

REGULAR TOWN COMMISSION MEETING MINUTES  
MARCH 6, 2017

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, March 6, 2017, at 6:00 PM in the Town Hall Commission Chambers.

**CALL TO ORDER**

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

**ROLL CALL**

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

	<u>Present:</u>	<u>Absent:</u>	<u>Tardy:</u>
Commissioner Aaskov	x		
Vice Mayor Bonfiglio	x		
Commissioner Coz	x		
Mayor Pugh	x		

**PLEDGE OF ALLEGIANCE**

Mayor Pugh led the Pledge of Allegiance.

**ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA**

**Commissioner Coz moved to approve the agenda as presented; seconded by Commissioner Aaskov. Motion carried 4-0.**

**PUBLIC COMMENT**

Terry Brown, Harbour Drive South, stated he noticed a road paving grading plan in the Manager's report, and wanted to mention that Waterview is listed as a town road, but half belongs to the County road right of way for the bridge and half belongs to PUD. He also stated that the surtax money would be better spent on drainage. Town Manager Titcomb noted that Waterview and David are not public roads, but all roads are included in the grading system. Mr. Brown stated that the special duty Officers at the public beach access is intimidating, and asked what the purpose of it is other than to intimidate people. He stated he knows we had a problem in the past with loading and unloading. He also stated that the people who have hired the Officers have political influence. He noted that a complaint came in to him by someone at the Yacht Club. He stated that we won't stop the flow of people walking over the bridge and we can't block that access. He stated that if there is a safety concern, residents need to know, and asked if we have record of things happening in that area. Mayor Pugh noted that the Town is not hiring the police to do special duty. Chief Hutchins stated that two weeks ago, he received numerous complaints of people unloading and loading to the point where the road was blocked off. The immediate reaction was to stop people from parking on the walkway area because that is dangerous. He was also notified of a commercial vehicle parking in the intersection to unload which is a safety issue. He was asked if we could put an on-duty officer in that area and the response was "no". He stated that the beach parks are full to capacity and we monitor these areas as well as regular calls. He stated that a group of residents contracted with the town for a special duty officer, at no cost to the town. The direction to the Officer was to monitor the area and make sure no obstructions were happening in the area. There is no intent on the town's part to usurp the public's right to beach access in that area. Chief Hutchins stated if any resident asks for special duty and we have the ability to provide it, we will.

Lucy Brown, Harbour Drive South, asked if it is permissible to drop people off at the beach, as well as beach chairs, etc. Chief Hutchins stated it depends on the situation. Officers would look at each situation individually.

Peter Berling, 7 Osprey Drive, stated that there has been friction within the community over the past several years, but this year has been better than past years due to less intimidation from the Police Department. The special duty this past weekend was privately financed and there were positive developments. He stated

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that what he saw was welcoming and had a sense of structure. He stated that more and more people will come to the beach due to the development across the bridge, and what happened over the weekend was entirely positive from his perspective.

Betty Bingham, 1 Ocean Ave, stated that we need some rules for the beach and fines to go with the rules. She begged the Commission to get ahead of the issue.

Stella Kolb, 204 Beachway, mentioned the living wall outside of Town Hall was provided by the Garden Club, and thanked the Commission for its support. She stated she looks forward to seeing everyone for the 50<sup>th</sup> anniversary celebration beginning March 20th.

### APPROVAL OF CONSENT AGENDA

1. Minutes of the Regular Town Commission Meeting of February 6, 2017.
2. Minutes of the Special Town Commission Meeting of February 6, 2017.
3. Approval of Poll Workers for the March 14, 2017 Municipal Election.

**Vice Mayor Bonfiglio moved to approve the consent agenda as presented; seconded by Commissioner Coz. Motion Carried 4-0.**

### ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Pugh read the announcements for the public.

4. The Town will be providing free shredding services to residents on Saturday, April 22, 2017 from 9 a.m. until Noon at Town Hall.
5. The League of Women Voters and the Town of Ocean Ridge are sponsoring a Town Commissioner Candidates Forum on Thursday, March 9, 2017 from 6:00 p.m. to 8:00 p.m. at Town Hall. Residents of Ocean Ridge are welcome to attend and are encouraged to bring a question to submit to the Moderator / La Liga de mujeres votantes y la ciudad de Ocean Ridge están patrocinando un foro de candidatos ciudad Comisionado el jueves, 09 de marzo de 2017 de 18:00 a 20:00 en el Ayuntamiento. Residentes de Ocean Ridge son Bienvenidos a asistir y se anima a traer una pregunta que le presente el moderador.
6. Proclamation Announcing that a Municipal Election will be held on March 14, 2017. There are two Town Commission Seats Open for a Three Year Term. Candidates are: Richard Bajakian, James A. Bonfiglio, Donald Magruder, and Nan Yablong / Proclama anunciando que una elección Municipal se celebrará el 14 de marzo de 2017. Hay dos ciudad Comisión asientos abierto por tres años. Los candidatos son: Richard Bajakian, James A. Bonfiglio, Donald Magruder, Nan Yablong.
7. Proclamation Expressing Support for the Designation of March as “National Multiple Myeloma Awareness Month”.
8. The Town Commission will consider appointments to the following Board positions at the April 3, 2017 Town Commission meeting: Board of Adjustment, 3 regular members for a three year term and 2 alternates for a one year term; Planning & Zoning Commission, 3 regular members for a three year term and 2 alternates for a one year term. Interested residents must be registered to vote in Ocean Ridge and submit a resume and letter of interest to the Town Clerk by March 27, 2017.

### PUBLIC HEARINGS

None.

## REPORTS

### 9. **Town Manager**

Town Manager Titcomb advised that his report is included in the meeting package. He reported that the town street grading for paving purposes was included in the packages, and noted that RFP's will be done next. He stated that the Commission will need to decide at the April or May meeting on which streets to move forward with. He also stated that staff is working on a replacement program for town signs. Manager Titcomb noted that DBI/Aquagenics is stepping up the fence to fence maintenance at the Woolbright detention area. He also mentioned that staff is conducting the final testing on the software app See Click Fix, a Public Works app, which will be rolled out next month. He noted that the April Town Commission meeting is an organizational meeting, and we will also setup budget workshop meetings at that time.

Public comment: Don MaGruder, 9 Ridge Blvd, asked about Manager Titcomb's comment about making the footprint bigger at the Woolbright detention area, and Manager Titcomb responded that the maintenance work was parsed out in the past to multiple contractors. The contract with DBI/Aquagenix has been expanded to treat the wet filtration area, and we increased their scope of work to fence to fence. He stated that we are not planning to make the area bigger, and not increasing the capacity or design. Mr. MaGruder also asked about the flap valve problems around town, and Manager Titcomb responded that we have two separate contractors working on those issues at this time.

### 10. **Town Attorney**

Town Attorney Shutt advised that there is no report. Vice Mayor Bonfiglio stated that the Swaim lawsuit was heard today but he does not believe it had anything to do with the Town, and Town Attorney Shutt responded that they have a separate lawsuit that does not include the Town and it could have been that.

### 11. **Police Chief**

Chief Hutchins advised that the Police Department report is included in the meeting package and includes monthly police department statistics.

Bob Sloat, N. Ocean Blvd, stated he assumes the Chief is aware there is a gun shop in the shopping center just over the bridge, and asked if the Police Department takes any action on people buying guns at the shop and then walking over the bridge. Chief Hutchins responded that state law precludes them from entering into regulation of firearms. He stated that if we see someone walking over the bridge with a firearm, we will react appropriately.

## ACTION ITEMS

### 12. **Authorize the Purchase of Two Fully Equipped Police Vehicles in an Amount Not to Exceed \$81,000; By: Hal Hutchins, Police Chief**

Chief Hutchins advised that this purchase is part of the normal scheduled rotation based on maintenance costs, warranties, etc. He recommends staying with the Ford Explorer package which is the most reliable and cost effective, and has worked well in the past. He stated one of the vehicles is to replace our oldest patrol vehicle, and the second vehicle is slated to replace the Chief's vehicle. He noted that the Chief's vehicle may remain with the Town to be used as an unmarked vehicle for the Town, replacing the old Crown Victoria, and that vehicle may also remain with the Town to be used for extra personnel as needed. He stated he did not include trade-in price with this package for that reason, but we could see an item on the agenda in the future for auctioning of one of those vehicles. He stated that the budgeted amount this year is \$81,000, but the price may come in lower. Vice Mayor Bonfiglio asked if the trade-in value is part of the budget, and Town Manager Titcomb responded that it was not. Vice Mayor Bonfiglio wanted to make sure we are not losing something somewhere else in the budget by not trading-in the vehicles. Chief Hutchins explained that we are changing the way we dispose of vehicles because the trade-in value is less than what we may be able to get from a government auction site. There are agencies that may be financially strapped that bid on our vehicles. He stated anything received for trade-in or sale will go back into the

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general fund. Commissioner Coz stated he encourages the town to get the Ford Explorers, as the price is great and they are more intimidating.

