

TOWN COMMISSION MINUTES
MAY 2, 2016

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, May 2, 2016, at 6:00 PM in the Town Hall Commission Chambers.

The meeting was called to order by Mayor Pugh at 6:00 p.m.

Town Clerk Stevens led the roll call, which was answered by the following:

Commissioner Aaskov	Commissioner Bonfiglio
Commissioner Coz	Vice Mayor Lucibella
Mayor Pugh	

Mayor Pugh led the Pledge of Allegiance.

MOMENT OF SILENCE IN MEMORY OF FORMER EMPLOYEE MICHAEL TAIT

Mayor Pugh led the Moment of Silence in memory of former employee Michael Tait.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Town Manager Titcomb requested the addition of Item 5-A to introduce representatives from Clarke Environmental.

CONSENT AGENDA

- 1. Minutes of the Regular Town Commission Meeting of April 4, 2016.**
- 2. Authorize the Donation of \$100 to Muscular Dystrophy Association in Memory of Former Employee Michael Tait**

Commissioner Bonfiglio moved to approve the Agenda as amended and the Consent Agenda as presented; seconded by Commissioner Aaskov. Motion Carried 5-0.

ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Pugh read the announcements for the public, and presented former Town Commissioner Lynn Allison with a plaque recognizing her years of dedicated service to the Town of Ocean Ridge:

- 3. Presentation to Former Town Commissioner Lynn Allison – Ms. Allison spoke to the Town Commission and citizens of Ocean Ridge in thanks for serving the Community.**
- 4. Proclamation Declaring Week of May 15-21, 2016 as “National Police Week” and May 15, 2016 as National Peace Officers’ Memorial Day**
- 5. Town Administrative Offices will be Closed on Monday, May 30, 2016 in Observance of the Memorial Day Holiday**
- 5-A. Introduction of Representatives from Clarke Environmental**
Bobby Santana, Control Consultant, spoke to the citizens regarding Clarke’s contract with the Town for noseem control and mosquito spraying services. Joel Freundt, Vice President and General Manager, spoke to the citizens regarding their organically certified products and Earth Right program.

PUBLIC COMMENT

Bob Weisblut, 23 Sailfish Ln, thanked Chief Hutchins and Lisa Burns for their help with the lecture series, and stated he appreciates the efforts from the Town.

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

Terry Brown, Harbour Drive South, asked that the Town review the noseem spraying list. He also spoke about the increasing pedestrian traffic on Beachway Drive and Old Ocean Blvd, and asked that the Town consider putting in a pathway on the right of way.

Deirdre Sheerr Gross, Osprey Drive, glad to hear there are other alternatives for noseem spraying.

Betty Bingham, 1 Ocean Ave, asked if the Town has looked into how the mosquito spraying by the federal government regarding the Zika virus will affect the Town.

Mark Hanna, 6400 N. Ocean Blvd, stated he has not noticed a difference after noseem spraying is completed, and is concerned about the chemicals in the environment with limited benefit to the people. Commissioner Lucibella responded that heavier patches of rain stresses drainage capabilities in coastal towns, and contributes to the increase in mosquito and noseem population.

Peter Burling, 7 Osprey Dr, noted that Ocean Ridge is a warm, wonderful place to live but he is concerned about the development in Boynton Beach. He stated he admires the Commission's commitment to the community, and hopes the Commission will feel empowered to lead us into a planning process that will help prepare us for what will happen when the Riverwalk project is completed.

Don McGruder, 9 Ridge Blvd, congratulated Commission Coz on his new seat on the Town Commission. He also stated he would like the Town to place a zoning map on the wall in the Commission Chambers. He mentioned that if the Town moves forward with digitizing building plans, it would be a good idea to have those plans displayed on the screen in the Commission Chambers when a Town Board is discussing proposals. He also mentioned that there are several street lights at cross walk areas that are out and need to be fixed, which is more than likely a Florida Power and Light concern. He also mentioned that noseem spraying has been a benefit to him.

PUBLIC HEARINGS

None Scheduled.

REGULAR AGENDA

REPORTS

6. Town Manager

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

Ron Bennett of Nolan, Holt & Miner PA will present the Town's FY15 CAFR (audited financial report) at the June Commission meeting.

