

TOWN COMMISSION MINUTES
FEBRUARY 1, 2016

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, February 1, 2016, at 6:00 PM in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Pugh. Town Clerk Stevens led the roll call, which was answered by the following:

Vice Mayor Allison
Commissioner Lucibella

Commissioner Bonfiglio
Mayor Pugh

Let the record show Commissioner Aaskov is absent with notice.

Mayor Pugh led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

There were no modifications to the agenda.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of January 4, 2016.
2. Minutes of Special Town Commission Meeting of January 14, 2016.

Vice Mayor Allison moved to approve the Agenda and Consent Agenda as amended; seconded by Commissioner Bonfiglio. Motion Carried 4-0.

ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Pugh read the announcements for the public:

3. The Administrative Offices will be closed on Monday, February 15, 2016 for the Official President's Day Holiday
4. 2016 Municipal Election/Eleccion Municipal 2016
 - a. Proclamation for Election Held on March 15, 2016/Proclamacion para eleccion sostenida el 15 de marzo de 2016
 - b. One Commission Seat Open for a Three Year Term/Comision uno puesto para tres anos cada
 - c. Qualified Candidates are Lynn Allison and Steve Coz/Candidatos calificados son Lynn Allison y Steve Coz
5. Proclamation Declaring February 22 – 28, 2016 as "Eating Disorders Awareness Week"

PUBLIC COMMENT

Justus Brown, 39 Coconut Lane, stated he wants to place round stones on the easement to keep people from running over his grass. Attorney Spillias informed Mr. Brown that there is a specific process outlined in the Town Code related to this request regarding an indemnification agreement, and he suggested that Mr. Brown go to Town Hall to discuss the issue with Town Manager Titcomb.

Kristine DeHaseth, 29 Sabal Island Drive, noted that there is a Fire/EMT survey on the Town' website for everyone to fill out to see if residents are happy with services, and she encouraged everyone to fill it out. Ms. DeHaseth thanked the Commission for holding the workshop regarding the Old Ocean Boulevard project. She also mentioned a new group called the Boynton Coalition for Responsible Development, which

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consists of representatives from 3,600 households, of which 2,800 are Boynton residents. She would like to see Ocean Ridge residents involved with the coalition.

Terry Brown, Harbor Dr South, mentioned that the purpose of the public comments section of the Commission agenda is for citizens to talk to the Commission about anything related to Town Government, and comments should be respected. He stated he has a right to speak about how town funds are used. He also stated the workshop about Old Ocean Boulevard was almost unanimous to leave it alone, so he was disappointed that three Commissioners were talking about making changes at the end of the meeting.

Stella Kolb, 204 Beachway Drive, commended the Commission for the informative meeting on Old Ocean Boulevard. She believes everyone took a lot away from that meeting, and she did not hear what Mr. Brown heard at that meeting. She heard at that meeting that there are some problems, and that maybe a speed bump or extra patrolling, or maybe some other things could happen to make it better. She stated that citizens should not be disrespectful to the Commission.

Ed Bresnihan, 5552 A Ocean Ridge Yacht Club, and representing the Boynton Coalition for Responsible Development, noted that our proximity to the Riverwalk project makes us leery of it, but the project has potential for a greater reach across Ocean Ridge. He mentioned that the traffic study needs to be expanded significantly, and the project has the potential to change the complexion of Ocean Ridge and Boynton Beach. He believes the 10-story building is setting a bad precedent, and will set a standard that we don't want. Mr. Bresnihan asked the Commission to be proactive, as the future is threatened. There are proactive things we can do such as asking the City of Boynton Beach to do their traffic study; look into City synchronization simulation; look at environmental considerations; and look for government help above the town level.

Nancy Hogan, 37 Hibiscus Way, asked the Commission to pay attention to the development in Boynton Beach and to have good communication with Boynton as well as Kristine DeHaseth, and she also mentioned that she is part of Government Affairs for the Chamber of Commerce. Ms. Hogan also mentioned the ongoing issue of recycling & garbage co-mingling, and asked if Town Manager Titcomb had followed up on this from last month. Town Manager Titcomb responded that he contacted Republic Services and they would like residents to contact them when they witness recycling/garbage co-mingling. They also noted that if recycling is placed in plain garbage containers next to the garbage, it will be placed in the garbage because they can't tell the difference. Ms. Hogan also mentioned that she appreciates the neon sign being removed from her area of the community. She reported that vehicles are having a hard time seeing her street when taking a left hand turn in the dark, and is worried accidents may happen.

