

REGULAR TOWN COMMISSION MEETING HELD DECEMBER 7, 2015

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, December 7, 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

Atty Spillias requested to add Item 12a - Addendum to his Employment Agreement extending his contract to 3/7/16. Comm. Allison also requested to speak under Town Commission Comments at the end of the meeting.

CONSENT AGENDA

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

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

Motion Carried – yea (5)

ANNOUNCEMENTS AND PROCLAMATIONS

2. The Administrative Offices will be closed on Friday, Dec 25, 2015 and Friday, Jan 1, 2015 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 6PM.

PUBLIC COMMENT

Gerry Magruder, 9 Ridge Blvd, felt that closing off Midlane Rd would eliminate cut through traffic to Adams Road. She stated her concern for terrorist activity, and asked how Ocean Ridge would warn the residents of potential threats. She complimented that the anthrax scare in their neighborhood a few years ago was handled very efficiently.

Chief Hutchins assured the residents that our police department is actively participating and sharing information daily between local and federal agencies. Since 9/11 there is an established protocol, and the residents would be notified of any threats or danger. Currently there is no threat to our area.

Justus Brown, 39 Coconut Lane, thanked the Commission for the Holiday Party on Friday, December 4th. He commented that he felt that creating a new dead end street would prelude other requests and did not feel the Town should pay for the luxury of others.

Kristine de Haseth, representative of the Ocean Ridge Garden Club presented a poinsettia plant to Clerk Hanscak and thanked her for her help throughout the years to the Garden Club.

Terry Brown, Harbour Drive So, was concerned with the rise of the sea level in Ocean Ridge. Miami is drowning, and Key West has had a sea level rise of 9". He requested that the Commission schedule a future meeting regarding the impact on the Town's infrastructure, citing that some roads will need to be totally rebuilt. He also encouraged property owners to maintain their dunes, and for the barrier island communities to seek a collaboration approach for grant funding.

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Nancy Hogan, 37 Hibiscus Way, questioned the purpose of the Speed Radar in her neighborhood. She was also concerned that the heavy rains had caused drainage problems and seawall issues from 33 Hibiscus Way and pictures had been dropped off to Town Hall. Clerk Hancsak stated that the photos had been forwarded to Engineer Tropepe, and a courtesy inspection was scheduled for Tuesday.

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 replating 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)

Clerk Hancsak read the application. Atty. Spillias stated that the representatives for this project have requested that this item be continued to the January 4th, 2015 meeting.

Comm. Bonfiglio motioned to continue this item to the January 4th, 2015 meeting. Seconded by Comm. Allison.

Motion Carried – yea (5).

REPORTS

5. Town Manager

Manager Titcomb reported the following: 1) Midlane Road Closure – There has been a short set back while the Town Engineer is verifying the FDOT standards and also that Palm Bch Co has no concerns. The No Thru/Local Only” signage has been installed, and letters were mailed to all Ocean Ridge Beach Subdivision Residents. Pylons have also been ordered. The residents should expect some unintended impacts as everyone gets used to the closure configuration. Police enforcement to mitigate negative impacts will be increased accordingly. *He also commented that additional pylons are needed and painting of lines on the streets will be required. He suggested approving an additional \$250 - \$350 to complete the project.* 2) Barrier Island Fire District – Meetings with the selected consultants for the study and communities will take place this week. 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, each municipality’s prorated share was reduced from \$15,000 to \$9600. There is an agenda item tonight to authorize these funds officially from contingency. 3) Town Landscaping Special Projects – many areas in town need substantial maintenance, removal or replacement of vegetation including entryway islands, bride, medians, retention areas, right of ways, crossovers and Town kiosks. We have contracts and agreements with Chris Wayne Associates and Able Tree, and some areas are maintained by our own Public Works dept. We should consider design proposals for “high visibility” signature beautifications projects in the next budget cycle. *The sea level rising was also acknowledged and there was mention of future inspections and possibly studies that may be required to adequately prepare the Town.*

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Comm Lucibella moved to approve an additional \$1,000 to complete the temporary Midlane Road closure, seconded by Comm Allison.

Motion carried – yea (5).

6. Town Attorney

Atty Spillias commented that the Town was provided information regarding a pending a federal class action suit concerning the distribution of unsolicited fax advertisements. He mentioned that the Town could either stay in the suit and receive approximately \$500 or withdraw. No action was required to remain in the suit. The consensus was to remain in the suit.

Regarding the suit involving the Inspector General, Atty Spillias mentioned that Palm Beach County has requested a time extension after at which time the municipalities also will have an opportunity to seek an extension.

7. Police Chief

Chief Hutchins advised that his report was distributed. He also mentioned a recent commendation for Investigator Jones. There were no questions.

8. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

9. Discuss Shortlist and Interview Process for the Legal Representation Selection By: Jamie Titcomb, Town Manager

Town Manager Titcomb commented that the Commissioners have all been provided with the correspondence received from the seven interested attorneys and/or firms (several additional firms did not respond). At this point staff was seeking direction on how the Commission wanted to proceed with the vetting process and subsequent meetings.

Atty Spillias reiterated that the Commission directed staff to send letters of interest and identify the solicited and unsolicited responses received, of which seven firms responded. He stated that he was had professional dealings with all seven and they were all capable firms. He summarized each firm based on size, sole practitioner or multi-attorney firm, and governmental experience.

