

TOWN OF OCEAN RIDGE

AGENDA



November 2, 2015

6:00 P.M.

TOWN HALL – MEETING CHAMBERS

TOWN COMMISSION

Mayor Geoffrey A. Pugh

Commissioner Gail Adams Aaskov Commissioner Lynn L. Allison
Commissioner James A. Bonfiglio Commissioner Richard J. Lucibella

ADMINISTRATION

Town Manager James S. Titcomb Town Attorney Kenneth G. Spillias
Town Clerk Karen E. Hancsak Police Chief Hal Hutchins

RULES FOR PUBLIC PARTICIPATION

1. **PUBLIC COMMENT:** The public is encouraged to offer comments with the order of presentation being as follows: Town Staff, public comments, Commission discussion and official action. Town Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor or presiding officer has discretion to adjust the amount of time allocated.
 - A. Public Hearings: Any citizen is entitled to speak on items under this section.
 - B. Public Comments: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the commission under this section. The Commission may withhold comment or direct the Town Manager to take action on requests or comments. The Commission meetings are held for the purpose of discussing and establishing policy and to review such other issues that affect the general welfare of the Town and its residents. Where possible individual grievances should first be taken up with the Town Staff.
 - C. Regular Agenda and First Reading Items: When extraordinary circumstances or reasons exist and at the discretion of the Commission, citizens may speak on any official agenda item under these sections.
2. **ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the podium and state your name and address for he record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The Town neither provides nor prepares such record.

Persons who need an accommodation in order to attend or participate in this meeting should contact the Town Clerk at 732-2635 at least 2 days prior to the meeting in order to request such assistance.

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of Oct. 5, 2015
2. Minutes of Final Budget Adoption/Special Town Commission Meeting of October 19, 2015 (Re-adoption)
3. Approval of One Month Consultant Agreement with Kenneth Schenck
4. Approval of Agenda Verbiage Modification on the Front Page

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

5. The Administrative Offices will be closed on Wednesday, Nov. 11, 2015 (Veterans Day) and Thursday, Nov. 26th, and Friday, Nov. 27th, 2015 (Thanksgiving and Day After) for the Official Holidays
6. The Annual "Holiday Celebration" has been scheduled for Friday, Dec. 4, 2015 from 5:30 – 7:30 PM. Light Snacks and Beverages will be served and Children can expect a visit from Santa and some added fun

PUBLIC COMMENT – (15 minute maximum with 3 minute individual limit)

PUBLIC HEARINGS

7. An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Postponed to the Nov. 2, 2015 Regular Meeting)

REGULAR AGENDA

(Items Which Require Town Commission Action That Must Be Filed With Town Clerk 1 Week prior to Meeting – Public comment Permitted)

REPORTS

8. Town Manager
9. Town Attorney
 - a. Discuss Town Attorney Replacement Process
10. Police Chief
11. Town Engineer

ACTION ITEMS

12. **Discuss Workshop Meeting Date Regarding the Concept of Converting Old Ocean Blvd. to a One Way Street and Closing Entrances to Old Ocean Blvd. on Several Streets** By: Mayor Pugh
13. **Approve Approximate \$2,000 Expenditure for Appropriate Signage and Stop Posts to Temporarily Close Midlane Road at Woolbright Rd. on a Trial Basis** By: Kenneth Schenck, Town Manager
14. **Authorize Budget Amendment to the FY 2014/15 Budget** By: Karen Hancsak, Town Clerk

RESOLUTIONS

None

FIRST READING OF ORDINANCES

15. **Ordinance No. 612; Amending Article IV, Division 1, Section 66-117 of the Code of Ordinances to Make the Landscape Provisions of Division 1, Parking Area Landscape, Applicable to Single Family and Duplex Dwelling Units; Providing for Codification; Providing for Repeal of All Ordinances in Conflict, Providing for Severability; and Providing for an Effective Date**
16. **Ordinance No. 613; Amending Section 1-3, Definitions, of the Code of Ordinances to Include Partial Demolitions of Improvements; and Further Amending Article III, Technical Codes and Other Construction Standards, Division 2, Administration and Enforcement, Section 67-51, Permit Required, to Include Requirements Relative to Partial Demolition Permits and the Prevention of Blight; Providing for Codification; Providing for Severability; Providing for Repeal of All Ordinances in Conflict; and Providing for an Effective Date**

SECOND READING AND ADOPTION OF ORDINANCES

None

TOWN COMMISSION ITEMS

(Information Items Only – 3 minute limit per item)

ADJOURNMENT

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

Budget Meeting, and Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, October 5, 2015, 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 Bonfiglio
Commissioner Allison Commissioner Lucibella
Mayor Pugh

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak stated that there were minor changes to the minutes. Atty. Spillias requested to add Item 5a. Information regarding his vacation, however no vote would be required. Clerk Hancsak also disclosed that there was a needed correction to the Notice of Tax Increase advertisement, and a new hearing would be required. There was a consensus to have a final budget hearing on October 19th, 2015 at 5:01pm.

CONSENT AGENDA

1. Minutes of Tentative Budget Adoption/Regular Town Commission Meeting of Sept. 10, 2015
2. Minutes of Special Town Commission Meeting (Interviews) of Sept. 8, 2015
3. Minutes of Special Town Commission Meeting (Interviews) of Sept. 17, 2015
4. Minutes of the Final Budget Adoption/Special Town Commission Meeting of Sept. 17, 2015
5. Authorize the Mayor and Town Clerk to Execute and Record Delinquent Garbage/Trash and Alarm Monitoring Liens for FY 2014/15

Atty. Spillias reported that he had just returned from traveling to Europe. While in Greece he acquired a talisman, known to combat the “Evil Eye”. It is known to have been from ancient Greek/Roman times, and he presented it to the Mayor Pugh and the Commission. Mayor Pugh thanked him.

Comm. Aaskov motioned to approve the Agenda and Consent Agenda as amended. Seconded by Comm. Allison.

Motion Carried – yea (5)

ANNOUNCEMENTS AND PROCLAMATIONS

6. The Administrative Offices will be closed on Monday, October 12, 2015 for the Official Holiday
7. Proclamation Declaring October as “Domestic Violence Awareness Month”

PUBLIC COMMENT

Richard Steere, 40 Oceanview Dr, questioned the reasoning to change Old Ocean Blvd, and was concerned for emergency services, and the lack of a traffic light on the southern end of Town on A1A.

James Weege, 19 Sabal Island Dr, reported that the koi pond was finally repaired and new fish had been installed. He thanked Comm. Lucibella, Comm. Bonfiglio, Gerry Goray along with others who had donated funds. He had to hire a specialist from Pompano Beach to repair it properly. The cost was \$3000, and had greatly depleted the koi pond fund. The old filter system was temporarily repaired, but would need to be replaced the next time. Any additional donations would be greatly appreciated. Comm. Allison stated that she would mention it at the next Garden Club meeting.