Staff has deployed extra resources in the updating of the Town's record management system and configuration for the migration of the financial management duties among staff members. We are also working with a person with financial background on process and working toward best practices in the Town.

The temporary closure pilot project at Midlane and Woolbright Roads is scheduled for completion in June. The Engineers have indicated that in order to pursue a permanent closure, there is an extensive list of items to complete.

Homeowner's Associations in the south end of the Town have be informed that official action on the part of their governing bodies must be taken formally to request if the Town further explores and considers

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

issuance of any engineering study for such a project in the future in cooperation with the City of Boynton Beach.

Town staff officials met with representatives of FDOT and its contractors to begin review of the refurbishment and repainting of the Ocean Avenue Bridge in early summer 2017. Partial lane closures and some limited night time work will be part of the restoration plan. More complete information and details will be presented as developed formally by FDOT contractors. A full closure is not projected at this time. Commissioner Lucibella asked how long the project may take, and Town Manager Titcomb responded that it should take around 3-4 months.

Town Manager Titcomb met with Tree industry experts to assess the Ocean Avenue collection of hardwood and other signature treescapes. Many of the mature hardwood trees are aged, damaged and diseased and may likely need to be removed. We are working on developing a proposal to address and remove the most critical trees. Future tree replacement choices will be explored as well. We also looked at the Woolbright Detention Pond Natural Area and the tree experts suggested we reach out to PBC ERM (Environmental Management) to help us assess the health and long-term sustainability of the natural "biosphere" in place there.

The Town has experienced seasonally high beach erosion incidence recently. This is cyclical in nature, but we've temporarily cordoned off the Edith Street Beach Cross over until the stair system can be repaired and improved, which is in the works. It is also Turtle Season and under the jurisdiction of DEP and Army Corp, so our mitigation options are limited at this time.

Town staff officials met with representatives of PBA for our scheduled reopener on wage remunerations and merit based evaluation systems as desired by the Town. Additional follow up meetings are being scheduled in early May. The first meeting was very cordial and productive.

May 9th is the deadline for RSVP's to the annual Palm Beach County League of Cities Officers' Installation GALA luncheon.

Town Manager Titcomb will be out of the office May 23-25th for the Florida League FAST Trip to Washington D.C., and June 1-3rd for the FCCMA Annual Conference in Orlando, and will name an Interim Town Manager point of contact during his absence.

The Department of Environmental Protection will be coming to Town Hall on Wednesday to drill in the back parking lot into an old well field for fuel tanks to ascertain that everything is clear, which is an issue that dates back around 20 years ago. We do not anticipate any issues.

Town Manager Titcomb asked the Commission if there is any interest in taking an ad out in the annual Quality Cities Magazine. This significance this year is that Boca Raton Mayor Susan Haney will be sworn in as the President of the Florida League of Cities. It is customary for cities to take a small ad out to celebrate that each year. The cost is \$250 for a quarter-page ad. Commissioners did not respond at this time.

Commissioner Bonfiglio asked if the Town Manager has received feedback from Florida Power and Light about moving the transformer in the retention/detention pond area. Town Manager Titcomb responded that he inquired with FPL if there would be any technical difficulties in moving the transformer down a couple of poles, and is now waiting for a response. He also noted that FPL met with him last week regarding the proposed rate increases, which would be an increase of around \$13 per household bill per month beginning next year. Commissioner Lucibella asked if the transformer is our responsibility or FPL's, and Town Manager Titcomb responded that it is FPL's responsibility. He also stated FPL has mixed emotions about

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

burying the lines. They have indicated that they do not do that at their own cost; it is usually an assessment cost, and they claim that buried lines are the last thing on the priority list during a power outage because they string their poles first.

7. **Town Attorney**

No report.

8. **Police Chief**

Chief Hutchins advised that his monthly report was included in the Commission packages. There were no questions from the Commission.

