

TOWN OF OCEAN BREEZE  
MINUTES TOWN COUNCIL REGULAR MEETING  
Monday, February 13, 2017  
Hoke Hall / Lifestyle Center – 10:30 a.m.

**1. Call to Order** – President Kagdis called the meeting to order at 10:30 a.m.

- Pledge of Allegiance – Mayor Ostrand led the Pledge of Allegiance
- Roll Call – Present: Mayor Karen Ostrand, President Ann Kagdis, Vice-President Ken De Angeles, Council Members Jerry Collins, Richard Gerold, Terry Locatis and David Wagner.
- Staff Present – Town Management Consultant, Terry O’Neil, Town Attorney, Rick Crary, Town Clerk, Pam Orr and Bookkeeper/Clerical Assistant, Kim Stanton

**2. Special Presentation** – President Ann Kagdis submitted a presentation of acknowledgement and thanks to outgoing Mayor David Myers.

**3. Congressman Mast’s Representative** – Derek Hankerson, Constituent Services Representative, 18<sup>th</sup> District, Florida, gave a verbal presentation regarding constituent services, i.e. Social Security, Medicaid, Veterans Service, etc., and satellite office hours located at the Jensen Beach Community Center. He gave his telephone number: (772) 336-2877.

**4. Approval of Minutes** – Vice-President De Angeles, seconded by Council Member Locatis, made a Motion to approve the Minutes of the January 9, 2017 Regular Meeting.

All in Favor: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner

Opposed: None

Absent: None

Motion Passed 6 – 0

**5. Budget to Actual** – Kim Stanton presented the Budget to Actual comparisons and Balance Sheets for the General Fund and the Special Revenue Fund for the Fiscal Quarterly Period October 1, 2016 through December 31, 2016. She took pertinent questions from the Council Members.

**6. Florida Power and Light** – David Haney, Florida Power and Light representative, gave a verbal and visual presentation regarding the residents’ transition to individual service and answered questions regarding surge protection.

**7. Permit Fees** – President Kagdis briefed the Town Council on the history regarding the reduction in permit fees to Sun Communities and their private providers’ services. She recommended reverting back to the 100% permitting fees due to the increase in permitting, additional office expenses incurred, possible storage space and inspector services due to inadequate private provider services. She stated that the permitting fees are designated funds for permitting expenses. She stated that, at the end of the project, if an overage occurs, those fees get refunded to the developer; that a profit cannot be made on permitting fees.

(inaudible)

Mr. O’Neil stated that if the Council desires to change the policy, a Resolution would be brought forth. He recommended that if the permitting fees were brought back to the 100%, accounting would be monitored closely in order to true-up the funds at a later date; by Statute, the operations of the permitting fund was to operate at a break-even.

(inaudible)

Mr. O'Neil replied a 50% reduction.

(inaudible)

Vice-President De Angeles, seconded by Council Member Collins, made a Motion to adopt a forthcoming Resolution, to be brought before the Council at the next, Regular Meeting, to increase the permitting fees to the original costs of 100%.

All in Favor: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner

Opposed: None

Absent: None

Motion Passed 6 – 0

President Kadgis spoke about the bulk of the documents the Town Council utilized to make decisions regarding the Town, adapting to the growth technologically and the need for less paper; namely, the use of an I Pad. She asked that this matter be realistically addressed.

(inaudible)

President Kagdis answered “the Town; the permitting fees apply to everyone equally.”

Council Member Locatis stated that the Town is under budget for the previous quarter and asked if this were a typical quarter and was a typical year four times the amount pertaining to Building Permits.

Kim Stanton explained that the Building Permits line item was typically over the budgeted amount on the reports provided.

President Kagdis asked for questions from the public regarding this proposed Resolution.

There were none.

**8. Comments from the public on topics not on the Agenda** – Judy Stein, 449 Pier Way, Jensen Beach, asked about a resident's meeting in January in which the Mayor stated that should the residents experience an issue with Sun similar to the issue with Carefree regarding the rent rate increase, that the Town Council would be able to elect an Ad Hoc Committee to resolve any of these issues.

Mayor Ostrand stated that she did not know at the time she made that statement, whether an Ad Hoc Committee could be formed by the Town.

President Kagdis stated that there would not be an Ad Hoc Committee; the Town takes care of Town business in accordance with Florida Statutes. She added that the Town hears Sun Community's business having to do with the Planned United Development; however, other issues regarding Sun Communities were typically Sun Community issues and must be dealt with through a resident group or individual.

