

SPECIAL TOWN COMMISSION MEETING MINUTES
AUGUST 3, 2020

Minutes of the Special Town Commission Meeting of the Town of Ocean Ridge held on Monday,
August 3, 2020 at 2:00 PM in the Town Hall Commission Chambers and virtually through
Gotomeeting.com.

CALL TO ORDER

The meeting was called to order by Mayor de Haseth at 2:00 p.m.

Mayor de Haseth 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 July 29, 2020. The Town Clerk also explained the methods of participating in public comment and gave tips on participating virtually.

ROLL CALL

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

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

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

PLEDGE OF ALLEGIANCE

Mayor de Haseth led the Pledge of Allegiance.

PUBLIC COMMENT – (3-minute individual limit)

Town Clerk Armstrong read into the record the public comment provided by Janet Schjins from 111 Dolphin Bend. Mrs. Schjins voiced her concern that the Town was over spending and was using too much from the reserves. She requested that the Town Commission be fiscally responsible and review the budget in detail to reduce frivolous spending. She was against the Town Commission allocating funds for the Tree Inventory program and the 90th Year Ocean Ridge Celebration.

Town Clerk Armstrong read into the record the public comment provided by Polly Joa from 35 Hersey Drive. Ms. Joa commended staff for reducing the department budget to accommodate for the revenue loss due to COVID-19. She criticized the Town Commission for allocating funds toward the Tree Inventory Program and proposed that the Town Commission consider adding the 90th Anniversary Celebration to the FY22 budget as opposed to FY21. She advocated to the Town Commission to allocate any additional funds to maintenance projects throughout the Town. She asked the Town Commission to be fiscally responsible. She also mentioned that the Garden Club had not approved their budget and that the Town Commission should not base their budget around the Garden Club.

Mary Ann Cody, President of the Ocean Ridge Garden Club, voiced her support for the Tree Inventory Program proposed by Town Commissioner Hurlburt. She further stated that the members of the Garden Club also supported the Tree Inventory Program.

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Vice Mayor Coz stated that he had received an additional email for public comment, but could not locate it. Town Clerk Armstrong noted that she had not received any additional public comments.

Zoanne Hennigan, 91 Island Drive South, clarified that Ms. Cody's public comment did not represent the view of all Garden Club members, but did express that all executive members of the Garden Club did support the Tree Inventory proposed by Commissioner Hurlburt. Vice Mayor Coz asked Mrs. Hennigan if the Garden Club would also be allocating funds toward the Tree Inventory Program, to which Mrs. Hennigan responded that the item has not been discussed, but would be discussed in the Fall once they are finalizing their budget. Mayor de Haseth noted that the Garden Club budget isn't adopted until Fall, and also thanked Mrs. Hennigan for her public comment.

ACTION ITEMS

1. Finalize Budget for Presentation to the Public at the September 8th Budget Hearing
Town Manager Stevens stated that the budget presented is version 3.0 and it encompasses all the changes discussed at the Town's previous budget meeting and also any changes from staff. She stated that the overall projected expenditures with the suggested mil rate and collection rate were featured in the budget. She further stated that all changes were summarized in the package and that the insurance rates and Florida Retirement System rates were also added to the budget. Town Manager Stevens stated that additional changes would need to be added to the budget that were not received when the budget was distributed. The following changes would need to be added to the budget: Reduce Capital Item #3 from \$30,000 to \$16,000; Increase revenues by \$20,000 if the Town Commission agrees to adopt the new Franchise agreement with Florida Power and Light (FPL); Increase the expenditure by \$13,000 for a radiator repair on the Woolbright and the Town Hall generator; delete \$1,000 longevity lump-sum from Public Works as it was left in the budget from FY20; and add an additional \$3,000 to the budget for an additional computer and antivirus software to continue offering virtual meetings.