The consensus of the Commission was to submit a short list of 3-4 firms prior to the Jan. 4th meeting at which time a special meeting to conduct interviews will be scheduled and a selection made, with an anticipated start date in February.

Stella Kolb, 204 Beachway Drive, cautioned the Commission on selecting a firm that may have a potential conflict of interest with other towns they may be representing.

10. Confirm the Hiring of Tracey Stevens for the New Town Clerk Position By: Jamie Titcomb, Town Manager

Town Manager Titcomb advised that the Town had advertised for the new Town Clerk back in July and any decisions for hire were delayed until the new Town Manager was in place. He reviewed the 9 resumes originally received, along with an additional 3 (including one in-house candidate), and short listed the candidates based on an experience matrix. Several candidates have since been employed elsewhere. After narrowing the list, Manager Titcomb was recommending and made an offer to Tracy Stevens (who was also present in the audience) for hire effective Jan. 4, 2016. He advised that he

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previously supplied the Commission with her resume and offer. He added that he also knows her personally and felt she was the best fit for the job.

Comm Aaskov moved to confirm the hiring of Tracy Stevens as the next Town Clerk based on the offer letter supplied by the Town Manager. Comm Bonfiglio seconded the motion.

Comm Allison clarified that Ms. Stevens would have the standard probationary period (six months) as outlined in the Employee Handbook and that any increases would be based on the annual review to which Manager Titcomb advised any increases would be based the same as other employees. He did state that the only difference in this hire was that his offer included 2 weeks of banked vacation time.

Terry Brown, Harbour Dr So, commented that the salary should possibly be higher. Comm Allison commented that Lantana had recently advertised for a Town Clerk with a salary between \$58,000 and 62,000.

Motion carried – yea (5).

The Commission and audience welcomed Tracey Stevens.

Town Manager Titcomb also stated that because the current Town Clerk has performed many functions he was recommending that she receive special compensation for the additional training that will be required for the next two months. He stated the Employee Manual (through the PBA contract) allows for special compensation and he was suggesting 10% of her annual salary. He added that once she ends her employment and completes her drop period with FRS she cannot perform any consultant duties. He also stated the retirement longevity bonus is separate and will be addressed next month.

Comm Bonfiglio moved to authorize an increase in salary of \$13,000, equivalent to 1/6 of her current annual salary, to be taken from the Contingency Account. Comm Lucibella seconded the motion.

Motion carried – yea (5).

Town Clerk Hancsak thanked the Commission.

11. Authorize the Purchase of Three (3) Fully Equipped Police Vehicles from Budgeted Funds By:
Jamie Titcomb, Town Manager

Chief Hutchins stated that based on the condition of the current fleet and that \$117,000 had been approved in the FY 15/16 Budget, he was recommending the purchase of three new vehicles. The vehicles included 2 – 2016 Ford Interceptor Utility Vehicles (Explorer Model) and one Dodge Charger sedan. The total costs include upfit with new equipment for all three vehicles. His justification and costs, previously distributed to the Commission, were discussed. The maximum total for the three vehicles is \$112,932.22, however, there is a possibility that it may be lower if the Town purchases 2 from a previous vendor, whose costs have been lower than that Florida Sherriff's Assoc. Bid Base Price. He added that the excess funds (\$4,000) can be used to purchase a new police radio.

Comm Lucibella moved to authorize the purchase of three police vehicles as outlined in the Chief's memo at a cost not to exceed \$113,000 from budgeted funds. Comm Allison seconded the motion.

Motion carried – yea (5).

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

Town Manager Titcomb advised that the Commission had previously agreed to participate in the Multi-Jurisdiction Fire Consulting Study to explore the issues, costs, and logistics to improve Fire Rescue Service Providers and options to the barrier island communities. The Commission conceptually approved \$15,000, however; the cost has been reduced to \$9,600. He recommended an amount not to exceed \$10,000.

Comm Bonfiglio moved to authorize an amount not to exceed \$10,000 from the Contingency Account to fund the Town's proportional share of the Multi-Jurisdiction Fire Consulting Study. Comm Aaskov seconded the motion.

Motion carried – yea (5).

12a. Authorize Addendum to Employment Agreement with Ken Spillias

Atty Spillias commented that the addendum was to extend the term of the agreement through the March 7, 2016 Regular Commission Meeting.

Comm Bonfiglio moved to approve the addendum extending the employment date through March 7, 2016, seconded by Comm Allison.

Motion carried – yea (5).

Atty Spillias commented that he anticipated that the new law firm would begin 1-2 weeks prior to March 7, 2016.

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

Town Clerk Hancsak read Ordinance No. 612 by title only and summarized the ordinance.

Comm Bonfiglio moved to adopt Ordinance No. 612 on second reading. Comm Aaskov seconded the motion.

There was no public comment, other than support voiced by Kristine de Haseth on behalf of the Garden Club.

Motion carried – yea (5).

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 Clerk Hancsak read Ordinance No. 613 by title only and summarized the ordinance.

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Comm Bonfiglio moved to adopt Ordinance No. 613 on second reading. Comm Allison seconded the motion.

There was no public comment.

Motion carried – yea (5).

Meeting Adjourned at 7:30pm.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella