

REGULAR TOWN COMMISSION MEETING MINUTES
DECEMBER 7, 2020

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Tuesday, December 7, 2020 at 6:00 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 6:00 p.m. Mayor de Haseth informed that this meeting will be virtual to allow for additional public input. She asked the Town Clerk to provide the information for participating virtually.

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 December 2, 2020. The Town Clerk also explained the methods of participating in public comment and gave tips on participating virtually.

Mayor de Haseth called for a moment of silence in memory of Don McIntosh, the Town's previous Building Official for many years.

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 virtually through gotomeeting.com.)

PLEDGE OF ALLEGIANCE

Mayor de Haseth led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Vice Mayor Coz asked for item #13, Spanish River Drainage, to be removed from the agenda as staff is working with the residents on a possible solution. Town Manager Stevens asked for item #2, Proclamation: Ocean Ridge Garden Club Plant America with Trees, to be taken up after the announcement portion of the agenda.

Vice Mayor Coz moved to approve the agenda as amended; seconded by Commissioner Hurlburt. Motion carried 5-0.

PRESENTATIONS

There were none.

ANNOUNCEMENTS

- a. The next Regular Town Commission Meeting will be held on January 4th at 6:00 PM at Town Hall. The next Planning & Zoning Commission meeting will be held on December 21st at 8:00 AM at Town Hall. The next Septic to Sewer Citizens' Advisory Committee Meeting is to be determined.
- b. 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.
- c. Town Hall will close at Noon on Thursday, December 24th in observance of Christmas Eve, and will be closed on Friday, December 25th in observance of Christmas.
- d. The annual Light the Lights Event has been cancelled due to the pandemic. Instead, the Town will hold a "Cruising Santa Event". Santa and his convoy will be cruising the Town on Saturday,

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December 12th beginning at 3:00 p.m. and residents can watch from the safety of their own yards. There will be holiday candy for our residents and dog treats for our furry friends. Check the Town's website for details regarding routes and timeframes.

- e. The Annual Municipal Election will be held on March 9, 2021. There are two Town Commission seats open for a three-year term. Candidate filing dates run from December 7, 2020 at 8:30 a.m. through December 11, 2020 at 3:00 p.m. in the Town Clerk's Office. / Las Elecciones Municipales Anuales se celebrarán el 9 de marzo de 2021. Hay dos asientos de la Comisión de la Ciudad abiertos por un período de tres años. Las fechas de presentación de candidatos se agotan desde el 7 de diciembre de 2020 a las 8:30 a.m. hasta el 11 de diciembre de 2020 a las 3:00 p.m. en la Oficina del Secretario de la Ciudad.
- f. The Health Care District of Palm Beach County's Mobile Health Clinic Testing Bus will be offering free COVID-19 Testing at the parking lot of Ocean Ridge Town Hall. The mobile bus will be there on Monday, December 14, 2020 from 9 a.m. to 4 p.m. Appointments are not required, but Photo ID and facial coverings are required.
- g. 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. Public comment is not meant to be a question and answer period, and there will be no dialogue. Anyone wishing to speak during public comment will approach the podium and state their name and address for the record, and see the Town Clerk after speaking to fill out a speaker card in order for the minutes to be properly recorded. All comments shall be directed to the Presiding Officer of the meeting and not to individual Commissioners, Staff, or members of the public. The Commission would like to remind everyone 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. Those addressing the Commission shall avoid personal attacks against anyone, and the Presiding Officer has the authority to remove individuals from the Commission Chambers if such conduct persists after the Presiding Officer provides a warning that the individual is in violation of this policy.

(Town Clerk's Notes: Announcement item #f was added after the agenda was published. Item #2 was moved from the Regular Item to be prior to Public Comment)

2. Proclamation: Ocean Ridge Garden Club Plant America with Trees

Mary Ann Cody, 5801 N. Ocean Blvd and Ocean Ridge Garden Club President, informed that the "Plant America with Trees" was a new program hosted by the Florida Federation of Garden Clubs to encourage planting of trees. She stated that the goals for the program matched that of Ocean Ridge and she explained that the Proclamation will require the Town to provide recommendations to local government, contractors, and residents about landscaping and encouraging restoration of local habitat and planting of native trees. She further explained that the Town would receive a plaque if the proclamation is signed. Town Manager Stevens concurred that the Town is already undertaking projects that matched the goals set forth by the program.

Mayor de Haseth called for public comment, and there was none.

