

TOWN OF OCEAN BREEZE  
MINUTES TOWN COUNCIL REGULAR MEETING  
Monday, November 13, 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; Vice-President De Angeles asked for a moment of silence for the families of the victims in the Las Vegas shootings.
- Roll Call – Present: Mayor Karen Ostrand, President Ann Kagdis, Vice-President Kenneth De Angeles, Council Members 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. Approval of Minutes** – Vice-President De Angeles, seconded by Council Member Wagner, made a motion to approve the Minutes of the October 9, 2017 Regular Meeting.

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

Opposed: None

Motion Passed 5 – 0

**3. Resolution #270-2017** – President Kagdis read the Resolution into the record.

**A RESOLUTION OF THE TOWN OF OCEAN BREEZE FLORIDA AUTHORIZING BUDGET AMENDMENT #1 TO THE BUDGET FOR FISCAL YEAR 2016/2017; PROVIDING FOR AN EFFECTIVE DATE.**

Kim Stanton explained Budget Amendment #1. She asked for questions or comments from the Council.

There were none.

Vice-President De Angeles, seconded by Council Member Wagner, made a motion to adopt Resolution #270-2017.

Roll Call:

In Favor: Kagdis, De Angeles, Gerold, Locatis, Wagner

Opposed: None

Motion Passed 5 – 0

**4. Sun Communities Request for Zoning approval for a 2COP Beer and Wine Consumption on Premises Liquor License** – Marcela Camblor, Planner, Sun Communities reviewed a Power Point presentation regarding the café area. She gave a recap of the Comprehensive Plan Amendment, Zoning, Planned United Development, Amendment processes and Master Plan development. She summarized that Sun would like to maintain the amenity core as it had been described in the PUD exhibits since December, 2013.

Attorney Crary confirmed, in writing, that the Environmental Studies Center was not a school that needed to be considered for the liquor license.

Discussion ensued regarding Sun Communities rules regarding alcoholic beverages, HOA rules within Sun Communities, open containers and the Martin County Code.

Council Member Locatis stated that Martin County Ordinance #292 only applied to unincorporated areas of Martin County and that Ocean Breeze Zoning had full jurisdiction over the boundaries for the 2COP license. He added that he confirmed and had documentation that the 2COP license included package sales.

Discussion ensued regarding the license coverage and food service availability.

Mr. O'Neil gave a verbal synopsis of his November 8<sup>th</sup> Memorandum to the Town Council and Mayor along with Staff's recommended conditions.

Discussion ensued regarding policing of areas outside the licensed premises' boundaries, zoning regulations and conception drawings presented during the PUD process.

Gary Timmons, Sun Communities, stated that it was Sun's position to include the entire amenity core under the 2COP license.

Attorney Crary commented that there was less liability for the Town to leave the boundaries under the auspices of the property owner. He stated it was up to the Town to decide when there was a violation of the PUD Agreement.

Discussion ensued regarding possible rooms to be excluded, clarification of jurisdiction if a zoning violation occurred, reasonably anticipated zoning uses, Town liability related to Town Council meetings, and the PUD agreement.

President Kagdis suggested a Motion with the recommendations of staff's conditions that were specified in Mr. O'Neil's November 8<sup>th</sup> Memorandum.

Attorney Crary stated that he would want the Mayor to sign off regarding the terms.

Vice-President De Angeles, seconded by Council Member Wagner, made a Motion that the service area boundary remain as presented, with the recommendations of Staff to include the five conditions specified and that the zoning be approved with the conditions.

Roll Call:

In Favor: Kagdis, De Angeles, Gerold, Wagner

Opposed: Locatis

Motion Passed 4-1

**5. Property Maintenance Code DRAFT** – President Kagdis introduced the Property Maintenance Code draft. She stated that it would require the Council to study it and to receive public input. She added that it applied to all areas of the Town.

Mr. O'Neil stated that the draft would be put on the Town's website.

Vice-President De Angeles asked about properties being "grandfathered-in".

Mr. O'Neil answered that life safety matters would not be "grandfathered-in". He concluded that the document could be fine-tuned.

Council Member Gerold asked if the Property Maintenance Code would override the Prospectus. Mr. O'Neil stated the document had no relation to the Prospectus; it would be a Town Ordinance.



