

SPECIAL TOWN COMMISSION MEETING MINUTES
OCTOBER 18, 2018

Minutes of the Special Town Commission Meeting of the Town of Ocean Ridge held on Thursday,
October 18, 2018, at 5:00 PM in the Town Hall Commission Chambers.

CALL TO ORDER

The meeting was called to order by Mayor Bonfiglio at 5:00 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 Besler	x		
Mayor Bonfiglio	x		
Commissioner Coz	x		
Commissioner de Haseth	x		
Vice Mayor MaGruder	x		

PLEDGE OF ALLEGIANCE

Mayor Bonfiglio led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

**Commissioner Besler moved to approve the agenda as presented; seconded by Commissioner Coz.
Motion carried 5-0.**

PUBLIC COMMENT

Jerry Lower, 2 Harbour Drive North, stated that he loves living in Ocean Ridge and plans to for the rest of his life. He noted that there is a long term impact of the votes tonight, and he asked that the Commission serve the residents by giving them priority, and not those who seek to maximize their property value when they sell, or developing properties on the speculation of what future residents might want.

AGENDA ITEMS

1. **First Reading of Ordinance No. 645: An Ordinance Of The Town Of Ocean Ridge, Florida, Amending Its Code Of Ordinances By Amending Chapter 66 "Environmental Regulations", Article I "General Provisions, Sea Turtles And Wetlands", Section 66-1 "General Provisions", To Change The Pervious Area Requirements From 25% To 35% For Lots That Exceed 12,000 Square Feet In Lot Area; Amending Chapter 67 "Buildings And Building Regulations", Article III "Technical Codes And Other Construction Standards", Section 67-33 "Drainage, Required; Swales; Construction Of Driveways", To Provide For The Connection Of Trench Drains; Providing For Codification, Repeal Of Conflicting Ordinances, Severability, And An Effective Date. (By: Town Attorney Shutt)**

Town Clerk Stevens read Ordinance No. 645 by title only.

Town Manager Titcomb pointed out that we have the P&Z Vice Chairman Mark Marsh here for feedback from the committee, as well as the contracted Planner Marty Minor, Town Engineer and Building Official.

Town Attorney Shutt advised that the Commission adopted Ordinance No. 637 on first reading at the October 1st meeting, providing for an increase in pervious area to 35% for all lots in Ocean Ridge, but also directed the P&Z to look at alternatives such as changing the pervious area requirement to 35% for lots that exceed 12,000 square feet. He explained that currently, even at the 25% threshold, we may have some lots in Ocean Ridge that are non-conforming. This is not uncommon in land use matters. By increasing up to 35%, we may have more non-conforming lots; however, Mr. Minor can explain grandfathering and the legal non-conforming lot status. He explained that the proposed Ordinance 645 increases the pervious area requirement to 35%, but only for lots greater than 12,000 square feet. If the Commission adopts Ordinance

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645, both ordinances will go on the November 5th agenda for second reading, and the Commission will only be able to adopt one of them at that time. If Ordinance 645 is denied on first reading, it will not be placed on the November 5th agenda.

Town Manager Titcomb stated that while this applies town-wide, there are other sections of code that may preempt measurements, setbacks, and some other provisions. Town Attorney Shutt mentioned that there is a section in the planned residential development (PRD) district that has specific pervious area requirement and that supersedes the general requirement in the code. He stated it is not uncommon to have general requirements, and then individual zoning districts that may be more or less restrictive. He stated that Mr. Minor placed the language in this particular section because it applies town-wide.

Commissioner Besler stated that this applies town-wide except there is another section that eliminates the houses that could never conform. Town Attorney Shutt responded that if ordinance 637 is adopted, effective immediately, all homes in Ocean Ridge would be required to have 35% open space upon a new build. This would not impact existing buildings unless there is a voluntarily tear down to a structure, and then the owner would need to comply with the new section of code. If there is an act of God, or involuntary tear down such as from hurricane damage, the owner would be allowed to go back to the code section at the time the home was built because it is legally non-conforming at the time. The new code will apply to new construction and remodels over the 50% square footage threshold, meaning not just the codes that are being proposed right now, but all of the codes that have passed since the home was built the first time. Commissioner Besler is concerned about the small lots in the south end of town. Commissioner Coz stated that ordinance 637 would apply to all zoning districts except for the PRD, and Town Attorney Shutt confirmed that the PRD section is for lots over 10 acres which really does not apply in the Town of Ocean Ridge.

