

REGULAR TOWN COMMISSION MEETING MINUTES  
APRIL 6, 2020

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday,  
April 6, 2020 at 6:00 PM in the Town Hall Commission Chambers and virtually through  
Gotomeeting.com.

**CALL TO ORDER (00:30)**

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

Mayor Coz read the following statement into the record:

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes. The member of the Town Commission who appeared remotely for the meeting was Phil Besler.

Town Clerk Armstrong informed that the agenda, the material for each item on the agenda, and the notice regarding the virtual meeting were made available beginning April 1, 2020. The Town Clerk also explained the methods of participating in public comment.

**ROLL CALL (03:24)**

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

Commissioner Besler	Present
Mayor Coz	Present
Commissioner de Haseth	Present
Commissioner Hurlburt	Present
Commissioner Wiescholek	Present

(Town Clerk's Note: Commissioner Besler participated remotely.)

**PLEDGE OF ALLEGIANCE (03:39)**

Mayor Coz led the Pledge of Allegiance.

**ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA (04:08)**

Commissioner Wiescholek asked to move item 1.f. from the consent agenda to regular agenda, and adopt it as 4.a.

**Commissioner Wiescholek moved to approve agenda as amended; seconded by Commissioner Hurlburt. Motion Carried 5-0.**

**PRESENTATION**

There was none.

**ANNOUNCEMENTS (05:25)**

- a. The next Regular Town Commission meeting will be held on May 4<sup>th</sup> at 6:00 PM at Town Hall, and a Goal Setting Workshop will be held on May 4<sup>th</sup> at 2:00 p.m. at Town Hall. The next Planning & Zoning Commission meeting will be held on May 18<sup>th</sup> at 8:00 AM at Town Hall. The next Septic to Sewer Citizens' Advisory Committee Meeting will be held on May 14<sup>th</sup> at 8:30 AM at Town Hall. All meeting dates are subject to be changed or cancelled.
- b. Census Day was April 1, 2020, and important census information should have been delivered via mail to each household with instructions on how to complete the census information whether it be online, over the phone, or through the mail. Responding with a list of every member of the household is important, as we rely on those figures to receive federal funding for our local education system, healthcare, housing, transportation, and infrastructure programs for our residents.

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- c. Residents who wish to sign up to receive important Town notifications and news through Civic Ready should sign up on the Town's website or call Town Hall for assistance. Due to the coronavirus pandemic, now is the time to sign up.
- d. Next on the agenda is public comment. The Mayor will invite the public to speak to the Commission on any item that is not printed on the agenda. Public comments on specific agenda items may be made later in the meeting when the items are taken up. There is a one-time per item three (3) minute individual limit for public comments that will be timed by the Town Clerk. The Town Clerk will read public comments received via email prior to the commencement of the meeting and public comments received by Town Hall Staff during the meeting into the record. Persons who can access the meeting by teleconference using a computer with speaker capabilities or through a smart phone application (app) can provide public comment by typing their name in the chat box along with the agenda item they would like to speak about. When public comment is called by the Mayor during each agenda item, the Town Clerk will unmute each person, in the order received, that have placed their name in the chat box, and ask them to speak at that time. Public comment is not meant to be a question and answer period, and there will be no dialogue. The Commission would like to remind everyone that individuals addressing the Commission shall use proper language, and that language which includes profanity or cursing, or which is presented in an aggressive or threatening manner toward the Town Commission, staff, or other members of the public is prohibited.

### **PUBLIC COMMENT (07:50)**

Town Clerk Armstrong read a public comment emailed by Carol Besler, 5906 Old Ocean Blvd., into the record. The public comment by Carol Besler discussed the unintended consequences of allowing ownership of ocean front dune properties not attached to a dwelling. Mrs. Besler urged the Town Commission to task the Town Attorney with doing a title search on the separate conveyances that allowed the beach rights to be separated from their attached dwelling, and provide a solution to rectify the situation.

Town Clerk Armstrong read a public comment provided by Janet and Roy Schijns, 111 Dolphin Bend, into the record. The Schijns commended the Town Manager, Police Chief, Town Hall Staff, Town Commissioners and Police Officers for all their hard work on keeping the residents safe.