ACTION ITEMS

9. **Appoint Open Positions to the Board of Adjustment** By: Tracey Stevens, Town Clerk

Town Clerk Stevens noted that there is one regular member vacancy and two alternate member vacancies on the Board of Adjustment. She originally noted in the Commission packages that Mr. Kahlert would like to move up from an alternate member to a regular member. She stated that she also learned today that Susan Hurlburt would like to move up from an alternate member to a regular member as well. She also received new information today that David Hutchins would like to remove his name from the list, as he believes his talents will be better served on the Planning & Zoning Commission. The posted advertisements for open seats on the website and in the newsletter gleaned seven resumes from interested citizens. One of the resumes received is from a member of the Planning & Zoning Commission wishing to fill the regular member seat on the Board of Adjustment. If the Commission decides to appoint her to the BOA, the Town will then have an opening on the Planning & Zoning Commission, and we will need to advertise. Bob Sloat is willing to serve on either the Board of Adjustment or Planning & Zoning Commission.

Commissioner Coz noted that Susan Hurlburt would be a good fit for what Ocean Ridge is trying to accomplish long-term.

Mayor Pugh mentioned that he would like to see Hans Kahlert move up from an alternate member to a regular member, as he has experience on the Board. Commissioner Bonfiglio agreed that it would be a good policy for the Commission to consider moving alternate members up to regular members first before considering other applicants, as they have experience. He stated that since Mr. Kahlert has been an alternate member longer and has contributed a lot to the Town, he would support his appointment.

Commissioner Bonfiglio moved to appoint Hans Kahlert to the Board of Adjustment as a regular member for a three-year term; seconded by Mayor Pugh. Motion carried 5-0.

Commissioner Lucibella moved to appoint Bob Sloat and Susan Hurlburt to the Board of Adjustment as alternate members for a one-year term; seconded by Commissioner Coz. Motion carried 5-0.

10. **Revisit Status of the Town's Stormwater & Drainage Infrastructure to Assess Updates and Future Plans** By: Jamie Titcomb, Town Manager

Town Manager Titcomb explained that this item is a request by Commissioner Bonfiglio to revisit the Town's stormwater and drainage infrastructure and assess future plans. He stated we receive many complaints related to flooding and drainage, and while he was doing research on this topic, he found a flood control study from May 2000 in which the retention/detention area and stormwater infrastructure projects

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

are articulated. The Town has already spent millions of dollars on some of these infrastructure projects to mitigate stormwater and rising waters.

Commissioner Bonfiglio gave some background as to why this topic came up. He stated his property abuts the retention/detention pond on Woolbright Road and over the past several months, they have noticed that there has been an increase in the water levels after a rain event. The water is higher, it is staying longer, pond scum is forming, and there are more mosquitoes. After speaking with the Town Manager and Town Engineer, he learned that there are other areas in Town with an increase in pooling water after major rain events. He stated he would like to pre-plan and address overall problems throughout the Town. The engineering study is 16 years old, so it may be time to update the study. He stated he understands it would be an expensive proposition. He believes this would be a three-step process: short-term issues addressing upcoming rain events this year and next year, mid-term and then long-term. The solution may be the same for all three, or they may be different. For example, the pumps we have used in the past to mitigate some of the pooling have either been sold or need to be fixed. He stated he believes the pooling water creates a health hazard especially in light of the Zika virus as pooling water is a breeding ground for mosquitos. He would like to see an outside engineering study performed as opposed to using the Town Engineer, as he believes the Town Engineer should be on our side to do a critique and perhaps suggest less expensive avenues. He would like to hold a town meeting in the next three weeks or so to gather citizen input and get an idea of what other people are experiencing so we can pinpoint the areas where water is pooling after major rain events. He would also like to gather information from the Town Engineer so she can tell us how to alleviate flooding in the short-term. He would like the Commission to give authorization to gather proposals from various Engineering firms on what they would charge for a comprehensive flooding study.

Town Manager Titcomb noted that we have official County information on our website regarding the Zika virus. He also noted that the Town only has one working pump, and staff is looking into renting additional pumps in the event we need them due to the cost. He noted that pumps may sit idle for a number of years and the hoses rot and the pumps corrode due to the environment. Mayor Pugh responded that the maintenance crew should be maintaining the pumps and equipment each month so they work properly when needed. He is concerned that we may not be able to rent pumps when needed, as they may be out of stock. He stated we should have two pumps on hand at all times.