Vice Mayor MaGruder stated that the small lots that are in the south end of town can still build the same square footage under the proposed code by building a second story.

Mark Marsh, P&Z Vice Chair, stated that the P&Z reviewed and discussed this as a Commission, and also engaged Marty Minor as the expert, and what the town is trying to do is to catch up with other communities, and Ordinance 637 is the low end of comparable communities. He stated that Palm Beach and Gulf Stream, both have small lots and the codes work well for them, while keeping the economic value. He stated that the P&Z reviewed proposed ordinance 645, and it was a unanimous decision to not support it. The P&Z recommends that the Town Commission adopt ordinance 637. He stated that based on some of the graphics that Mr. Minor provided, there is a fear amongst some citizens that this would impact them economically, but there are alternatives to developing on small lots. He noted that most current homes already exceed the 35% open space requirement, and it is not so restrictive that it will impede anyone. He stated that there are positive reasons for passing ordinance 637 as it would protect the community by having the buffering, and increasing the drainage capacity. He stated there are a lot of positives, 35% is common among other towns on the island, and it is not a way to restrict people to develop their lots. He stated that Mr. Minor's graphics show the worst case scenarios. He stated that you can still achieve a one story home on the 7,500 square foot lots. Town Manager Titcomb noted for the record that the vote by the P&Z was 4-1 not to support ordinance 645. Vice Chair Marsh stated that the P&Z discussed the matter for a long time and have gathered public input at the meetings, and they strongly recommend that the Commission support Ordinance No. 637, and not Ordinance No. 645.

Commissioner Besler asked if stricter regulations will make the town look cookie cutter, and Vice Chair Marsh stated that it would actually be the opposite. Commissioner Besler asked how Ordinance 638 regarding parking would work into this, and Vice Chair Marsh stated that all of the ordinances were looked at in reference to open space/pervious space, and they all relate to each other. He reiterated that these ordinances will not create a hardship. The cookie cutter homes happen when the structure is built to the

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maximum and to the lot lines. The proposed ordinances will create more two story properties on the smaller lots, but there are a lot of lots that will allow one story buildings as well.

Mayor Bonfiglio asked what the harm is in going with the 12,000 square foot lot threshold in Ordinance 645 to see how it works, and Mr. Marsh responded that he does not recommend that the town get into spot zoning, and if we do that, we are categorizing certain areas or certain lot sizes and that's not a good thing.

Marty Minor, contracted Planner from Urban Design Kilday Studios, stated that he looked at three different lot sizes as directed by the Town Commission, and graphics were presented in the meeting packages. He stated that within the RSF zoning district, 67% of the lots are 12,000 or more square feet. In going through the exercise and discussion with P&Z, there was some confusion regarding 10,000 square foot lots and maximizing of the lot coverage, so he created a typical situation with a two-story house with the second floor being 75% of the first floor as per code, and created a new graphic. The FAR maxes out to 3,600; however, the footprint is only 2,060, with the second floor being 1,540 square feet. This is a two-story building with a smaller footprint, within the FAR, and using the two-story typical allows for 1,400 square feet more of additional hardscape, trading in the building footprint for hardscape. He stated that this allows more flexibility if you go to two-stories on the smaller lots, still maintaining the 35% open space as proposed. He stated that there are non-conformities in most communities as codes change over the years. That is fairly standard in zoning practices, and Town Officials look at working with the property owner for ways to allow improvements without increasing the specific non-conformity, and it can be done.

Commissioner de Haseth stated that the majority of homes rebuilt are two-story in nature. Building Official Cameron confirmed that information. Commissioner de Haseth, in reference to the graphics shown by Mr. Minor reiterated that to maximize FAR, the lot coverage is 21% which is below the maximum allowed, and it includes a two-car garage and two additional outdoor parking spaces, and with the size of the house, you could have double that size patio in the back, and still provide the 35% pervious area as proposed. If someone wanted a circular driveway, they would just shift the hardscape. Mr. Minor confirmed that information is correct. Mayor Bonfiglio asked for clarification that the 75% second floor requirement could be met, and Mr. Minor confirmed. Town Manager Titcomb asked if a trade-off would need to be made between second story space and hardscape on a smaller lot, and Mr. Minor stated that is correct, and decisions are made through the design process. He noted that two-story homes are now more popular.

