

**TOWN OF OCEAN RIDGE
AGENDA**



December 7, 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.

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

1. **Minutes of Regular Town Commission Meeting of Nov. 2, 2015**

MOTION	SECOND	DISCUSSION	VOTE
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ANNOUNCEMENTS AND PROCLAMATIONS

2. **The Administrative Offices will be closed on Friday, Dec. 25, 2015 and Friday, Jan. 1, 2016 for the Official Holidays**
3. **The Workshop Meeting to Discuss Possibly Converting Old Ocean Blvd. to a One Way Street is scheduled for Tuesday, Jan. 26, 2016 at 6 PM**

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

PUBLIC HEARINGS

4. **An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Lauring, Mark Lauring, James Lauring, 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. (Continued from 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

5. **Town Manager**
6. **Town Attorney**
7. **Police Chief**
8. **Town Engineer**

ACTION ITEMS

9. **Discuss Shortlist and Interview Process for the Legal Representation Selection By: Jamie Titcomb, Town Manager**
10. **Confirm the Hiring of Tracey Stevens for the New Town Clerk Position By: Jamie Titcomb, Town Manager**
11. **Authorize the Purchase of Three (3) Fully Equipped Police Vehicles from Budgeted Funds By: Jamie Titcomb, Town Manager**

12. **Authorize an Amount Not Exceed \$10,000 to Fund a Portion of the Multi-Jurisdiction Fire Consulting Study By: Jamie Titcomb, Town Manager**

RESOLUTIONS

None

FIRST READING OF ORDINANCES

None

SECOND READING AND ADOPTION OF ORDINANCES

13. **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**
14. **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**

TOWN COMMISSION ITEMS

(Information Items Only – 3 minute limit per item)

ADJOURNMENT

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, November 2, 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 the Budget Meeting in the first sentence of the Oct. 5th minutes should be removed and the typo on page 2 will be corrected to read topic.

CONSENT AGENDA

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

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

Motion Carried – yea (5)

ANNOUNCEMENTS AND PROCLAMATIONS

5. The Administrative Offices will be closed on Wednesday, Nov. 11th, and Thursday, Nov. 26th and Friday, Nov. 27th 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

Nancy Flinn, 5900 Old Ocean Blvd., commented that she was the committee person for the last art show and she was planning another one in March 2016. She was seeking permission to display several paintings from the last art show’s 6 winners during the months of Nov. – Jan. She also asked if the Town would consider lowering the donation from the profits from 30% to 20%. The Commission approved the displaying of the artwork and also agreed on the 20% donation for each painting sold.

James Weege, 19 Sabal Island Dr, reported that the koi pond appears to be finally regulated and there are even baby koi in the pond. He stated that continuing maintenance is planned and any additional donations would be greatly appreciated. He thanked all those that have donated to the pond.

Terry Brown, Harbour Dr So, commented that he felt converting Old Ocean Blvd. into one way and closing off streets was a prelude to closing off the crossovers. He stated if the crossovers were ultimately closed off it would be a violation of Chapter 161 of the Florida Statutes.

Dom Pallaria, 5530 N Ocean Blvd., stated he is currently involved with maintaining the waste water treatment plant that services several multi-family complexes (200+ units). He advised that Town Manager Schenck approached him regarding a sewer pipe being installed along A1A and connecting into the line in Briny Breezes. He was under the impression that the Town or Boynton Beach or Ocean Ridge

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

would fund the new pipe but he has since discovered that neither was funding the project and he did not feel they should have to fund it if other Ocean Ridge residents would ultimately use it. He stated that their system has just obtained permitting for another 5 years. He felt the Town should investigate it further because FDEP will eventually require a conversion from septic to sewers.

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 staff has met with representatives for this project and are addressing several concerns that have been raised. They have requested that this item be continued to the December 7th, 2015 meeting.

Comm. Lucibella motioned to continue this item to the Dec. 7th, 2015 meeting. Seconded by Comm. Allison.

Motion Carried – yea (5).

REPORTS

7. Town Manager

Town Manager Titcomb thanked the Commission for the opportunity to serve the Town. He also thanked the staff for their input during his first week. He advised that Ken Schenck was present to provide the Town Manager Update that he had prepared before retiring.

Manager Schenck reported the following: 1) Spanish River Drive – water is still ponding, staff is analyzing the best way to eliminate the problems and most of the remaining problems are in driveways and not a majority but will need corrected. Once major projects are completed these will be addressed. 2) FEMA Flood Maps – 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 – 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. 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) 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. Four Proposals were opened on Oct. 31 and ranged

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

from \$39,000 – 70,000 (much lower than anticipated). He stated Gulfstream's legal counsel is reviewing the proposals at this time.