**Vice Mayor Bonfiglio moved to authorize the purchase of two fully equipped police vehicles in an amount not to exceed \$82,500 and authorize the Police Chief and/or Town Manager to negotiate the contract; seconded by Commissioner Coz. Motion carried 4-0.**

### RESOLUTIONS

13. Resolution No. 2017-03: A Resolution of the Town Commission of the Town of Ocean Ridge, Florida, Approving and Authorizing Execution of an NPDES Fourth Cycle Permit Interlocal Agreement with Northern Palm Beach County Improvement District, the Lead Permittee

Town Manager Titcomb advised that this is an inter-governmental fourth cycle permit and the prorated share is \$921. He noted that all of the Towns in Palm Beach County have this agreement with Northern Palm Beach County Improvement District to perform these functions on our behalf. Commissioner Coz noted that NPDES stands for National Pollutant Discharge Elimination System which is part of a county-wide system that we pay our fair share for. Town Manager Titcomb mentioned that this is federally required and needs to be done in a cooperative manner in order to be done effectively.

**Vice Mayor Bonfiglio moved to approve Resolution 2017-03, approving the NPDES interlocal agreement with Northern Palm Beach County Improvement District, the lead permittee, as set forth in agenda item #13 of March 6, 2017; seconded by Commissioner Aaskov. Motion carried 4-0.**

### FIRST READING OF ORDINANCES

None

### SECOND READING AND ADOPTION OF ORDINANCES

14. Ordinance No. 617: An Ordinance of the Town of Ocean Ridge, Florida, Amending Its Code of Ordinances By Amending Chapter 2, "Administration", Article II, "Officers and Employees", Division 3, "Town Clerk" to Clarify the Requirements of the Town Clerk; Providing for Codification, Repeal of Conflicting Ordinances, Severability, and an Effective Date.

Town Attorney Shutt advised that this is a housekeeping ordinance, providing that in the absence of the Town Clerk, the Deputy Town Clerk may perform the functions of the Town Clerk, and clarifying that a bond of the Town Clerk is only required if the Town Commission requires it. The section regarding payment of funds other than signed check is needed as we make payments through automatic debit for items such as loans, etc.

**Vice Mayor Bonfiglio moved to adopt Ordinance No. 617 on second reading as set forth in Item #14 on tonight's agenda; seconded by Commissioner Coz. Motion carried 4-0.**

15. Ordinance No. 618: An Ordinance of the Town of Ocean Ridge, Florida, Amending Its Code of Ordinances by Amending Chapter 2 "Administration", Article VI "Finance", By Deleting Division 1 "Generally" and By Creating a New Division 1 "Purchasing Code" to Provide for Regulations Governing the Purchasing of Goods and Services; Providing for Codification, Repeal of Conflicting Ordinances, Severability, and an Effective Date.

Town Attorney Shutt advised that this ordinance replaces the current purchasing code, and adopts a purchasing policy, which provides better clarification for bid processes, and does not give the Town Manager any more authority than he had before. There is a provision under "Best Interest for the Town" as there is occasionally a need to forego the bidding process, and this allows an out if four Commissioners

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vote in favor. The Purchasing Policy clarifies procedures and provides exemptions for bidding. This also allows the Commission greater flexibility to piggy-back off other government agreements, etc.

**Vice Mayor Bonfiglio moved to adopt Ordinance No. 618 as set forth in agenda Item #15 on tonight's agenda; seconded by Commissioner Coz. Motion carried 4-0.**

**TOWN COMMISSION ITEMS**

None.

**ADJOURNMENT**

Meeting Adjourned at 6:57 p.m.

Minutes prepared by Town Clerk Stevens, and adopted by the Town Commission on April 3, 2017.



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Mayor Geoffrey A. Pugh

ATTEST:



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Tracey L. Stevens, CMC, Town Clerk