Attorney Crary stated the document was a working draft that needed further study.

**6. Comments from the public on topics not on the Agenda** – Barbara Curran, 118 NE Bay Drive, Ocean Breeze Resort, asked about the new amenity center and construction schedule.

Mr. Timmons answered that the Clubhouse and Fitness Center were due for a Certificate of Completion tomorrow. He stated that the pool would be open in about two weeks. (Inaudible). The laundromat was scheduled for December 15 and the sports (inaudible) should be done by January 1, 2018. He advised that the lights on the east side had been back-ordered and he was waiting on the poles; hopefully, by the end of the week, the lights would be finished.

Mayor Ostrand asked about the mailbox areas and lighting.

Mr. Timmons stated that there would be solar lights installed and they were about thirty days out.

Mary Jo Geyer, 95 NE Ocean Breeze Drive, Ocean Breeze Resort, asked about burying the electrical lines along Ocean Breeze Drive and advised that Florida Power and Light planned on burying the lines by April, 2018. She asked about obtaining progress reports from Florida Power and Light.

Mr. Timmons answered that it could be requested that someone from Florida Power and Light attend Town Council meetings. He stated that Diane Villegas was in charge of the Ocean Breeze project and Patricia Adams assisted.

Mrs. Geyer asked if it could be requested that Ms. Vellegas attend meetings and give regular updates.

President Kadgis stated that Amy Brunjes was on the administrative team and that she would speak with her regarding this concern.

Discussion ensued regarding notification of dates of activities, handicapped parking, other parking, the Activities Coordinator, communications regarding activities, flat tires due to nails and screws in the roads, trash along roadways and garbage cans.

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

Mr. Timmons replied that he had not heard anything about this.

Council Member Gerold asked about adopting a dog waste Ordinance.

Mr. Timmons stated that this was also addressed in the rules and regulations. He announced that his last day managing the property was December 1, 2017 and that he would continue to work with Sun, but not managing this property.

Council Member Wagner commented on the workers who were given permission to work on the amenity core on Sundays; and they were working on the waterfront properties and other properties.

Mr. Timmons stated that these were new sub-contractors and he would address the issue.

Council Member Wagner asked about trimming the bushes on West End.

Mr. Timmons stated that those bushes needed to be trimmed but that he was waiting on a plan with the CRA to see what would be worked out for west end.

Council Member Wagner asked about an RV area being temporary.

Mr. Timmons replied (inaudible) "yes."

Council Member Wagner commented that the PUD also stated that Sun would have the infrastructure in the entire redevelopment area complete within the next few months.

Mr. Timmons stated that the deadline on the southern part of the property was April 1, 2018 and in addition, Sun was upgrading the eastside with new water and sewer which would allow them to get rid of the north lift station.

(unknown) asked about Fire / EMS services.

Mr. O'Neil explained that the Fire / EMS services provided by Martin County are now being assessed by applying the same tax rate to the Town as the residents of unincorporated Martin County. He stated the Town was not in a position to provide its own Fire / EMS services. He added that roughly 45% of the costs were paid by Sun Communities, roughly 45% were paid by the Ocean Breeze West PUD Agreement and the remaining portion was paid by the Town. He commented that it was Sun's discretion as to when and how this cost was passed on to the residents. He advised that the Town's budget documents were posted on the website.

**8. Comments from Town Management Consultant Terry O'Neil** – Mr. O'Neil reported on the progress of the Indian River Drive project and that it was on schedule.

**9. Comments from Mayor Ostrand** – Mayor Ostrand explained the need for the Town to have a Property Maintenance Ordinance.

**10. Announcements** – Meetings to be held at the Jensen Beach Community Center, 1912 NE Jensen Beach Boulevard:

- Regular Town Council Meeting, Monday, December 11, 2017 at 10:30 am. Candidates for Town Council would have an opportunity to introduce themselves and give a brief summary of their qualifications.
- President Kagdis announced Ron Reilly's Birthday.

**11. Adjourn** – Vice-President De Angeles, seconded by Council Member Wagner, made a Motion to adjourn the meeting at 12:15 pm

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

Opposed: None

Absent: Collins

Motion Passed 5 – 0

Minutes approved: December 11, 2017