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

Jerry Magruder, 9 Ridge Blvd, stated that she had just completed a remodel project at her home. She thanked the ladies in Town Hall for their assistance, and making the experience an easy, simple process for her building permit and inspections.

Gerry Goray, 130 Island Dr. So., thanked the Commission, Staff, and Chief Hutchins for the good spirit/morale with the officers. He mentioned that both he and Mark Marsh had compared our code to the Town of Palm Beach, Gulfstream and Manalapan and suggested that the Commission revisit the topic. There was no consensus. At the August Planning & Zoning meeting it was discussed that there was a need to tighten the standards regarding enforcement.

Betty Bingham, 1 Ocean Ave, asked the staff and Commission to address 3 problems: 1) She had noticed that residents were putting out their clippings any day of the week instead of just Sunday night thru Tuesday pickups. 2) Per Palm Beach County's Report they are pumping less sand than promised. She felt it was because they had moved the station. 3) Ocean Ave Drainage. FDOT should install a proper flap valve to prevent water from the retainage areas flowing into the street. Her son is an engineer and has an idea that he would like to run by Engenuity, our Town Engineer, to fix the problem.

PUBLIC HEARINGS

7.a An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Postponed to the Oct. 5, 2015 Regular Meeting)

Atty. Spillias stated that this item was requested to be postponed again, and continued until the November 2nd, 2015 meeting, while they are addressing several staff concerns.

Comm. Bonfiglio motioned to continue this item to the November 2nd, 2015 meeting. Seconded by Comm. Aaskov.

Motion Carried – yea (5).

REPORTS

8. Town Manager

Manager Schenck reported the following: 1) Spanish River Drive – water is ponding, staff is analyzing the best way to solve the concentration problems in the driveway. 2) FEMA Flood Maps – We have received a letter from FEMA stating that we have retained our flood insurance rating of 7. As they have changed the rules we were concerned that we would drop back to an 8 with a 5% difference in premium from one rating to the next. He thanked Lisa Burns who worked hard to keep the rating. FEMA is still reviewing our requests for flood zone changes. 3) FDOT Bridge Inspection – The approved bridge repairs are complete, and the change order will be addressed later in the meeting. 4.) Wastewater Proposal – The condo boards have dispersed for the summer, and when they return in the fall we will contact them. 5) Villas of Ocean Ridge – They have had to change their drainage project to make it functional, and are completing the final design. When complete we'll get the necessary permits from FDOT and SFWMD and bid the project. 6) Alley Between Ocean and Hudson – The improvements to the alley to prevent

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

drainage on some adjoining property has been completed. 7) Barrier Island Fire District – Gulf Stream has advertised for proposals to complete a study and develop a cost for a barrier island fire district that would run from Highland Beach to South Palm Beach. The purpose is to know what a system like this would cost so we know where we stand in comparison to contracting out these services. When we get the proposals we'll know what our share will be. Proposals are due by October 30th.

9. Town Attorney

Atty. Spillias had nothing to report.

10. Police Chief

Chief Hutchins advised that his report was distributed. He introduced Ms. Odalys Del Rio as a new dispatcher and Mr. Jeffrey VanCamp as a new Police Officer. Mayor Pugh and the Commission welcomed them to Ocean Ridge. Chief Hutchins stated that Palm Beach County had installed a fence down at the Boynton Inlet to prevent people from walking over and damaging the dune. The Town Manager and himself had met with them regarding additional ranger services for the safety of the citizens at the Inlet Park.

Chief Hutchins announced that there was an invitation for "Next Door". "Next Door" is a way for citizens to have private conversations without the information trail of an email. It will help them to keep in touch with the community and Ocean Ridge without being intrusive like Face Book or Twitter. He encouraged residents to join. It was discussed if the Sunshine Law would prevent Commissioners from exchanging comments using the Next Door system. Atty. Spillias stated that he would research it to get a clear understanding of how it works.

Chief Hutchins also announced that October 7, 2015, he was initiating "Coffee with the Chief", and he invited the residents to participate.

11. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

12. Approval of Procurement Policy and Procedures By: Karen Hancsak, Town Clerk

Clerk Hancsak stated that a procurement policy and procedures had been requested with the last Federal Grant. We do have a procedure that we follow, but it is not a written policy. This may change after a new Town Manager is hired and the current Town Clerk leaves, but it is necessary for at least the next few months until that happens.

Comm. Lucibella motioned to approve the Procurement Policy and Procedures. Seconded by Comm. Allison.

Motion Carried – yea (5).

13. Approve Change Order #1 & #2 for the Additional Repair Costs for the Inlet Cay (\$8,723) and Sabal Island (\$5,445) Bridges in a Total Amount of \$14,168 to be Funded from the Capital Projects Fund

Comm. Allison motioned to approve Change Order #1 & 2 for the Additional Repair Costs for the Inlet Cay (\$8732) and Sabal Island (\$5445) Bridges in a Total Amount of \$14,168 to be Funded from the Capital Projects Fund. Seconded by Comm. Aaskov.

Motion Carried – yea (5).

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

14. Discuss Concept of Converting Old Ocean Blvd. to a One Way Street, Closing Entrances to Old Ocean Blvd. on Several Streets, Blocking off Midlane Rd from Woolbright Rd., and Changing the Name of Old Ocean Blvd. to Ocean Ridge Blvd.

Mayor Pugh announced that this was an open discussion at this time. His proposed ideas were a culmination of over 20 years. There is a change coming from Boynton Beach that will greatly affect Ocean Ridge and he felt it was important to discuss and make plans for the next 5-10 years. He welcomed the residents' comments.

The following residents were not in favor of the proposed changes to make Old Ocean Blvd a one way street, while closing other streets: Bob Weisblut, 23 Sailfish Ln; Bryan Okeefe, 49 Oceanview; Carol Vasler, 5906 Old Ocean Blvd; Martha Joa, 35 Hersey Dr; Kate Newton, 5500 Old Ocean Blvd; Judi Andrews, 21 Oceanview Dr; Pat Kropp, 16 Tropical Drive; Julia Steere, 4 Oceanview Dr. They were concerned with emergency response time and garbage service if streets were blocked off. New dead end signs would also just result in new problems of vehicles turning around in private driveways. It could become problematic also if pedestrians, dog walkers, and bicyclists were made to use just one side of the street. They asked if the speed limit could be lowered from 15mph to 10mph to slow traffic and to enforce the 3 way stops. They felt that the additional traffic flow to Tropical and Oceanview would be challenging as both streets are narrow and already congested with street parking. They also mentioned their concerns of exiting A1A without a traffic signal (other than the one in Briny Breezes).

Kathlyn Hohill, 5500 Old Ocean Blvd, polled 20 residents in Ocean Manor, and they were not in favor of the proposed changes. This would cause people to travel farther to get to/from their homes. They were also not in favor of changing Old Ocean Blvd to Ocean Ridge Blvd. She asked if the Town would reimburse the residents for the cost of changing their personal records to the new street address.

