

REGULAR TOWN COMMISSION MEETING HELD ON JANUARY 7, 2008

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, January 7, 2008, at 6:00PM in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Kaleel and roll call was answered by the following:

Commissioner Bingham Commissioner Pugh
Commissioner Allison Commissioner Hogan
Mayor Kaleel

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Comm. Bingham requested to pull Item #4 and discuss under the Resolutions. Comm. Hogan requested to pull the minutes, Item #1. She also requested to add a comment on the election at the end of the meeting. Atty. Spillias requested to add under his comments, the cancellation of the Atty/Client Session for January 9th, 2008.

Comm. Pugh motioned to approve the agenda and consent agenda as amended. Seconded by Comm. Bingham.

Motion Carried yea – 5.

Comm. Hogan requested to change the minutes, page 2, 1st Paragraph regarding the purpose of her viewing the site. She asked for it to be rephrased, that she went to view the site for a broker/open house. The day of the meeting she again went to site and the builder was not there either visit. Atty. Spillias asked if she just wanted clarification or did she want to change the minutes. Comm. Hogan asked to change the minutes, because they did not reflect what she said.

Comm. Hogan motioned to approve the minutes of Town Commission Meeting of Dec. 3, 2007 as amended. Seconded by Comm. Bingham.

Motion Carried yea – 5.

CONSENT AGENDA

1. Minutes of Town Commission Meeting of Dec. 3, 2007
2. Appointment of Poll Workers
3. Ocean Ridge Resolution No. 2008-01; Urging Members of the Florida Legislature to Support the Following Issues During the 2008 Legislative Session

ANNOUNCEMENTS AND PROCLAMATIONS

5. The administrative offices will be closed on Monday, Jan. 21, 2008 for the official holiday
6. 2008 Municipal Election/Elección Municipal 2008
 - a. Proclamation for Election held on February 12, 2008/Proclamación para elección sostenida el 12 de febrero de 2008
 - b. Two Commission Seats for Three Year Terms Each/Comisión dos puestos para tres años cada uno
 - c. Candidate Filing Dates run December 21, 2007 through 3:00p.m. on January 18, 2008/Las fechas de la clasificacion del candidate corren el 21 de diciembre de 2007 por 3:00p.m. en el de enero de 2008.

PUBLIC COMMENT

Ed Carlton, 42 Bimini Cove Drive, stated that Manager Schenck had sent him a letter regarding drainage problems on his street, and asked for an update. Manager Schenck reported that he had met with the contractor, and was waiting for a price, and that it would include the swales.

Lisa Sivitilli, 5011 N. Ocean Blvd, reported that she previously complained of water collecting in front of the stores due to the FDOT construction, and felt it was a potential mosquito problem. Manager Schenck replied that he had met with FDOT, and would be meeting with them again on 1/15/08 to review this area along with other areas in town that needed to be addressed.

REPORTS

7. Town Manager

Manager Schenck reported that the Stormwater Drainage Project for the South Phase was now complete. A permanent location for the generator had not been chosen yet. The water samples for the detention are complete and the report should be coming by January 11th. He would distribute it to the commission when he receives the report. Town Hall was proceeding on time, and the walls had been started. A system design to eliminate the water accumulation at the west end of coconut Lane had been submitted to the Water Management District. Upon their approval, we will present it to the commission for authorization to bid the project. The Harbour Drive South Project is complete except for the inline valves. Bridge Design Assoc. is currently completing the survey for the Island Drive Bridge, and will then meet with the residents to discuss the design parameters. All of the properties south of Corrine St. have complied with our 6 ft clearance zone with one exception but he has a letter from them indicating that they will comply, and a time frame for completion. The properties north of Corrine will comply as part of their underground utility project. Two corner properties still need to comply with the 25ft clearance requirements, and we're working with them. All of the other residents have complied with our request.

Comm. Hogan requested if the quarterly reports were completed yet. Clerk Hancsak stated that she had spoken with the auditors as to a time schedule to complete the audit for FY 06/07 and they will be starting soon. Last fiscal year has to be closed first, before we can proceed with this year.

Manager Schenck stated that there had been numerous flooding problems occurring on Eleuthera Drive, Bimini Cove Drive and Spanish River Drive. The drainage lines had been cleaned and televised and significant leaks in the lines were found on Eleuthera Drive and Bimini Cove Drive, and they had standing water in all of the pipes. It was found that the pipes were inverted, and causing them not to drain down to the intracoastal. The only way to correct the problem is to replace them. The 3 pipes are located at 46 Bimini Cove, 25 Eleuthera and 53 Spanish River. Because of vegetation, 53 Spanish River will need new piping. The north side of Bimini Cove and 36 Spanish River are both holding water and the valley gutters need to be replaced.

8. Town Attorney

Atty. Spillias requested to cancel the Atty/Client Meeting for Wednesday, January 9th, 2008, and asked for it to be rescheduled at the February meeting.

Comm. Bingham motioned to accept the cancellation of the Atty/Client Session on Wednesday, January 9th, 2008, and reschedule it in February. Seconded by Comm. Allison.

Motion Carried – Yea (5).

9. Director of Public Safety

Lieut. Katz was present, and had nothing to report.

Comm. Hogan asked if the U-Turn sign on A1A south of Woolbright could be moved further north. Lieut. Katz stated that he would have to find out if the sign was FDOT's or the Town's sign. If it was FDOT, we would have to ask their approval.