Mayor Coz asked if the changes would impact the amount needed from reserves and Town Manager Stevens stated that it would. Commissioner Wiescholek asked for clarification if the \$20,000 in revenue from the possible FPL franchise agreement would be annual, and Town Manager Stevens stated that the \$20,000 increase would be for each year of the agreement. Commissioner Wiescholek asked for clarification if the expenditure of \$13,000 included both generators, to which Town Manager Stevens confirmed that it did and notified him of the breakdown costs.

Mayor de Haseth asked for more information on the additional \$3,000 for an additional computer and antivirus software. Town Manager Stevens noted that the expenditure was due to the continuation of virtual meetings and the necessity for an additional computer and to ensure that the computer has the same antivirus software as the other computers in the Town Hall facility. Chief Hutchins stated that the Town uses Essential Net Solution (ENS) as the Town's IT support and they provide antivirus software support to the Town's computers. He stated that ENS charges per unit and the amount was based on the antivirus and the management per unit. Mayor de Haseth commented that there is cheaper antivirus software, and Chief Hutchins clarified that the Town used a server, therefore, it needed a special antivirus which cannot be offered by the simple ones online. Vice Mayor Coz noted for the record the importance of antivirus software and how the City of Riviera Beach had to pay to retrieve their information after it was hacked. Mayor de Haseth recapped all the changes the Town Manager listed. Town Manager Stevens noted that the changes would reduce the amount needed from reserves.

Mayor de Haseth asked if there was a limit of how much the Florida Retirement System (FRS) could be, to which Town Manager Stevens responded that the rates for FRS were set by order from the Governor. She noted that the FY20 rates decreased for those in special hazard jobs, while those in administration increased. Mayor de Haseth asked once again if there was a limit on how much FRS could be, and Town Manager

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Stevens stated that there are no caps to FRS that she is aware of. Chief Hutchins added that FRS rates are based on the studies to determine the health of the retirement system fund in the State of Florida.

Vice Mayor Coz asked to discuss the tree inventory program, and suggested that the Town defer the tree inventory program to the FY22 budget. He commented that the Town would spend additional monies than the proposed \$5,000 on the tree inventory program, to which Commissioner Hurlburt dissented that the Town would only commit itself to \$5,000. Vice Mayor Coz noted that the software would need an upkeep, which would cost the Town money to continue. Commissioner Hurlburt stated that the company would only be doing a tree inventory and providing the Town with the information and nothing additional would be charged unless the Town decided to do more projects later. Vice Mayor Coz stated that the Town Commission should consider removing the item from the proposed budget, to which Mayor de Haseth stated that the item was reviewed and approved, and that the amount needed for the project would not make a big impact to the budget. Commissioner Besler stated that he was in favor of the tree inventory project, but was against spending money in a fiscal year where the Town is experiencing a deficit. Commissioner Wiescholek voiced his frustration for residents that were against a \$5,000 project that was an environmental line item. He expressed the importance of protecting and enhancing the environment. He was in favor of the tree inventory project in order to protect the trees and advised that the inventory would help staff enforce the Town Code. Commissioner Besler clarified that his position was from a financial standpoint, to which Vice Mayor Coz concurred that his position was also based on being fiscally responsible. He stated that the item can be postponed, and even if it is a small line item, it still shows fiscal irresponsibility of the Town Commission. **There was consensus to keep the tree inventory project in the budget, with Mayor de Haseth, Commissioner Hurlburt, and Commissioner Wiescholek in favor and Commissioner Besler and Vice Mayor Coz dissenting.**