Mayor Bonfiglio asked what the harm is of doing the 35% on the larger lots, and if we do the 35% across the town, what does Mr. Minor anticipate will happen. Mr. Minor stated that the reason this is being proposed is largely for drainage. We need pervious area and landscaping on the pervious area to help drain the water, and limiting it to certain lots will reduce that effort, but including all the lots may increase the non-conformities. However, the Town deals with non-conformities daily, because of age of the town and age of structures, with the continuation of zoning code amendments to make the town better. He stated that homeowners can request a variance if they want, or if they are doing something that does not increase the non-conformity, they can do that without a variance. Mayor Bonfiglio asked about the RMM district, and Mr. Minor confirmed that the 35% open space would apply town-wide.

Commissioner Coz asked if it would be more difficult to obtain a variance, and Town Attorney Shutt stated that when applying for a variance, homeowners need to show that it is not a self imposed hardship. When building a new home, it is hard to show that there is a hardship. If someone wants to do a renovation that trips the 50% threshold, they would seek a variance if needed to meet the 35% open space requirement.

Commissioner Besler asked if the homes in the south end would meet the 35% open space requirement if they go to two stories, and Mr. Minor confirmed that they can. He asked what size is the smallest lot in town, and Town Manager Titcomb stated that there is an accommodation for a 3,250 square foot lot in code

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section 64-3 Oceanview special area, and they also have different setbacks and FAR for those properties. They would still need to meet the 35% pervious area requirement.

Commissioner Besler asked if it is possible to build a one-story home in that area with this requirement, and Mr. Minor confirmed, and noted that homes in that area will only be required to have one parking space. Mr. Minor stated that of course, the house would be smaller because it is a smaller lot, but it would be a normal home with bedrooms.

Vice Mayor MaGruder stated that there are already at least two, two-story homes on Douglas Drive, and there are 2-3 other smaller homes, with a couple of duplexes, and each side has parking for one car. He stated that what we are talking about is already presently done there.

Commissioner Coz stated that the smaller lots on Douglas have resulted in the cookie cutter homes there because they are trying to maximize the FAR. He opined that imposing more restrictions on the homes in that area will result in even more cookie cutter look on Douglas, Tropical, Sailfish, Hersey, Adams, and other streets with the smaller lots. He opined that a one-story house is more desirable and attractive with landscaping from the street than a two-story house, and is more massing of the structure. Vice Mayor MaGruder stated that Frank McKinney just built a two-story house in that area and sold it for over three million. Mr. Marsh stated that there is a trade off, if you buy a smaller lot, you have more house with less land area. He stated that it is unfair to use the non-conforming lots to set the standard on how the town will dictate how a development is done. He noted that Ocean Ridge is blessed with large lots that are larger than Gulf Stream and Palm Beach. He stated he has done houses on 50' wide lots in Palm Beach having to achieve the 35% open space, and it is doable, but there is a trade off like he mentioned earlier. He opined that the Commission is going down a strange path by using the non-conforming lots as the basis for the argument to set a standard.

Mr. Marsh stated that one of the goals is to protect the ambience of the town, as this is an attractive area with a good price point for development, and we are going to get a lot of pressure put on the town in the future for development. We are catching up to other towns, and to preserve the ambience, the pervious area and drainage need attention, and this is a good improvement in percentage of pervious area for various size lots.

Commissioner Coz stated that he agrees with the ambience factor, but we have something that would be painless to every single resident in town if we go with ordinance 645. He stated the smallest lot he could find in Gulf Stream is .31 acre, so they are dealing with greater pieces of land to start with. Mr. Marsh stated that he is pretty sure that the core area of Gulf Stream has smaller lots than .31 acre excluding multi-family lots. He noted that Palm Beach requires 40% open space on the front setback, and we are not even contemplating that, we are asking to spread it out which is a better approach. He stated that back-to-back lots and side yards are the most abused and impact the neighbors. He stated that the 35% pervious area is not unreasonable, and a lot of the existing homes are over 40% open space currently.