9. Town Attorney
 - a. Discuss Town Attorney Replacement Process

Atty Spillias reminded the Commission that his last day will be March 7, 2016 and felt that the process of future legal counsel should be addressed. He stated that there is no legal requirement for RFP's for legal counsel. He outlined the options available, which included: 1) Formal Proposal Process and open to all interested parties within the State; 2) the Town Attorney and Town Manager identifying various firms or attorneys through a solicitation letter requesting the credentials, charges, references, etc.

Atty Spillias reminded the Commission that fees could be charged through a retainer process, blended rate, flat rate or fee per service. He also commented that while his contract for the one year in-house attorney has benefited the Town with the transitions that have occurred he felt the Town should contract out either with a firm or individual in the future.

The consensus of the Commission was for the Town Manager and Town Attorney to distribute a letter of solicitation to various local firms and provide a short list at the Dec. 7th Regular Meeting. There was discussion of possibly advertising with the Florida League of Cities, however; there was concern that there would be multiple responses from firms out the immediate area.

10. Police Chief
Chief Hutchins advised that his report was distributed. There were no questions.

11. Town Engineer
Engineer Tropepe was absent with notice.

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

Mayor Pugh advised that the workshop meeting was originally going to be scheduled for December, however; he was suggesting it be changed to January, after the holidays. He clarified that it would involve Commission and public input.

The consensus was to schedule the meeting in January but announce the date in December thereby providing ample time to the public.

Kristine de Haseth, 29 Sabal Island Drive, stated that a professional traffic study should be done depending on the outcome of the meeting.

13. Approve Approximate \$2,000 Expenditure for Appropriate Signage and Stop Posts in Temporarily Close Midlane Road at Woolbright Road on a Trial Basis

The Town Manager's memorandum provided an approximate cost of \$650 to place 8-11 stop posts (\$550+/-) and also the placement of a metal sign denoting Dead End, Residents Only Dead End or Residents Only No Outlet (\$60+/-). It also included information on several types of speed humps with an approximate cost of \$1,500 and \$2,000 depending on the number needed.

Mayor Pugh opened up public comment.

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

Mark Lacho, 28 Ixora Way, advised he was opposed to the closing citing: the median on Ridge Blvd. creates ingress/egress issues, adding that typically the road gets blocked by landscaping or other types of trucks; Ridge Blvd. doesn't allow for large trucks and felt property damage will occur; the affected homes should be polled; the A1A ingress/egress traffic is more dense thereby creating a safety hazard; the lack of a sidewalk on Ridge Blvd. and speeding that occurs creates a safety hazard with increased traffic; and he felt more consideration should be given to cameras on the bridge.

Don Magruder, 9 Ridge Blvd., stated he was ambivalent about the closure but stated that truck traffic has been coming down Ridge Blvd. for 30 years and there have been no real problems. He felt the affected residents should be polled. He also stated he would not want a Dead End sign and suggested verbiage similar to No Outlet/Residents Only or No Through Traffic/Residents Only. He agreed that vehicles speed on Ridge Blvd. partially in an effort to cut through to get to/from the bridge. He was in favor of the signage and a trial closure for six months.

Jerry Magruder, 9 Ridge Blvd., stated that whether or not she was in favor of the closure vehicles do speed on Ridge Blvd. and felt a traffic study was necessary. She felt her area did experience higher crime.

John Adamovich, 5 Waterview Drive, felt that most residents have returned from the north and that most support the proposal, especially on a temporary basis.

Mark Kruger, 8 Ridge Blvd., was in favor of the closure citing it would assist with security and police issues.

Meg Williams, 11 Ridge Blvd., stated that she uses Midlane Road frequently, however; she realizes there is a security issue. She advised that at least 45 vehicles drive through on a daily basis and there would be increased traffic with the 300+ proposed units at Woolbright and Federal Highway.

Terry Brown, Harbour Dr So, stated that he previously supported the temporary closure but stated that the signage should not include Residents Only.

Noel Bourque, 1 Ixora Way, stated that he was a new resident and agreed with all of the comments and felt a neighborhood watch program is important. He added that speed humps may be an option to stop vehicles from speeding and also cutting through the neighborhood. He was open to signage reading Local Traffic Only and speed humps as a start to start slow. He added that cameras may be necessary in the future.

Steve Coz, 2 Osprey Court, complimented the affected residents on how they have interacted with each other even though they may have differing opinions.

Comm Aaskov stated she lives in the affected neighborhood and did feel that trucks parked on Ridge Blvd. is a problem and more issues would be created if Midlane Road is closed off. She felt there should be polling of all the immediate neighbors.

