

REGULAR COMMISSION MEETING HELD FEBRUARY 4, 2008

Regular Commission Meeting of the Town of Ocean Ridge held on Monday, February 4th, 2008 at 6:00 PM 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	Nancy Hogan
Mayor Kaleel	

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Comm. Hogan requested to add items #12 Inlet Committee, #13 Ethics of Local Government, and #14 Elections.

CONSENT AGENDA

1. Minutes of Town Commission Meeting of Jan. 7, 2008

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

Motion Carried – yea 5.

ANNOUNCEMENTS AND PROCLAMATIONS

2. The administrative offices will be closed on Monday, Feb. 18, 2008 for the official holiday
3. 2008 Municipal Election/Elección Municipal 2008
 - a. February 12, 2008/12 de febrero de 2008
 - b. Two Commission Seats for Three Year Terms Each/Comisión dos puestos para tres años cada uno
 - c. Polls open 7:00 AM – 7:00 PM/entre la hor de 7:00 a.m. y 7:00 p.m.
4. Proclaiming March 7th, 2008 as “Water for Our Children Day”

PUBLIC COMMENT

John Wootton, 5907 N. Ocean Blvd, had 3 comments regarding Old Ocean. 1) Right of ways had been cleared except for one property. They had moved their trees, but not hedges yet, and he asked that they too be brought into compliance. 2) Lawn Maintenance companies had been using the east side of Old Ocean as a dumping area for old palm fronds killing the vegetation underneath. 3) He had researched and discovered that DEP does not allow for coconut palms to be planted on the dune. He saw it as a potential problem in the future. Manager Schenck asked Mr. Wootton to give him the names of the lawn maintenance contractors that were leaving the vegetation on the east side, and he would advise them that it was not allowed.

REPORTS

5. Town Manager

Manager Schenck had started to read his report, and was interrupted by Comm. Hogan. Mayor Kaleel requested that the manager summarize his report, and then address any questions or concerns afterwards. Comm. Hogan requested the opportunity to raise questions at each item. A consensus was made to allow Manager Schenck to present his report, and then comments or questions could be asked after his report.

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Manager Schenck reported the following: a) Stormwater Drainage Project was complete b) South Florida Water Management had approved the Woolbright Detention Area. The water quality sampling had been complete and a draft of the water quality report had been received and reviewed in-house by himself and the town engineer. Minor corrections were made, and when the final report is received it will be provided to the commissioners, and submitted to FDEP for their review as required by the 319 Grant. c) The Town Hall Project was on schedule and staying within budget with approximately \$300,000 expended through Dec. 2007. d) In regards to the Coconut Lane Drainage, the design of a system to eliminate the drainage water accumulation at the west end of Coconut Lane had been submitted to the Water Management District. When approved, we will present it to the commission for authorization to bid the project. e) The drainage repairs for Harbour Drive South were complete, except for some valves that were on order. f) Ocean Avenue. A permit request had been submitted to FDOT to change the landscaping of Ocean Avenue. Once we have the permit, we will go out for bids to make the changes. g) The bridge project is under design by Bridge Design Associates, Inc and design alternatives are being prepared to discuss with the residents. f) Old Ocean. All of the properties south of Corrine St had complied with the 6ft clearance zone with the exception of one resident. A letter has been received from that resident stating that he would comply. The properties north of Corrine will comply as a part of their underground utility project. h) A contractor was developing the cost for the drainage improvements needed on Spanish River Dr., Bimini Cove Dr. and Eleuthera Drive. i) Manager Schenck had met with FDOT to discuss a few of the problems with A1A: drainage problems, concrete problems, and the U Turn sign at the Yacht Club. They took note of the concerns, and would advise the departments that needed to address these issues.

Comm. Hogan was concerned and asked when the financials would be complete for 2006/2007, and for financial updates for this year and Capital Projects also. Manager Schenck replied that for this fiscal year, Ocean Ridge had expenditures of 23%, which is on track for the first quarter. Ocean Ridge's income was at 63%, with the majority of it coming from the ad valorem property taxes. Clerk Hanscak commented that the auditor came in January for his preliminary reports and was scheduled to return to conduct the background research within the next few weeks. With the exception of last year, our audits were usually complete in April or May. Comm. Hogan asked if a final location had been chosen for the generator of the South Phase Project, and was also concerned about the water report study of the Detention Area and their findings. Manager Schenck reported that the generator location was still being discussed and reviewed with Turtle Beach, and that a draft water report had been received. When the final report was complete it would be presented to the commission.

6. Town Attorney

Atty. Spillias reported that the FDOT bicycle lawsuit was appealed in Tallahassee. It was a three judge panel, and it could take anywhere from 2 weeks to 6 months for a final decision, and he would notify the commission when a decision had been reached. He informed the commission that he would not be present at the March 3rd commission meeting, and would send an associate in his place.