Justus Brown, 39 Coconut Lane, reported that Republic took his garbage can and gave him a yellow can as a replacement. Mayor Pugh suggested that Mr. Brown mention this to the Town Manager when he goes to Town Hall to speak to him regarding the indemnification agreement for the placement of stones.

PUBLIC HEARINGS

6. 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

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request will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Continued from the November 2, 2015 Regular Meeting, the December 7, 2015 Regular Meeting, and the January 4, 2016 Regular Meeting)

Attorney Spillias stated that the representatives for this project have requested that this item be continued again to the March 7, 2016 meeting. Attorney Spillias mentioned that he has notified the applicants that this would be the last continuance. If further continuance is requested, we would need to postpone the item and re-advertise.

Vice Mayor Allison moved to continue this item to the March 7, 2016 meeting; seconded by Commissioner Lucibella.

Ken Kaleel, 86 Island Drive South, noted that this is the first time he has heard of this replat request. Attorney Spillias stated that the public hearing was noticed in the newspaper, and Mr. Kaleel asked if notice is supposed to be sent to neighbors. Attorney Spillias stated that this is a replatting request, not a rezoning request. Mr. Kaleel mentioned requirements pertaining to that subdivision and notification should go to the whole subdivision.

Motion carried 4-0.

REGULAR AGENDA

REPORTS

7. Town Manager

Town Manager Titcomb submitted a written report in the meeting package, and also reported the following:

There was a water main break when a recent tornado moved one of the FPL concrete poles. A water line underground was punched when the pole was properly reset. A boil water notice that was issued was cautionary in nature; there should be no health concerns because we never lost any water pressure. The water main is now fixed and the site has been returned to its former condition. The area needs to drain before they can complete restorations. Commissioner Bonfiglio asked who is paying for the repairs, and Town Manager Titcomb responded that is to be determined because of the natural disaster that caused it. This could be a multi-party insurance issue. He will report back to the Commission when he has more information.

Town Manager Titcomb asked the Commission for consensus to take part in a co-sponsorship with several other cities, to be co-hosts of the February Palm Beach County League of Cities meeting to be held at the Atlantis Country Club. This is a budgeted line item in the amount of \$500 under current events for the town. The Commission gave its consensus.

This month, the County Commission will discuss strategies about whether or not to move forward on a half penny or full penny sales tax for infrastructure purposes. The Commission has requested that towns submit a list of infrastructure projects to make up the master list, and Town Manager Titcomb responded that the town may tend to be in more of a donor position than a recipient position under the formulas that are currently being circulated. Commissioner Bonfiglio asked if "donor" means that the Town would pay more than it gets back, and Town Manager Titcomb responded that the town would pay a large proportion of sales tax revenue vs. monies we would receive for infrastructure improvement. However, he does not have the numbers yet. Commissioner Lucibella commented that every time we pass a tax that will be earmarked for something that we are already responsible for, they take the tax out of the general budget for something else anyway, so it ends up being just a tax hike. He stated he doesn't see much sense in the tax. Commissioner Bonfiglio stated he doesn't want to endorse the tax if we will end up paying more than we

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will get back. Town Manager Titcomb will do some research and bring more information back to the Commission.

Mayor Pugh noted that the Town is entering a new era with a new Town Manager, Town Clerk, Chief of Police, and soon a new Town Attorney. Town Manager Titcomb noted that his 90-day probationary period has ended, and Vice Mayor Allison asked if an evaluation was completed. Town Manager Titcomb responded that his contract was not setup to have an evaluation completed at the 90-day probationary mark. Vice Mayor Allison complimented Town Manager Titcomb on a job well done.

8. Town Attorney

Town Attorney Spillias did not have any items to report.

9. Police Chief

Chief Hutchins advised that his report was included in the Commission packages. He also mentioned that his department will be hosting "Coffee with a Cop" on February 17th at 7:30 a.m. at Town Hall, and welcomed all to the event. Vice Mayor Allison asked about the training session regarding cameras, and Chief Hutchins responded that he met with vendors at the Florida Chiefs' Conference and noted that there have been changes in technology so we may need to re-examine the license plate recognition system proposal. Chief Hutchins stated he is waiting for information from additional vendors, and then he will prepare a package for the Manager to present to the Commission. Vice Mayor Allison asked if this may be a budgetary item for next year, and Chief Hutchins responded that it may be a budgetary item due to the cost of the project, but he's not sure at this time.

10. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

11. Resolution No. 2016-02; Approving an Agreement with the Law Firm of Torcivia, Donlon, Goddeau & Ansay, P.A. for the Provision of Town Attorney Services; Authorizing the Mayor or, in his Absence, the Vice Mayor, to Execute Said Agreement; and Providing for Effective Date; By: Jamie Titcomb, Town Manager

Town Clerk Stevens read Resolution 2016-02 into the record.

Commissioner Bonfiglio moved to approve Resolution No. 2016-02, memo item #11 on the February 1, 2016 agenda, as read by the Clerk; seconded by Commissioner Lucibella.

Commissioner Bonfiglio moved to amend the main motion to approve the agreement as attached as "Exhibit A"; seconded by Commissioner Lucibella.

Motion as amended carried 4-0.

It was determined that Glen Torcivia will be the lead Attorney for the Town of Ocean Ridge.

12. Resolution No. 2016-03; Appoint Jennifer Ashton, Esq. as the Ex Officio Code Enforcement Special Magistrate for the Town of Ocean Ridge; Appoint all Other Attorney Members of the Law Firm of Corbett, White, Davis & Ashton, P.A., as Ex Officio Alternate Special Magistrates to Serve and Preside Over Code Enforcement Hearings in the Absence of Jennifer Ashton; Establishing the Term of Appointment and Fees to be Paid for the Special Magistrate Services Approved Herein; and Providing for an Effective Date; By: Jamie Titcomb, Town Manager

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Town Clerk Stevens read Resolution 2016-03 into the record.

Commissioner Bonfiglio moved to approve Resolution No. 2016-03, memo item #12 on the February 1, 2016 agenda, as read into the record by the Clerk; seconded by Vice Mayor Allison.

Motion carried 4-0.

FIRST READING OF ORDINANCES

None Scheduled.

SECOND READING AND ADOPTION OF ORDINANCES

13. Ordinance No. 614; An Emergency Ordinance of the Town of Ocean Ridge, Changing the Date of the Town's Election in 2016 from the Second Tuesday of March to March 15, 2016, the Date of the Presidential Preference Primary Election Date; Providing for Newspaper Publication of Notice; and Providing for an Effective Date

Town Clerk Stevens read Ordinance No. 614 into the record by title only.

Commissioner Bonfiglio moved to adopt Ordinance No. 614, memo item #13 on the February 1, 2016 agenda; seconded by Commissioner Lucibella.

Motion carried 4-0.

TOWN COMMISSION ITEMS

14. Status Update on LPR Cameras; By: Vice Mayor Allison

This item was passed over, as it was already addressed under the report of the Police Chief.

Vice Mayor Allison asked Town Manager Titcomb about the next steps regarding the Old Ocean Boulevard proposal. Manager Titcomb responded that staff and the Commission made notes during the workshop meeting, and there were recurring themes about things we could do to improve the current situation. He stated that we are currently looking at this at the staff level and will take all of the comments and suggestions into consideration. There were several suggestions from citizens such as sightlines, landscaping, low-level lighting, enhanced stop signs, shuttle service from Boynton Beach to their beach, speeding and lighting that are all things the Town could easily do without blocking roadways. Staff is prepared to talk about it internally to see if some ideas can be implemented without much cost to the Town. We also need to analyze the bigger items and make recommendations to the Commission. Mayor Pugh stated he would like to see the Town Manager make recommendations to the Commission at a meeting and we will move forward from there. Commissioner Lucibella stated perhaps the Town should foster the idea that we have a pedestrian walkway with vehicular traffic as opposed to a vehicular roadway with pedestrian traffic. We need to look for ideas that correlate with that concept. It was the consensus of the Commission for Commissioners to meet with the Town Manager one-on-one to discuss ideas, and for the Town Manager to gather thoughts and ideas and develop a plan for discussion at an upcoming meeting.

Additional public comments were allowed by the Commission at this time:

Betty Bingham, 1 Ocean Avenue, suggested that the Town impose fines if people do not do what they are supposed to do, and she noted that people respond well to being fined.

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Terry Brown, Harbor Drive South, commented on the selection of the law firm for the Town and noted that a lawyer in that law firm is an expert on sea level rise, which is important for this community. He also mentioned that there is confusion about what is causing wet streets in this town. People are lost in the concept that it is a drainage problem when that is not the problem.

Meeting Adjourned at 6:50 p.m.

Mayor Pugh

ATTEST:

Tracey L. Stevens, CMC, Town Clerk