Vice Mayor Coz asked if there would be any fee associated with signing the proclamation, to which Mary Ann Cody stated that there is no fee associated as it is more celebratory and the Town would be honored with a plaque.

Mayor de Haseth asked if Board members from the Ocean Ridge Garden Club approved of the proclamation, and Mary Ann Cody responded that the members were in support as the Ocean Ridge Garden Club took of vote from its members.

Commissioner Wiescholek thanked Mary Ann Cody and the Ocean Ridge Garden Club for bringing the item forward. He stated that the item represented the goals of Ocean Ridge.

Commissioner Hurlburt moved to adopt Proclamation: Ocean Ridge Garden Club Plant America with Trees; seconded by Commissioner Wiescholek. Motion carried 5-0.

PUBLIC COMMENT – (3-minute individual limit)

There was none.

DISCUSSION REGARDING TEMPORARY BEACH CROSSOVER CLOSURES AT ANNA STREET & EDITH STREET

Town Manager Stevens read into the record the press release from the Town that explained the project overview, the background, and reasoning for the closures. She elaborated that the contractor is working with the Town on a plan that would detail the landscaping to be installed at the completion of the project.

Mayor de Haseth called for public comment.

The following were opposed to the Edith & Anna Street Crossover Closures:

Dr. and Mrs. Ritota, 4 Hudson Avenue

Carolyn Cassidy, 7 Hudson Avenue

Michael Weiner, Attorney for John Shibles at 6201 N Ocean Blvd.

Eva Asner Mrachacz, 13 Hudson Avenue

Sharon Monson, 2 Hudson Avenue

Mr. & Mrs. John Kramer, 6230 N. Ocean Blvd.

Ken Lesberfield, Pelican Cove President

In summary, the residents stated that they were not against the seawall project, but against the beach crossover closures and that the Town should have looked for alternate crossovers to close rather than closing Edith and Anna Street crossover. They voiced their frustration that the Town did not properly notify residents of their closure or allow them the opportunity to voice their opinions prior to the closures and they feared that the landscaping on the crossovers would be lost forever. There was also discussion regarding the legal standpoint of the closures and recommendations to the Town to improve their notices to the residents regarding hot topics.

Vice Mayor Coz apologized about the Town's notifications to the residents prior to the closures, but he asked that residents not worry about the landscaping because the landscaping and other items would be replaced after the completion of the project. He mentioned that Edith Street crossover is typically closed after a hurricane for a long period of time until the crossover structure is fixed.

Commissioner Hurlburt stated that she understands the frustration voiced by the residents, but that those property owners are in need of permanent help to fix their property that is being destroyed due to the beach erosion. She agreed that there could be better communication from the Town with the residents of impacting issues.

Commissioner Wiescholek agreed that the Town should have communicated better the closures and agreed with Mrs. Ritota's idea of having a one page bullet point summary of all the items being discussed at the meeting. He stated that even though he understands the frustration over the closures that it is needed to complete the projects. He reiterated why the other crossovers would not have worked and why it is important to get the project done. He answered questions from the audience by explaining the Beach Re-nourishment project and the impact that the erosion may have on property value & taxes.

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Vice Chair Coz noted that even if the contractors were not allowed to use Edith and Anna Street crossover for their project that those crossovers would still need to be closed for safety concerns of the equipment on the beach and the need to remove the crossover stairs during construction.

APPROVAL OF CONSENT AGENDA (Items that do not require discussion)

1. a. Adopt Minutes of Regular Town Commission Meeting of October 5, 2020
- b. Approve Expenditure of \$2,940.00 to Jones Foster for Legal Services for September 2020
- c. Approve Expenditure of \$3,079.50 to Roberts, Reynolds, Bedard & Tuzzio PLLC for Legal Services for September 2020
- d. Resolution No. 2020-24: A Resolution of the Town of Ocean Ridge, Florida, Adopting Budget Amendments for the Fiscal Year Beginning October 1, 2019 and Ending September 30, 2020.
- e. Authorize Mayor de Haseth to sign the FDLE Coronavirus Emergency Supplemental Funding Program Acceptance of Federal Funding Program Application

Commissioner Hurlburt moved to approve the consent agenda as submitted; seconded by Vice Mayor Coz. Motion Carried 5-0.

REGULAR AGENDA ITEMS

3. Land Development / Building Permit Time Extension for Kerrigan Project on Thompson Street (By: Town Manager Stevens)

Town Manager Stevens provided an overview of the item by notifying the Commissioners and the public that the Kerrigan Project on Thompson Street needed an additional extension to the Land Development and Building Permits for the applicant to complete the work.