Mayor Pugh reported that other municipalities have changed street names to George Bush Blvd and Martin Luther King Blvd. You can change the name of the road without changing the address of the properties.

Gerry Magruder, 9 Ridge Blvd, requested that the Town organize a Crime Watch, as there has been multiple burglaries in her neighborhood. She also felt this would be a great opportunity to install cameras and she asked if the officers could check between homes when cruising down the streets. She would like a 2 month trial of installing a retractable gate at Midlane Rd and Woolbright Blvd to allow fire access.

Meg Williams, 11 Ridge Blvd agreed with Ms. Magruder as she felt open and susceptible to crime because of easy access to their neighborhood. She asked the Commission to make the closing of Midlane a separate issue from Old Ocean Blvd and Beachway Dr. She frequently saw the police patrolling her neighborhood and thanked them for their service.

Gary Kosinski, 6000 Old Ocean Blvd, stated that while he loved Old Ocean Blvd, the pedestrian traffic is hard with cars. He thanked the Commission for addressing the problem now. Instead of pushing the traffic pattern to only 1-2 streets, he asked to possibly consider one way exists off of Ole Ocean Blvd.

The Commission discussed to make the closure of Midlane Rd. a separate issue. They suggested polling the neighborhood of those that would be affected, and a possible trial period.

Atty. Spillias stated that the City of Atlantis has a gatehouse that gives the impression of a private road. The Town could create a method of slowing down or an impression of surveillance.

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

Mayor Pugh suggested installing speed bumps to slow traffic down on Oceanview Drive, and to make it safer for the residents. He also suggested sending out a letter stating that a temporary barrier would be installed to close Midlane Rd. It would cost a few thousand to make the citizens feel safer. He was concerned that the added population from the new developments in Boynton would cost the Ocean Residents with increased crossover and road repairs. He was searching for a way to govern those that use our beaches.

Comm. Bonfiglio commented that the median in the middle of Ridge Blvd. will create difficulties for large delivery trucks to turn around if there is only one ingress/egress. He also mentioned an area in Lake Clarke Shores that has a hoop gate that automatic opens after 20 seconds. He was advised that there was no stacking area available off of Midlane Rd. from Woolbright Rd.

Chief Hutchins appreciated the comments regarding the larger trucks but pointed out that fire/emergency and garbage trucks regularly access narrow and not through streets without any complaints.

Comm Lucibella stated that the common theme was to maintain the small town atmosphere and questioned whether too much traffic would be created for Oceanview and also Ridge Blvd. but also felt the traffic generated from the west should be controlled if possible, citing it will only get worse with more development. He stated that security concerns have been raised for the Midlane/Ridge area and he felt the proposed temporary closure was a good attempt to alleviate some of the concerns.

Comm Lucibella moved to direct staff to obtain specific pricing for the November meeting to temporarily close off Midlane Rd. from Woolbright Rd. and that notice be provided to all residents via email and the newsletter. Comm Allison seconded the motion.

Motion carried – yea (Pugh, Aaskov, Allison, Lucibella)
nay (Bonfiglio)

There was a consensus to schedule a Workshop Meeting, possibly in December, regarding the traffic concerns for Old Ocean Blvd.

15. Approval of Town Manager Contract with James Titcomb By: Kenneth Spillias, Town Attorney

Atty Spillias reviewed the contract that both he and Mr. Titcomb had been working on which resulted in several minor changes. The final contract will be revised.

There was also discussion that Ken Schenck will work through Oct. 31, 2015 and be hired as a consultant on an as needed basis for the month of November.

Comm Allison moved that the amended contract with Mr. Titcomb be approved as presented by the Town Attorney and that Ken Schenck be approved as an independent consultant through November based on one month of his current salary, seconded by Comm Lucibella.

Motion carried – yea (5).

RESOLUTIONS.

16. Resolution No. 2015-11; Authorizing the Mayor to Execute the Joint Powers Agreement Between the National Joint Powers Alliance (NJPA) and the Town for the Purpose of Accessing Available Contracts for Goods and Services from the NJPA Awarded Vendors

REGULAR TOWN COMMISSION MEETING HELD OCTOBER 5, 2015

Town Clerk Hancsak explained that it was discovered after the proposals were received that Shaw Industries lower proposal was the result of them being a participating member in the NJPA. In order to obtain their quoted pricing the Town would need to enter into an Agreement. Staff investigated the association and learned that there are no obligation, several other municipalities participate and there may be additional items that can be purchased in the future.

Comm. Bonfiglio motioned to approve the adoption of Resolution No. 2015-11. Seconded by Comm. Lucibella.

Motion Carried – yea (5).

Meeting Adjourned at 8:15pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Public Hearing/Special Town Commission Meeting of the Town of Ocean Ridge held on Monday, October 19, 2015 at 5:01 PM in the Town Hall Meeting Chambers

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

Commissioner Aaskov	Commissioner Lucibella
Commissioner Bonfiglio	Mayor Pugh

Commissioner Allison was absent with notice.

PUBLIC HEARING

A. Fiscal Year 2015-2016 Budget

Town Clerk Hancsak advised that this Final Budget Hearing and Adoption must be repeated due to an error in the Notice of Tax Increase advertisement. She advised that a figure reflecting last year's actual property tax levy was incorrect, however; none of the new budget is affected.

There were no questions regarding the budget from the Commissioners or the one member in the audience.

1. Mayor Pugh announced – THE TOWN OF OCEAN RIDGE'S ROLLED BACK RATE IS \$5.0787 AND THE TENTATIVE MILLAGE RATE WILL BE \$5.35 WHICH IS 5.34 % MORE THAN THE ROLLED BACK RATE.

2. Re-Adopt Resolution No. 2015-08 Making a Tax Levy Based on the 2015 Assessment Roll with a Final Millage Rate for Fiscal Year 2015-2016

Clerk Hancsak read Resolution No. 2015-08 in its entirety into the record and advised this would be a re-adoption.

Comm. Bonfiglio moved that Resolution No. 2015-08 making a tax levy based on the 2015 Assessment Roll with a final millage rate of \$5.35 per \$1,000 of assessed valuation be re-adopted for the 2015-2016 general operating revenues. Comm. Aaskov seconded.

There was no public comment.

Motion carried - Yea (4)

3. Re-Adopt Resolution No. 2015-09 Adopting an Annual Final Budget and Appropriating Funds Beginning October 1, 2015 and Ending September 30, 2016, Providing an Effective Date

Clerk Hancsak read Resolution No. 2015-09 in its entirety into the record.

Comm. Aaskov moved to re-adopt Resolution No. 2015-09 appropriating funds for the Fiscal Year 2015-2016 for the Ocean Ridge Budget to be finalized at \$6,278,420 for operating expenses. Seconded by Comm. Bonfiglio.