Mayor Pugh asked Commissioner Bonfiglio if he wanted to address the retention/detention pond area, or town-wide drainage because they are two separate issues. Commissioner Bonfiglio responded that he believes they are the same issue, but we do not know because we are not Engineers. Mayor Pugh noted that there are four potential drainage problem areas in town: A1A South of Corrine in which we are looking for the County to give us some land in order to do an injection well; the intercoastal waters in which we could place check valves on the lines placed by individual homeowners; Inlet Cay is sinking; and Ocean Avenue floods due to water coming in from the intercoastal because DOT put in a 3" pipe with no valve. We should have DOT fix the valve when they are working on the bridge this coming year. Mayor Pugh also mentioned that the retention/detention pond was built as a wet/dry pond but it seems to be more wet than dry. We need to consider that Ocean Ridge sinks so we should have the Engineer check the elevation to see what ground level is now vs. what it was 12 years ago. If it has sunk, then we should put some fill in to bring it back up to where it is supposed to be. Commissioner Bonfiglio stated that we should find out with an engineering study whether the ground is sinking, or whether it is the salt water intrusion causing the water table to rise. If the water table is rising, then that is a town-wide issue.

Commissioner Lucibella stated he would be in favor of a study if we knew where we were going first. He would like to see recommendations from the Town Engineer. He stated it makes sense to check the elevation and perhaps use some monitoring equipment at the retention/detention pond. He stated the long-term solution is to move from Ocean Ridge, because if you look at the science, by 2100 we are somewhere between 4 and 14' higher sea level. According to the best mediation maps, Florida is under water from the

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

Keys to Deerfield Beach, and you cannot pump the Atlantic back into the Atlantic. In the real long run, we would do better by remediating climate change whether it is man-made or by a natural cycle. He stated in the meantime, he agrees with Mayor Pugh that we should ask the Town Engineers what their suggestions are on how to proceed.

Commissioner Bonfiglio stated that a full engineering study would take several months, so if we do not proceed now, we will waste a year or more trying to figure things out, hoping the problem goes away in a fruitless effort to alleviate flooding in the Town. Mayor Pugh responded that he was speaking of just the retention/detention pond area. The other flooding issues in the Town can be worked out through the regular budget process, and some things are already in the works.

Commissioner Coz asked if the valve has been checked recently at the retention/detention pond, and Town Manager Titcomb responded that it has been fixed around one year ago.

Commissioner Aaskov mentioned that she would like the Town Engineer to make recommendations.

Commissioner Bonfiglio asked Town Manager Titcomb which residents have complained of flooding, and Town Manager Titcomb responded that we get common calls from the Bimini Cove area which is an intrusion situation; homeowner's associations have asked us to assist with their flooding problems and we cannot legally spend money on private property; and we receive frequent calls regarding the retention/detention area. Town Manager Titcomb stated that in his opinion, the infrastructure that the Town has spent a lot of money on is working as designed.

Commissioner Lucibella stated that areas of Town without any special drainage infrastructure did not used to flood, but will flood in a heavy rain now. He believes we are getting rain less frequently, but heavier rains when it does rain. He stated we do not want to put storm sewers throughout the Town. He thinks we need to ask the Town Engineer's opinion on how to address the problems.

Town Manager Titcomb noted that because of changes in the Town Code, new homes need to be built higher and retain more water on site, which causes problems for the neighboring older properties that are built at a lower elevation.

Mayor Pugh would like the Town Engineer and Town Manager to make a list of places that collect more water than others. He asked Chief Hutchins how long water typically stays on the ground after a rain event, and Chief Hutchins responded that if there are no other problems such as a clogged storm drain, the water stays for a maximum of 45 minutes after a major rain event. He also noted that there are two problematic areas on A1A, but those areas are not impassible. He stated he believes the system is working as designed. He mentioned that the pump issues at the retention/detention area can easily be resolved.

Commissioner Bonfiglio stated he would like to setup a workshop before the June or July meeting so we can discuss this before the hurricane season. He would like the Town Engineer to give us recommendations at the workshop, and have town residents give the Commission input on the problems. He stated that during a major rain event, the water on Ridge Blvd lasts at least one day.