Mayor de Haseth called for public comment, and there was none.

Commissioner Besler stated that he is in favor of approving the project as long as it is only a 6 month approval and that an extended letter of credit is provided if the applicant needs an additional extension.

Commissioner Wiescholek asked Town Engineer Tropepe the status of the project, to which Town Engineer Tropepe stated that the delay is that the City of Boynton Beach is requiring the applicant of the referenced project to install a fire hydrant, and the applicant is obtaining all the proper permits to install the fire hydrant.

Vice Mayor Coz asked if the road would need to be ripped up, and Town Engineer Tropepe stated that she is unsure of all the requirements that the contractor will have to do. Mayor de Haseth asked if the applicant is incurring all the cost, to which Town Engineer Tropepe confirmed.

Commissioner Wiescholek reiterated that the letter of credit expires in May and that the applicant would need to provide an extended letter of credit for any additional extensions.

Vice Mayor Coz moved to approve the request for time extension on a land development permit for the Kerrigan property on Thompson Street that will expire on May 4, 2021; seconded by Commissioner Besler. Motion carried 5-0.

4. FDOT Requirement to Produce Photometric Plan for Crown Colony Crosswalk Application (By: Town Manager Stevens)

Commissioner Wiescholek recused himself from participating and voting on the item due to the personal and professional relationship with one of the contractors to be considered for the project.

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Town Manager Stevens presented the item to the Commission and the public by stating that FDOT approved the location of the crosswalk, but is requiring the Town to provide a photometric analysis by a licensed Professional Engineer. Town Manager Stevens provided proposals from three engineering firms that would be able to do the required analysis and recommended for the Town Commission to go with Ronald Levinson as his proposal had all the items required by FDOT.

Mayor de Haseth called for public comment, and there was none.

Vice Mayor Coz asked Town Engineer Tropepe if she worked previously and recommended Ronald Levinson, to which Town Engineer Tropepe stated that she did.

Mayor de Haseth asked if the new requirement for the photometric plan would increase the amount budgeted for the item, to which Town Manager Stevens stated that it would be over budget due to the unexpected expenditure, but that it would still be doable in the current budget.

Vice Mayor Coz moved to approve the proposal by Ronald Levinson in the amount of \$1,700 for the Photometric Plan in reference to the potential crosswalk installation near Crown Colony; seconded by Commissioner Besler. Motion carried 4-0 with Commissioner Wiescholek abstaining.

5. Interlocal Agreement for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Revenue Sharing Recycling Program (By: Town Manager Stevens)

Town Manager Stevens introduced the item by noting that the contract is no cost to the Town and is a requirement by Solid Waste Authority of Palm Beach County due to the legislative changes signed by Governor DeSantis regarding the recycling processing and collection.

Mayor de Haseth called for public comment, and there was none.

Commissioner Wiescholek voiced the importance of not cross contaminating while recycling. He asked Town staff to communicate with residents the proper way of recycling, to which Town Manager Stevens advised that information will be published in the next newsletter and on the Town's website.

Commissioner Wiescholek moved to approve the Interlocal Agreement for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Revenue Sharing Recycling Program with the Solid Waste Authority of Palm Beach County; seconded by Commissioner Hurlburt. Motion Carried 5-0.

STAFF & COMMITTEE REPORTS

6. Planning & Zoning Commission

Mayor de Haseth invited Vice Chair Carey for the Planning & Zoning Commission to the podium. Mr. Carey advised that his report summarizing the last P&Z Meeting was included in the meeting package. There were no questions from Commissioners.

7. Town Manager

Town Manager Stevens advised that her report was included in the meeting package. She reported on the following:

- The Board of Adjustment will meet on December 23, 2020 at 8:30 a.m. to consider a variance application.
- In the month of November, we celebrated the following employee anniversaries with the Town: Police Chief Hal Hutchins, 15 years; and Sergeant Gary Roy, 9 years. We thank them for their service and dedication to the Town of Ocean Ridge!