There was no public comment.

Motion carried - Yea (4)

4. Adopt Resolution No. 2015-10; Updating Funds for the Capital Projects Fund for the Fiscal Year Beginning October 1, 2015 and Ending September 30, 2016

Clerk Hancsak read Resolution No. 2015-10 in its entirety into the record.

SPECIAL TOWN COMMISSION MEETING HELD OCTOBER 19, 2015

Comm. Lucibella moved that Resolution 2015-10 updating funds for the Capital Projects Fund for Fiscal Year 2015-2016 be re-adopted. Seconded by Comm. Aaskov.

There was no public comment.

Motion carried - Yea (5).

Comm Aaskov mentioned that she had previously donated 9 historic photographs to be hung in the Town Hall and questioned whether the Commission wanted them re-hung at times when there was no other art displayed. The Commission agreed that the photographs should be hung when no other art is displayed.

Town Clerk Hancsak mentioned that the Town sent our Town Engineer, Lisa Tropepe, a fruit basket and would also send flowers to the service to be held on Friday for her late husband that passed away in a plane crash last week. The Commission authorized the administrative office to close early to attend the funeral.

Adjournment

Meeting adjourned at 5:18 PM

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Agenda: Nov. 2, 2015
Memo: Item # 3

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

**Subject: Approval of One Month Consulting Agreement with
Kenneth Schenck**

Mayor and Town Commissioners:

At the last Commission meeting the Commission approved a one month consulting agreement with Kenneth Schenck based on his current salary. Attached please find the agreement.

RECOMMENDATION

Staff recommends approval of the agreement.

Adopting the Consent Agenda will approve this modification.

CONSULTING AGREEMENT

This Consulting Agreement ("Agreement") is made this 2nd day of November, 2015, by and between Kenneth Schenck ("Schenck") and The Town of Ocean Ridge, Florida ("Town"). Schenck and the Town may be referred to herein singularly as "Party" and collectively as "Parties."

RECITALS

WHEREAS, Schenck has served loyally and admirably as Town Manager for the Town since August, 2006; and

WHEREAS, Schenck agreed to remain employed by the Town through the week of October 26, 2015, to assist the Town's new Town Manager, James Titcomb ("Titcomb") who commenced as Town Manager on October 26, 2015, in the transition of town managers; and

WHEREAS, the Town is of the view that it would be in the best interests of the transition for Schenck to be available on a permanent, on call basis for an additional period of one month to assist the new Town Manager, if called upon, in becoming familiar with the Town's policies, processes and procedures; and

WHEREAS, the terms of this Agreement have been approved and adopted by the Town Commission at its duly-noticed, regular Town Commission meeting on Monday, November 2, 2015.

THE PARTIES HEREUPON AGREE AS FOLLOWS:

1. This Agreement shall be effective November as of November 2, 2015, through and including November 30, 2015.
2. As needed by the Town, based on the judgment of Titcomb, Schenck shall be consulted by the Town and perform such services as may be requested to assist Titcomb in becoming familiar with, among other things, (a) the Town's policies, procedures and processes as relevant to the duties of Town Manager; (b) the Town's personnel and their functions; (c) issues confronting the Town; (d) ongoing projects; and (e) and such other a further matters which, in the opinion of Titcomb would be of assistance in the smooth transition of Town Managers.
3. For the term of this Agreement, Schenck shall not be an employee of the Town, but shall serve as an independent contractor. As such, he shall not be entitled to any benefits of an employee by virtue of this Agreement. Notwithstanding, nothing contained herein shall affect any benefits Schenck may otherwise be entitled to by virtue of his separation of

employment with the Town pursuant to his employment agreement and the Town's personnel policies and procedures.

4. Pursuant to this Agreement, the Town shall pay Schenck the equivalent of one month's salary, at the rate of salary existing at the time of his separation of employment with the Town, not including that portion previously attributed to his automobile allowance, the total amount being \$8,075.60. Neither income, Social Security nor Medicare taxes shall be withheld from the payments to Schenck and he shall be provided with an IRS Form 1099 for purposes of his 2015 federal income tax filing. Final payment of all amounts due under this Agreement shall be made to Schenck no later than December 4, 2015.

5. Payments under this Agreement shall be made by check payable to Kenneth Schenck and sent to the following address:

[REDACTED] SK
[REDACTED] Street
Palm Beach, FL 33426

6. The Parties represent that: (a) they have completely read and fully understand this Agreement and have voluntarily accepted the terms herein, and (b) they have had the opportunity to consult with counsel of their choice before entering into the Agreement.

7. In the event that any one or more of the provisions of this Agreement is determined to be invalid, illegal or unenforceable in any respect, all remaining provisions shall nevertheless remain effective and binding, and the validity, legality and enforceability thereof shall not be affected or impaired thereby. If any such provision is held to be illegal, invalid or unenforceable, there will be deemed added in lieu thereof a provision as similar in terms to such provision as is possible that is legal, valid and enforceable. To the extent permitted by applicable law, the Parties hereby waive any law that renders any such provision invalid, illegal, or unenforceable in any respect.

8. This Agreement is entered into in Palm Beach County, Florida and shall be construed and interpreted in accordance with the laws of the State of Florida.

9. This Agreement contains the entire agreement between the Parties hereto and the terms hereof may not be modified except by a written agreement duly signed by each Party.

[REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

KENNETH SCHENCK

TOWN OF OCEAN RIDGE

(SIGN)

(SIGN)

By: _____

By: _____

(PRINT NAME)

(PRINT NAME)

Date: _____

Title: _____

(PRINT TITLE)

Date: _____

ATTEST:

Town Clerk

Approved as to Form:

Town Attorney

Agenda: Nov. 2, 2015
Memo: Item # 4

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Approval of Agenda Verbiage Modification on the Front Page

Mayor and Town Commissioners:

At the last Commission meeting the Mayor announced that public comment would be limited to one time regarding any single item on the agenda. He stated that members of the audience could either speak during the Public Comment at the beginning of the meeting or during a specific item on the agenda.

RECOMMENDATION

Staff has provided a minor modification on the front page of the agenda to reflect this change.

Adopting the Consent Agenda will approve this modification.

**TOWN OF OCEAN RIDGE
AGENDA**



November 2, 2015

6:00 P.M.