7. Director of Public Safety

Chief Hillery was present and had nothing to report. Comm. Hogan asked of the status of overtime for the Police Department and if an officer had been freed up with the absence of Briny Breezes. Chief Hillery replied that staff had not been reduced as a result of losing Briny Breezes, and Briny Breezes played no part in overtime. The officers were able to patrol the town more frequently now without having to include Briny Breezes in the second zone. He commented that overtime usually occurs when staff calls out sick or during vacations, and officer(s) are called in to cover the shift(s). Comm. Hogan questioned the use of townhall's mailing address by an

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officer, and if police scanners were allowed to be used by the public. Atty. Spillias confirmed that the Public Record Act exempted officers and their families from disclosing their home addresses from the public, but he would research it further to see if it is permissible to use a government address. Chief Hillery replied that owning police scanners is legal as it is public information.

8. Town Engineer

Engineer Tropepe reported that on January 22nd, 2008, a flash flood occurred in Ocean Ridge, six inches of water occurred within a 5 hour period from heavy rains (making this a 1 out of 10 year storm). She was happy to report that the South Phase Project worked properly. All pumps were functioning, and alternated according to schedule and per design. There was no property damage reported, and the staff received several compliments from the residents for all the hard work that was done.

Comm. Hogan questioned why A1A was chosen for the location of the generator as some of her neighbors were not happy with the location. Engineer Tropepe replied that 8 years ago plans were developed, submitted and subsequently approved by the Commission as to the location, size of generator(s), and level of service that would be required to accomplish it. A FDOT permit was applied for one of the generators to be located down by Briny Breezes, and then the permit was contested for a year and a new location had to be found. Comm. Pugh asked that Comm. Hogan come to the office prior to the meeting and address these type questions to the staff, rather than taking up time at the meetings. Mayor Kaleel reminded that there were many meetings (some specific for the Woolbright area residents) as to the entire project.

ACTION ITEMS

9. Authorize Palm Beach County Dept. of Environmental Resource Management (DERM) to Modify Dredging Hours to 24 hours/7 days a week.

Tracy Logue was present from Palm Beach County with a request to allow DERM to dredge the beach 24/7 starting approximately February 15th, 2008. In allowing them to expand the dredging time, it will decrease the time of the job in half. Mayor Kaleel noted that last year, they did authorize 24 hours a day, but no rock work was to be performed. He also stated that last year they were empathetic and minimized the noise when requested. Comm. Bingham stated that she saw no problems, with it, but would like to be assured that if complaints came in, if they could scale back and retract it. Ms. Logue commented that they could not give specific times of dredging. It was dependent on the quantity of sand, but they would be using a smaller dredge.

Comm. Bingham motioned to authorize Palm Beach County Dept. of Environmental Resource Management to Modify Dredging Hours to 24 hours/7 days a week, but reserves the right to stop the bulldozing if it was being abused. Seconded by Comm. Allison

Motion Carried – yea 5.

SECOND READING, PUBLIC HEARING AND ADOPTION OF ORDINANCES

10. 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

Comm. Pugh motioned to authorize Ordinance No. 574 changing the name of Dolphin Drive to Dolphin Road. Seconded by Comm. Bingham.

No comments from the public or commission.

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Motion Carried – yea 5.

TOWN COMMISSION COMMENTS

11. Discuss Garbage/Trash Services By: Comm. Hogan

Comm. Hogan requested that the public be notified of days of service when holidays fall on days of garbage/trash services. A consensus was made to put days of service for garbage/trash on the marques of our website and in the shadow boxes when they fall on holidays.

12. Inlet Meeting

Comm. Hogan noted that she would be representing Ocean Ridge at the next Boynton Inlet Study Meeting on February 15th, 2008 at 8:45a.m., and that the press had accused her being owned by Jerry Taylor or the City of Boynton Beach. She stated that she was concerned about the Inlet and assured that her purpose was to serve the residents of Ocean Ridge only.

13. Ethics of Local Government

Comm. Hogan suggested that Ocean Ridge have an ethics disclosure plan, and that Boca Raton had just prepared one. This would require everyone on the commission to disclose any contacts with any contractors in town. Manager Schenck noted that the last bid had a disclosure sentence that no bid would be eligible, if a commissioner was an owner or partial owner of the business.

14. Elections

Comm. Hogan reported that some of her election signs had been stolen, and that she had reported the thefts to the police department. She commented that some people have anger issues and mentioned Gail Aaskov, a public official, specifically regarding these lost signs. She requested that all candidates be allowed to promote themselves concerning this election.

Gail Aaskov, 27 Hibiscus Way, asked to reply to the accusation, and was granted permission. She reported that Comm. Hogan had come to her home Sunday afternoon at 3pm and accused her of stealing signs. She stated she was not aware that Comm. Hogan had signs in that area, and she had not left her home that day. She was angry to have been accused.

Meeting was adjourned at 7:05p.m.

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Hogan

Commissioner Pugh