Comm Bonfiglio stated that he too is an affected neighbor and he is not concerned with the extra ingress/egress time that may occur as a result of the closing. He stated that the permanent closing should be considered in six months based on the success or failure of the trial basis. He stated that the Town needed to figure out which problem/s they are trying to solve. If it is to discourage speeding then speed humps should be considered and if it is crime then a deterrent needs to be considered. He did state that there are other areas that are affected in the same way.

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

Comm Allison felt statistical information is important and if there is more crime concentrated in this area then proposed solutions should be taken. She stated that she has heard more positive than negative feedback on the closing of Midlane Rd.

Comm Lucibella stated that the crime statistics proves that there is a bigger issue in this concentrated area, citing the easy exits from the island. He commented that the residents asked the Commission to solve a problem but nothing comes for free. He agreed with Terry Brown that the roads are public and notice has already been provided through the Town's media availability. He felt there is a difference between public input/comment and polling. He felt the trial closure is 100% reversible in 6-8 months if not well received but the closure should happen now on a trial basis.

Mayor Pugh agreed with Comm Lucibella and stated that the survey provided by the Chief disclosed higher crime stats for this area. Town Manager Titcomb added that there is actually two issues – the crime and speed – and addressing the crime first would assist in effectively measuring the metrics between the two. Chief Hutchins suggested erecting the signs immediately and providing 30 day notice for the closure.

Comm Bonfiglio moved to barricade Midlane Rd at Woolbright Rd with stop posts, erect signage that reads similar to No Outlet/Local Traffic Only at a \$750 total cost, and notify the public through our existing media and written form to the Ocean Ridge Beach Subdivision residents and for the project to be re-evaluated for effectiveness in June 2016. Comm Lucibella seconded the motion.

Motion carried - yea (5).

14. Authorize Budget Amendment/s to the FY 2014/15 Budget

Clerk Hancsak summarized that during the process of FY 2014/15 Year End Closing a preliminary review of the General Fund departments reflected 2 departments will be over budget. 1) Inspection Dept. – In August 2015, the Commission had 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 this amendment it was over budget because we generated more Building permit revenue (an additional \$139,731 or a total 216%) which in turn generated additional inspections and review by our contractor, HyByrd Inspections, Inc. 2) Town Commission Dept. – the Insurance Account had an original budget of \$11,600 but \$13,607 was expended due to the increased D & O insurance renewal costs.

Clerk Hancsak concluded that the State Statute permits municipal governments to amend their budget any time during the fiscal year or within 60 days of fiscal year end provided the amendment is for appropriation for expenditures within the same fund and is completed by motion and the fund is not changed. We have remaining funds in the Contingency Account (\$29,000) and request that some of those funds be transferred to the Inspection Professional Services Account (\$7,000) and the Town Commission Insurance Account (\$1,000). Transfers would be strictly internal and not affect the overall budget. These amendments will total \$8,000.

Comm. Bonfiglio motioned to authorize the Internal Budget Amendments for FY 14/15 and also approve amending the budget to reflect the approved contingency expenditures during the FY 2014/15. Seconded by Comm. Allison.

Motion Carried – yea (5).

REGULAR TOWN COMMISSION MEETING HELD NOVEMBER 2, 2015

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

Clerk Hancsak read the ordinance by title only.

Clerk Hancsak explained that the P & Z Commission recommended and the Commission concurred amending Section 66-117 to extend the prohibition for planting invasive plantings to single family and duplex residences. This is first reading.

Comm Bonfiglio moved to adopt Ordinance No. 612 on first reading, seconded by Comm Lucibella.

There was no public comment.

Motion carried – yea (5).

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

Clerk Hancsak read the ordinance by title only.

Clerk Hancsak explained that the P & Z Commission recommended and the Commission concurred to amend Section 67-51 and the definitions to include requirements relative to partial demolition permits and the prevention of blight.

Comm Bonfiglio moved to adopt Ordinance No. 613 on first reading, seconded by Comm Aaskov.

There was no public comment.

Motion carried – yea (5).

Commission Allison questioned the status of the Town Clerk applications. Town Manager Titcomb advised that he has reviewed the 11 applications that have been received since July and he was aware of a few potential applicants. He stated that he should be prepared to make recommendations at the Dec. 7th Regular Meeting.

Meeting Adjourned at 7:40pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella

Agenda: Dec. 7, 2015
Memo: Item #4

Town of Ocean Ridge, Florida
P & Z Commission Agenda Memorandum
Office of the Town Clerk

Subject: 92 – 94 Island Drive South Replat Request

Request:

The applicants, Everlast Realty LLC and Sunshine Estate Trust, request approval of a replat to reconfigure Lots 92, 93 and 94, McCormick Mile Add No 1 (92-94 Island Drive South) into three new configured lots. The applicant appeared before the P & Z Commission on Aug. 10, 2015. (see attached P & Z Commission Minutes from Aug. 12, 2015).