TOWN HALL – MEETING CHAMBERS

TOWN COMMISSION

Mayor Geoffrey A. Pugh

Commissioner Gail Adams Aaskov

Commissioner Lynn L. Allison

Commissioner James A. Bonfiglio

Commissioner Richard J. Lucibella

ADMINISTRATION

Town Manager James S. Titcomb

Town Attorney Kenneth G. Spillias

Town Clerk Karen E. Hancsak

Police Chief Hal Hutchins

RULES FOR PUBLIC PARTICIPATION

1. **PUBLIC COMMENT:** The public is encouraged to offer comments with the order of presentation being as follows: Town Staff, public comments, Commission discussion and official action. Town Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to one time up to three minutes or less regarding any single item on the agenda.** The Mayor or presiding officer has discretion to adjust the amount of time allocated.
 - A. Public Hearings: Any citizen is entitled to speak on items under this section.
 - B. Public Comments: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the commission under this section. The Commission may withhold comment or direct the Town Manager to take action on requests or comments. The Commission meetings are held for the purpose of discussing and establishing policy and to review such other issues that affect the general welfare of the Town and its residents. Where possible individual grievances should first be taken up with the Town Staff.
 - C. Regular Agenda and First Reading Items: When extraordinary circumstances or reasons exist and at the discretion of the Commission, citizens may speak on any official agenda item under these sections.
2. **ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the podium and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The Town neither provides nor prepares such record.

Persons who need an accommodation in order to attend or participate in this meeting should contact the Town Clerk at 732-2635 at least 2 days prior to the meeting in order to request such assistance.

Item #7

Karen E. Hancsak

From: Kenneth Spillias
Sent: Wednesday, October 28, 2015 1:45 PM
To: Jay D. Mussman
Cc: Michele C. D'Alessandro; Karen E. Hancsak; James A. Ballerano Jr.; jpike@envdesign.com
Subject: RE: Luring - Plat Approval

We have already informed the mayor that this will be continued to the December meeting. As such, your attendance is not required at Monday's commission meeting.

Kenneth G. Spillias
Town Attorney
6450 North Ocean Blvd.
Ocean Ridge, Florida 33435
Phone: (561) 732-2635
Fax: (561) 737-8359
Email: kspillias@oceanridgeflorida.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Ocean Ridge officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Ocean Ridge. If you have received this message in error, please notify us immediately by replying to this message, and please delete it from your computer. Thank you.

-----Original Message-----

From: Jay D. Mussman [mailto:jmussman@chapin-law.com]
Sent: Wednesday, October 28, 2015 12:55 PM
To: Kenneth Spillias <kspillias@oceanridgeflorida.com>
Cc: Michele C. D'Alessandro <mdalessandro@chapin-law.com>; Karen E. Hancsak <khancsak@oceanridgeflorida.com>; James A. Ballerano Jr. <jballerano@chapin-law.com>; jpike@envdesign.com
Subject: RE: Luring - Plat Approval
Importance: High

Good afternoon.

In furtherance of our meeting with Town personnel yesterday kindly continue the Plat Approval until the December Meeting.

We are very pleased with the progress and outcome of yesterday's meeting.

Please confirm our attendance is not required at next week's meeting to request the continuance in person.

Memorandum

Date: **October 26, 2015**
To: **Mayor & Commissioners**
From: **Ken Schenck, Town Manager**
Re: **Town Update, November, 2015**

I am providing you with brief updates on some of the Town's continuing projects and events.

Spanish River Drive

We are reviewing several drainage problems on Spanish River Drive where water is ponding. We're analyzing the best way to eliminate these problems. Most of the problems remaining are in driveways and not a major priority but do need to be corrected. We're getting major projects completed and then we'll address these.

FEMA Flood Maps

FEMA is still reviewing our requests for flood zone changes.

Wastewater Proposal

This program is not moving forward at this time. The condos were under the impression that the Town would pay for the force main. Our understanding was that the users would pay for it. The wastewater plant has permits to operate for the next 5 years so nothing will happen until the condos want to initiate the program.

Villas of Ocean Ridge Drainage

The Villas has had to change their drainage project to make it functional. They are in the process of completing the final design. When completed we'll get the necessary permits from FDOT and SFWMD and bid the project. We'll bring this back to the Commission when we get an estimated cost.

Barrier Island Fire District

Gulf Stream has advertised for proposals to complete a study and develop a cost for a barrier island fire district that would run from Highland Beach to South Palm Beach. The purpose is to know what a system like this would cost so we know where we stand in comparison to contracting out these services. When we get the proposals we'll know what our share will be. Proposals are due by October 30th.

Calendar of Events

Regular Town Commission-----December 7, 2015 @ 6 PM

Code Enforcement-----December 1, 2015 @ 10 AM

Cc: Hal Hutchins, Police Chief
Karen Hancsak, Town Clerk
Employees

Agenda: Nov. 2, 2015
Memo: Item #10

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of Police Chief

- Subject:**
- 1. Monthly Activity Report (September 2015)**
 - 2. Monthly Boynton Beach Fire/EMS Activity Report**

Mayor and Town Commissioners:

Attached you will find the August Monthly Police Activity Report; including the Boynton Beach Fire/EMS Activity Report. All of these reports are on the Town's website under Police Department/Monthly Reports.

As always, I will be happy to answer any questions you may have, either prior to, or at the meeting.

Agenda: Nov. 2, 2015
Memo: Item # 12

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Discuss Workshop Meeting Date Regarding the Concept of Converting Old Ocean Blvd. into a One Way Street and Closing Entrances to Old Ocean Blvd. on Several Streets

Mayor and Town Commissioners:

This item is only listed on the agenda because at the last Commission meeting the Mayor announced that a workshop meeting would be scheduled during December to discuss this item.

The Mayor will ask the Commission if they would prefer to schedule the meeting after the holidays so as not to interfere with holiday plans by either the residents or Commissioners.

Memorandum

Date: October 8, 2015
To: Mayor & Commissioners
From: Ken Schenck, Town Manager
Re: Costs to Block off Midlane Road

The following is the estimated cost to block off Midlane Road at Woolbright Road. It is recommended that the stop posts at the end of the road should be three (3) feet apart. Depending where we put them it would require 8 to 11 posts. The cost is \$50 each so the total cost would be \$400 to \$550 for the posts. Our maintenance staff can install them. A picture of the options is enclosed.