Vice Mayor Coz asked for clarification on the decision at the last Town Commission Meeting regarding the 90th Anniversary Celebration because he was in favor of postponing it to FY22 and celebrating it with the Veteran's Day event. Mayor de Haseth responded that it was decided at the last meeting to allow the Committee to work on the details of the event, and allocating funds in case the Committee needed it to reserve vendors. Mayor de Haseth commented that an event would not be able to occur if there was issue with COVID-19, but that the Town Commission should leave the details to the Committee. She welcomed all Commissioners to be a part of the Committee as it was open to anyone that wanted to join and provide ideas. Vice Mayor Coz stated that he was against spending funds for the 90th Anniversary Celebration in FY21, to which Mayor de Haseth stated that even if the event was postponed to FY22 that the Town would still have to allocate funds in FY21 in the case that the Committee needed to secure vendors. Commissioner Hurlburt stated that it would give the Committee the funds to start planning the event even if the event was held in FY22. Commissioner Besler was opposed to allocating funds for the event, to which Vice Mayor Coz agreed. Commissioner Wiescholek stated that the Committee needs to consider COVID-19 concerns and the seasonality of residents. He asked how long it would take to plan an event, and Commissioner Hurlburt stated that it could take a couple of months to solidify vendors. Commissioner Hurlburt asked what dates the Committee was considering, and Mayor de Haseth stated that the Committee was considering hosting the event in April 2021 or postponing it to FY22 if there were still COVID-19 concerns. Vice Mayor Coz voiced his opposition to Celebrating the 90th Anniversary of Ocean Ridge due to COVID-19 concerns, the deficit within the budget, and that a 100th Anniversary Celebration would be more appropriate. Mayor de Haseth was appalled that there was an opposition to having a community event when the community needed an opportunity to get together after all of the things happening in 2020. Commissioner Wiescholek stated that the \$2,500 line item for the 90th Anniversary Celebration would only be spent if absolutely necessary. He urged the Committee to work on fundraising the amount needed for the event so that the Town funds would not be used, to which Mayor de Haseth confirmed that the Committee was actively working on raising the funds needed for the event and hoping not to use the Town funds, but wanted the Town to allocate funds in the case that it could not raise the full amount. Commissioner Besler noted for the record that a lot of the budget was fixed and that the Town did not have to spend the \$2,500 on the

#8 Replace Public Works Truck with Utility Truck \$45,000

There was a consensus for item to remain as submitted.

#9 Wet Well Maintenance for Pump Stations \$15,000 (Town Commission Approved \$15,000)

There was a consensus for item to remain as submitted.

#10 Newly Equipped Police Vehicle \$50,000

Commissioner Besler asked Chief Hutchins to explain the replacement cycle, to which Chief Hutchins explained that the vehicles were on a 3-year replacement cycle, but the Police Department was going to try to shift it to an additional year replacement cycle based on the Town Manager & Town Commission's concerns. He stated that there would be a request for two vehicles in the next fiscal year. Commissioner Besler pointed out to the Town Commission that the change in replacement cycle would mean that the Town would spend less on new police vehicles, but they may spend more in repairs if the vehicles were being kept longer than they should have. Chief Hutchins stated that he felt comfortable shifting the replacement cycle because cars seemed to be lasting longer in the recent years. Mayor de Haseth commended Chief Hutchins for shifting the replacement cycle. There was a consensus for the item to remain as submitted.

#11 Maintenance of Town Hall Facility \$20,000 (Commission Approved \$10,000)

There was a consensus for item to remain as submitted.

#12 Beach Crossover Repairs \$15,000 (Commission Approved \$15,000)

There was a consensus for item to remain as submitted.

#13 Septic to Sewer Conversion \$10,000

There was a consensus for item to remain as submitted.

#14 Crosswalk Near Crown Colony/Fayette Drive \$10,000

Mayor de Haseth asked for an update on this item, to which Town Manager Stevens stated that Florida Department of Transportation (FDOT) approved the crosswalk, but they still had to decide the placement of the sidewalk and the materials needed. Vice Mayor Coz asked if there was any possibility that the Town would be able to get the work done in FY20, and Chief Hutchins stated that it would be possible if the crosswalk only required minor work to install. Town Manager Stevens did not believe the work could be completed this fiscal year due to the time we need to work with FDOT. Vice Mayor Coz informed that the Town Engineer was working with FDOT for the best design and placement of the crosswalk. Mayor de Haseth commended Vice Mayor Coz for working with Representative Caruso on the crosswalk.

Commissioner Besler commented that the audio quality was the best it had been and he was able to hear most of the meeting, to which resident Zoanne Hennigan concurred that it was better, but that there were some people that it was hard to hear.