Commissioner de Haseth stated that we are trying to mitigate our drainage, and drainage is not different depending on lot size, and drainage issues are not lot specific. In fact, the drainage is exacerbated in specific areas of town.

Lisa Tropepe, Town Engineer, submitted a formal presentation to the Town Commission based on real existing homes in town and whether or not they could be rebuilt under the proposed codes. She presented six distinct homes (5906 Old Ocean Blvd, 32 Spanish River Drive, 35 Harbour Drive South, 55 River Drive, 64 Spanish River Drive, and 16 Ridge Blvd), and all of them would meet the proposed 35% pervious area and other proposed codes.

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Commissioner Coz stated that in looking at the models, tremendous green space is already present so he questions why we are going through this exercise, and Commissioner de Haseth stated that we need it codified because not every developer is going to leave that much green space.

Commissioner Besler stated that it will be important to look at modeling for the south end homes so we can see if a newly built home on those lots will be livable under the new codes. Town Engineer Tropepe stated that if the homes in that area are already non-conforming, they will remain non-conforming under the proposed codes. Commissioner Besler wants to know if a new home in that area would be able to be built under the proposed codes, and Commissioner de Haseth commented that Mr. Minor already answered the questions that it is possible. Town Engineer Tropepe stated that the Oceanview special area relaxes some of the requirements such as setbacks and FAR so there are accommodations already in place for that area. Commissioner Besler asked for modeling on Douglas as an example of how to conform to the new regulations. He wants to make sure an older couple who want a single story will be able to build a home that is livable in that area under the new regulations.

Commissioner Coz stated that 67% of the homes in the RSF district have 12,000 or more square foot lots, which means that is more than 2/3 of town, or 80% of the land mass, so we are already taking care of the look of Ocean Ridge. Mr. Marsh stated he has never seen this before, and he stands by his comment earlier that most of the town exceeds the standard already. He mentioned the PUD at Maisonettes North having sixteen two-bedroom cottages with no property lines, and when they wanted to expand those lots, they came to the town, and the Town was smart to allow them to uniform all of the lots and as long as they met the open space requirement. He stated that the smaller lots on the south end are all proportional to the land area. If you buy a small lot, you know you are going to be restricted and that is a personal choice. He stated that someone could buy two lots and unify them if they want to. The lots in the south end are unusually small lots, and it creates its own unique character of the town. The owners of those properties can go to the Board of Adjustment for a variance if needed, and the Commission should not let those lots be the model for how it votes on the proposed ordinances. Commissioner Besler stated that the Commission is being asked to pass a regulation that will cover everyone, so he is trying to make sure everyone will be ok and he hasn't seen the modeling for that area of town yet. Mr. Marsh stated that those lots are pre-existing non-conforming, and they are enjoying more than they are entitled to under the code already. The compromise for that area in the proposed ordinances was to require only one parking space for those lots. He reiterated that spot zoning is a dangerous situation.

Town Engineer Tropepe stated that all properties regardless of size create drainage impacts and design challenges. All properties share responsibility to maintain and retain stormwater. The most cost effective solutions are increasing pervious areas and swales. Generally speaking, any increase in impervious area compromises the management of our stormwater. She stated that another engineer already told the Commission that the drainage system on the north end does not meet the standard, and we have compressing soil in some areas, and we have soil borings in some areas that show 15' of peat and muck, we know that there have been increases in ground water, and as the ground stays this way, and as the ground water rises, we continue to compromise the amount of storage we can store our water. We have seen over time slight increases in the ground water elevation which is already shallow. Vice Mayor MaGruder noted that sea level rise is pushing the aquifer up which is a contributing factor. Ms. Tropepe read a section of town code, 64-1 which talks about single-family districts: "The Town Commission is seeking to harmonize the building character within the community by restricting the use of large and over-stated or over-bearing building elements." She stated that this is in the code, and that is the Commission's job.