### **APPROVAL OF CONSENT AGENDA (11:57)**

1.
  - a. Adopt Minutes of Special Town Commission Meeting of February 24, 2020.
  - b. Adopt Minutes of Regular Town Commission Meeting of March 2, 2020.
  - c. Adopt Minutes of Special Town Commission Meeting of March 26, 2020.
  - d. Ratify the Coronavirus Related Leave Policy and the Pandemic Response Plan Version 20-01.
  - e. Resolution No. 2020-12: Approving the Program for Public Information Task Force and Adopting the Program for Public Information Report.
  - g. Approval of the distribution of \$312,028 of Federal Fiscal Year 2019 (County Fiscal Year 2020) Edward Byrne Memorial Justice Assistance Grant (JAG) funds for the Countywide Reentry Program and the PalmFUSE (Frequent Users System Engagement) Project within Palm Beach County.

(Town Clerk's note: Item 1.f. was moved from the consent agenda to the regular agenda as item 4.a.)

**Commissioner de Haseth moved to approve Consent Agenda as amended; seconded by Commissioner Wiescholek. Motion Carried 5-0.**

### **REGULAR AGENDA ITEMS**

2. **Resolution No. 2020-09: A Resolution of the Town Commission of the Town of Ocean Ridge, Florida, Electing a Mayor (12:26)**

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Town Clerk Armstrong read Resolution No. 2020-09 into the record by title only.

Town Manager Stevens explained the voting process for a virtual meeting for Mayor and Vice Mayor that complied with Section 3-05 of The Town's Code of Ordinances and the Town's adopted Rules of Order and Procedure. She advised all commissioners present would fill out a ballot while those appearing virtually will text their selection to the Town Manager's Town cell phone.

Mayor Coz called for public comment.

Janet Schijns, 111 Dolphin Bend, commented that the Commission should choose a seasoned and disciplined leader during these turbulent times. She encouraged all Commissioners to reelect Mayor Coz.

Town Clerk Armstrong read the result into the record, which were as followed:

Commissioner Besler and Mayor Coz voted for Steve Coz for Mayor.

Commissioner Wiescholek, Hurlburt and de Haseth voted for Kristine de Haseth for Mayor.

Mayor Coz congratulated Commissioner de Haseth on winning the Mayoral position.

Commissioner Wiescholek stated that all commissioners have the qualification of holding the Mayoral Position, and explained his voting preference by stating that Commissioner de Haseth would be able to better help the Town during tough times because of her connection to Florida League of Cities. He advised that he will rotate his vote for Mayor on a biennial basis.

**Commissioner Hurlburt moved adopt Resolution 2020-09: Electing Commissioner de Haseth as Mayor; seconded by Commissioner Wiescholek. Motion Carried 5-0.**

Town Attorney Shutt stated that Mayor de Haseth would need to take over as the presiding officer. Mayor de Haseth yielded the floor to Commissioner Coz to serve as the presiding officer for the remainder of the meeting.

### **3. Resolution No. 2020-10: A Resolution of the Town Commission of the Town of Ocean Ridge, Florida, Electing a Vice Mayor. (22:01)**

Town Clerk Armstrong read Resolution No. 2020-10 into record by title only.

Town Manager advised that the same voting procedures would apply for the Vice Mayor.

Commissioner Coz called for public comment, and there was none.

Town Clerk Armstrong read the result into the record, which were as followed:

All Commissioners voted for Steve Coz as Vice Mayor.

**Commissioner de Haseth moved adopt Resolution 2020-10: Electing Commissioner Coz as Vice Mayor; seconded by Commissioner Hurlburt. Motion Carried 5-0.**

### **4. Resolution No. 2020-11: A Resolution of the Town Commission of the Town of Ocean Ridge, Florida, Designating Depositories for Town Funds; Authorizing the Treasurer or Deputy Treasurer to Sign Town Checks; Authorizing Any One of the Five Town Commissioners to Countersign Town Checks; and Providing that this Resolution Shall Continue in Full Force and Effect Until Modified by Written Notice to Said Depositories. (24:34)**

Town Clerk Armstrong read Resolution 2020-11 into the record by title only.