Town Manager Stevens noted that the changes discussed at the beginning of the meeting would be incorporated into the proposed budget and that the first public hearing for the budget would be held on September 8, 2020. She stated no additional changes would be made unless the Town Commission made any changes at the first public hearing due to the public comments.

Mayor de Haseth asked for confirmation that the Town Commission would not be able increase the mil rate at the September 8, 2020 meeting, to which Town Manager confirmed that the Commission would not be able to.

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90th Anniversary Celebration. Commissioner Wiescholek noted that the \$2,500 was going to be allocated as security and that the committee would work to fundraise the amount. **There was consensus to continue to allocate \$2,500 toward the Ocean Ridge 90th Anniversary Celebration, with Vice Mayor Coz and Commission Besler dissenting.**

Commissioner Besler commented that the Town is still waiting to see the refinancing options and noted that the ad-valorem taxes collection rate had been decreasing since 2016. He further noted that the decrease might be due to the Value Adjustment Board approving appeals to home appraisal values. He asked the Town Manager to look into what City National Bank would be able to do for the Town if residents from Ocean Ridge were to switch to City National Bank without being tied to any Town funds, to which Town Manager Stevens stated that she was waiting for a response regarding refinancing and the question posed by Commissioner Besler. Commissioner Besler asked the other Commissioner's opinions on what he asked the Town Manager to research. Mayor de Haseth asked if there would be any implied liability to the Town if the Town endorsed the bank. Town Manager Stevens stated that she had to do more research on the liability and that she would have to discuss the idea with the Town Attorney as well.

Mayor de Haseth asked Town Manager Stevens if she had any information on whether the Palm Beach County Value Adjustment Board was approving more appeals, to which Town Manager Stevens responded that she talked with a representative from Palm Beach County Property Appraiser's office who informed her that they were receiving more applications from the public appealing their home value. She stated that she was waiting for the representative to send her a 5-year report of the Value Adjustment Board decisions for Ocean Ridge. Mayor de Haseth stated that she would like to have the report be detailed into what section of the Town, or whether it was owners or builders applying for the appeals. Commissioner Wiescholek asked Commissioner Besler if the collection of ad-valorem was due to the Value of Adjustment Board approving the appeals, to which Commissioner Besler stated that he believed it was due to their approvals and to more people requesting appeals of their home value.

Mayor de Haseth asked if there was a concern for the Town establishing the collection rate at 97.5%, to which Commissioner Besler stated that he did not foresee any issues with the Town reaching the 97.5% collection rate. Commissioner Besler voiced his concern that it might be a downward trend and that it would be difficult to raise the collection rate if it continued to decrease, to which Mayor de Haseth concurred. Vice Mayor Coz also concurred and stated that the economy may cause even more residents to appeal their home value. Commissioner Wiescholek noted that the home sales price had not decreased and that homes within Ocean Ridge were selling at a steady rate, and Vice Mayor Coz concurred. Commissioner Wiescholek also noted that the oceanfront properties may be looking to appeal due to the dune erosion. Vice Mayor Coz stated that the Town would be in financial trouble if one of the mansions did not pay their taxes, to which Commissioner Wiescholek dissented and stated that even if someone did not pay their taxes that their debt would be auctioned off and then the person who bought the debt would be liable for the home until the homeowner paid their taxes. Vice Mayor Coz asked how long it takes for the Town to receive their portion of the taxes if the taxes were auctioned off, to which Commissioner Wiescholek stated that they are auctioned off in the same fiscal year. Mayor de Haseth stated that what was detrimental to the Town would be if homes lose their waterfront status due to the current lawsuit, to which Commissioner Wiescholek added that it would not impact the FY21 budget year.

Commissioner Hurlburt and Commissioner Wiescholek did not have further questions or items to discuss. Vice Mayor Coz asked if he should save any discussion regarding coconut trimming until the Regular Town Commission meeting at 6 p.m., to which Town Manager Stevens stated that he should.