Background/ Discussion of Proposal:

The applicants have owned 92 Island Dr So since 2006 and 94 Island Dr So since 1996. Each of these parcels also include ½ of Lot 93. They would like to replat the original platted lots into three new lots in order to eventually build on Lot 93. However; the driveway and septic system currently encroach onto Lot 93. Staff had recommended to the P & Z that the plat not be recorded until the encroachments have been relocated because a similar request was made for Hudson Ave. In that case the home was not demolished until a couple of years after that plat was recorded. The applicant requested that the plat be approved and recorded with a contingency that the encroachments be removed prior to the submittal of any building permits. Staff then in turn suggested, based on Town Attorney approval, that the plat could be approved contingent on the encroachments being removed prior to the sale of any of the parcels.

Since the P & Z meeting the applicants have submitted a revised plat containing the requested minor changes by our Town Engineer, Engenuity Group. In addition to those changes the applicant added on the General Utility Easement that "the private on-site sewage treatment and disposal system and related components may be included in the General Utility Easement". It was discovered that Lot 92's drainfield would definitely encroach into this easement as this is already existing. However; the Town should be cautious to any future encroachment for Lot 93 or Lot 94 because this could definitely present an issue if the Town wanted to utilize this proposed easement at the end of a cul-de-sac. Obviously the septic/drainfield is a necessity to a home and if located in the easement may hinder the use of a general utility easement in the future. Just as an example, this would be similar to constructing a retaining wall within an easement, which may be required to stabilize a structure, and then could never be moved once constructed.

The application also includes a Release of Unity of Title request for Lot 94 and ½ of Lot 93. Lot 92 and ½ of Lot 93 do not have a recorded Unity of Title. They are also requesting a release of the 2.5' easements that run on each side of the center of Lot 93 for the proposed 10' General Utility Easement adjacent to the Island Dr So ROW for all 3 properties, already explained above.

Prior to any actual permitting it will be necessary for the applicant to submit any and all required documents for zoning/building review and each property must meet all zoning regulations.

Legal Issues:

The attorney will be present at the meeting.

Fiscal Impact:

Such a project would not negatively impact the Town as the original plat reflected 3 lots.

Staff Recommendation:

Staff recommends approval of the replat, contingent on Town Engineer approval and also the removal and relocation of the encroachments on Lot 93 to Lot 94, with passed final inspections, or possibly contingent on the removal and relocation of the encroachments on Lot 93 to Lot 94 prior to the sale of any of the properties prior to recordation. Staff also recommends that there be no on-site sewage treatment and disposal system or related components permitted within the new proposed dedicated easement on Lot 93 or Lot 94 (Lot 92 would be grandfathered since it is already existing)

PLEASE REMEMBER TO BRING YOUR PACKETS WITH YOU.

UPDATE FOR OCTOBER 5, 2015 MEETING

The applicant has requested this meeting be continued in Oct., Nov, and now December while they continue to address the concerns raised by the staff. In order to continue the Public Hearing it will be necessary to continue it to time certain.

Staff recommends continuing this application request until the Jan. 4, 2016 Regular Commission Meeting at 6 PM.

**Town of Ocean Ridge**

Memorandum

Date: December 2, 2015
To: Honorable Mayor and Commissioners
From: Jamie Titcomb, Town Manager
Re: Town Manager Update Report, December 2015

Here are brief updates on some of the Town's projects and events.

Midlane Road Closure

We are poised to install barriers at Midlane and Woolbright Roads. "No thru/local only" signage went up right after the Commission authorization on both Midlane and Ridge. Letters were mailed hard copy to all Ocean Ridge Beach subdivision residents. Pylons were ordered for the closure. Most recently, email news/ social media blasts went out on the pending closure. The Town Engineer wants to assure we are installing to FDOT standards and that Palm Beach County (right of way owner) has no concern, this has set us back a short while on the physical installation of the closure cones. I will be reporting on the timeline at the meeting on the finish date and status. Residents should expect a heightened series of unintended impacts initially as everyone gets used to the closure configuration, especially along Ridge. Police enforcement to mitigate negative impacts will be increased accordingly.

Barrier Island Fire District

We are meeting on the 8th and 9th this week in individual town, city and agency interviews with the selected consultants for the study. This is the first official data/information gathering under the newly let contract being managed by Gulf Stream. As the contract came in at a rate below original projections (up to \$15K), each municipality's prorated share was reduced. The cost share for Ocean Ridge at this time is \$9600. We have an agenda item tonight to authorize these funds officially out of contingency.