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Town Manager Stevens advised that the resolution would remove the old commissioner and allow the new Commissioner to be able to countersign checks.

Vice Mayor Coz called for public comment, and there was none.

**Commissioner Wiescholek moved adopt Resolution 2020-11; seconded by Commissioner Hurlburt. Motion Carried 5-0.**

### **4.A. Approve Land Development Permit Extension for 132 Island Drive. (25:52)**

Town Manager Stevens advised a six-month extension for 132 Island Drive would be needed for their Land Development Application to comply with Section 63-55 of The Town's Code of Ordinances. She further explained that the contractor for the project applied for a building application, but the Land Development approval would lapse prior to the approval of the building permit.

Commissioner Wiescholek voiced his concern that the Land Development Application for 132 Island Drive would be in conflict with current code and Planning and Zoning current standards. He stated that there were many issues with the project when it went for Concept Plan Review in 2018. He recommended for the project to return to Planning and Zoning.

Vice Mayor Coz asked for clarification on the project and Town Manager Stevens requested for the item to be postponed to the May Regular Town Commission Meeting in order to discuss logistics of the permit with the Building Official.

Vice Mayor Coz asked whether the extension could be retroacted since it would expire prior to the May Regular Town Commission Meeting. Town Attorney Shutt stated that by the Town Commission deferring the project to the May would serve as continuing the application until May because applicant submitted timely.

Mayor de Haseth asked if the project would be for a new build. Commissioner Wiescholek stated that it would be for a new home.

Commissioner Wiescholek asked whether the applicant would be able to go for May Planning and Zoning Meeting if the extension was denied at the May Regular Town Commission Meeting. Town Manager Stevens responded that there would not be enough time to put the applicant in the May Planning and Zoning agenda. Mayor Coz asked for the legal liability for delaying the process. Town Attorney Shutt stated that the homeowner is asking for an extension from the Town Commission because their Land Development Application was due to expire and that anyone can place a lawsuit, but he does not foresee one for this situation because we are continually working with the homeowner. Mayor de Haseth stated that the homeowner is still living within the home. Commissioner Wiescholek concurred.

**Commissioner Hurlburt moved to defer the Land Development Permit Extension for 132 Island Drive to the May Regular Town Commission Meeting; seconded by Mayor de Haseth. Motion carried 5-0.**

Commissioner Wiescholek asked if the homeowner could opt for going for the May Planning and Zoning Meeting rather than requesting an extension. Town Attorney Shutt responded that the homeowner does have options. Town Clerk Armstrong notified of the process to get on the agenda for Development Plan Review.

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Mayor Coz summarized that the extension for the Land Development Application for 132 Island Drive had been deferred to the May's Town Commission Meeting and that Commissioner Wiescholek suggested for the applicant to go to the Planning and Zoning Commission for re-approval based on current code and standards. Town Manager Stevens stated that staff would contact contractor regarding the Town Commission decisions.

### **5. Town Manager (39:18)**

Town Manager Stevens advised that her report is included in the meeting package, and reported on the following:

- The annual Town Election was cancelled, as Susan Hurlburt and Martin Wiescholek ran unopposed for the two open seats on the Town Commission. Both Commissioners were sworn in by the Town Clerk after the date of the March election, as required in the Town Charter.
- The annual financial audit was completed. The Town Auditors will present the audit report to Commissioners at the May Town Commission meeting.
- Annual Board & Committee appointments are normally in April, but will taken up in Commission in May. Due to openings for the Board of Adjustment, she suggested for the Town Commission to extend the application period to April 24<sup>th</sup>, 2020.

Mayor de Haseth asked if the Town Commission could act as the Board of Adjustment. Town Attorney Shutt stated that Town Commission could designate those duties to themselves or to the Planning and Zoning Commission. He mentioned that any appeals for a variance would go to Circuit Court of Appeals.

Mayor de Haseth asked for an update on the Bert J. Harris Property Rights Act. Town Attorney Shutt stated that the Act did not pass in the form expected.