Public comment: Mark Hanna, 6400 North Ocean Blvd, stated he believes some of the comments that Commissioner Bonfiglio made were disingenuous. He stated that when the initial study was done to create the retention/detention pond, Commissioner Bonfiglio was opposed to it. Commissioner Bonfiglio countered that he was opposed to the use of the retention/detention pond, and wanted injection wells at that point. Mr. Hanna stated that a lot has already been done in Town regarding drainage, and in his opinion, we can not address every drainage issue that comes up.

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

Terry Brown, Harbour Drive South, stated that he attended a recent Planning & Zoning Commission meeting regarding the replatting on Thompson Street, and an issue came up regarding the requirement of retaining water on the property. He stated that Planning Commission Member Mark Marsh told the audience at that meeting that the requirement was to retain 2" of water on the property, but the Town Code states 1" is required. Mr. Brown suggested changing Section 67-156 of the Town Code from 1" to 2" rainfall runoff requirement, which would help with the situation.

Don McGruder, 9 Ridge Blvd, has been following the water activity in the retention/detention area for the past week, and submitted a book of pictures and tides timeline to the Commission. He noted the difference between retention and detention areas. He also mentioned that on April 15th we had a major rain event, and the water in the retention/detention pond filled up all the way up behind his house and Commissioner Bonfiglio's house which is by A1A, and then was gone within 72 hours according to the State detention area requirement. However, on the Midlane Road side, water was pooling in two areas ahead of the drain that has now been there for 177 hours. On April 18th, the water was clear which means it came from the rain, but was in an area that did not drain. 177 hours later, water is still there and covered with algae. He stated the valve is not working because if you go down there during high tide, the drain area is always full. He went back down during low tide, the valve was open and the water was gone. If the valve is working to let the water out, how is it not working to keep the water from coming up into the pond. He stated the pumps are running during the day during high tide, which is not supposed to happen. The water we get from the drain area is not coming in from the intercoastal and backing up; it is pumped in from Thompson or somewhere like that. He stated he assumes the rising tide is pushing on the aquifer, which fills up Thompson and then flows down to his area. He also stated there is no way that the system is filtering out the pollutants that it is supposed to be. He stated he agrees with Commissioner Bonfiglio that we need to hire an outside engineering firm to look at the problems with the retention/detention area.

Joe Belmonte, 5600 North Ocean Blvd, Ocean Ridge Yacht Club, stated he was a Marine Engineer and stated we need to get a maintenance system in place if it's not already in place, and 99-100% of our problems are due to lack of maintenance. We need to get the pumps running correctly before we hire an engineering firm to do a study. If the land is sinking in that area, then we need to see what the level of the property is.

Ken Kaleel, 86 Island Drive South, stated the drainage problems we are experiencing now are minor compared to the issues we were dealing with in the late 1990's. Back then, the water that was rising on Tropical Drive rose over car level. We need to look at what we have done over the years. The Town Engineers have solved drainage problems in the past and have proven their worth, but some things may need tweaking or fill put in. He stated climate change is beyond our control but it warrants a discussion. We would like us to inquire with our Town Engineers on how much it would cost to update the flood plan and have them give us some advice as to how to proceed, and then hold a workshop to discuss the real issues.

Commissioner Bonfiglio stated he would like staff to put together a survey of what they view as the problems and have workshop on it, address the short-term issues such as fixing the pump, and place an item for discussion on the agenda for the June or July meeting.

Mayor Pugh stated he would like the Town Engineer to develop a list of suggestions and submit a report for the June meeting, and then schedule a follow-up workshop if needed.

Commissioner Lucibella stated a workshop is definitely in order but it would be more productive to have a workshop if the Commission comes in with some sort of agenda and plan rather than to ask what the problems are in Town. People will be able to respond better to suggestions.

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

It was the consensus of the Commission to ask the Town Engineer to review the current flood control study, come up with a list of current issues that the Town has regarding drainage and bring it to the June meeting for discussion.

Town Manager Titcomb stated that the pumps that were referenced during the meeting are currently under maintenance and are running more often than not, as there is a transducer issue.