Town Landscaping Special Projects

Many Town areas are in need of substantial maintenance, removal or replacement of vegetation. In example: Ocean Avenue palms and hardwood trees, Coconut Lane trees, neighborhood entryway islands, bridges and medians, etc. Our drainage retention areas, rights of way and beach crossovers need additional scrutiny as well. We have contracts and agreements currently with Chris Wayne Associates, Able Tree and functions maintained by our own Public Works Department. Town kiosks and other installations ideally should be updated and beautified as well. While I will work within existing budget to get these jobs done, we should consider design proposals for "high visibility" signature beautification projects in the next budget cycle.

General Update

I am meeting daily with residents, vendors, staff and other intergovernmental associates to assess and recommend next steps on all Town issues. I welcome open communications with all interested parties.

Agenda: December 7, 2015
Memo: Item #7

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of Police Chief

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

Mayor and Town Commissioners:

Attached you will find the October 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.

Attached you will find a commendation issued to Investigator Jones for his exemplary work on the arrest of an auto burglar during the month of October.

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



Agenda: December 7, 2015
Memo: Item # 9

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Manager

**Subject: Discuss Shortlist and Interview Process for the Legal Firm
Representation and Selection**

Mayor and Town Commissioners:

Each of you have received a package of service proposals and credentials submitted by seven responding and interested legal firms or attorney groups seeking to represent the Town of Ocean Ridge as general counsel upon the retirement of Town Attorney Ken Spillias. We need Commission consensus on the firms you are interested in hearing from directly to represent the Town; as well as a procedure for short-listing and selecting the final firm(s).

RECOMMENDATION

Staff recommends:

Each Commission member having reviewed the submitted letters of interest should indicate their personal "top three" firms. We will use that tally to create a consensus matrix of interest in the firms to present. We then will invite the agreed upon firms to make an in-person presentation to the Town Commission at an upcoming Special Meeting set in the near future. As a special meeting, the Town Commission will have the ability to act upon a decision if one is made at the time of presentations, or enact a follow up finalist selection criteria if further shortlisting is warranted.



Agenda: December 7, 2015

Memo: Item # 10

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Manager

Subject: Confirm Hiring of Tracey L. Stevens for new Town Clerk

Mayor and Town Commissioners:

Each of you have received background information about the 12 received applications advertised for by the Town for candidates to be the new Town Clerk. After carefully vetting of all applicants received, updating their availability status and interviewing in house staff, the Town Manager extended the offer of employment to Tracey Stevens, CMC, CCM and Notary. Her short memo, biographical info and offer letter are attached.

RECOMMENDATION

Staff recommends:

As per Town code and policy, the Town Manager recommends Commission ratification for the hire of Ms. Tracey L. Stevens. CMC, CCM to be the next Ocean Ridge Town Clerk. She is available to start on January 4th, 2016, which will allow nearly a month of orientation overlap with retiring Town Clerk Karen Hancsak, CMC.

Special Duties Compensation:

The Town Manager also recommends the Commission grant special "assignment pay" (As referenced in our PBA Contract, Article 16 Assignment Pay) for the Town Clerk for the additional time and energies required to orient/train the incoming Clerk, while performing all the normal functions of her office during the last month of her official employ.

TOWN OF OCEAN RIDGE

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www.oceanridgeflorida.com
(561) 732-2635 ♦ FAX (561) 737-8359

GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

JAMES S. TITCOMB
TOWN MANAGER



COMMISSIONERS
GAIL ADAMS AASKOV
DR. LYNN L. ALLISON
JAMES A. BONFIGLIO
RICHARD J. LUCIBELLA

MEMORANDUM

Date: December 1, 2015
From: Jamie Titcomb, Town Manager
To: Honorable Mayor and Commissioners
Re: Recommendation for Hire of New Town Clerk

Background:

The Town advertised for and received 12 applications (since July 2015), including one in-house employee, for interested and qualified candidates to replace long-time retiring Town Clerk Karen Hancsak, CMC. The Commission wisely opted to postpone the hire until after a new Town Manager was seated as these positions work closely together. There was also stated desire by the Commission to look to rebalance the position to traditional duties and job delineations.

I vetted the applications and interviewed candidates of interest, including our in-house applicant. 4 applicants have CMC (Certified Municipal Clerk) status, and 3 have extensive (7 to 10+years) on-the-job experience as a Town Clerk at time of review. I utilized these important markers as measurable metrics for my short listing. Several candidates have since been hired elsewhere, likely because of delays since initial advertisement.

Our Police Department ran requested background and credit checks and find no known cause for concern. All necessary background requirements will be completed prior to official hire. I also held discussions with key staff garnering insights on the organization and attributes to make it even better. My goal is maintaining the high quality, collaborative team in the front office.