Vice Mayor Coz noted that the Workers' Comp amount was divided equally among all employees of the Town regardless of their salary. Vice Mayor Coz asked Town Manager Stevens if there was another line item besides Contingency where the Town could spend funds in the case of a water main break, to which

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Town Manager Stevens stated that funds to repair a minor water main break have their own line item and funds to repairs a major water main break were often expended from Contingency. Vice Mayor Coz asked what would happen if there was not enough money in Contingency to repair a major water main break, to which Town Manager Stevens stated that the budget will be amended at the end of the Fiscal Year to move money from one line item to another. Commissioner Wiescholek asked Town Manager Stevens if the Town would be able to use the money from the Infrastructure Surtax to pay for a major water main break repair, to which Town Manager Stevens explained the difference between revenues and expenditures and informed that the County's regulation would have to be met to expend any funds from the Infrastructure Surtax, which she did not believe included repairs.

Mayor de Haseth asked Town Manager Stevens how much she proposed that the Town would be able to put into the reserve for the end of FY20, to which Town Manager Stevens stated that she believes the Town would be able to put roughly \$250,000 to \$300,000 back into reserves at the end of the year. She further stated that it would be dependent on how many Hurricanes or other emergencies the Town encounters from now until the end of the fiscal year.

CAPITAL ITEMS

#1 Replace All-Terrain Vehicle \$10,000 (Town Commission Approved \$10,000)

There was a consensus for the item to remain as submitted.

#2 ADA Setup for Entrance Door to Town Hall \$10,000 (Town Commission Approved \$10,000)

There was a consensus for item to remain as submitted.

#3 Replace Security Window in Dispatch Center \$16,000 (Town Commission Approved \$16,000)

There was a consensus to move forward with the item since the estimated amount was changed from \$30,000 to \$16,000.

#4 Police Radio and Telephone Recorder \$30,000 (Town Commission Approved \$30,000)

Mayor de Haseth asked if this would be an ongoing expense, to which Chief Hutchins stated that the Town would be incurring the expense for 5-years and Town Manager Stevens added that the item was in the Town's 5-year Capital Plan since the total was \$150,000 for the Police Radio and Telephone Recorder.

#5 Fire Hydrant Repair and/or Replacement (Moved to General Fund)

(Town Clerk's Notes: The item was removed from the Capital item list and placed into the General Operating.)

#6 Pump Replacement/Repair, Tropical & Woolbright Pump Stations \$70,000

There was a consensus for item to remain as submitted.

#7 Paving, Grading & Drainage Infrastructure \$140,000

There was consensus for the item to remain with the additional \$13,000 for the generator repair to the Town Hall and to Woolbright stations.

a. Tropical Drive Pump Station Generator Upgrade \$125,000

No discussion

b. Inlet Cay Island Pipe Grouting \$15,000

No discussion

c. Eleuthera Drive Cul-de-Sac Outfall/ Tidal Flooding \$0

Mayor de Haseth asked if the item was being completely removed or if it was being deferred to another Fiscal Year, to which Town Manager Stevens informed that there was a project underway to help alleviate some of the issues at the Eleuthera Cul-de-Sac in FY20. Mayor de Haseth asked that the Town contact the homes that were dumping the water into the Cul-de-Sac.

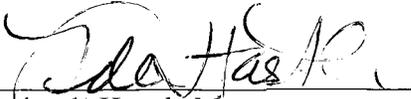
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Vice Mayor Coz stated that the Town Commission will discuss Coconut Trimming at the Regular Town Commission Meeting at 6 p.m. and decisions from there may impact the budget, and Town Manager Stevens stated that the decision would not impact the budget because the Town would still have to spend money to trim the coconut trees owned by the Town.

ADJOURNMENT

Meeting Adjourned at 3:17 p.m.

Minutes prepared by Town Clerk Armstrong, and adopted by the Town Commission on September 8, 2020.



Kristine de Haseth, Mayor

ATTEST:



Karla M. Armstrong, Town Clerk