10. Town Engineer
Engineer Tropepe was absent with notice.

ACTION ITEMS

11. Approval of Ocean Avenue Landscape Plan for Submittal to FDOT
Town Manager Schenck advised that a committee of several residents has proposed changes that will simplify the maintenance and visually open up Ocean Ave. to make it a more pleasing entrance. The proposed changes included removing the 30 Calophyllum trees and replacing with palm trees, removing the 74 Sabal Island palm trees and the Hawthorne bushes located between the sidewalk and street, and planting St. Augustine grass in the islands with a row of Liriodendron along the back adjacent to the sidewalk. He was seeking Commission approval to submit the plan to FDOT for their review and approval. Funding would come through the Beautification reserve account. He added that the current maintenance cost is approximately \$35,000 and the changes would roughly cut the cost by one half.

Comm. Pugh moved to accept the landscaping plan for submittal to FDOT for their approval, seconded by Comm. Allison. Comm. Hogan commented that because this was a tight budget year she was opposed to the motion and she would like to see how to save more money and she was also concerned with destroying up to 104 trees (30 definite) because some may not survive the replanting.

Motion carried – Yea (Allison, Bingham, Pugh, Kaleel)
Nay (Hogan)

12. Approve Revised Landscape Maintenance Sites Prior to Bidding Process
Town Manager Schenck commented that in attempting to reduce the landscaping contract cost by approximately \$9,100, staff was proposing to remove the Anna St. alley and fountain, the Porter St. walkway, the Island Drive area and the Inlet Cay grass areas from the contract and permit the Town maintenance staff to maintain these areas. Staff recommended removing the hedging and maintenance from the north and south Town signs because they are essentially maintained by the County and Turtle Beach. Staff also recommended removing the hedge from the Sabal Island Bridge, repainting the bridge and planting grass which would be easier to maintain and improve the visual aspect of the bridge. He also stated that the Town Hall and Ocean Ave. (approximately \$35,800) will be removed from the contract and added later when construction and modifications are complete.

A concern was mentioned regarding turning the maintenance over to Town personnel because of time, equipment, and adequacy constraints. Town Manager Schenck commented that the areas are strictly mowing and would not be difficult to maintain. It was also suggested to consult with the residents of Sabal Island with the proposed changes because they had input to the existing landscaping when the bridge was replaced.

Comm. Pugh moved to approve the revised landscape plan, seconded by Comm. Bingham. Comm Hogan stated that the concerns raised convinced her to stay with a professional landscaper.

Motion carried – Yea (Allison, Bingham, Pugh, Kaleel)
Nay (Hogan)

13. Discuss Utilizing McGinty Bequest, Currently in a CD, for the Construction of the Water Fountain and Sundial for the New Town Hall

Comm. Bingham suggested utilizing approximately \$33,000 of the approximate \$62,000 McGinty Bequeath for the water fountain and sundial at the entrance to the new Town Hall which was part of the original plan. She felt the Joa's (McGinty family friends) should be contacted to see if they approve of the improvement and also mentioned that maybe shells and fish could be incorporated into the design and additional landscape planted. The Commissioners were all positive to this idea.

Comm. Bingham moved to utilize some of the McGinty Bequeath for the fountain and sundial incorporating the additional ideas, seconded by Comm Pugh.

Motion carried – Yea (5).

RESOLUTIONS

4. Ocean Ridge Resolution No. 2008-02; Approving and Authorizing the Execution of an Interlocal Agreement Between the Solid Waste Authority of Palm Beach County and the Town of Ocean Ridge for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Recycling Program

Comm. Bingham commented that she had several concerns including: nothing in the contract involves controlling costs, the length of the contract, and she objected to the monopoly. Comm. Hogan commented that she felt the facility was wonderful and that the Solid Waste Authority was doing a fantastic job with recycling and the length of the contract was not startling to her.

Comm. Allison moved to approve Resolution No. 2008-02, seconded by Comm. Pugh.

Motion carried – Yea (5).

FIRST READING OF ORDINANCES

14. Ordinance No. 574; Changing the Name of Dolphin Drive to Dolphin Road on the Recorded Plat; Directing the Clerk of the Circuit Court of Palm Beach County to Make the Necessary Notations of the Change on the Recorded Plat; Providing for Repeal of All Ordinances in Conflict and for Severability and an Effective Date

Mayor Kaleel mentioned that the residents of the street were requesting this change.

Comm. Pugh moved to approved Ordinance 574 on first reading, seconded by Comm. Bingham.

There was no public comment.

Motion carried – Yea (5).

TOWN COMMISSION COMMENTS

15. Comments Concerning the Municipal Election

Comm. Hogan questioned why the municipal election was not moved to Jan. 29, 2008 as provided by special legislation. She was advised by the Town Manager and Town Attorney that the legislation provided specifically that those municipalities having elections in March could change their election date to Jan. 29th and they did not feel there was room for interpretation.

Comm. Hogan stated that she disagreed and felt that moving the election would have saved costs

and allowed more residents to vote. She added that she felt the Manager should have contacted the State and the Commission earlier to let them decide on whether to pursue an election change. Comm. Hogan also commented that she recently discovered that Boynton Beach was responsible for a sewage spillage that they can be fined for by FDEP. She stated that in discovering this she also heard that Boynton Beach had been discussing possibly handling Ocean Ridge's sewage, to which Town Manager Schenck commented that he had very preliminary conversations regarding capacities with Boynton Beach and FDEP. He added that FDEP had requested that Boynton Beach contact Ocean Ridge as part of their agreement. Comm. Hogan stated that she felt the Commission should have been made aware of this also. Town Manager Schenck advised that if FDEP or Boynton Beach comes back with a study or report he would share it with the Commission.

Mayor Kaleel commented that he was impressed with the new Town Hall progress and how it is being handled by all parties involved and added that the contractor is currently 2 ½ months ahead of construction schedule.

Meeting adjourned at 7:00pm.

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Hogan

Commissioner Pugh