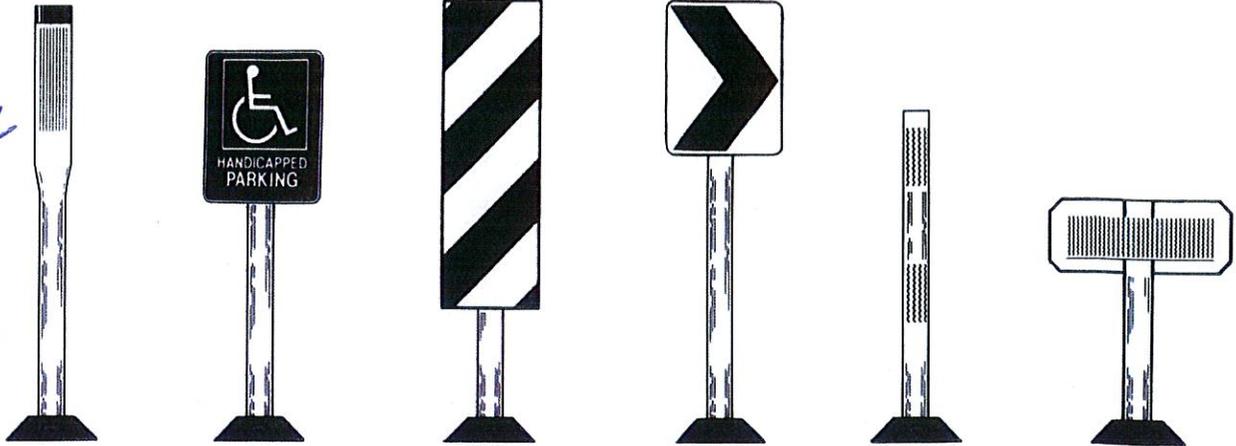
We will also need a sign at the entrance to Ridge Blvd. denoting a dead end. The sign should say "RESIDENTS ONLY DEAD END" Or "RESIDENTS ONLY NO OUTLET". This would be a metal highway sign 24" by 30". We have the post for mounting and staff can install the sign. The sign will cost about \$60 depending on the final wording.

Based on these costs the project would cost less than \$650.

The question was also raised about speed humps. There are several types and the cost would vary depending on the width of the road. Attached is a flyer showing the options. My recommendation is the "Safety Rider Mini Hump". One section with ends would be about \$400. A 20 foot road will need additional sections. The cost would be between \$1,500 and \$2,000 depending on the number of pieces needed.

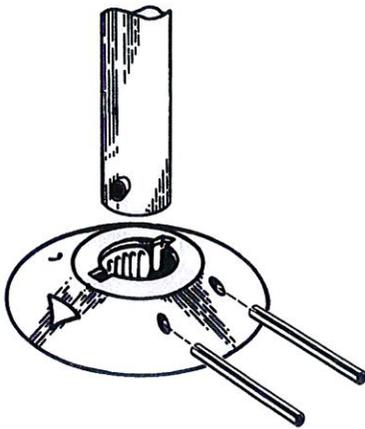
SAFE-HIT®

SURFACE MOUNT INSTRUCTIONS FOR INSTALLATION ON ASPHALT OR CONCRETE



BOTH SURFACE MOUNTS ARE DESIGNED TO ACCOMMODATE THE ENTIRE LINE OF FLEXIBLE GUIDEPOSTS AND SIGNS

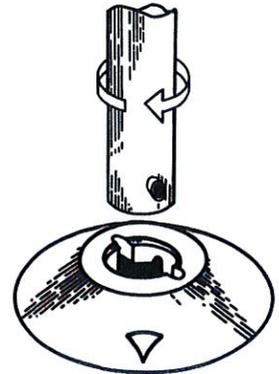
SURFACE MOUNT PIN LOCK BASE



- FOR STANDARD BASE, INSTALL WITH ARROW AND SLOTS FACING TRAFFIC, IF SIGN IS INSTALLED ON POST, ARROW AND SLOTS MUST FACE DIRECTION OF SIGN.
- INSERT POST AND DRIVE LOCKING PINS IN PLACE WITH HAMMER.
- TO REMOVE POST, USE DRIFT PIN TO REMOVE LOCKING PINS, THEN LIFT POST FROM BASE.

1. A CLEAN DRY SURFACE IS REQUIRED.
2. MIX 5oz. PART "A" AND 5oz. PART "B" OF 1011 CONCRESSIVE EPOXY OR EQUIVALENT.
3. APPLY EPOXY EVENLY TO BOTTOM OF BASE.
4. PRESS BASE DOWN FIRMLY ON SURFACE UNTIL A BEAD OF EPOXY APPEARS AROUND EDGE.
5. ALLOW TO CURE APPROXIMATELY ONE HOUR BEFORE INSTALLING POST (ALLOW EXTRA TIME FOR COLD WEATHER.)

SURFACE MOUNT TWIST LOCK BASE

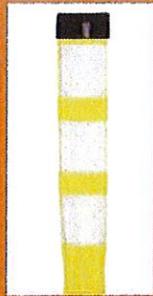


- FOR TWIST LOCK BASE, INSTALL WITH ARROW FACING TRAFFIC, IF SIGN IS INSTALLED ON POST, ARROW MUST FACE DIRECTION OF SIGN.
- INSERT POST AND TWIST RIGHT TO LOCK IN PLACE.
- TO REMOVE POST, DEPRESS POST, TURN TO LEFT AND LIFT TO REMOVE.

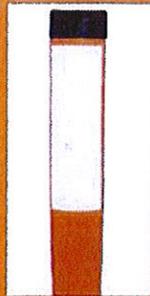
Speed bumps

Handwritten notes:
43200
50
50
50
50

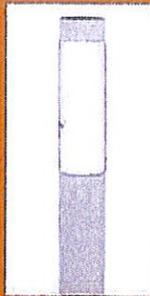
SURFACE MOUNT POST TYPES



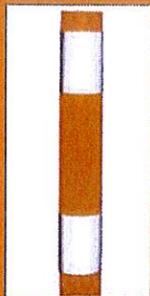
TYPE 1 HAZARD MARKER
Round post, flattened on top with black oval cap, three 3" (76.2mm) x 3" (76.2mm) reflective patches and Surface Mount Pin Lock Base.



TYPE 2 GUIDE POST
Round post, flattened on top with black oval cap, one 3" (76.2mm) x 9" (228.6mm) reflective strip and Surface Mount Pin Lock Base.

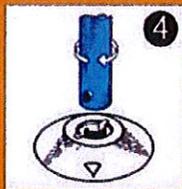
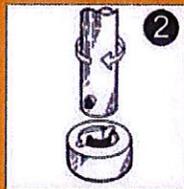
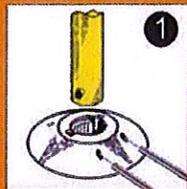


TYPE 3 CHANNELIZER
Round post with recessed cap, one 6" (152.4mm) reflective wrap and Surface Mount Pin Lock Base.



TYPE 5 MARKER POST
Round post with recessed cap, two 3" (76.2mm) reflective wraps and Surface Mount Pin Lock Base.