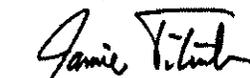
Town Manager's Recommendation:

I am recommending a candidate currently employed as a Town Clerk elsewhere, but who ready to give notice to accept this opportunity. Per protocol, I seek Commission ratification for this new hire. The new Town Clerk candidate should be able to start on, or about January 4th allowing almost a month "overlap" with our current retiring Town Clerk for orientation purposes.

This candidate's work ethic, personal ethic and quality of output are known to me first hand, as I worked with them in a previous Town Manager assignment. She brings demonstrated best practices, superb capabilities and a low-key personality to fit in as an essential team member.

I recommend we hire Tracey L. Stevens, CMC for the position of the Town Clerk.

Respectfully yours,


Jamie Titcomb
Town Manager

November 2, 2015

#12

Town of Ocean Ridge
Town Hall
6450 North Ocean Blvd
Ocean Ridge, FL 33435

RECEIVED

NOV 12 2015

TOWN OF OCEAN RIDGE

To Whom It May Concern:

My name is Tracey Stevens, and I am a Town Clerk from Maine who has recently relocated to Florida with my family and currently serve as Town Clerk of the Town of Melbourne Beach. I am submitting my resume for your review, as I have a strong desire to continue my work in the Municipal Clerk field.

While I was a Town Clerk in Maine, I conducted Federal, State, County, Municipal and School elections at the Municipal level, and served as the Supervisor of Elections under the direction of the Secretary of State. I have over 11 years of experience in the Municipal Clerk field, and a thorough knowledge of the laws and procedures of the office of Municipal Clerk including elections. In fact, I was a certified instructor for Voter Registration, and worked alongside the Deputy Secretary of State to make sure all of the Clerks and Deputy Clerks in Maine were properly trained. I was also the Chairperson of the Legislative Policy Committee for the Maine Town & City Clerks' Association and advocated for Clerks at the State House on proposed legislation affecting the office of the Municipal Clerk. I held the title of Maine Town Clerk of the Year in 2014, and Rookie Town Clerk of the Year in 2007. I have over 20 years experience in the business field, I'm a Certified Municipal Clerk (CMC) as recognized by the International Institute of Municipal Clerks', a Lifetime Certified Clerk of Maine (CCM), and a Notary Public of Florida. I also hold an Associate's Degree in Business Administration.

I have recognized over the years that my passion is providing the best possible service to the public as a Municipal Clerk. Not only am I passionate about my work, but I'm extremely ambitious and have a very high work ethic. I am always looking for a new challenge, and I believe holding a position in the Town Clerk's office of a vibrant community will provide me with those challenges as I continue to learn and grow in the profession. It would be my honor to serve the citizens of Ocean Ridge.

I would be very happy to discuss my experience and credentials with you and show you how I can put my skills to work for the benefit of Ocean Ridge. Please feel free to contact me with any questions you may have, or to schedule an interview at your convenience. I can be reached on my cell phone at [REDACTED], or via e-mail at [REDACTED]

Thank you for your time and consideration. I look forward to hearing from you.

Sincerely,



Tracey L. Stevens, CMC, CCM

Enclosures

Tracey L. Stevens, CMC, CCM

1685 Sawgrass Dr SW, Palm Bay, FL 32908

PROFESSIONAL PROFILE

- Young, dynamic candidate with strong work ethic seeking to expand career
- Resourceful and knowledgeable in the business and accounting fields
- Excellent decision making abilities, customer service, and oral and written communication skills
- Extremely efficient, detail oriented, self-motivated individual
- Capability to manage multiple projects simultaneously

SELECTED ACCOMPLISHMENTS

- Fairfield Town Council Chair 2013, elected for a 1-year term
- 1st Vice-President, Maine Town & City Clerks' Association 2013 to present
- Maine Town & City Clerks' Association Executive Board Member, 2010 to present
- Maine Town & City Clerks' Association Legislative Policy Committee Chair, 2010 to present
- New England Municipal Clerks' Institute & Academy Executive Board Member, 2010 to 2014
- Maine Town & City Clerks' Association Website & Technology Committee Chair, 2012-2013
- President, Somerset County Municipal Clerks' Association, 2009 to 2012
- Maine Town & City Clerks' Association Rookie of the Year Award Recipient, 2007
- Maine Town & City Clerks' Association President's Award Recipient, 2011
- State of Maine Legislative Sentiment Recipient 2011
- Maine Town Clerk of the Year, 2014