Public Comment: Shai Ozery, Attorney on behalf of the Luring family at 94 Island Drive South, pointed out that proposed ordinances 637/645 and 638 are inconsistent interests. He understands the drainage issue, but adding parking spaces which are considered impervious does not match the interests sought by ordinance 638. He stated, in reference to homes involuntarily destroyed, that he thinks there may be an

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exception in the code that the town can prevent someone from rebuilding their home if the new ordinance precluding them is for health and safety, and he asked the Commission to look into that before making a decision.

Betty Bingham, 1 E. Ocean Ave, when Blue Ocean asked to come into Ocean Ridge, all of the lots were below the minimum standards in Ocean Ridge, and the Commission wrote strict standards that if they wanted to rebuild, they would have to buy two lots to stay within Ocean Ridge standards. She stated she sees no reason to lower our standards to meet a community that wanted to come into Ocean Ridge under different standards. She asked the Commission to maintain our standards and make them come up to them.

Martin Wiescholek, 5 Engle Drive, stated that he moved here about a year ago and he loves Ocean Ridge. He asked the Commission to please keep in mind that one thing that we have is an island, and as much as someone wants to deny climate change, it is happening, and with that, we have a drainage situation we are facing. He stated it is already happening in front of his house and all over town. He stated the Town is already spending money on studies, and one thing we can do is create more green space where water can drain. He stated that ordinance 645 is trying to help smaller lots and he understands that, but what we are talking about are older single story homes built long ago that are non-conforming. He noted that if a home is destroyed by will of the owner, South Florida building code states that they have to be up to 8 feet above sea level, so whatever is being built, it will be non-conforming. He stated that his profession is a real estate developer, and when he buys a property, he tries to see where he can maximize his profits, and maximizing square footage is what it takes. Ocean Ridge is the last town in the area where we can find prices for single family homes that are reasonably priced. The comparison is two million in Ocean Ridge to six million in Delray Beach, and that is why developers are flooding the area. While most owners and builders are going above 35% open space already, the P&Z is facing situations where people are coming in and trying to go below that. It is imperative that the Commission adopts the 35% pervious area as a whole for all lots. He stated that the Commission should even consider going up to 40%, setting a higher standard. He stated that if the Commission wants to pass ordinance 645, the pervious area should be 40% for the lots 12,000 square foot and above, and 35% for everyone else.

Jerry Lower, 2 Harbour Drive North, stated that we are fortunate to have a capable P&Z board with residents who have a wide variety of expertise, and who have acted with the best interests of the residents at heart. The Town has invested in hiring experts that serve the P&Z and this community, and he encouraged the Commission to listen to them. He stated that anything less than 35% pervious area sets us on a course for exacerbating our drainage issues. Previous Commissions did not have the foresight on drainage issues. He stated that the smaller lots are part of the reason we have special drainage issues in that area and have installed the Tropical drive pumps. He stated that if we let them have more pavement on that end of town, we will exacerbate those drainage issues even more.

Vice Mayor MaGruder stated that the 25% pervious area requirement was adopted in 2002, and since then we built the detention pond to try to deal with the rising water, we still have problems on Spanish River Drive and Inlet Cay, we are trying to fix drainage problems on A1A near Anna Street, we increased the flood elevations, and we recently started talking to the City of Boynton Beach regarding sewer systems, and all of these things need to be dealt with now to combat the drainage issues. He stated that the absorption of the water is one of the best and cheapest ways we can begin now to solve the problems, and the only way to do that is to pass the 35% pervious area ordinance. Sea level rise is coming in the next decade or so, and if we don't start today to take care of it now, we have accomplished nothing. He stated that we need to start today while we can afford it. We are already having problems, and you can imagine what will happen down the road. He stated that he has been working on sea level rise for a year and a half and he has a lot of notes on it. He attended a meeting recently and they were talking about flooding issues with canals and what to do about that.

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Mayor Bonfiglio summarized that the Commission has already approved ordinance 637 that will go to second reading at the next meeting, and if we approve ordinance 645 tonight it will compete with 637 at the next meeting. He stated he does not see the harm in passing this on first reading now and we can give residents one more chance to speak on the issues, and then the Commission can make the final decision at the next meeting. He stated he does not see anyone from the south end speaking on the issue.

