

Motion Carried – yea (4).

### 10a. Update from the Sea Angels and Authorize Donation of \$1,200 By: Comm Hennigan

Robyn Halasz, from the Sea Angels, advised that they were a “green” beach cleaning group that has cleaned the beach for over three years near the Ocean Inlet Park and the Beachway Drive area and has also reached out to educate individuals on beach litter. She commented that their volunteers have tripled over this time and with that comes the needed supplies. She did suggest that the Town obtain another garbage can on the beach at the Beachway Drive crossover. The Commission applauded their efforts.

Comm Hennigan moved to approve a \$1,200 donation to the Sea Angels to assist in their beach cleaning efforts, seconded by Comm Aaskov.

Motion carried – yea (4).

### 11. Discuss Potential Solutions to Issues on Eleuthera Drive By: Kenneth Schenck, Town Manager

Town Manager Schenck summarized his memorandum by stating that the slope of Eleuthera Drive isn't sufficient to allow for proper drainage thus excess water remains in the valley gutters. The high water table also has an impact on septic drain fields and the combination creates an algae problem in the gutters. The engineers have reviewed several possible solutions and the only reasonable one is to raise the road and rearrange the drainage flow (as was recently done at the Inlet Cay Dr cul-de-sac). The project would cost about \$150,000 due to raising half the road as much as 12-18". He requested Commission concurrence to move forward with the project as the funding will eventually require a budget adjustment from the reserves. At this time he was seeking approval to go out to bid. He will also notify the affected residents.

Comm Brookes questioned the life expectancy with this latest proposal to which he was advised that it should be a rather long time considering the road will be raised 1-1 ½ feet. Mayor Pugh commented that the short term fix discussed at a prior meeting was estimated at \$25,000.

There was a consensus to go out to bid and then see what the actual cost would be.

### 11a. Discuss the Inlet Cay Approach By: Kenneth Schenck, Town Manager

Town Manager Schenck summarized his memorandum by stating when the repaving was complete and the \$6,000 was approved for the vegetation, the new Robellini Palms were planted but now he would like to change the additional proposed Hawthorne to Green Island Ficus. This will require excavating the area and replacing the rocky soil with good topsoil. He would also like to change the proposed Bougainvillea to Podocarpus. Both vegetation replacements will be more wind and salt tolerant, however; these improvements will cost an additional \$5,500 proposed to be funded from the Capital Projects Fund. He added that these additional monies will further deplete the funds budgeted for paving.

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Comm Brookes moved to approve the additional \$5,500 from the Capital Projects Fund for the landscape changes. Comm Aaskov seconded the motion.

Motion carried – yea (4).

Comm Allison arrived at 6:30 PM.

### 12. Discuss any Updates RE: Town Owned Public Beach Crossovers

Manager Schenck reminded the Commission that they had agreed to schedule a meeting in April to further discuss the Town Owned Public Beach Crossovers. He added that he had not received any additional information since the last meeting.

Terry Brown, Harbour Drive South, thanked the attorneys for the very informative letter they prepared regarding this subject. He commented that delaying the meeting for a change in Commissioners will not alter the law regarding public beach access. He suggested contacting FDEP in regards to obtaining signs stating Beach Access – Town of Ocean Ridge because he feels not posting signage can lead to litigation. Manager Schenck commented that he had contacted DEP and they advised they did not have these type of signs.

Kristine De Haseth, 29 Sabal Island Dr., suggested a code requirement for planting only salt and drought tolerant vegetation. Town Clerk Hancsak stated that the code already has provisions for Water Efficient Landscape but single family homes are exempt.

### SECOND READING OF ORDINANCES

13. Ordinance #605; Amending Chapter 6, Article I, Sections 6-2(a)(3) and 6-5(b) and Chapter 6, Article IV, Sections 6-81, 6-83, 6-84, and 6-86 of the Code of Ordinances to Conform the Code of Ordinances Language Regarding the Permitting and Installation of Low-Voltage Alarm Systems to the Florida State Statutes; Providing for Severability; Providing for the Repeal of All Ordinances in Conflict; and Providing for an Effective Date

Town Clerk Hancsak advised that this was adopted on first reading in January. This ordinance is the result of a State mandate to provide for installation of low-voltage alarm systems without the need to wait for a permit.

Comm Aaskov moved to adopt Ordinance #605 on second reading, seconded by Comm Allison.

Motion carried – yea (5).

14. Ordinance #606; Amending Chapter 67, Article III, Section 67-58 of the Code of Ordinances to provide for the Refund of Building Permit Fees

Clerk Hancsak stated that this Ordinance was drafted as a result of the recent request for a building permit refund. Immediately upon application 30% of the permit fee becomes non-refundable and is retained by the town to cover the administrative costs. All requests for a refund of the remaining 70% must be received within 60 days of application. Or if the permit was issued, within 30 days of issuance.

Comm. Brookes motioned to adopt Ordinance #606 on second reading. Seconded by Comm. Hennigan.

Motion Carried – yea (5)

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TOWN COMMISSION ITEMS

15. Comm Hennigan commented that the Florida League of Cities recently adopted a resolution supporting the proposed Sober House Regulation. Manager Schenck advised that the Town will have a similar resolution on the April agenda.

Comm Hennigan also stated that it has been an honor and pleasure to serve the community and she thought it was exciting to see new faces on the Commission. She also suggested the possibly of considering term limits at some time in the future. She thanked all those that she had worked with over the last three years.

Comm Brookes suggested the Town purchase a projector at a cost of about \$500+ because at the last lecture series he discovered that the speaker could have used one during his lecture.

Comm Brookes also stated that as an Ocean Ridge resident he wanted to thank everyone he worked with and especially Comm Hennigan for her preparation for each meeting and the said the incoming Commissioners will have big shoes to fill. He stated one of the biggest issues the Town will face is the retirement of Town Clerk Hancsak and suggested possibly utilizing Comm Hennigan as a consultant to assist with the possible restructuring. Clerk Hancsak commented that evidently a rumor was circulating that she was leaving within the immediate future but this was false and she was not leaving for 2 years.

Comm Allison mentioned that in her 4 terms as Commissioner she has experienced several dynamics but this last Commission all brought different expertise to the Town. She agreed with Comm Brookes that long term planning concerning the staff will need to be addressed. She concluded by stating that she respected both Comm Brookes and Comm Hennigan even though they have disagreed on various issues.

Mayor Pugh gave a heartfelt thank you to both and stated that their biggest contribution were some of the contrary views, thus providing a different viewpoint when making the best decisions for the Town. He added there were great transfer of ideas regarding the union and the PBSO proposal among many other things.

Meeting Adjourned at 6:50 pm.

Attest By:

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Town Clerk

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Mayor Pugh

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Commissioner Aaskov

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Commissioner Allison

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Commissioner Brookes

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Commissioner Hennigan