SURFACE MOUNT BASE OPTIONS



- 1 **SMA SURFACE MOUNT PIN LOCK BASE**
Ideal for permanent installations
- 2 **SLT SUB-LEVEL TWIST LOCK BASE**
Used when it is desirable to have base level with concrete or asphalt surface
- 3 **SST SUB-SURFACE TWIST LOCK BASE**
Used when a low profile is desired due to vehicular or pedestrian traffic.
- 4 **SMT SURFACE MOUNT TWIST LOCK BASE**
Used when posts must be installed, removed and re-installed periodically.
- 5 **PSB PORTABLE BASE**
No anchor or adhesive required. Ideal for temporary applications. Base is 18lbs (8.165kg)

SPECIFICATIONS

Overall Post Height	46 cm - 122 cm (18 - 48")
Post Diameter	5.7 cm (2.25")
Base Diameters:	
SMA	20.32 cm (8")
SMT	20.32 cm (8")
SST	9.5 cm (3.75")
SLT	
Post Weight (91.44 cm / 36")	.50 kg (1.1 lbs)
Standard Post Colors	White, Yellow, Orange
Custom Post Colors	Light Gray, Dark Gray, Green, Blue, Black, Brown or Red
Reflective Sheeting	Standard high-intensity Silver, Amber or Orange. Other types and colors available.
Custom Base Colors	Yellow or Orange
Adhesives & Hardware	Epoxy, Butyl & Lag Screws



Distributed By:

TRAFFIC CONES
FOR LESS.com

Safety Rider V

A different "Hump" with a smoother bump!

RECOMMENDED LOCATIONS:

- Parking lots & garages
- Gated communities
- School zones
- Institutions
- Hospitals
- Retail stores
- Fast food chains
- Airports
- Military bases
- Municipalities



VULCANIZED RUBBER MINI SPEED HUMP

An economical solution to slow speed while maintaining traffic flow



End Cap



Tongue and Groove System



- INTERLOCKING TONGUE AND GROOVE SYSTEM
- YELLOW REFLECTIVE TAPE
- INCLUDES INSTALLATION HARDWARE
- MODULE UNITS CAN COVER WIDTH OF ANY ROADWAY
- WARRANTY: 1 YEAR (Under normal use)



ANTI-SKID SURFACE: molded rubber pattern provides high traction area for vehicles and pedestrians to avoid slipping.



Installs with lag bolts, washers, and shields (anchors) which are included with the product.

DISTRIBUTED BY:



MANUFACTURED BY:

GNR
TECHNOLOGIES

Product Number	Size	Weight	Spikes Needed
23500V	35.4"(L) x 19.7"(W) x 2"(H)	36 lbs.	6
23501V (f end cap)	35.4"(L) x 19.7"(W) x 2"(H)	32 lbs.	6
23502V (m end cap)	35.4"(L) x 19.7"(W) x 2"(H)	32 lbs.	6

800-641-4143 www.gnrtech.com

Safety Rider V

A different "Hump" with a smoother bump!

RECOMMENDED LOCATIONS:

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- Retail stores
- Fast food chains
- Airports
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- Municipalities



VULCANIZED RUBBER MINI SPEED HUMP

Installation Instructions



The Safety Rider V is installed with plastic anchors (shields), steel bolts, and washers (included with the product).

STEP 1:

Determine the location of the Safety Rider V and sweep the surface clean of debris / dust. Use chalk to mark the center lines (parallel and perpendicular to the direction of the street) and border lines on the surface.

STEP 2:

Assemble and position the units, starting from the center line.

Note: Make sure the units are tight and well aligned before proceeding.

STEP 3:

Drill 9/16" dia. holes into the surface through the existing holes of the product. The holes should be 3.5 - 4" deep. Remove the product and insert the plastic shields until the flange of the shield is flush with the installation surface. Re-position the product over the holes made in the installation surface.

Note: Make sure the holes are clear of dust / debris before inserting the shields. (A portable blower is useful for this purpose)

STEP 4:

Insert the lag bolts and steel washers into product installation holes and tighten. Do not over-tighten the bolts.

OTHER PARKING LOT SAFETY & DAMAGE PREVENTION SOLUTIONS



Park It
Car Stop



Home
Park It



Easy Rider
Speed Bump



Safety Rider
Mini Hump



Alley
Bump



Bollard
Covers

DISTRIBUTED BY:

800-641-4143 www.gnrtech.com

MANUFACTURED BY:
GNR
TECHNOLOGIES

Agenda: Nov. 2, 2015
Memo: Item #14

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Suggested Budget Amendment to FY 2014/15

Mayor and Town Commissioners:

During the process of FY 2014/15 Year End closing a very preliminary review of the various departments within the General Fund reflected that there will be two (2) departments that will be over budget.

The Inspection Department had an original total budget (\$122,500.00). In August 2015 the Commission approved a Budget Amendment to add \$26,000 for the demolition of 110 Bonito Drive. The additional funding came from the Unassigned Fund Balance and has been placed as a special assessment on the property. In addition to the budget amendment this department was over budget. This department is offset by the revenue generated for building permits. In other words we generated more building permit revenue (\$259,731+ vs. the \$120,000 budgeted or 216%) which in turn generated additional inspections and review by our contractor, Hybyrd Inspections Inc. The total year end budget is approximately \$7,000 over budget. This department has exceeded the budget in prior years for this valid reason but was still noted in the affected audits with an explanation of the revenue compared to the expenditures. As a part of the annual audit for FY 14/15 some of the additional revenue will be restricted for Building Restrictions.

Another department that exceeded the total budget of \$21,518 is the Town Commission Dept., specifically in the Insurance accounts. The Insurance account had an original budget amount of \$11,600 but at year end \$13,607 +/- was expended. The annual D & O Insurance rate increase was more than anticipated as their renewal date was during the Recall Suit. The overall budget is \$565 over budget.

Florida State Statute at Section 166.241 (4) permits municipal governments to amend their budget any time during the fiscal year or within 60 days following the end of the fiscal year provided the amendment is for appropriations for expenditures within the same fund and is

completed by motion and the fund is not changed. Approving a budget amendment will bring these two (2) departments within the General Fund under budget.

We have remaining funds in the Contingency Account (\$29,000+/-) and request that a portion of those funds be transferred to the Inspection Professional Services Account (\$7,000), and the Town Commission Insurances Account (\$1,000) as budget amendments. Transfers would be strictly internal and not affect the overall budget. These amendments will total \$8,000. There may be other accounts within these three departments that were under budget, thus explaining why the exact amounts are not necessary. The audit reflects only the total expenditures for each department.

Please also confirm that the Budget Amendments for the prior requests made at the Commission meetings for the legal expenses (in-house attorney), carpet and the chamber sound equipment upgrades can be transferred from the Contingency Account.

Agenda: Nov. 2, 2015
Memo: Item # 15

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Approval of Ordinance No. 612 – Prohibiting Planting of Exotic or Invasive Plants to Extend to Single Family and Duplex Residences

Mayor and Town Commissioners:

As you may recall the Planning & Zoning Commission met on Aug. 10th and recommended amending the Code of Ordinances at Section 66-117 extending the prohibition for planting invasive planting to single family and duplex residences.

Attached please find Ordinance 612.

RECOMMENDATION

Staff recommends adopting Ordinance 612 on first reading.