EMPLOYMENT HISTORY

- Town Clerk & Records Management Liaison Officer
Town of Melbourne Beach, FL, June 2015 to Present
- Town Clerk & Voter Registrar
Town of Freeport, Maine, April 2012 to May 2015
- Town Clerk, Voter Registrar, Welfare Director, Webmaster & Community Center Manager
Town of Fairfield, Maine 2004 to April 2012
- Managerial Accountant
Motivational Services, Augusta, Maine 2000 to 2004
- Accounts Payable & Payroll Clerk
Pike Industries, Lewiston, Maine 1997 to 2000
- Accounts Receivable & Data Entry Clerk
PSC, Inc., Tacoma, Washington 1996 to 1997
- Executive Assistant & Production Analyst
Avlan Farms, Waterville, Maine 1989 to 1996

EDUCATION

- Certified Municipal Clerk (CMC) and Lifetime Certified Clerk of Maine (CCM)
- Certified Welfare Director of Maine
- Notary Public of Florida
- New England Municipal Clerks' Institute Graduate 2010
- Thomas College Graduate, Waterville, Maine
Associates Degree in Business Administration 2001
- Messalonskee High School Graduate, 1989, Oakland, Maine

REFERENCES — Provided upon request

TOWN OF OCEAN RIDGE

6450 NORTH OCEAN BOULEVARD
OCEAN RIDGE, FLORIDA 33435

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GEOFFREY A. PUGH
MAYOR, CHAIRMAN OF COMMISSION

JAMES S. TITCOMB
TOWN MANAGER



COMMISSIONERS
GAIL ADAMS AASKOV
DR. LYNN L. ALLISON
JAMES A. BONFIGLIO
RICHARD J. LUCIBELLA

Mrs. Tracey L. Stevens, CMC, CCM
1685 Sawgrass Dr. SW
Palm Bay, FL 32908

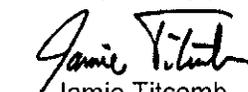
Dear Tracey:

I am pleased to offer you employment as the new Town Clerk for the Town of Ocean Ridge with your effective start on, or about January 4, 2016. In the month of January you will co-hold the position along with the long-time retiring Town Clerk, who will orient you on local matters and Town policies until her last official day on January 29th. Once confirmed by the Town Commission (agenda item December 7th) you will become official, pending successful outcomes on final background and hiring requirements of the Town. Below is a brief summary of the salary and benefits being offered with this position. I look forward to working with you!

1. A starting salary of \$65,500. You will receive an annual review and consideration for increase on or before your anniversary date.
2. Enrollment in Florida Retirement System (FRS) at 7.26% contributions per Town policy.
3. Town provided standard employee insurance and benefits program including health, short and long term disability, term life and other coverages, paid holidays, vacation and leave time and other benefits (please see separate summary of Town benefit options).
4. You will receive two weeks of vacation initially being banked on your starting date for the first year. After your first full year of employment, your vacation time will increase as earned at the normal accrual rate.
5. Sick time is accrued at the rate of 3.08 hours per pay period. Upon departure from employment, one quarter of total accumulated time will be paid based on an eighty (80) day maximum (1/4 equating twenty (20) days actual pay).
6. You will have eleven paid holidays.
7. You may attend professional conferences and continuing certification programs as approved and budgeted by the Town Commission.

Your total package and benefits will be gone over with you in person pending acceptance of our employment offer and ratification by the Town Commission. If you have any questions regarding the above terms and conditions of employment, please feel free to contact me.

Respectfully yours,


Jamie Titcomb
Town Manager

Agenda: Dec. 7, 2015
Memo: Item # 11

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Clerk

Subject: Authorize the Purchase of three (3) fully equipped Police Vehicles from Budgeted Funds

Mayor and Town Commissioners:

Attached please find the memorandum prepared by Chief Hutchins explaining the request to purchase three fully equipped police vehicles. The Commission approved \$117,000 in the budget for the total cost of the vehicles. As outlined in his memo the total cost should be less than \$113,000 utilizing the Florida Sherriff's bid price, however; staff is still researching the possibility of an even lower cost than the piggyback price through a private vendor. Chief Hutchins is proposing to use the excess funds (\$4,000) to purchase a new police radio.

RECOMMENDATION

Staff recommends approval of a total \$117,000 for the purchase of the vehicles, associated equipment and radio.

**Ocean Ridge Police Department
Inter-Office Memo**

To: James S. Titcomb, Town Manager
From: Hal C. Hutchins, Chief of Police
Date: November 30, 2015
Subject: Purchase of Police Vehicles



As part of the 2015-2016 budgeting process, the Town Commission approved the purchase of three fully equipped replacement police patrol vehicles at a cost not to exceed \$117,000.

Based upon the condition of the current fleet, I am requesting this item be placed on the December 7, Town Commission agenda for approval to purchase of these vehicles.