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- Thanked the Garden Club for donating the beautiful poinsettias that have been placed around Town Hall to be enjoyed by all.
- Candidate qualifying dates for the upcoming March election will be December 7th through December 11th. Candidate qualifying packages are available for pickup in the Town Clerk's office for those who wish to run for Town Commissioner. The deadline to qualify is Friday, December 11th at 3:00 p.m.
- The demolition of the property on N. Ocean Blvd has been completed. She thanked Building Official Guy for working closely with the contractor on the completion of this project and ensuring that the property comes into compliance with Town Code.
- The Coastal Resilience Partnership held a Vulnerability Assessment Working Group Presentation on November 18th, and a Public Workshop on November 19th.
- The seawall projects near the Edith and Anna Street crossovers began on December 2nd and are anticipated to conclude by around March 30th.
- The COVID-19 vaccine will be made available to the general public for administration through local pharmacies and/or doctor's offices. The Health Department estimates that the vaccine will be available to the general public around April or May of 2021.
- Reminded residents to make sure their exfiltration trench systems or other drainage systems, including swales, on their properties are properly maintained and working.

Mayor de Haseth clarified for the record that the Town Commission's intention is not to have all existing landscaping removed from the right-of-way, but rather discussion of how to mitigate anything in the right-of-way in the future due to the Town's Code and flooding issues. Town Manager Stevens noted that staff met to discuss the public right-of-ways and that she would follow up with the minutes from that meeting.

8. Town Attorney

Town Attorney Ryan stated that there is no legal report.

9. Police Chief

Police Chief Hutchins advised that the Police Department report was included in the meeting package, and he reminded residents to lock up their vehicles and not to leave keys or other valuables in the car. He also reminded everyone that the Police Department Toy Drive would conclude on December 14, 2020. He thanked the Garden Club for the Poinsettias donated to the Town and commended Lieutenant Jones for his dedication and for serving as Acting Police Chief & Acting Town Manager through a storm event.

10. Town Engineer & Public Works

Mayor de Haseth advised that the report was included in the meeting package.

Commissioner Hurlburt commended staff for all the work that they are doing.

Vice Chair Coz asked Town Manager Stevens if there is any movement with FDOT regarding the detention ponds, to which Town Manager Stevens stated that staff had a meeting with FDOT the following day to discuss outstanding items.

11. Building Official

Building Official Guy advised that his report was included in the meeting package, and recommended that the public read the Higgins Report that discusses Inlet Cay Drainage.

Mayor de Haseth applauded Vice Mayor Coz for spending a lot of time with residents to discuss the drainage issues on Spanish River Drive.

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Commissioner Wiescholek pointed out the amount of permits being processed and issued. The Commission congratulated Building Official Guy on a job well done.

TOWN COMMISSIONER COMMENTS

12. Legislative Conference Update (By: Mayor de Haseth)

Mayor de Haseth provided her fellow Commissioners with an update based on the legislative conference she attended. She was appointed by the President of the Florida League of Cities to the League's Utilities, Natural Resources & Public Works Legislative Committee. This committee addresses policies specific to municipal concerns with coastal management, energy, environmental and wetlands permitting, hazardous and toxic wastes, recycling, solid waste collection and disposal, stormwater, wastewater treatment and re-use (septic and sewer), water management, water quality and quantity.

Mayor de Haseth also updated that she provided a recap of the recent 2020 election, newly elected officials, and the outcome of the six proposed Constitutional Amendments which were on the ballot.

Mayor de Haseth reiterated that she understands the frustration for residents during the beach crossover closures as the beach is one of the reasons why many residents move to Ocean Ridge, and she asked for sympathy for those that are borderline losing their property.

Commissioner Besler thanked Mayor de Haseth for the legislative update and asked that staff moving forward go beyond the required to notify residents of any potential issues that impacts them. The Town Commission and Town Manager agreed that it would be in the best interest to go above and beyond to communicate issues such as beach closures to the residents with plenty of notice.

Town Manager Stevens noted that staff recently made changes to the audio in the Commission Chambers and asked Commissioner Besler if he could hear well through the virtual meeting, to which Commissioner Besler responded that he could and that it is one of the best meetings for audio so far.

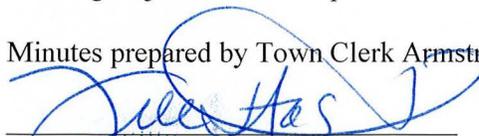
13. Spanish River Drive Drainage (By: Vice Mayor Coz)

(Town Clerk's Note: This item was removed at the approval of agenda.)

ADJOURNMENT

Meeting Adjourned at 7:39 p.m.

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



Kristine de Haseth, Mayor

ATTEST:



Karla M. Armstrong, Town Clerk