Joe Angelico, Martin County Sherriff's office, announced a change in his assignment. He added that he had been a community policing officer for the Jensen Beach, Rio and Town of Ocean Breeze areas but had been reassigned to County-wide meetings as a liaison for the Sheriff's office. He advised that Officer Justin Lundstedt, cell number (772) 260-5596, along with an additional policing officer, would be continuing his post as the policing officer for area.

**9. Comments from the Council on topics not on the Agenda** – President Kagdis announced that the Treasure Coast Regional League of Cities Board Meeting is Wednesday, February 15, 2017, at 10:30 am in Port St. Lucie.

**10. Comments from Town Management Consultant Terry O’Neil** – Mr. O’Neil provided the Council with a draft of Ordinance which establishes a twelve-month moratorium on marijuana treatment centers. Mr. O’Neil gave a brief background on recommending adoption this Ordinance. He advised that if adopted today on first reading, Staff would place newspaper advertisement and the matter would come back before the Council on Tuesday, February 28, 2017.

President Kagdis read Ordinance #252-2017 into the record:

**AN ORDINANCE OF THE TOWN OF OCEAN BREEZE, FLORIDA, ESTABLISHING A TWELVE (12) MONTH MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

(inaudible)

Mr. O’Neil stated that this Ordinance would only have application in the Town.

Vice-President De Angeles, seconded by Council Member Collins, made a Motion to adopt Ordinance #252-2017 on first reading.

President Kagdis asked for public comment.

There was none.

Roll Call: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner  
Opposed: None  
Absent: None  
Motion Passed 6 – 0

**11. Comments from Mayor Ostrand** – Mayor Ostrand spoke about the Town of Ocean Breeze addresses. She stated that the residents and businesses, located in the Town of Ocean Breeze, had a mailing address in the Town as “Ocean Breeze – 34957.” She presented the public with a map of the Town of Ocean Breeze pointing out the different areas of the Town. She added that eventually Google and the other GPS systems would bring the correct information forward into their systems. She informed the residents that they could fill out an address change form with the Post Office to correct their Town name from Jensen Beach to Ocean Breeze.

Mayor Ostrand spoke about the Town monument which would be removed during the Indian River Drive project; she asked where the monument should be placed.

President Kagdis suggested tabling this matter until the next Regular Town Council Meeting.

Mary McHugh asked how long the change of address forms are in effect.

President Kagdis answered “one year.”

**12. Announcements** – Meetings to be held at Hoke Hall / Lifestyle Center

- Tuesday, February 28, 2017, 6:00 pm, Special Meeting, OBP West PUD Major Amendment First Reading

- Monday, March 13, 2017, 10:30 am, Regular Meeting, OBP West PUD Major Amendment, Second Reading

**13. Paul Nicoletti, Stuart City Manager** – Mr. Nicoletti gave a presentation highlighting Article 8 of the Florida Constitution, Chapter 112 of Florida Statutes, code of ethics and ethics training for elected officials, public records, Chapter 286 relating to public meetings, voting and other matters of the law as it pertains to the Mayor and Town Council Members.

Attorney Crary advised the Mayor and Town Council about texting, copying the Town Clerk on everything, emails, etc.

**14. Adjourn** – Vice-President De Angeles, seconded by Council Member Collins, made a motion to adjourn the meeting at 12:00 pm.

All in Favor: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner

Opposed: None

Absent: None

Motion Passed 6 – 0

**Re-Opened the Meeting** – President Kagdis reconvened the meeting immediately at 12:01 pm

**Special Presentation** – Cara Capp, National Co-Chair of the Everglades Coalition, gave a presentation on the ecosystem of the Everglades, Florida Legislative actions sponsored by Senate President Joe Negron to buy the land south of Okeechobee, funding and environmental issues impacting the St. Lucie River and U.S. Army Corps of Engineers.

She took questions from the Council.

She asked for a Resolution or letter from the Town Council to the State House of Representatives.

President Kagdis asked for a sample letter.

Ms. Capp stated that she would provide the Town with a sample letter.

Mr. O’Neil announced that the Council Members could give the authority to President Kagdis and the Mayor to execute the letter.

Council Member Locatis, seconded by Council Member Wagner, made a Motion to generate a letter of support of this initiative and authorizing President Kagdis and the Mayor to execute the letter.

All in Favor: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner

Opposed: None

Absent: None

Motion Passed 6 – 0

President Kagdis stated that she would be in Tallahassee for the Legislative meetings and she would hand-deliver copies of the letter to the new Representatives.

**Re-Adjourn** – Vice-President De Angeles, seconded by Council Member Collins, made a motion to re-adjourn the meeting at 12:20 pm.

All in Favor: Kagdis, De Angeles, Collins, Gerold, Locatis, Wagner

Opposed: None

Absent: None

Motion Passed 6 – 0

Minutes approved: March 13, 2017