After great consideration and review of the Police Department's experience with the current fleet, a decision has been made to recommend purchase of two 2016 Ford Interceptor Utility vehicles (Explorer Model) and one Dodge Charger sedan.

As these vehicles will be replacing the discontinued Ford Crown Victoria platform, the vehicles will require complete upfit with new equipment. The cost budgeted considered this factor and the funds have been earmarked to facilitate the transaction.

Some of the factors used in determination of the replacement platforms included; review of maintenance history of our current patrol vehicle platforms, consultation with outside agency fleet managers, consultation with factory engineers, and the input from both police leadership within the agency and the patrol officers assigned to patrol in these vehicles. During this exercise it was discovered that the Ford Taurus platform is under consideration for replacement and the maintenance issues we experienced with the Chevrolet Caprice is not sustainable for the agency, beyond one vehicle, due to extensive downtime due to repair and recalls.

It is the opinion of staff that this mix of vehicles will best serve the Town and allow for consideration of further introduction of the Dodge police platform into our fleet.

Breakout of Expenditures:

Ford Interceptor Utility K8A

Florida Sherriff's Association Bid Base Price..	\$ 25,487.00
Headlamp refit 86P	\$ 124.00
Door lock Inop 68G	\$ 34.00
Rear Windows Inop 18W	\$ 24.00
Courtesy Lamp Disable 43D	\$ 19.00
Dome Lamp R/W 17T	\$ 49.00
Reverse Sensing 76R	\$ 274.00
Tag Transfer TX	\$ 150.00
5yr/75,000 Extended Warr. CP575	\$ 2585.00

Sub-Total \$ 28,746.00

Graphics Police Markings by Graphic Design \$ 475.00

Vehicle Upfit/ "Strobes-r-Us" Pompano Beach Fl.
(Sole source local installer with local service)

See attached equipment and install quote \$ 9,381.13

Ford per vehicle total \$ 38,602.13

Dodge Charger/ RWD LDDE48

Florida Sherriff's Association Bid Base Price..	\$ 21,569.00
Engine Pkg 29A	\$ 2,228.00
Door lock Inop CW6	\$ 74.00
Visor Vent RSSO	\$ 145.00
Tag Transfer TER	\$ 100.00
Spotlight LED	\$ 199.00
Back Up Cam 27b/29b	\$ 348.00
5yr/75,000 Extended Warr. MPXW575	\$ 3835.00

Sub-Total \$ 28,498.00

Graphics Police Markings by Graphic Design \$ 475.00

Vehicle Upfit/ "Strobes-r-Us" Pompano Beach Fl.
(Sole source local installer with local service)

See attached equipment and install quote \$ 6754.96

Dodge per vehicle total \$ 35,727.96

Total calculated expenditure for Two Ford/ One Dodge \$112,932.22

As we are in the process of transition to a P-25 compliant radio system, the remainder of \$4067.00 will be allocated to purchase of Police radios for these three vehicles as equipment becomes available.

Attached you will find the supporting documentation for this expenditure request.



Agenda: December 7, 2015
Memo: Item # 12

Town of Ocean Ridge, Florida

Agenda Memorandum

Office of the Town Manager

**Subject: Authorize an Amount Not Exceed \$10,000 to Fund a
Portion of the Multi-Jurisdiction Fire Consulting Study**

Mayor and Town Commissioners:

The Town of Ocean Ridge agreed to participate in the Multi-Jurisdiction Fire Consulting Study for exploration of issues, costs and logistics to improve Fire Rescue Service Providers and options to the barrier islands beachside communities into the future. The Towns of Gulf Stream, Briny Breezes, Ocean Ridge, Manalapan, and South Palm Beach are currently parties to the study. The Town of Highland Beach dropped out of the study, as its needs are covered currently to their satisfaction and they are not adjacent and contiguous to the others. The Commission had conceptually approved up to \$15,000 for this purpose with the desire for it to return for action when details were determined. The unexpected lower cost of the winning competitive bid reduced the Town's proportional share accordingly to an estimated \$9,600.

RECOMMENDATION

Staff recommends:

Authorize an Amount Not Exceed \$10,000 from Budgeted Contingency to Fund the Town's Portion of the Multi-Jurisdiction Fire Consulting Study. The Town of Gulf Stream is managing the consulting contract and will invoice the participating communities for their share.

Agenda: Dec. 7, 2015
Memo: Item # 13

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. The Commission approved this on first reading on Nov. 2, 2015.

Attached please find Ordinance 612.

RECOMMENDATION

Staff recommends adopting Ordinance 612 on second 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 # 14

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. The Commission approved this on first reading on Nov. 2, 2015.

Attached please find Ordinance 613.

RECOMMENDATION

Staff recommends adopting Ordinance 613 on second 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