Commissioner Besler stated he agrees with Mayor Bonfiglio, and noted that P&Z are the experts, and he leans toward their recommendation, along with the engineers and planners that know what they are doing. He stated that the issue is how this will affect people in the south end. He stated he would make his final decision after seeing examples of houses on Tropical or Douglas at the next meeting.

Commissioner de Haseth stated that we can look at the models if we want, but if you are starting with a non-conforming home, you are going to stay non-conforming with the proposed codes. She stated she would like to know what the 12,000 square foot rationale is, and Mayor Bonfiglio stated that he proposed it as a compromise between nothing passing and everything being covered.

Town Manager Titcomb stated for the record that we received letters supporting the 35% pervious area from Penny Kosinski, 6000 Old Ocean Ave, and Greg Zink at 54 River Drive.

Commissioner Coz moved to adopt Ordinance No. 645 on first reading; seconded by Commissioner Besler.

Roll Call Vote: Commissioner Besler, Aye; Mayor Bonfiglio, Aye; Commissioner Coz, Aye; Commissioner de Haseth, Nay; and Vice Mayor MaGruder, Nay. Motion carries 3-2 (Commissioner de Haseth and Vice Mayor MaGruder dissenting)

2. **First Reading of Ordinance No. 640: An Ordinance Of The Town Commission Of The Town Of Ocean Ridge, Florida, Submitting To Referendum Amendments To The Town Of Ocean Ridge Town Charter; Amending Article IV "Administrative", Section 4.01 "Town Manager", To Clarify That The Town Manager Is Not Required To Be A Resident Of The Town; Amending Section 4.02 "Appointment; Removal; Compensation", To Provide That The Affirmative Vote Of A Majority Of The Town Commission Is Required; Amending Section 4.03 "Acting Town Manager", To Modify The Designation Process For An Acting Town Manager; Amending Section 4.04 "Powers And Duties Of The Town Manager", To Provide That The Town Manager Has The Authority To Hire And Remove Or Suspend All Employees Without Confirmation Or Appeal To The Commission, Except Approval Must Be Obtained From The Commission Prior To Terminating The Police Chief, And To Remove The Process That Requires A Hearing To Be Held By The Town Manager Within 72 Hours Of The Suspension Of A Police Department Employee; Establishing The Date Of March 12, 2019, For The Referendum; Providing A Ballot Title And Question; Providing For Notice And Advertising Of The Referendum; Providing For Codification; Providing For Severability; Providing For The Repeal Of Laws In Conflict; And Providing For An Effective Date. (By: Town Attorney Shutt)**

Town Clerk Stevens read Ordinance No. 640 by title only.

Town Attorney Shutt advised that the Town Commission directed staff at the last meeting to modify the ordinance, amending the section that Commission approval is needed in the firing of the Police Chief. This is a charter referendum issue, and if passed tonight, second reading will be held on November 5th and if approved on second reading, the amendment will go to referendum in March.

Vice Mayor MaGruder moved to adopt Ordinance No. 640 on first reading; seconded by Commissioner Coz.

Public Comment: Jerry Lower, 2 Harbour Drive North, asked if the super majority issue is missing, and Town Attorney Shutt stated that the super majority issue is in a different ordinance, and that one passed on first reading and will go to second reading on November 5th.

Motion carried 5-0.

3. **First Reading of Ordinance No. 642: An Ordinance Of The Town Commission Of The Town Of Ocean Ridge, Florida, Submitting To Referendum Amendments To The Town Of Ocean Ridge Town Charter; Amending Article III "Legislative", Section 3.03 "Election And Terms", To Provide For Term Limits Not To Exceed Three Consecutive Terms And To Provide That A One Year Hiatus Must Occur If A Person Has Served The Maximum Amount Of Consecutive Terms; Establishing The Date Of March 12, 2019, For The Referendum; Providing A Ballot Title And Question; Providing For Notice And Advertising Of The Referendum; Providing For Codification; Providing For Severability; Providing For The Repeal Of Laws In Conflict; And Providing For An Effective Date. (By: Town Attorney Shutt)**

Town Clerk Stevens read Ordinance No. 642 by title only.