ORDINANCE NO. 612

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ARTICLE IV, DIVISION 1, SECTION 66-117 OF THE CODE OF ORDINANCES TO MAKE THE LANDSCAPE PROVISIONS OF DIVISION 1, PARKING AREA LANDSCAPE, APPLICABLE TO SINGLE FAMILY AND DUPLEX DWELLING UNITS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 66-117 of the Code of Ordinances provides that the landscaping provisions of Article IV, Division 1 of the Code, addressing parking area landscaping, are not applicable to single-family and duplex dwelling units; and

WHEREAS, the Town's Planning and Zoning Board was directed by the Town Commission to review the Code's landscaping provisions to determine whether they met the needs and desires of the Town and its residents, especially with respect to the planting and maintaining of invasive plant species; and

WHEREAS, the Planning and Zoning Board held a public meeting on August 10, 2015, to consider this matter at which input and information was received from Town staff and Town residents; and

WHEREAS, after considering the information presented and the views and opinions expressed by the Planning and Zoning Board members; and

WHEREAS, the Planning and Zoning Board determined that it was in the best interests of the Town and its residents to prevent the planting and maintenance of invasive plant species throughout the entire Town; and

WHEREAS, the Planning and Zoning Board's recommendation was presented to the Town Commission at its regular meeting on September 10, 2015; and

WHEREAS, Town Commission accepted the Planning and Zoning Board's recommendation as being in the best interests of the Town and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Amendment. Section 66-117 of the Code of Ordinances is hereby amended to remove the exceptions contained therein for single-family and duplex dwelling units and reads, in its entirety, as follows:

The provisions of this division shall apply to all new or redeveloped off-street parking areas and other vehicular use,

service and loading areas. However, any lot shall have at least 25 percent of the total area in landscaped open space.

Section 3. Codification. This ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

Section 4. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 5. Repeal. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this 2nd day of November, 2015.

SECOND AND FINAL READING this _____ day of September, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	_____
DR. LYNN ALLISON, Vice Mayor	_____
GAIL ADAMS AASKOV, Commissioner	_____
JAMES A. BONFIGLIO, Commissioner	_____
RICHARD J. LUCIBELLA, Commissioner	_____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of Dec., 2015.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____

GEOFFREY A. PUGH, MAYOR

ATTEST: _____
Karen E. Hancsak, Town Clerk

Agenda: Nov. 2, 2015
Memo: Item # 16

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

**Subject: Approval of Ordinance No. 613 – Providing
Requirements for Partial Demolitions of Improvements**

Mayor and Town Commissioners:

As you may recall the Planning & Zoning Commission met on Aug. 10th and recommended amending the Code of Ordinances at Section 67-51 to include requirements relative to partial demolition permits and the prevention of blight.

Attached please find Ordinance 613.

RECOMMENDATION

Staff recommends adopting Ordinance 613 on first reading.

ORDINANCE NO. 613

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING SECTION 1-3, DEFINITIONS, OF THE CODE OF ORDINANCES TO INCLUDE PARTIAL DEMOLITIONS OF IMPROVEMENTS; AND FURTHER AMENDING ARTICLE III, TECHNICAL CODES AND OTHER CONSTRUCTION STANDARDS, DIVISION 2, ADMINISTRATION AND ENFORCEMENT, SECTION 67-51, PERMIT REQUIRED, TO INCLUDE REQUIREMENTS RELATIVE TO PARTIAL DEMOLITION PERMITS AND THE PREVENTION OF BLIGHT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town's Code of Ordinances establishes the criteria by which a demolition permit may be obtained by a property owner to demolish an existing structure; and

WHEREAS, the Town's Code sets forth the criteria necessary to close out a permit for demolition as well as the sanctions and code enforcement procedures for property owners who do not comply with all requirements of a demolition permit; and

WHEREAS, the Town's Code does not establish criteria specifically directed to the granting, closing or enforcement procedures for permits issued for the partial demolition of structures; and

WHEREAS, the Town has experienced adverse, and sometimes blighting, consequences of partial demolitions of structures which have been left in an unfinished or incomplete state for extended periods of time; and

WHEREAS, those adverse and sometimes blighting consequences include, but are not limited to, unsafe conditions on the property, windblown dust and debris emanating from the property onto other neighbors' property, diminution of property values for neighboring properties, the creation of attractive nuisances to individuals including children, and other similar circumstances that are attendant to lots which have partially completed, but unlivable, structures thereon; and

WHEREAS, the Town's Planning and Zoning Board determined that there was a need to consider regulations concerning partial demolition of structures to eradicate or at least minimize the adverse consequences of partially demolished structures; and

WHEREAS, the Planning and Zoning Board held a public meeting on August 10, 2015, to consider this matter at which input and information was received from Town staff and Town residents; and

WHEREAS, after considering the views expressed and information presented, the Planning and Zoning Board determined that it was in the best interests of the Town and its

residents to establish criteria for the granting and closing out of permits for the partial demolition of structures on properties within the Town ; and

WHEREAS, the Planning and Zoning Board's recommendations were presented to the Town Commission at its regular meeting on September 10, 2015; and

WHEREAS, Town Commission accepted the Planning and Zoning Board's recommendation as being in the best interests of the Town and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact. The WHEREAS clauses set forth above are adopted herein as findings of fact.

Section 2. Amendments. To implement the recommendations of the Planning and Zoning Board, the Code of Ordinances of the Town of Ocean Ridge, Florida, is hereby amended as follows:

(A) Section 1-3, Definitions, is amended to read as follows:

Demolition means any total or partial dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

(B) Section 67-51, Permit required, is amended to read as follows:

No construction, alteration, remodeling or demolition of any improvement on any lot may be commenced without a permit by the town building official. Applications for permits for a partial demolition of any improvement must be accompanied by one of the following:

(a) An application for a building permit for any reconstruction, alteration or remodeling which is the purpose for which the partial demolition permit is being sought, including a time certain within which new construction will commence and be completed; or

(b) Plans prepared by a registered architect or engineer demonstrating that once the partial demolition has been completed, the property and improvements remaining will consist of a complete, finished structure(s) in compliance with all other applicable provisions of the Town's zoning and building requirements.

Permits for the demolition or partial demolition of any improvements on land within the Town shall be posted in the same manner as and pursuant to the same requirements for construction permits as required by the Town's Code of Ordinances, including but not limited to those found in sections 67-59 and 67-153, as well as the Florida Building Code and any applicable County amendments thereto.

Section 3. Codification. This ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

Section 4. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of the Ordinance.

Section 5. Repeal. All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

FIRST READING this 2nd day of November, 2015.

SECOND AND FINAL READING this _____ day of September, 2014.

Commissioner _____ offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor _____

DR. LYNN ALLISON, Vice Mayor _____

GAIL ADAMS AASKOV, Commissioner _____

JAMES A. BONFIGLIO, Commissioner _____

RICHARD J. LUCIBELLA, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ____ day of Dec., 2015.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____

GEOFFREY A. PUGH, MAYOR

ATTEST: _____

Karen E. Hancsak, Town Clerk