Commissioner Coz stated he would like the Town Engineer to look at the booklet submitted by Don McGruder while she is reviewing the flood control study, and also visit the site to see what the current issues are.

Public comment: Don McGruder, 9 Ridge Blvd, asked if we have any mechanisms in place to see when the pumps come on, and if we can find out the amount of water that is pumped in when service comes on. Town Manager Titcomb stated we do have the technical specifications, and noted that the pumps are sequenced to turn on in a series. Commissioner Lucibella asked if we maintain a log of use hours, and Town Manager Titcomb stated we do.

Mr. McGruder asked if there is one well, or a holding tank for each pump, and Town Manager Titcomb responded that there are four tubes (two 40's and two 100's), each their own sump pump essentially but they all draw from the same areas, which are sequenced so you don't get burnout of pumps and over or under-pumping. The maintenance issues going on now have to do with cavitation, as the sonar that kicks them on an off is kicking them on when no water is present.

Commissioner Coz stated the Town Engineer should look at the logs while doing her review.

11. **Discuss Town Commission Meeting Dates for July and September 2016 and January 2017 Due to Upcoming Holidays** By: Tracey Stevens, Town Clerk

Town Manager Titcomb explained that the upcoming July 4th, September 5th, and January 2nd Town Commission meeting dates fall on federal holidays, so the Town Commission may wish to change those meeting dates. In the past, the Commission has moved the meeting to the following Monday. However, staff has no preference or recommendation.

Town Manager Titcomb asked if we could make it the default to always schedule on the following Monday, and Mayor Pugh stated he would like this to always come before the Commission for a decision in case a Commissioner has scheduled a vacation or can't make it to the meeting on the following Monday for another reason. The Commission agreed.

Commissioner Bonfiglio moved to move the July 4th, September 5th, and January 2nd meeting dates to the following Monday after each holiday; seconded by Commissioner Aaskov. Motion carried 5-0.

12. **Authorize the Town Manager to Expend Funds Not to Exceed \$1,000 to Reimburse Dr. Weege for the Town Hall Koi Pond Repairs & Maintenance** By: Jamie Titcomb, Town Manager

Commissioner Lucibella moved to authorize the Town Manager to reimburse Dr. Weege for the cost of infrastructure repairs, UV lights and filters not to exceed \$1,000; seconded by Commissioner Bonfiglio.

Mayor Pugh asked if the Town will be taking over the maintenance of the koi pond, and Town Manager Titcomb responded that it is our intent to be the primary responsible party to make sure the pond is

REGULAR TOWN COMMISSION MEETING HELD MAY 2, 2016

maintained. We have heard from people who are interested in continuing to make donations and we can certainly accept donations and earmark the money for that purpose. He noted that we do have a contract with Southern Pond out of Boca Raton to maintain the pond, so he recommends the Town be the responsible party for the maintenance.

Commissioner Bonfiglio moved to authorize the Town Manager to expend up to \$250 per month for monthly maintenance of the koi pond; seconded by Commissioner Lucibella.

Public comment: Betty Bingham inquired about how much money is left in the McGinty fund that is earmarked for beautification of the Town. Town Manager Titcomb responded that he believes the funds in the McGinty account are earmarked for infrastructure improvements, and maintenance of the pond would not really fall under that category. Commissioner Bonfiglio responded that he believes the Town drained the McGinty fund. Town Manager Titcomb will do some research on that and report to the Commission.

Stella Kolb asked if we no longer need donations for the koi pond. She stated the Garden Club sets aside \$300 per year for the koi pond, but if the Town takes it over as its own entity, then they would not need to do that. Town Manager Titcomb stated the Town is taking over the pond, but would still encourage donations.

Motion carried 5-0.

RESOLUTIONS

None Scheduled.

FIRST READING OF ORDINANCES

None Scheduled.

SECOND READING AND ADOPTION OF ORDINANCES

None Scheduled.

TOWN COMMISSION ITEMS

None Scheduled.

Meeting Adjourned at 7:47 p.m.

Minutes adopted by the Town Commission on June 6, 2016.

Mayor Pugh

ATTEST:

Tracey L. Stevens, CMC, Town Clerk