Town Attorney Shutt advised that this is a proposed Charter amendment regarding term limits which was heard on first reading on October 1st and not approved at that time. The Commission gave direction to staff to modify the ordinance for a term limit not to exceed three consecutive terms and to provide that a one year hiatus must occur if a person has served the maximum amount of consecutive terms, as opposed to a three-year hiatus that was initially proposed by the Charter Commission. The change was made in this ordinance, and if it passes on first reading, it will proceed to second reading on November 5th. If it passes on second reading November 5th, it will proceed to referendum in March.

Commissioner de Haseth moved to adopt Ordinance No. 642 on first reading; seconded by Vice Mayor MaGruder.

Mayor Bonfiglio called for public comment, and there was none

Commissioner Besler stated that his concern is losing great talent such as the two previous Mayors, one who served for 18 years and served us well, and the other who served for 12 years. He stated that usually when you pass an ordinance you are trying to stop something, and he asked for an example of something that would help the town by putting in term limits.

Public Comment: Martin Wiescholek, 5 Engle Drive, gave the example of the Town of Surfside where the Mayor and Vice Mayor and two Commissioners were so closely bonded that they conspired in doing things amongst themselves, and discussed things out of the sunshine law. He stated that he supports term limits, as it is healthy. He stated that as great as a Commissioner may be, someone else may do a better job, but you will never know unless you try. He strongly recommends term limits, and stated that he hopes people that step forward are engaged with the community and have the best interest of the town at heart.

Betty Bingham, 1 E. Ocean Ave, stated that she has some problems with term limits in a small community, and where you would turn over Commissioners frequently, there should be a pre-requisite to serving on the Commission such as serving on the P&Z or attending Commission meetings over the past year. She stated that she prefers zero, but a one year hiatus is better than three years off. She stated that new Commissioners

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waste a lot of the Town Manager and Town Attorney's time, and we would lose institutional knowledge with term limits.

Mayor Bonfiglio stated that new Commissioners do tend to re-hash old things that have already been brought up by previous Commissions. He stated he does not see a problem passing this on first reading, and he will make his final decision on second reading. He stated that running for office is not easy, and when you automatically turn people away after three years, you may not have experienced people to serve. He stated he likes Ms. Bingham's idea of the pre-requisite for someone to serve on a board first.

Commissioner Coz stated that one year off provides health to the town. He stated that the staggered election system will hopefully take care of Ms. Bingham's concern. Commissioner Besler stated that if someone is given a year off, they may find something else to do. Commissioner Coz responded that it's not a full time job.

Commissioner de Haseth stated that we don't lose institutional knowledge with term limits, and a year off is a healthy piece, but the most important thing is that we let this ordinance go forward as a referendum, as the Commission should not be the judge and jury. She wants to let the residents tell us what they think.

Motion carried 5-0.

TOWN COMMISSIONER COMMENTS

4. Southeast Florida Regional Climate Leadership Summit (By: Vice Mayor MaGruder)

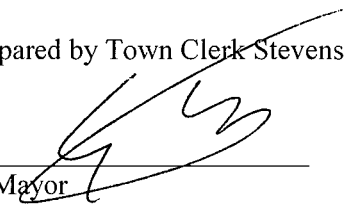
Vice Mayor MaGruder advised that he registered to attend the Southeast Florida Regional Climate Leadership Summit next week, and they asked him if he would attend a roundtable as the Vice Mayor. He wanted to bring it up to the Commission to see if anyone has any objections with him attending this as the Vice Mayor of Ocean Ridge. Commissioner de Haseth stated that she appreciates Vice Mayor MaGruder's devotion of time. There were no objections by the Commission.

Commissioner Coz stated that wants to see diagrams of how the 35% pervious area calculations will affect the houses on the smaller lots, and suggested that we do modeling on more than one home in that area. Town Manager Titcomb asked Commissioners to suggest which lots they want to see modeled and let him know, so that it does not appear that town staff is aligning the data to support a particular position. He stated that we will take the suggestions and see if we have plans on file to do the modeling.

ADJOURNMENT

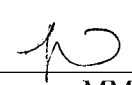
Meeting Adjourned at 6:45 p.m.

Minutes prepared by Town Clerk Stevens, and adopted by the Town Commission on November 5, 2018.



Steve Coz, Mayor

ATTEST:



Tracey L. Stevens, MMC, Town Clerk