Commissioner Hurlburt stated that further discussion on the reassignment of Board of Adjustment duties should be discussed at the May Town Commission Meeting for public input. Commissioner Besler concurred.

- The County beach re-nourishment project was near completion. They were tilling the area, and expect to demobilize between March 27th and April 3rd, with vegetation planting to occur around April 8th.
- The majority of the work at Town Hall and the Police Department over the past month has been focused on combating coronavirus and keeping the residents and employees of the Town of Ocean Ridge safe and healthy. Although staff has been fielding an unprecedented amount of calls and emails, staff has been able to develop policies, obtain needed supplies and resources, and respond to new information quickly. Staff cares a great deal about the Town and urged residents to adhere to all orders issued by the Governor, Palm Beach County, and Town of Ocean Ridge officials.
- The Police Department t will begin to strictly enforce the orders, with the assistance of the Palm Beach County Sheriff's office, in order to keep everyone safe and healthy.
- The Town's website was frequently with new information regarding coronavirus, and residents are encouraged to review the information. Although Town Hall remains closed, staff is fully available to assist the public with normal Town business and questions.
- The Building Official and Public Works Director Cameron resigned with a deadline date of May 1<sup>st</sup>, 2020.

### **6. Town Attorney (45:28)**

Town Attorney Shutt stated individual Commissioners meeting may be needed to discuss a pending lawsuit.

### **7. Police Chief (46:13)**

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

The Town Commission commended the Police Chief and the Police Officers for a job well done. Commissioner Wiescholek also commended Town Staff and in particular Town Manager Stevens for all her hard work and long hours. He asked staff to take precautions.

Mayor de Haseth asked about the meaning of beach closure, and difference between Stay at Home and Stay Safe. Town Manager Stevens responded that per the Palm Beach County Attorney opinion, all beaches are closed, which is inclusive of public and private. Mayor Coz concurred. Town Manager Stevens urged for all residents to practice social distancing to be in compliance with Governor's order.

Commissioner Wiescholek commented that there were a large group of bikers that were not adhering to the social distancing order. Mayor Coz asked if the Town had the legal ability to ask speed bikers to not use Old Ocean Blvd. There was a debate of what can be done and location of the speed bikers. Commissioner Besler commented on the hazard speed bikers pose due to their low visibility and high speed. Mayor de Haseth stated that the possibility for speed bumps need to be explored.

Town Manager Stevens remained residents to practice social distancing while out of home.

### **8. Building Official**

Town Manager Stevens advised that his report was included in the meeting package.

Mayor Coz asked if 6273 N. Ocean Blvd. is working with the Town to complete the project. Town Manager Stevens stated that 6273 N. Ocean Blvd. is continuing to work.

Commissioner Wiescholek asked for an update on 6009 N. Ocean Blvd. Town Manager Stevens advised that options were being reviewed. Mayor Coz informed that there was a daily fine being assessed on the property until compliance is reached. Mayor de Haseth asked if the Town's Landscaping Company can trim the vegetation on the property. Town Attorney Shutt stated that if definition of nuisance was reached, then Town landscaper could trim vegetation and charge the owner for the trimming.

Mayor de Haseth asked why there is no temporary fence to cover 6009 N. Ocean Blvd. Vice Mayor Coz explained the history of the property.

Commissioner Wiescholek asked if permits were still being issued. Town Manager Stevens stated that permits were still being issued. Commissioner Wiescholek recommended for only essential construction to be allowed to continue during the COVID-19 Pandemic. Town Manager Stevens stated that she will have further discussions with the Building Official. Mayor de Haseth asked for an update at the May Town Commission meeting of permits considered essential.

### **ADJOURNMENT**

Meeting Adjourned at 6:58 p.m.

Minutes prepared by Town Clerk Armstrong, and adopted by the Town Commission on May 4, 2020.



Kristine de Haseth, Mayor

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OCEAN RIDGE  
TOWN OF  
ATTEST:  
*Karla*  
Karla M. Armstrong, Town Clerk  
1931  
FLORIDA