

TOWN OF OCEAN BREEZE
MINUTES TOWN COUNCIL REGULAR MEETING
Monday, August 14, 2017
Jensen Beach Community 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 Richard Gerold, Terry Locatis and David Wagner
Absent: Council Member Jerry Collins
- Staff Present – Town Management Consultant, Terry O’Neil, Town Attorney, Rick Crary, Town Clerk, Pam Orr and Bookkeeper/Clerical Assistant, Kim Stanton

2. Approval of Minutes – Vice-President De Angeles, seconded by Council Member Wagner, made a motion to approve the Minutes of the July 10, 2017 Regular Meeting.

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

Opposed: None

Absent: Collins

Motion Passed 5 – 0

3. Captec Engineering – Joe Capra, Captec Engineering, provided exhibits and a timetable to the Town Council and members of the public regarding the Indian River Drive project and gave the status of construction. He answered questions and took comments from the Town Council. He confirmed that the speed limit through the project was 25 mph with a design speed of 35 mph.

Mayor Ostrand asked about moving the pedestrian crosswalk located north of Ocean Breeze Drive closer to the corner of Ocean Breeze Drive and Indian River Drive. She added that the traffic traveled fast from south to north and expressed concern about safety issues.

Mr. O’Neil explained the reasons for the current location and stated that Martin County permitted that location because they wanted an area for pedestrians to congregate.

Mr. Capra explained the reasons for that crosswalk being in that location and stated that he would try to talk to the County about the possibility of moving the sidewalk.

Mr. O’Neil reminded the Council that any change orders would result in additional costs to the Town and asked Mr. Capra to look into the costs.

President Kagdis stated that Indian River Drive was a County road.

Ron Reilly, 10 NE Nautical Drive, Ocean Breeze Resort, asked why the road was extended in front of the Environmental Studies Center.

Mr. Capra explained that the project was a Martin County project.

Mr. O'Neil commented that the Environmental Studies Center had partnered with the Town in the grants. He explained that the Town had an education component tied to the grant funding and the students at the Environmental Studies Center would be educated on the storm water runoff system technics used with this project.

Mr. Capra reviewed the schedule for construction and spoke about possible road closures. He stated that this would not happen until the first or second week in September and that there would not be any night-time construction. He added that, under the current plan, completion should be by January 25, 2018. He asked for questions or comments from the Council.

There were none.

President Kagdis asked for questions from the public.

There were none.

4. Comments from the public on topics not on the Agenda – Candi McKenzie, 30 NE Nautical Drive, Ocean Breeze Resort, asked about the old Florida Power and Light poles and plans for removal.

Gary Timmons, 3000 NE Indian River Drive, Sun Communities, answered that within the next ninety days, all the old poles should be removed.

5. Comments from the Council on topics not on the Agenda – Council Member Gerold asked about the dock.

Mr. Timmons responded that he spoke to the contractor and construction should start before November, but they have to obtain DEP approval and a permit.

President Kagdis spoke about the one-percent sales tax referendum coming up for a vote on August 29, 2017.

Discussion ensued regarding the one-percent sales tax referendum.

6. Comments from Town Managements Consultant Terry O'Neil – Mr. O'Neil gave an update on the Ocean Breeze West PUD and the forthcoming amendment from D. R. Horton, the developer and their representative Morris Crady, Lucido and Associates. He spoke about the public hearings that need to take place and a possible timeline.

7. Comments from Mayor Ostrand – Mayor Ostrand relayed her concerns regarding the condition of the rental spaces for lease in Ocean Breeze Plaza, and believed it was a health issue. She stated the Town should have an Ordinance in place to protect renters and to address the appearance of the public areas. She also commented on the aesthetic condition of these spaces and of some of the commercial storefronts.

Attorney Crary stated that he would have to research the matter as to whether the health department had jurisdiction and preemption. He commented that the aesthetics issue had been done with PUDs and in general zoning, but he would have to look up the current status of that issue. He also spoke to the issue of enforcement.

Mr. O'Neil added that the Town should begin with its Building Official; the Florida Building Code, the Life Safety Code and the Health Department Regulations. He stated that there were a number of Codes already on the books. He advised that the Town could adopt additional standards, for example a property maintenance code for failure to maintain. He stated that proper communication should be made to the owner. He reiterated that this should begin with Mr. Massing and others in order to get the owner to correct these issues. He concluded that by the next meeting, staff would have a report to the Council as to what had been done and what possible future codes or issues the Council might want to consider.

Mr. Crary spoke to a similar issue with the City of Stuart and that the City provided incentives (tax and grants) to encourage owners.

President Kagdis spoke about Palm Beach County and their local Ordinances regarding vacancies and aesthetics.

Mr. Crary explained that a Statute passed in 2010 said that towns with populations of 500 people, or less, could meet within five miles of their territory. Otherwise, they cannot meet outside of their jurisdiction. He suggested the President speak to the Florida Senate President to raise the number in the event the Town was not able to meet within its boundaries.

Deirdre Henry, 107 NE Bay Drive, Ocean Breeze Resort, shared her concern about the plaza attracting some homeless people.

Officer Joe Angelico, Martin County Sheriff's office, spoke about issues regarding the homeless, mentally ill and substance abusers. He announced that the Sheriff's Department worked with the property management regarding a disturbance or trespassing. He stated that if anyone felt threatened, they should call the Martin County Sheriff's department, they would investigate and decide on a course of action. He announced that there was an increase in beach parking lot burglaries. He continued that school was starting and addressed the issue of the increased number of children walking to school.

8. Announcements - Meetings to be held at Jensen Beach Community Center, 1912 NE Jensen Beach Boulevard, Jensen Beach

- Monday, September 11, 2017, 10:30 am – Regular Meeting
- Thursday, September 14, 2017 at 5:01 pm – Tentative Budget Hearing
- Monday, September 25, 2017 at 5:01 pm – Final Budget Hearing

9. Adjourn – Vice-President De Angeles, seconded by Council Member Wagner, made a motion to adjourn the meeting at 11:31 am

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

Opposed: None

Absent: Collins

Motion Passed 5 – 0

Minutes approved: October 9, 2017